



Northern Ireland  
Assembly

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

**Volume 104**

(20 April 2015 to 24 May 2015)



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Minister for Regional Development .....	Mr Danny Kennedy
Minister for Social Development.....	Mr Mervyn Storey
Minister of Agriculture and Rural Development .....	Mrs Michelle O'Neill
Minister of Culture, Arts and Leisure .....	Ms Carál Ní Chuilín
Minister of Education.....	Mr John O'Dowd
Minister of Enterprise, Trade and Investment.....	Mrs Arlene Foster ( <i>until 11 May 2015</i> ) Mr Jonathan Bell ( <i>from 11 May 2015</i> )
Minister of the Environment.....	Mr Mark Durkan
Minister of Finance and Personnel.....	Mr Simon Hamilton ( <i>until 11 May 2015</i> ) Mrs Arlene Foster ( <i>from 11 May 2015</i> )
Minister of Health, Social Services and Public Safety.....	Mr Jim Wells ( <i>until 11 May 2015</i> ) Mr Simon Hamilton ( <i>from 11 May 2015</i> )
Minister of Justice.....	Mr David Ford

## Junior Ministers

Office of the First Minister and deputy First Minister .....	Mr Jonathan Bell ( <i>until 11 May 2015</i> ) Ms Jennifer McCann Miss Michelle McIlveen ( <i>from 11 May 2015</i> )
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# Official Report (Hansard)



# Assembly Settings





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# Northern Ireland Assembly

Monday 20 April 2015

*The Assembly met at 12.00 noon (Mr Speaker in the Chair).*

*Members observed two minutes' silence.*

## Assembly Business

### Committee Membership

**Mr Speaker:** As with other similar motions, this is a business motion and there will be no debate.

*Resolved:*

*That Mr Gary Middleton be appointed as a member of the Committee for Social Development. — [Mr Weir.]*

## Ministerial Statement

### Enabling Success: Supporting the Transition from Economic Inactivity to Employment

**Dr Farry (The Minister for Employment and Learning):**

With your permission, Mr Speaker, I wish to make a joint statement on a new strategy to address economic inactivity in Northern Ireland.

The Executive's Programme for Government includes a commitment for my Department and the Department of Enterprise, Trade and Investment to develop and implement a strategy to reduce economic inactivity through skills, training, incentives and job creation. This joint statement has been agreed with my partner in that regard, the Minister of Enterprise, Trade and Investment.

To reflect the need to develop a holistic approach to tackling economic inactivity, the strategy has also been developed in close partnership with other Departments, including, in particular, the Department for Social Development, Invest Northern Ireland and the Department of Health, Social Services and Public Safety. I would like to take this opportunity to thank those Departments for their valuable role in the development of the strategy and for their continued cooperation as we move forward through the implementation process.

I would also like to take the opportunity to thank the many stakeholders for their invaluable insights and contributions throughout the development of the strategy. The strategic proposals were rigorously tested during the consultation period by a wide range of stakeholders, and I am delighted that a number of new innovative ideas and approaches were identified through the consultation and have been incorporated into the strategy.

Economic inactivity is a labour market classification referring to individuals who are neither in work nor actively seeking work. High rates of economic inactivity have been a feature of the Northern Ireland economy for decades. The current rate of economic inactivity in Northern Ireland is 26.8%, which equates to approximately 312,000 adults between the ages of 16 and 64 who are not engaged with the labour market. This is the highest rate across all the regions of the United Kingdom and compares to a UK average of 22.1%. This level of economic inactivity has been a persistent feature of our economy over the past 30 years, within the ranges of 26% to 32%, irrespective of the changes in the economic cycle. I am sure that Members will agree that the figures outline the stark scale of the problem.

High levels of economic inactivity represent a major structural problem in our economy, which, if unaddressed, would limit our ability to develop and transform our economic prospects. For that reason, our two Departments have been leading, on behalf of the Executive, on the development of a new strategy aimed at tackling economic inactivity in Northern Ireland. It will be the only dedicated government strategy in the UK at a national level aimed at tackling economic inactivity.

The strategy has been informed by an extensive research, development and consultation process, including a baseline study of the profile of economic inactivity in Northern Ireland; an independent literature review carried out by Edinburgh Napier University; a strategic framework document; a 12-week public consultation exercise; engagement with the local business sector; independent focus groups with people from a range of economically inactive groups; regular engagement with the Committee for Employment and Learning and the Committee for Enterprise, Trade and Investment; and regular engagement with the Executive subcommittee on the economy, including its endorsement of a wide range of strategic proposals that have been included in the strategy. The outcomes from the comprehensive development process informed a final strategy that was agreed by the Executive on 16 April.

It may be helpful if I take some time to outline the key elements of the strategy and how we plan to implement them. The strategy makes a clear distinction between the different categories of economic inactivity: from benign forms of inactivity, such as students or early retirees, through to other forms of inactivity, such as severe health conditions or disabilities that cannot be addressed through any government intervention. The focus of the strategy is, therefore, on the forms of economic inactivity that are caused when an individual's particular personal circumstances, often combined with various structural issues, geographical nuances and economic conditions, restrict their access to the labour market.

The strategy will focus on three key economically inactive groups: people with work-limiting health conditions or disabilities who are included within the wider long-term sick and disabled category and who, with the right level of support and reasonable accommodations from an employer, should be able to work; and lone parents and carers who are included within the wider family commitments category, who are currently in receipt of out-of-work benefits and would be better off in work but are unable to make the transition due to a lack of appropriate support or opportunities.

Recent social security statistics show that the total for the three target groups is approximately 64,000, which equates to approximately 40% of all social security claimants in the economically inactive groups and approximately 20% of the total working-age economic inactivity figure in Northern Ireland. In saying that, we fully recognise that not every person who falls into these categories will be in a position to engage with the labour market or will wish to do so. I think that it is, therefore, important to highlight the person-centred ethos of the strategy and to confirm that the strategy will be based on voluntary participation. The strategy will be about supporting people to make transitions when they opt to do so. This is not about compulsion.

The strategy seeks, by 2030, to contribute towards a stable and competitive employment rate in Northern Ireland, which exceeds the UK average, through a reduction in the proportion of the working-age population classified as economically inactive. An interim strategic goal of achieving an employment rate of more than 70% by 2020 has also been included in order to assess the effectiveness of the strategy at a mid-point in the implementation process.

To put this in context, the current employment rate in Northern Ireland is 68.6% compared with a UK average of 73.4%. Achieving that goal will, therefore, be hugely challenging, but we are firmly of the opinion that we must aspire to put Northern Ireland's economic competitiveness on a level footing with that of the rest of the UK. It is worth stressing that our focus is on the overall employment rate, as opposed to a stand-alone reduction in the economic inactivity rate. We are not interested in reducing economic inactivity simply through shifting people into the unemployment category or by moving them from unemployment into inactivity.

Whilst our future actions will take into account the changing landscape arising from welfare reform, they are not part of the current proposed changes to the welfare reform system nor are they motivated by them. Rather, our response is directed at addressing what has become a long-term structural problem within our economy.

Successfully achieving the strategic goal will require the fulfilment of three strategic objectives. The first is to reduce by 2030, through transitions into employment, the levels of economic inactivity due to work-limiting health conditions or disabilities by a 25% reduction in the number of people claiming employment and support allowance within the work-related activity group against the 2015 baseline position. The second objective is to reduce by 2030, through transitions into employment, the levels of economic inactivity due to family commitments through a 25% reduction in the number of lone parents and carers claiming income support against the 2015 baseline position. The third objective is to establish by March 2017 a robust baseline for the numbers of people moving from work into economic inactivity due to health-related issues and to reduce by 2030 the baseline figure by 20% through a reduction in the number of new claims to relevant health-related social security benefits.

It is recognised that any potential future changes to the social security system in Northern Ireland may have implications for these strategic objectives through the scope, nature and claimant count of any new or revised social security benefits. It is, therefore, proposed to review and refresh the strategy on a regular basis to ensure that any necessary changes are appropriately reflected.

The strategic approach is based on a model of holistic intervention that is centred around six key themes. Theme one is about improving engagement and support by seeking to encourage and facilitate labour market transitions and improving employment outcomes for people in the target groups through an innovative outcomes-focused competitive pilot testing model. Theme two is about increasing employment opportunities and seeking to stimulate job creation through the development of a new model of incentives and supporting people in the target groups to make the transition towards and into the labour market. Theme three will address wider barriers

by seeking to challenge and change societal attitudes towards disadvantaged groups in the labour market and by helping to improve employment outcomes for older workers and people with mental health issues. Theme four is about breaking the cycle of inactivity, and it seeks to reduce future inflows to economic inactivity through preventative interventions aimed at improving health and work outcomes. It also seeks to promote positive life choices amongst young people who are at risk of disengaging with education, employment or training and of potentially becoming economically inactive in the future. Theme five relates to partnership, and strategic management seeks to create effective management structures to deliver, coordinate and monitor the strategy's implementation. Theme six is about improving information, and it seeks to develop a robust information base and effective data management systems to improve the effective delivery and monitoring of the strategy's implementation and management.

Each of the six themes will be implemented through a series of 11 projects delivered across a number of Departments. I will now briefly outline the projects.

Project A is the co-design development of an outcomes framework to inform and guide the pilot testing process. DEL will take that project forward.

In project B, an innovative regime of competitive pilot project testing using a pre-commercial procurement-based model will be developed to allow a number of small-scale initiatives to be tested for their potential to improve outcomes for the target groups. Successful approaches will be developed further and potentially upscaled. DEL and DETI will take that project forward.

Through project C, a geographically focused control group project will be developed, delivered and evaluated to provide benchmarking data for the competitive pilot testing phase. DSD will take that project forward.

Under project D, a new model of support and incentives will be developed to encourage employers to hire and upskill people from the target groups and to promote sustainable employment. DEL will take that project forward.

#### 12.15 pm

Under project E, new and improved measures will be put in place to promote the financial advantages of employment, raise awareness of transitional benefits protections and better communicate the linking rules to reclaim benefits to encourage labour market transitions among the target groups. This project will be taken forward by DSD.

Through project F, new measures will be put in place to address wider labour barriers faced by older workers. These will include an age-positive public awareness campaign to highlight the benefits of employing older workers and promote age-positive recruitment practices. This project will be taken forward by DEL.

Through project G, new measures will be put in place to tackle mental health stigma in the workplace. These will include a mental health promotion strategy aimed at encouraging positive mental health through work and in the workplace, as well as initiatives to support employers to foster mental health friendly workplaces. This project will be taken forward by DHSSPS.

Through project H, an expert panel will be appointed to undertake a Northern Ireland scoping study of the health and work recommendations from Dame Carol Black's report 'Working for a healthier tomorrow' and identify and explore the feasibility of options to better integrate health and work services in Northern Ireland. Again, this project will be taken forward by DHSSPS.

Under project I, a series of regional younger people's advocates will be appointed to engage with young people who are at risk of disengaging with education, employment or training and potentially becoming economically inactive. The advocates will help to inspire and support positive life choices among the young people. This project will be taken forward by DEL.

Project J will establish a strategic forum based on a partnership comprising employers, the voluntary and community sector, central and local government, the health-care sector, relevant statutory and non-departmental public bodies and expert advisers to provide strategic oversight, leadership and guidance. This project will be taken forward by DETI.

Under project K, a series of research projects will be undertaken to identify new sources of data to inform the implementation process and accurately monitor the progress of the target groups towards and into employment, in line with the strategic objectives. This project will be taken forward by DEL and DSD.

The strategy has been developed in the context of constrained public expenditure. For that reason, a number of projects will initially be piloted to ensure that effective solutions are identified prior to the upscaling of investment. A number of other projects will initially focus on feasibility and scoping exercises to provide modelling to inform the viability, cost and benefits of implementation. Additional resources will have to be identified across Departments to ensure the successful implementation of the strategy going forward.

The development of a strategy to underpin these efforts is an unprecedented action by the Executive, and I cannot overemphasise that there is no quick-fix solution. Efforts to address the multitude of complex factors and barriers that fuel the high rate of economic inactivity in Northern Ireland must be not only innovative but incrementally progressive to ensure that sustainable results are achieved.

We have a duty to do everything we can to help and support people to meet their full potential for the benefit of the individual through the positive factors associated with sustained employment and for the benefit of Northern Ireland in the economic and social advantages of having a more buoyant and competitive labour market.

Sustainable results cannot be delivered by government alone. We must coordinate the efforts of all key sectors and stakeholders to maximise the outcomes for those most in need of our support. In doing so, I am hopeful that the strategy will provide a long-term framework for greater economic participation in Northern Ireland. The challenge now is one of delivery. Through collaboration and partnerships, we are confident that sustainable change can be achieved.

**Mr Swann (The Chairperson of the Committee for Employment and Learning):** I thank the Minister for his statement, which outlines three target groups, three strategic objectives, six themes and 11 projects, with an

interim strategic goal of an employment rate of 70% by 2020. That is an additional 18,000 jobs over the next five years. Is that the limit of the ambition of this strategy?

The strategy recognises overall job creation as critical but we cannot move people into jobs that are not there. What resources have already been assigned by the Executive to this strategy?

**Dr Farry:** I thank the Chair of my Committee for his comments. Again, I stress that this is a strategy that will be reported in greater detail to both of the Committees scrutinising the two lead Departments.

I stress to the Member and the House the unprecedented nature of the undertaking that we are making. This has been a problem in Northern Ireland for the best part of 30 years. It has defied the ups and downs of the economic cycle, so we know that it is a structural problem within our economy, but it is also one that we have to address if we are to make the most of the people whom we are there to serve and the wider economy.

We also have to recognise that this is the first time there has been anything like this in any jurisdiction in these islands. This is innovative policymaking in its rawest sense. This is a great advertisement for the benefits of devolution: this would not be happening if we did not have a devolved Executive and Assembly that have the interests of the economy at heart and have the means to take forward innovative strategies.

In saying all that, we recognise that this is not going to be easy. This is an inescapable pressure that we have a fundamental duty to address. It is going to take a lot of work from a lot of the people, in government and beyond government, to achieve the targets that we are setting. We believe that the targets, contrary to what the Chair said, are incredibly ambitious. We are seeking to get above 70% by 2020 and to get above the UK average, which is 73%, by 2030. Even achieving a 1% move will be incredibly difficult. To put it in context, achieving the target by 2020 will involve the creation of about 58,000 jobs, and potentially 115,000 new jobs will be needed to get to the 2030 target.

Of course, this strategy should not be viewed in isolation of other efforts that the Executive have taken forward to address the economy. There are many other good things that we are doing. The Member will be well aware of the record results that Invest Northern Ireland had last year. We are aware of the efforts that are being made to attract a lower level of corporation tax to Northern Ireland and the jobs potential that will flow from that. So, with all the levers being geared towards improving the economy, it is also important that, within that context, we have specific measures to address the barriers faced by those who are economically inactive. It is in that context that this strategy is most relevant.

**Mr Buchanan:** I thank the Minister for his statement. How do you intend to encourage voluntary participation within the target groups? With regard to 2030 being the chosen target date set for measuring the success of the strategic objectives, should there not be a secondary, interim goal to measure the effectiveness of the objectives, for instance around 2025?

**Dr Farry:** I thank the Member for his comments. He will be aware that we have set an interim target in relation to 2020 of having 70%. It is the clear intention that this strategy will

be refreshed on several occasions as we move towards 2030, and I have no doubt that a further interim target of 2025 will be considered as part of that process. It will involve a lot of work and mobilisation of people to achieve those targets.

It is also worth stressing that the European Commission has a target of achieving 75% economic participation by 2020, so we are part of a wider movement across the European Union to improve participation. In that context, we can take some degree of comfort in that, while we see some very high performing economies, particularly in northern Europe, there are many other economies in southern and eastern Europe where the economic participation level is lower than that in Northern Ireland. This is a phenomenon that is a problem elsewhere, and we can derive lessons from that, but there are, no doubt, some very particular circumstances in Northern Ireland that we need to be very mindful of. Again, the strategy is here to address those.

**Ms McGahan:** Go raibh maith agat. I welcome the Minister's statement. Does the Minister agree that the key to overcoming barriers for lone parents and others is the provision of affordable and accessible childcare? Will the Minister outline what steps he is taking to address that? Can he also advise whether the general policy has been rural proofed?

**Dr Farry:** Let me say two things on that. First of all, the childcare strategy is the responsibility of OFMDFM. Nonetheless, there will be read across with what we are doing. With the competitive piloting process, we will be looking for projects coming forward, and, as we seek to address issues about those with family commitments being excluded from the labour market, childcare will be a key focus. I have no doubt that projects will come forward, and the whole nature of the competitive piloting is to try as many things as possible to ensure that that is the case.

The Member also referred to the urban/rural split, and I can reassure her about that. We are not suggesting a one-size-fits-all approach across Northern Ireland or, indeed, one that derives from an urban perspective. It is a bottom-up focus. We know that that is the way that this will be most effective, so we will seek a range of projects coming forward, and I have no doubt that a good balance of those projects will come from rural communities as much as from urban areas. As the Member well knows, there are major differences in the barriers that people will face.

I apologise to Mr Buchanan because he referred to voluntary participation and how we encourage that. We accept that a large number of people who are economically inactive will not be able to engage in the labour market. That is accepted and acknowledged. However, the strategy is based on the presumption that there are people who want to engage in the world of work but that there are barriers that prevent them from doing so. As the Member outlined, childcare is a key example. We are trying to enable people to take that step into the world of work, which is not only more productive for them and their self-esteem but better for the economy. We have to address the reasons why they are not able to make that leap.

**Mr McGlone:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as a ráiteas. I thank the Minister for his statement. In setting the strategic targets for the objectives, will he advise what work has been

undertaken by both Departments to ensure that these are realistic and achievable? I will pick up on Ms McGahan's point about trying to bring carers back into work, and many already appreciate that those carers have substantial and significant duties. What work has been done in consultation with the likes of Carers NI and representative bodies to establish what support mechanisms could be put in place to facilitate the transition to the acquisition of additional skills?

**Dr Farry:** I thank the Member for his questions and acknowledge his role as the Chair of the Committee for Enterprise, Trade and Investment and his particular responsibilities in this regard. The targets are not only ambitious but realistic. They are within reach and are based on benchmarking against what is happening elsewhere in these islands. We know that, if we are able to address barriers that are perhaps particular to Northern Ireland, we should be in a situation in which we can be on a par with or, indeed, exceeding what is happening in other jurisdictions.

This process has been devised through significant engagement with stakeholders, including a public consultation, and carers have had an opportunity to be part of that process. That is not the end of the engagement with stakeholders, and, if anything, we will now be changing gears. As we take the projects forward, we want to engage with those who have the most direct say in how we design the process by which we can overcome the barriers. For an organisation such as Carers NI, there may be opportunities with the competitive piloting process on devising projects. There may be opportunities to influence the strategic forum that will be put in place to monitor the delivery and to speak up and identify particular challenges that are being faced.

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

This is not about compulsion. We are not trying to force people who have caring responsibilities into the world of work. We are trying to address a situation in which those with caring responsibilities who may feel trapped are empowered to engage in work. That may be part-time or full-time work, but such people can have a different balance if they choose so or if they feel that they are being impeded by artificial barriers elsewhere in our policies and practices that are holding them back.

**Ms Lo:** I certainly welcome the Minister's statement. As he said, economic inactivity is not only a long-term problem for Northern Ireland but a very complex societal matter.

The Minister said that a kind of bottom-up approach would be taken. Apart from being involved in the strategic forum, what will the community and voluntary sector's involvement or role be in the implementation of the strategy?

**12.30 pm**

**Dr Farry:** I thank the Member for her comments. Specifically on the community and voluntary sector, I can say that, particularly at this time, there is the impression that government and the community and voluntary sector are pushing and pulling in different directions, particularly on funding. Right across the Executive, that is not the message that we want to get out. The community and voluntary sector is a critical partner in the delivery of a range of services and in providing advice to government. I

see a strong role for the community and voluntary sector, particularly in the delivery of the strategy.

The Member mentioned the strategic forum, which is one immediate opportunity. A lot of the different types of interventions will have to be devised in a community setting, and that is why the process of competitive piloting is so critical. In due course, we expect to see calls for bids coming in from different actors in Northern Ireland, and there will be opportunities for the community and voluntary sector to make bids as part of that process in order to take forward, on a pilot basis, different types of interventions to see what works and what does not. Government will then seek to upscale the types of interventions that have been proven to be most successful.

**Mr Campbell:** The Minister said that there was no quick-fix solution and that, over the past 30 years, economic inactivity had remained very high. What will he do about ongoing monitoring, especially of those very hard-to-reach communities where economic inactivity has been even higher than the average higher-than-normal rates throughout Northern Ireland?

**Dr Farry:** The Member is right to stress two points, the first of which is the importance of ongoing scrutiny and management. A number of the projects are very much geared towards those objectives, including ongoing data collection to assess how we are doing. He is also right to make the point that there are significant variations in levels of economic inactivity across Northern Ireland, and that is immediately stark, even at district council or parliamentary constituency level. If you drill beneath that, the figures may well be even starker. There are pockets in Northern Ireland where, if you combine economic inactivity levels with levels of unemployment, approximately one in two adults is not part of the labour market. That is a really shocking reality that we have to address.

The achievement of the objectives that we are setting in the strategy cannot be realised simply by going through the easier-to-reach groups and ticking boxes. If we are to make a lasting difference to people and communities, we have to ensure that the range of projects and interventions runs across the board and that we have particular sensitivity to ensuring that we reach the hardest-to-reach groups, who, at the same time, want to engage in the world of work.

**Mr F McCann:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his statement. Any strategy to deal with the chronic unemployment that many of our communities face must be welcomed.

Theme 3 speaks about "Addressing wider barriers" and seeks to challenge and change societal attitudes to disadvantaged groups, especially older workers and people with mental health issues. That is something that people have been trying to get their head around for many years. Can the Minister say how he intends to do that and tell us what resources will be brought to this most crucial of problems?

**Dr Farry:** The Member is right to highlight the issue. Far too easily, we tend to write people off, whether they are older workers, people who have been made redundant in their late 40s or early 50s — we say, "Well, that's them" — or those with mental health issues. Many people, particularly those with a mental health condition or other disability, are not restricted from engaging in the world of work, particularly if the relevant support and interventions

are put in place to allow that to happen. That is why the project is so important to seeking to address those barriers. The Department of Health, Social Services and Public Safety, for example, has specific responsibilities, particularly for mental health and disability issues, but all of us can be champions in changing the attitudes both of the companies receiving the workers and of the workers themselves, so that they have the self-esteem and self-confidence that they are worthwhile and able to make a competitive contribution in the labour market.

The Member also makes reference to resources, which — I have to be straight with the Member — are an ongoing challenge. The Member, like others, is fully aware of the very tight public expenditure context in which we find ourselves. There has been a successful bid to the change fund, which is a central Executive pot of money managed by DSD, that will allow us to take forward the control project. I will see what resource I can find in my existing budget to allow my DEL responsibilities to be taken forward during the year, and other Ministers may approach it in a similar light. Equally, we may need to look to monitoring round bids for specific programmes to allow us to begin implementation of the strategy. I suggest that the bigger pressure point will come in the next financial year, 2016-17. We will have to ensure as we strike the budget for that year that we mainstream the funds necessary. Ultimately, investment in this regard will create a return for individuals, society and the economy as a whole. It is a worthwhile investment.

**Mr Anderson:** I thank the Minister for his detailed statement. I note that the strategy is not just focused on shifting people from unemployment to economic inactivity; it is stand-alone. It is good that we are not just trying to shift people about to suit certain numbers. The Department has responsibility for project D: under any new model, what support can the Minister give to employers and small businesses to encourage them to hire and upskill the groups mentioned in the statement? What can his Department do in the future that it is not doing now?

**Dr Farry:** I thank the Member for his comments. First of all, he is right that this is not about shifting people from one form of labour market classification to another but looking at the employment rate. To crystallise this, a lot of people criticise the Conservative Government in the 1980s, when they had huge difficulties with unemployment, for simply shifting people off the unemployment rolls into economic inactivity, as opposed to getting them back to work. In that way, the figures were perceived to have been somewhat rigged. It is clear that, as an Executive, we want to be straight with people. This is about the employment rate; that is the way we measure the success of the strategy. Simply moving people from unemployment to economic inactivity or from one category of exclusion from the labour market to another is not addressing the problem.

In project D, which falls to my Department, there is a mix of interventions to encourage companies to take on people who are economically inactive. One potential means is to expand the use of social clauses into new territory. In the main, however, it will be a combination of investing in skills and financial incentives, and I suggest that one will not be successful without the other. Employers will not hire someone simply on the basis of a wage incentive; they have to know that the person has the skills and capacity to do the job. But employers are maybe prone not to take a

risk with someone who is economically inactive, and that is where a wage subsidy becomes relevant. Obviously, wage subsidies carry a significant cost to the public purse. We have used them, most recently to tackle youth unemployment as part of the youth employment scheme, and they have been successful in getting young people between 18 and 24 into the world of work. An extension of that type of model to those who are economically inactive can be considered as part of the delivery of project D.

**Mr Ramsey:** I warmly welcome the statement to the House today. I thank Minister Foster and you for responding by bringing forward the strategy. I saw, from the meeting that I attended along with key stakeholders representing Derry and Strabane, the importance of a programme of this nature.

Given the much higher levels of economic inactivity and higher levels of apathy and low morale in the north-west, will the Minister outline to the House when he expects to see the programme up and running and operating there?

**Dr Farry:** I thank the Member for his comments. Again, this is an Executive strategy that is a product of many hands. It has been taken forward by Minister Foster and me in partnership, and it is a classic example of how the Executive can work in a collaborative manner to produce outcomes for the people of Northern Ireland. Delivery now falls to a range of Departments, as well.

The project that the Member referred to is essentially our control project. That will be taken forward by the Department for Social Development, and it has been the subject of a successful bid to the Executive's part of the budget via the change fund. It is for Minister Storey to take forward that project in detail. I know that he is very conscious of that and, in doing that, will want to be very mindful of the areas in Northern Ireland where economic inactivity is most acute. The Member mentioned the north-west, and a delegation from the Derry area had a meeting with a number of Ministers to make that point and to work up a detailed proposal.

There will need to be further co-design work with the relevant people to take that project forward, but it is my understanding that that initial control project should run from the autumn to March 2016. We will then see a mainstream competitive piloting process being taken forward during the 2016-17 financial year.

**Mr Allister:** After the Executive have been in charge for eight years, the Minister now tells us that we are going to have a holistic approach to tackling the blight of economic inactivity. Minister, you know that it is not holistic. There is nothing in the strategy to incentivise the work-shy into work, because of the block on welfare reform. Therefore, it is a limp proposal. Do you agree that one hand has been tied behind your back by the block on welfare reform, whereas we have heard reports from GB of tens of thousands of people being moved from benefits into work through welfare reform?

**Dr Farry:** I want to say a number of things to Mr Allister. He may wish to say that we have had devolution for eight years and that we are only now getting this. However, we have it, and this is the first time that any region in the UK has sought to undertake such an undertaking. I am not aware of any comments from Mr Allister over the intervening eight years demanding that the Executive should produce such a strategy. Indeed, Executive Ministers determined that it was a priority, and it was

inserted into the Programme for Government to recognise its importance.

The second thing that I would say is that I do not think that it is helpful or accurate to use the term “work-shy” to refer to those who are economically inactive. I and my colleagues are working on the basis that there are people in our society who want to work but who are being held back by various barriers or stigmas that prevent them from doing so. This strategy is quite clearly based around empowering people to go back into work. It is not about compulsion.

This is not linked to welfare reform. If welfare reform had not been devised by the outgoing coalition Government, we would still have regarded economic inactivity as a major structural problem within Northern Ireland’s economy, and the Executive would have sought to address it. Welfare reform is obviously part of the landscape out there that the strategy will need to take into account when it is being delivered, but it stands on its own merits and is not based on compulsion. It is about empowering people to make choices for them that create better opportunities and self-esteem and produce better outcomes for our economy in terms of increased economic participation.

**Ms Sugden:** I thank both Ministers for their very ambitious statement. However, moving forward, I would like to see some more specific SMART objectives, particularly in relation to the projects, so that the statement is more about substance than fancy words.

I suppose that Mr McCann alluded to it earlier, but it would be irresponsible of both Departments to announce such an endeavour unless some money is available. Will the Minister give me some examples of what funding is already under his power?

**12.45 pm**

**Dr Farry:** First, as we develop the different projects — as we have outlined, there are 10 different projects that will be taken forward by different lead Departments — they will have their own delivery targets. There will be senior responsible officers in the relevant Departments who will be responsible for the delivery of each of those projects. Again, they will be scrutinised through the various existing government scrutiny techniques to ensure that delivery is taking place.

We are not running away from the difficulties that exist in relation to resources. Nonetheless, it is important that we put the strategy in place. There are elements that we can begin to implement readily without a massive injection of resources. In due course, we will need to look for resources to be made available. I have identified the monitoring rounds and, perhaps, on a more sustainable basis, the budget for the year after this one for mainstream delivery of the project. To be very clear: this is an Executive Programme for Government commitment; it is not a tick-box exercise of publishing a strategy to sit on a shelf. We are setting ourselves some very ambitious targets. Having done that, we have to ensure that we provide the resources that will enable us to meet those targets; otherwise we will leave ourselves exposed to criticism.

Today, however, let us acknowledge that we have taken the step of publishing the strategy. I stress again that this is the first time that this has occurred anywhere in these islands; this is a new departure and we are in unknown territory. There will be ups and downs in the

upcoming years; this will not be easy, but we know that it is inescapable. We cannot have an economy with an economic inactivity level of around 27%; it is simply not sustainable. We simply have to address the problem.

## Committee Business

### Public Services Ombudsperson Bill: First Stage

**Mr Lyttle (The Deputy Chairperson of the Committee for the Office of the First Minister and deputy First Minister):** I beg to introduce the Public Services Ombudsperson Bill [NIA 47/11-16], which is a Bill to establish and make provision about the office of the Northern Ireland Public Services Ombudsperson; to abolish the offices of the Northern Ireland Commissioner for Complaints and the Assembly Ombudsman for Northern Ireland; to provide that the Northern Ireland Public Services Ombudsperson is, by virtue of holding that office, the Northern Ireland Judicial Appointments Ombudsman; and for connected purposes.

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

### Special Educational Needs and Disability Bill: Extension of Committee Stage

**Miss M McIlveen (The Chairperson of the Committee for Education):** I beg to move

*That, in accordance with Standing Order 33(4), the period referred to in Standing Order 33(2) be extended to 13 November 2015, in relation to the Committee Stage of the Special Educational Needs and Disability Bill [NIA 46/11-16].*

The Special Educational Needs and Disability Bill passed its Second Stage on 10 March 2015. As part of the Committee Stage, the Committee for Education has sought written responses. The Committee expects to begin oral evidence sessions involving key stakeholder organisations shortly. The Bill is reasonably short, but the provisions are complex and quite involved. In order to allow sufficient time to consider the evidence and anticipated amendments, the Committee is seeking an extension to the Bill's Committee Stage. I assure the House that the Committee will endeavour to conclude its work well in advance of the proposed extended deadline. On behalf of the Committee, I ask the House to support the extension of the Committee Stage of the Special Educational Needs and Disability Bill until 13 November 2015.

*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 13 November 2015, in relation to the Committee Stage of the Special Educational Needs and Disability Bill [NIA 46/11-16].*

### Department of Education Retention and Disposal Schedule for Employee Records: Prayer of Annulment

**Mr Deputy Speaker (Mr Dallat):** I wish to inform the House that the Chairperson of the Committee for Education has written to the Speaker's Office to advise that the Committee has agreed not to move the motion. I call Miss McIlveen to confirm that the motion is not moved.

*The following motion stood in the Order Paper:*

*That this Assembly requires the preservation of medical records of those exposed to a substance hazardous to health listed for disposal in the Department of Education retention and disposal schedule for employee records laid in the Assembly on 25 February 2015. — [Miss M McIlveen (The Chairperson of the Committee for Education).]*

*Motion not moved.*



## Private Members' Business

### Fuel Laundering

**Mr Deputy Speaker (Mr Dallat):** 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. One amendment has been selected and is published on the Marshalled List. The proposer of the 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.

**Mr Bell:** I beg to move

*That this Assembly expresses its concern at the continuing high levels of fuel laundering, the organised criminal activity surrounding it and the evident lack of criminal prosecutions; notes the environmental damage caused to the countryside; recognises the financial losses suffered by Her Majesty's Treasury and legitimate fuel operators and the consequential serious implications for the local economy; and calls on the Minister of Justice to ensure action is taken at every operational level to secure greater numbers of prosecutions for this serious crime.*

The nefarious criminal activity of those who engage in fuel laundering has consequences for each and every person in Northern Ireland, yet, up to now, there has been a lamentable failure to adequately tackle the problem. The scale of the situation is probably best summarised by the estimate of just how much illegal fuel there is in Northern Ireland. By a conservative estimate, it stands at 12% to 13% of the total. Thirteen litres out of every 100 litres of fuel in Northern Ireland is believed to be illegal. I compare that to the other parts of the United Kingdom, where the figure stands at 2% falling into that category.

Those are shocking figures, by any stretch of the imagination, but especially so when one takes a moment to consider how much tax and duty has been avoided. One reasonable estimate of the figures suggests that £80 million is lost annually. Many others that I have spoken to in the field — and I have spoken to academics, businesses and the people who are selling fuel legitimately — tell me that the true figure is much higher than that.

On 31 January 2013, the BBC reported that no one had been subject to a custodial sentence for engaging in fuel laundering in Northern Ireland. That revelation was made following the discovery of a fuel laundering plant in County Armagh that was capable of producing 25 million litres of laundered fuel, helping those responsible to avoid £18 million in tax and duty in one single 12-month period.

So allowing for a starting salary of teachers and nurses of somewhere in the region of just over £21,000 a year, this one fuel laundering operation alone could pay for 857 new nurses in our local health service. With £18 million, we could employ somewhere in the region of an additional 817 new teachers. I am seeing what somewhere in the region of a quarter of that could do to improve literacy and numeracy in our primary sector and the GCSE sector. Can you imagine what we could do with 817 new teachers? These are the proceeds of just one plant over the period of one year. The people responsible for this theft are inflicting

real and lasting damage upon all our public services by their actions.

Their selfishness is not confined to merely taking money out of the economy and public services. The criminals responsible for these crimes have no compunctions or scruples about poisoning the environment and the people who live near their illegal operations. Fuel laundering is a dirty business. The toxic waste and other dangerous by-products of the process of fuel laundering are immense. The disposal of such dangerous substances is extremely hazardous for the people who come into contact with them. Fuel launderers put their own health at risk. That, for criminals, is a matter for themselves, but we should all be concerned that public services, our firemen and firewomen, our policemen and policewomen and our DOE staff are being put in harm's way by the fuel laundering gangs' illegal actions. Given the dangerous nature of the substances associated with fuel laundering, it defies belief that any person would choose to casually dump these products into a water supply or to leave them abandoned in places that the public use, such as forest walks and nature trails. Yet that is precisely what is happening on a day and daily basis.

On 22 February this year, the 'Sunday Independent' carried a story about the criminal activities of the republican movement in the south Armagh, Louth and Monaghan areas. The paper showed that four 1,000-litre containers of poison, the by-product of fuel laundering, were dumped in a drain that feeds directly into Lough Ross, which supplies the drinking water for the entirety of Dundalk and parts of south Armagh. Let me quote what the newspaper article said:

*"However, sources in south Armagh — speaking on strict conditions of anonymity — said that they believe both the Irish and British governments are turning a 'blind eye' to the lethal trade in fuel laundering."*

One source said:

*"There's been stuff dumped there for years. It's the same all round here. People have complained but nothing happens."*

They said that the council come and look at it and do nothing. They continued:

*"It's running straight into the lough and that's the drinking water for Dundalk and Crossmaglen. The pumping station for the water to Cross[maglen] is just around the shore of the lough from that place. They're poisoning their own people."*

**Mr McGlone:** I thank the Member for giving way. Will he accept that a sample that the 'Sunday Independent' took and that City Analysts of Dublin tested showed that the water was 400 times over the EU toxicity limits for waste water, never mind drinking water?

**Mr Bell:** I take that point, which realises starkly the level of toxicity and poisoning of people.

I hope that all of us across the House make absolutely clear that anyone with information about this criminal activity should come forward and share it with the police on either side of the border. We welcome the National Crime Agency's involvement in tackling these criminal gangs. We want everyone to make clear that people

should be free to give this information without fear of retaliation to themselves, their businesses or their property. A full and unambiguous statement is all that will suffice. There has been some action from the Department of Justice on the issue, and I welcome that.

### 1.00 pm

However, I think that most people who have looked at the situation agree that, so far, the fight is not being won by the legitimate forces of law and order. Rather, as we sit here today, the gangsters have the upper hand. Measures designed to go after the distributors of illegal fuels are fine insofar as they go, but people want to see the problem tackled at source. Measures such as the introduction of a new fuel marker that is harder to wash out, which was announced by the Government in February last year, are welcome. However, as I have communicated directly to the British Government, I have been contacted by businesses that indicate that they have a superior marker. The best marker should be used. I have also been contacted by leading academics, sat with them and discussed it. It is not good enough to have a marker that can be washed out by anybody with basic GCSE chemistry skills. That is not good enough.

**Mr Ross:** I thank the Member for highlighting the specific issue of the marker. Is he also concerned that the marker that the Government seem to favour is not available for roadside testing, which is one of the clear ways in which we can discover how this type of fuel is moved around Northern Ireland?

**Mr Bell:** I take that on board and I serve notice on the British Government, the Department of Justice and all in the Police Service of Northern Ireland who have responsibility for this that we must use the best product. If there is a superior product that will make it more difficult for the gangsters, the case for using it should be unassailable. No longer can a blind eye be turned. It is time for resolve to tackle this problem once and for all.

The longer this activity is allowed to continue, the more devastating the cumulative impact will be on our public services, which are robbed of much-needed investment, and an environment that is being poisoned by those responsible. It also speaks directly to the heart of public confidence in the apparatus of justice in this country.

We know what the situation is and we want to put these criminals out of business permanently. Many people ask us, "What are you doing about it?" It is true that we should be doing more and need to do more. However, I also ask them back, "What are you doing about it?" If you are buying illegal laundered fuel, you are depriving your children and the health service and you are poisoning your environment. It is not a cost-free option. I hope that all parties support the motion and send a clear message to the criminal gangs that their time is up.

**Mr Deputy Speaker (Mr Dallat):** The Member's time is also up.

**Mr Attwood:** I beg to move the following amendment:

*Insert after "economy;"*

*"further notes that legislation extending the role of the National Crime Agency in Northern Ireland has completed its passage at Westminster and that the National Crime Agency must now demonstrate that*

*it will deploy its full powers and resources against any and all persons or organisations involved in fuel laundering and other organised crime;"*

I welcome the motion and the fact that the legislation giving further powers to the NCA in Northern Ireland has passed all its Westminster stages. As a consequence of that, and because of this debate and the profile of all these issues, you would like to think that all the relevant authorities, North and South, will now apply their minds with greater effort to dealing with the issue of organised crime, including fuel laundering.

Through the negotiations on the NCA, the SDLP achieved Patten thresholds of accountability. In all those negotiations and since, we have said to all the relevant agencies, including the NCA, that they now have to demonstrate, decisively and unambiguously, that no individual or organisation is off-limits, protected or receives a light touch when it comes to organised crime on the island of Ireland. Having achieved Patten thresholds of accountability when it came to the NCA, we challenged it and the other authorities, because you begin to wonder what is actually going on.

The date of 5 November 2014 tells the tale. That was when the biggest diesel laundering operation ever found in these islands was discovered in south Armagh. It had been in existence for a year. HMRC removed 50 tons of waste. It was capable of producing 20 million litres of illicit fuel a year. The public purse had to clean it up. One person was arrested from that fuel laundering operation in south Armagh that had been going on for a year. On the same day, in County Monaghan, another plant, with the capacity to launder dyes out of about 20 million litres of oil every year, was closed down. In the spring of 2013, on the edge of the River Faughan, a mile or two from the River Foyle outside Derry, the single biggest illegal waste dump ever found in these islands was discovered, in respect of which three people are before the courts. It is estimated in court papers that £40 million or more of money and illegal assets were secured by those who have been alleged responsible for that offence.

The issue that arises from all that is this: when it came to the biggest illegal waste dump ever, which was found two miles outside Derry, the police did not know anything about it; the Serious Organised Crime Agency did not know anything about it; and the Organised Crime Task Force, which is chaired by the Minister, did not know anything about it. Nobody, it seems, knew anything at all about the single biggest illegal waste dump ever found in the history of these islands. We, on these Benches, do not believe that nobody in any of the relevant agencies — intelligence, policing, security, crime and the DOE — could not have known something about what was happening on the edge of the city of Derry.

I hope that all Members will support the amendment. It will demonstrate that they are unambiguously opposed to what happened outside Derry and what is happening in south Armagh. Some people, since the decision on the NCA, are still fence-sitting, to put it at its mildest, when it comes to the issue of organised crime and the tackling of it on the island of Ireland. We have proposed our amendment to say to all the relevant authorities that, now that we have Patten thresholds of accountability when it comes to the NCA in its operations in Northern Ireland, the NCA has

to demonstrate, be it about a waste dump up in Derry or a fuel plant in south Armagh, on the far side of the border or the many others that exist and have existed across Northern Ireland, that it will unambiguously face down any individual or organisation and ensure that nobody is off limits or enjoys a light touch.

In making that argument, we also have to box clever and think laterally when it comes to the issue of organised crime on the island of Ireland. Individuals, parties and organisations must face it down. Information must be shared in an increasing way with the population, so that they are aware of what has happened and, critically, give information and intelligence to the authorities in order to face down those responsible. We need to learn from the assets regime in the South, where they have integrated the work of assets in a way that sees their assets agency having seconded into it members of the guards, the revenue commissioners and the Department of Social Protection. It is a completely independent statutory organisation. A joined-up approach in the NCA and the other organisations is essential. I ask the Minister to confirm whether, even now, there is a dedicated waste subgroup of the Organised Crime Task Force in order to recognise the profile and threat of environmental crime on the island of Ireland. The last time that he spoke about this in the Assembly, that had not been established. We have to ensure that individuals who are pursued by the crime agencies, North and South, are not allowed to enter into private deals with the state, that are approved by the courts, in respect of some of their assets.

There has to be a public profile around all of this. The evidence is that 95% of the cases that go through the assets agency in the North are dealt with in a secret, private arrangement with no public awareness or publicity. All of that has to be consistent with civil liberty and due process protections. We need to recognise that, in addition to fuel laundering, illegal alcohol and the illegal importation of cigarettes need dedicated action.

At the same time, we appeal to the courts and to the Lord Chief Justice, Sir Declan Morgan, who has a particular interest in and commitment to dealing with waste crime, to introduce sentencing guidelines that see those who are culpable and responsible for crime, organised crime and waste crime on the island of Ireland face the stiffest penalties rather than our ending up with what happened when I was Minister of the Environment. A case was brought before the courts, and a proceeds of crime order was made of nearly £120,000, which was significant at the time. Those responsible handed that money over through their lawyers that afternoon, basically sending the message to the DOE and to government that this was a minor business cost for which a cheque could be written over a lunch break and handed to the state. We need to ensure that sentencing guidelines are laid down that say to those who are responsible that they will face the full weight and rigour of the law, with maximum not minimum penalties being imposed.

I will conclude by making this appeal again. What happened in Derry was an indictment of all the relevant agencies. There is no way that that environmental crime should not have been known to the authorities of the state. Be it within government or outside government, be it the police or criminal assets agencies, it should have been known about. In our view, there must have been

intelligence that made it known to somebody somewhere, yet it was allowed to happen. Questions linger about how it was allowed to happen. The NCA and the other agencies must now demonstrate that nobody involved in that sort of activity — no one person, no organisation — whatever their background, their past or the character of their organisation is off limits.

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

**Mr Lynch:** Go raibh maith agat, a LeasCheann Comhairle. From the outset, I condemn the illegal activity of diesel laundering. It is a scourge and a blight on local communities and the environment in which the toxic sludge is dumped. I agree with much of what was said by the first Member who spoke. Our representatives have been standing up to the organised crime that is termed fuel laundering. The people operating the fuel plants are criminals. They have no respect for the environment, as they discard their poisonous waste throughout the countryside. The victims of their actions are their own communities and relatives —

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

**Mr Lynch:** Yes.

**Mr Beggs:** The Member said that his colleagues had been standing up against this: have they been giving information and intelligence to the police and telling them where and when this activity is happening to help them to track down those responsible, many of whom will be former associates in the Provisional IRA, so that this is brought to an end for the benefit of the entire community?

**Mr Deputy Speaker (Mr Dallat):** The Member has an additional minute.

**Mr Lynch:** They have not got anywhere, and I will address your issue later in my speech.

The cost of the recovery and disposal of toxic sludge is high. My colleague Megan Fearon recently called for increased funding for the NIEA so that it can continue to clear diesel waste. The Environment Agency has claimed that it has run out of money to clear the waste. Money needs to be found if we are to safeguard the environment.

The republican movement was mentioned in some earlier comments, but the reality is that some of the most senior republicans and Sinn Féin elected representatives, including Conor Murphy and Mickey Brady, have been standing up to organised crime regardless of its form. Every effort should be made to ensure that support is given to policing authorities on both sides of the border to stamp out fuel laundering, given the damage that it does to communities. As someone who comes from a border community, I can say for certain that there is no support for this activity. It is imperative that there is a close working relationship between the PSNI and an Garda Síochána in investigating fuel laundering. The fact that there have been no, or very few, prosecutions is disappointing. If that continues, confidence in policing will be more difficult to achieve in those areas.

### 1.15 pm

Immediate investment in policing and customs is one solution to the problem. That would be financially beneficial to the economies of the North and the South. Another way is to introduce a new dye. In 2013, the South of Ireland

introduced a system whereby green diesel is tracked from supplier to customer. In just over 12 months, the sale of green diesel fell by approximately 10% and the sale of road diesel increased, which brought in €150 million more to public funds. That system needs to be replicated here to increase public funds and reduce laundering and dumping.

Fuel laundering is not a victimless crime. It damages the environment, impacts on revenue and wrecks people's cars. I cannot state more strongly and loudly that what is happening is criminality. Those involved are not republicans. We all must be resolute in our condemnation of this activity. All efforts should be employed to eradicate fuel laundering.

**Mr Beggs:** Fuel laundering criminality has been raised as an issue a number of times in the Assembly. That is testament not only to the importance to the community that the matter be addressed but to the lack of meaningful action that has been taken to address it by the authorities on both sides of the border. The illegal activity has denied finance to the Treasury, and, as others said, that has resulted in less money being available for our hospitals and schools. Instead, fuel laundering allows criminal gangs and terrorist groups to prosper, causes damage to the environment, threatens public health through endangering the water supply and fosters a climate of criminality and fear. In addition, it undermines legitimate businessmen.

The report submitted to the British-Irish Parliamentary Assembly (BIPA) in February 2015 confirmed that fuel fraud cost the Exchequer an estimated £80 million in lost taxes in 2013 alone. However, there are other hidden costs: the cost of trying to clean the environment and of addressing the criminality associated with fuel laundering.

Mr Lynch mentioned the importance of giving more support to the NIEA. Yes, that is needed, but it is even more important that we close this down at source by giving the police and the National Crime Agency the information that will allow them to do their job. There is little point in continually having to spend millions of pounds of public money on cleaning up waste when the environment will still be damaged. We want to cut off the supply, end the damage to the environment and save millions of pounds in public funds.

We do not want criminal gangs siphoning off the money, some of which is directed towards republican terrorism. Literally millions of pounds are being made by republican gangsters, who continue to provide funds to allow IRA elements to terrorise parts of our community.

As others said, this is also frequently associated with illegal tobacco activity and the smuggling of other goods. Once someone is involved in criminality, they are happy to make money from doing anything. Therefore, those criminal gangs will be funded through a range of activities. Once they get the funds, much of which has been raised by fuel laundering, that allows them to branch out into many other aspects of criminality and undermine our economy.

It is quite frightening that, over the past two years, 2,500 tons of associated waste — toxic waste — have been dumped in the Northern Ireland countryside. The huge sums raised, the amount of toxic waste and the damage done to the environment are unbelievable. As others have said —

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

**Mr Beggs:** Yes, I will.

**Mr McGlone:** Thanks very much. I have it from good, reliable sources that the toxic waste that is produced is being pumped directly into the water system for Dundalk and Crossmaglen. In fact, it is poisoning people. These people are poisoning their neighbours, friends and family with this stuff because they want to cream off extortionate amounts for themselves. That is seriously not on, and I am glad that the motion is before us today. The waste is being deliberately leaked into the water system: it is a disgrace, and they should hang their heads in shame.

**Mr Deputy Speaker (Mr Dallat):** The Member has an additional minute.

**Mr Beggs:** I agree with what the Member said; indeed, some of those compounds are carcinogenic. People could end up getting cancer because of dangerous compounds being dumped in the environment. I accept that the whole of Dundalk has been put at risk as a result of this.

We now have conclusive proof that shocking damage has been done to the environment and to the health of local residents as a by-product of criminal activity. Just two months ago, the 'Sunday Independent' laid the blame squarely at the door of the Provisional IRA. I ask all Members to condemn such activity and supply information to the law that will allow this practice to come to an end. It is not enough for people to say that they will support the police: people must take practical action. Words and deeds are required to help bring this to an end to protect the environment and the community.

It is completely unacceptable that criminal gangs should be able to operate with relative impunity. Whatever the cause of the lack of activity to date, it is not acceptable that it should continue. No one in Northern Ireland has been jailed for fuel laundering since 2002, despite millions of pounds being made each year, considerable damage to our environment and, now, public health being put at risk. What is going on with law enforcement? Ordinary law-abiding folk are asking what the authorities on both sides of the border are waiting for before they will take concerted action to close down this lucrative illegal industry for good and put those responsible behind bars. How can 30,000-gallon tankers move freely about the border areas largely undetected? It is important that the issue is addressed. I ask also that the courts treat the matter with the seriousness that it deserves —

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

**Mr Beggs:** — and that sentences reflect the dangers being inflicted on our community.

**Mr Dickson:** I also welcome the opportunity to speak on the important issue that we are dealing with today. I support the motion and the amendment.

As others have said, fuel laundering has been a worrying, damaging and pervasive problem in Northern Ireland. Although it is primarily an excepted matter, HMRC and local authorities have been working to tackle the problem for many years. Many people see fuel laundering as a victimless crime, as has been said, but nothing could be further from the truth. Many are terrorised by criminal gangs in their own community. They are not only being terrorised, but, as Mr McGlone said, they are being poisoned by their neighbours, by people whom they may go to church with or shop with — people whom they know in their own community.

Environmental damage is inflicted by criminals who dump toxic sludge with wanton disregard in our countryside, waste that, as others have said, ends up in our rivers, lakes and water supplies, killing wildlife and foliage and contaminating land and water. Meanwhile, the bill is left to us, the ordinary tax-paying public. Between June 2012 and December 2014, the Environment Agency cleared some 340 incidences of fly-tipping of fuel-laundered waste involving nearly 3,000 tonnes of material at a cost of nearly £1 million. That money, as others have said, could be spent on schools, hospitals and other public services.

I believe that we are beginning to turn the tide of fuel laundering. Thirty-eight plants were dismantled last year, compared with 13 in 2003-04. The price of fuel has tumbled, as we know, making this crime perhaps less profitable, but, as others have said, the proceeds of these crimes are being turned to other crimes. Furthermore, this month, HMRC introduced new red diesel dye in coordination with authorities in the Republic of Ireland. HMRC expects that action to stamp down on fuel laundering massively — we will see — putting it out of the reach of the majority of criminals. I hope that that will be the case. I also expect the National Crime Agency's full resources and time, much of which we were deprived of for over a year, to now help with tackling this form of organised crime. That is why I will gladly support the amendment proposed by the SDLP today.

As I mentioned, tax evasion is mostly an excepted matter and a UK-wide matter. Nonetheless, the problem cannot be dealt with on only one side of the border. It requires a holistic approach across the entire island, and, therefore, I am encouraged by the unprecedented levels of cooperation between the PSNI and the gardai. Nevertheless, we need greater political commitment here to truly tackle this on the ground and in local communities with the assistance of the Policing Board and the policing and community safety partnerships.

Others have referred to who some of the criminal gangs may be. I read with interest the comments of the Irish EU Agriculture Commissioner, Phil Hogan, in March, in which he asserted:

*"It is clear the criminal gangs involved in fuel rackets have breakaway paramilitaries among their members. Some of these are close to the political process and some of their windfall gains may be making their way into the political process."*

I find that deeply troubling, and, if that is the case for any of the participants, they should immediately cease such activities and work with the police to end this debased and highly illegal industry. After being questioned on whether his comments related to Sinn Féin, the EU Agriculture Commissioner said:

*"I think they should tell us what they know."*

I agree: they should tell us what they know.

Tackling fuel laundering requires a coordinated, cross-border and efficient approach. I know that the Minister will tell us about how he and his colleague across the border, together with HMRC, the NCA, the PSNI and the Garda Síochána, have been working to achieve that, but it requires all of us in the House to give our utmost political backing to dealing with this blight so that we can remove it from society, protect our environment, protect people's

health and vehicles and ensure that the resources of which our state is being deprived are put where they need to be — in our hospitals and schools.

**Lord Morrow:** Needless to say, I, too, support the motion. We have debated the issue on a number of occasions in the House, and it is a tragedy that we still have to debate it. We have to reflect and say that not much has happened since we last debated the issue.

I was interested to hear what Mr Lynch had to say about how his party is very concerned about this. They are concerned about the impact that this has on the environment. They are concerned, but they have to go a bit further than simply being concerned. Concern will not change this. As others have said, they have a responsibility to come forward and disclose what information they have to the appropriate authorities. While they do not do that, the finger will be continually pointed at them. You could and should and need to do more to tackle the issue.

I welcome the fact that Mr Attwood mentioned the NCA. I know that the SDLP was slow in coming to this position, but better slow than never. Sinn Féin has still to come to a position where it will give unqualified support to the NCA in tackling criminality. It is time that they came up to speed.

Some startling figures have been made available to us. There is some stuff that we are already aware of, and it makes startling reading. It is worth repeating. For instance, NIEA officials have dealt with some 345 incidents of laundered waste being dumped since June 2012. Ninety per cent of those incidents happen to be in the Newry and Armagh area. That tells you something. We are all very aware that that area is dubbed "the no-go area". Is it still that way? Do the security forces still operate in that area? Do other agencies operate in it or is it a case of, "No, we do not go there."?

It is significant and very concerning that there have been no prosecutions in relation to this sort of activity. We have to ask ourselves the question: why is that the case? Why is it that there are no prosecutions? Let no one tell me that the information is just not there. It seems to be, or at least the perception is abroad, that where fuel laundering plants are got, they are dismantled and that seems to be the end of the story, but that is not instilling the necessary confidence in the law-abiding community. We need to see those doing it being brought before the courts. I look forward to hearing what the Minister has to say about what joined-up thinking and action is going on between the Department of Justice and the Department of the Environment.

### 1.30 pm

This activity is ruining our environment and destroying many of our watercourses, rivers, fish life and everything else that is associated with that. It is time that action was taken. How many more debates do we need to have in the Chamber before we see some positive direct action taken against the perpetrators? Since we know where the areas of concern are and since we know that 90% of the area affected is in Newry and Armagh, why are resources not being concentrated in those areas to bring the activity to an end? I hope, when the Minister responds to the debate today, he will bring some assurances that the Department of Justice — I know that it is not an entirely devolved matter, but that makes it all the more important — will start

a task force and have some joined-up thinking to ensure that this activity is brought to an end swiftly.

**Mr McCartney:** Go raibh agat, a LeasCheann Comhairle. I support the comments of Seán Lynch; he outlined very well the Sinn Féin position. Fuel laundering is a criminal offence, and those who involve themselves in it, be it distribution or profiting from the business, should be arrested and face trial for that criminality. Any member of the public with any information should come forward and give it to the PSNI. I do not think that it can be put any more clearly than that. Indeed, I appeal to people who sometimes find themselves in the trap of thinking that it is legitimate or OK to use laundered fuel to desist because if people did not use it, the demand would not be created. That echoes the comments of our party colleagues in the Oireachtas — Gerry Adams, Pádraig Mac Lochlainn and Kathryn Reilly — who spoke recently in similar debates about closer cooperation to ensure that this type of activity is stamped out.

Other people this afternoon spoke about the other side of the criminal activity, and that is the damage to the environment. We have seen that in toxic dumps. Indeed, Mr Attwood spoke about the dump in Derry. I was the first person to call for a public inquiry into that dump because there are many unanswered questions. People have suspicions, and he may be right that there may be people in authority who have turned a blind eye or have been silenced in some way. As a public representative, I, certainly, have nothing to fear from a public inquiry. I say, bring it on.

I listened to Jonathan Bell, and I find common cause with most of what he said, but the lawyers in the room would agree that, if you were presenting any case, you would not want to start with saying that these are unnamed, anonymous sources from the 'Sunday Independent'. I think that they would advise you never to present a case in that way. It is easy for people to make allegations, and it is easy to hide behind reliable sources, unnamed sources or people who do not want to go public. There are people who are vested with protecting the environment and our waterways. Uisce Éireann — Irish Water — is tasked with looking after the waterways in the Twenty-six Counties. It carried out an investigation into, let me say it, the allegations put forward by the 'Sunday Independent', and it said that it tested the water on a daily basis and found no evidence. So, I am a bit surprised that someone like Stewart Dickson, who is a wee bit more measured when it comes to these types of things, also allowed himself to fall into the 'Sunday Independent' trap.

In these situations, if people have genuine concerns about water — and Mr Beggs fell into the trap of relying on the 'Sunday Independent' — Danny Kennedy is the Minister for Regional Development, and one of the aspects of his portfolio is the Water Service. He should have asked the Water Service to —

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

**Mr McCartney:** No, I will not give way. You had plenty of time.

He should have asked the Water Service to conduct an investigation into whether the water in Crossmaglen and all those other places he named was poisoned. I see nowhere in the public record — and I may be wrong — where the Water Service carried out an investigation and came and

told us all, "Lo and behold, our waterways are poisoned". I did not see any of that.

On 11 February, the Organised Crime Task Force was in front of the Committee —

**Mr Beggs:** On a point of order, Mr Deputy Speaker. The Member is referring the issue to the Minister for Regional Development when, in fact, the Minister of Agriculture is actually responsible for rivers and waterways, and that water that is flowing into the reservoir that is being contested is his own Minister —

**Mr Deputy Speaker (Mr Dallat):** Order. That is not a point of order. You could have addressed that as an intervention.

**Mr McCartney:** I have often heard of the expression to split hairs, but that is splitting hairs. The Minister is responsible for the Water Service.

The Organised Crime Task Force was in front of the Committee and there was much discussion around the lack of convictions; and there are many, many issues that we have to explore in relation to that. It was interesting to hear that only two people in their presentations this afternoon put forward the fact that this is an excepted matter. This has been long running, with the much-vaunted NCA involved for a long number of years, so the record for turning this —

**Mr Deputy Speaker (Mr Dallat):** The Member's time is almost up.

**Mr McCartney:** Thank you.

**Mr Craig:** Like others in the Chamber, I feel a sense of déjà vu that we are talking about fuel laundering yet again. It reminds me that it is an issue that has been around for a long time. In fact, the fuel laundering that is going on around the border areas very much reminds me of what used to happen in the 17th and 18th centuries in the south of England around the smuggling of brandy and other illicit liquor. It is endemic in the culture of those areas. We have to be honest with ourselves: it has been rooted in the Troubles, where the IRA and other illegal organisations used it as something to fund and fuel — pardon the pun — their organisations throughout the Troubles, and that has continued. The real crime today is that we find that it is fuelling organised crime, and there are definitely organised criminals who are taking advantage of the situation in those border areas. It is very lucrative for them. We have seen the figures. Millions of pounds are being lost in revenue every single year.

The level of detail they go into in those fuel laundering plants is absolutely frightening. Not only are they set up as mini factories producing the illegal fuel, but escape routes are planned, there are tunnels and there are even lookouts in the surrounding area to give forewarning of anybody coming to raid the facilities.

We are looking at something that is done on an industrial scale. If it is done on that scale, that leads to a lot of questions. There are certainly a lot of questions in my mind. How come the Government cannot get a grip of this issue? Is there a lack of focus on it?

In fairness to the Minister of Justice, it is not only his Department that has responsibility for this; HMRC has a huge responsibility for it. We heard how it has upped the ante on this in the past couple of years and has successfully closed down more plants. However, there

needs to be greater focus on what is going on. This is organised crime at its worst. Where is the money going? Who is lining their pockets out of this? What are they doing with it? They are building up criminal empires.

That leads on to another issue. Others in the House sat on their hands on the NCA. I welcome that they have now got on board, because we need to get to grips with the criminals who are profiteering from this fuel laundering, the illegal dumping and all the other illegal matters occurring around our border in Northern Ireland. Those people need to be closed down, and the way that that will be done effectively is by grabbing their assets. Once you clean up and remove the profits that those criminals are making, you will have killed off the organisation behind them. That is what we need to have in operation today, and, thankfully, it is now in operation. I welcome that.

The other thought that occurred to me is that we are continually seeing these plants being set up. I think that there are two factors in that. There is a fear factor around the border, because organised criminal gangs are carrying this out. I also believe that those who own properties around the border are afraid to pass information on to the police. That cycle of fear needs to be broken. Others with more influence in those border areas need to make it very clear to people on the ground that they should pass information about where this is going on to local police through whatever means necessary and on to HMRC. If they do not, that cycle will continue.

There is also the thought and fear in my mind that some of those who rent these properties are profiteering. That is for the police and HMRC to investigate. I find the low level of arrests on this issue very disappointing.

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

**Mr Craig:** I commend the motion to the House.

**Mr McGlone:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis na daoine a chuir an rún seo os ár gcomhair. Thanks very much to those who brought the motion. It is a very topical and important issue that affects many people's lives in the literal sense of the word — the very literal sense of the word.

I support the SDLP amendment, which aims to ensure that the National Crime Agency deploys its full powers and resources against any and all persons and organisations involved in fuel laundering. We are talking about a massive criminal empire with tentacles that, in some instances, have been there for 30 or 40 years. It is important that resources are deployed to tackle the difficulties that fuel laundering is creating for many people — the poison, the dumping and the cost to the public purse. Indeed, it is also important to tackle the assets that have been accrued over many years by those criminals, sometimes fronting as patriots.

The SDLP has been at the forefront of NCA negotiations. We secured accountability on the National Crime Agency. In early February, we voted for the NCA to have full powers in Northern Ireland. That vote was possible after lengthy negotiations by our party. We have ensured that the NCA will work here in the North. The Home Secretary has made a lot of commitments on the NCA. The SDLP notes those commitments and intends to ensure that they are honoured. If the public are to accept and trust the NCA, it needs to prove that no one person or organisation is off limits or protected when it comes to criminal assets. They

must be pursued and prosecuted. We are calling for a demonstration that that is the case.

**1.45 pm**

Turning to the motion, I am very concerned about the high levels of organised crime across this island. In 2013-14, 38 fuel laundering plants were closed. Although that was an increase on the previous year, we should be very wary, as the oil and fuel laundering plants have become larger and more sophisticated. The process of fuel laundering has definitely become more industrialised. There is a very unusual feature about raids made on these premises. Have you noticed the number of times that there does not seem to be anybody there? Nobody seems to be about. Computers, oddly or quirkily enough, have either been scrubbed or have disappeared just before the raid is made.

On illegal waste dumping, the increased cost of the legitimate disposal of wastage caused a black market development. Those who are involved in this show no concern for the environmental damage done: absolutely none. Their actions include pumping directly into the Fane and Lough Ross water systems for Dundalk and Crossmaglen; dumping in disused quarries and bogs, all of which leak into the shallow drumlin water table; and disposal along roads via tubes hooked up to containers in the backs of vans. More worryingly for Irish agriculture, in some cases — thank God most of our farmers and members of the farming community are highly responsible — it is being mixed with slurry and spread over fields. Apparently, there was a situation last month in the Knockbridge area, south-west of Dundalk, where it stank for over a week. The fumes were smelt as far away as Dundalk after that happened. That is the sort of activity that is ongoing to fuel the build-up of assets of those criminals and fuel their property empires at extreme cost to our environment and, worse again, to our animals and, more importantly, human beings.

Organised crime is not confined by geographical boundaries. Cross-border crime presents serious threats to the economic prosperity of our country and risks to the population. The SDLP believes that more needs to be done to tackle cross-border crime and criminal organisations. We need to disrupt and dismantle these organised crime groups, which are engaged in or are seeking to engage in fuel laundering and the smuggling of tobacco, alcohol, drugs and counterfeit goods as they add to their existing asset bases and empires.

Only last month, there was a debate on cross-border crime in the House of Commons.

**Mr Deputy Speaker (Mr Dallat):** The Member's time is almost up.

**Mr McGlone:** During the debate, my colleague Mark Durkan said:

*"There is a sense that a blind eye is being turned, and that there is some sort of set-aside deal going on".*

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

**Mr Allister:** It is no coincidence that south Armagh is synonymous with the scourge of fuel laundering: no coincidence whatsoever. There are two attendant fantasies that go with it. One is that the authorities are doing all they can and the other is that republicans are not involved.

South Armagh used to be called “bandit country”, and it seems to me that it could now be properly called “blind-eye country” because it is inconceivable that, with the industrial scale of fuel smuggling and laundering that has been going on in south Armagh, it is beyond the authorities to bring to justice those who have been perpetrating this criminality for years.

My goodness: if a farmer, in his single farm payment claim, gets something wrong about a field boundary, the satellites will catch him out, but you can run riot with fuel laundering in south Armagh, and no one sees, no one hears and no one is brought to justice. As Mr McGlone pointed out, how many times have we heard of seizures and of nobody being there?

I suspect very much that, sadly, this is part of the pernicious arrangement of the peace process: one will not look too hard, one will not look too deeply and one will let those who need to be undisturbed be undisturbed.

Then, today, we have the crossed-finger condemnation of Sinn Féin about the matter. They tell us that republicans are not involved. That brings back echoes of 2006, when one Slab Murphy was arrested. In March 2006, a fleet of tankers was seized from his premises. Mr Gerry Adams, furious, came onto the media to say that Mr Murphy was not a criminal and that he was a good republican. Yet, in October 2008, the same Slab Murphy and his brothers paid over in settlement over £1 million for the very criminality that was involved. As far as Sinn Féin was concerned, it was a set-up. He was not involved. He was an innocent, good republican. Whereas anyone with a titter of wit knows that he is a godfather, not just of this but of so much more that republicanism has done in south Armagh. The weasel words that we have again from Sinn Féin do not wash.

Mr Attwood was absolutely right: we need stern, severe sentencing guidelines. Before we get sentencing guidelines, we need to get people in the dock, and the real problem here is the blind-eye approach. What the Minister needs to do, as Minister of Justice, is to have a relentless pursuit with those prosecuting authorities to find out why we have this apparent blind-eye approach, why it is that no one is ever arrested and why it is that no one is ever charged. If the Minister does anything, that is where he should start. It is a scandal, and the more it goes on, the more one is confirmed in the view that I suggested that it is all part of the pernicious arrangement that attends to the peace process. Sadly, I fear that that is exactly what it is.

**Mr Deputy Speaker (Mr Dallat):** As Question Time must begin at 2.00 pm, I propose to suspend the debate and call the Minister after Question Time. The sitting is, by leave, suspended until 2.00 pm.

*The debate stood suspended.*

*The sitting was suspended at 1.53 pm.*

*On resuming (Mr Principal Deputy Speaker [Mr Newton] in the Chair) —*

**2.00 pm**

## Oral Answers to Questions

### Finance and Personnel

**Mr Principal Deputy Speaker:** I inform Members that questions 2 and 11 have been withdrawn. Mr Chris Hazzard is not in his place, so I call Lord Morrow.

#### Civil Service: Voluntary Exit Scheme

3. **Lord Morrow** asked the Minister of Finance and Personnel for an update on the Northern Ireland Civil Service voluntary exit scheme. (AQO 7948/11-15)

7. **Mr Beggs** asked the Minister of Finance and Personnel for an update on how many expressions of interest in the Northern Ireland Civil Service voluntary exit scheme have been received. (AQO 7952/11-15)

**Mr Hamilton (The Minister of Finance and Personnel):** With your permission, Mr Principal Deputy Speaker, I will answer questions 3 and 7 together, as both relate to the Northern Ireland Civil Service voluntary exit scheme.

I will deal first with Lord Morrow’s request for an update. The scheme closed for applications at 5.00 pm on Friday 27 March 2015. My officials are now working closely with Departments to manage the selection process, in line with the published criteria. All staff who applied will receive notification of the outcome. Staff who receive a notification with a specific exit date, and who have received a quote from Civil Service pensions staff, should use the information to decide whether they wish to accept the offer. All staff selected to leave will be given three months’ notice. We anticipate that those selected to leave under the scheme will do so in tranches between 30 September 2015 and 31 March 2016, subject to the requisite resources being made available. An important part of the process will be maintaining business continuity, so a range of measures is being put in place, including redeployment arrangements to move staff into essential posts left vacant by staff who leave via the scheme.

I can confirm that, as at 27 March 2015 — the closing date — 7,285 applications to be considered for selection had been received. I emphasise that we will not know the number of staff exiting via the scheme until selection has taken place and those selected confirm whether they wish to accept the offer.

**Lord Morrow:** I thank the Minister for his very comprehensive and detailed reply. It is quite startling that over 7,000 have already applied to the scheme. Will he outline what impact not progressing welfare reform will have on the overall scheme and does he feel that that will have a detrimental impact on those who want to avail themselves of it?

**Mr Hamilton:** I agree with the noble lord about the 7,285 applications. Of course, 7,285 people will not be exiting the Civil Service. We will not require anywhere near that number. I can recall, however, being quizzed repeatedly —



some might say badgered — by a presenter in a television studio the day before the scheme launched about what would happen if we did not get to the 2,400 that we estimated were necessary. We have far surpassed that figure, as my answer revealed.

The Member is right to highlight his concerns: they are shared by me, right across the Executive and, indeed, by the Senior Civil Service. The Member and the House will recall that, as part of the Stormont House Agreement, there was a public-sector transformation fund giving us access to some £700 million in borrowing — £200 million in each of the first three years and £100 million in the final year — to help fund the voluntary exit scheme for not just the Civil Service, which is what we are talking about here, but the entire public sector. If we do not have access to that money, which is a possibility if we do not proceed with welfare reform and other aspects of the Stormont House Agreement, it will mean more than not having access to the £200 million that is badly needed to fund the exit scheme. It will mean that the savings that would be yielded through our pay bill, which are around £25 million for the Civil Service alone in the current financial year and probably another £25 million for the broader public sector, could be in jeopardy. It is, therefore, imperative that we move forward with welfare reform and, indeed, all aspects of the Stormont House Agreement in and of themselves, but particularly because of the timeliness of the scheme, not least because, in the case of the Minister of Education, teachers who are leaving need to get their notice very soon. If they get that notice, they can exit the public service well in advance of the start of the new school year.

**Mr Beggs:** As the Minister said, borrowing to enable the voluntary redundancy scheme to go ahead was based on welfare reform and the mitigation that was put together with that in the agreement around Christmas time. If welfare reform does not proceed, will the Minister advise what will happen to those 7,200-odd individuals who have thought carefully about their future and applied for life-changing early retirement and to the finances of the Northern Ireland Budget?

**Mr Hamilton:** The Member has asked a very good question. Of course, there will be many among the 7,285 who, on the basis of the figure that they get and their personal circumstances, will decide that they do not want to proceed. We expect an attrition rate and expect that around one third of those people will say that they do not want to proceed to the next stage. Therefore, not all of those 7,285 people will be affected or disappointed. Without the other issues that are swirling around, there were always going to be those who would not be able to exit because of affordability issues or the pressures that leaving would put on the broader public service.

The Member is right to highlight that everybody who has gone to at least this stage will have given careful consideration to it. They will have looked at it in and of their own circumstances. They have had access to an online calculator that shows their entitlement. So, having put their application forward, most people know, more or less, what they are entitled to and have made an informed decision to put their names forward.

The Member is right to highlight the concerns that I have highlighted to Lord Morrow. Access to that £200 million was absolutely critical in the Stormont House Agreement, as we do not have the ability to access finance from departmental

budgets. Ordinarily, that is how schemes of that nature would be funded. We are unable to do that because of the innumerable pressures on our departmental budgets, so making a call on those budgets to fund it is not an option. That is why we agreed with the Government to access the £200 million through our borrowing powers. If that is not available, it will be, like many things, a matter for an incoming Westminster Government to consider what they will do in the circumstances.

As I have pointed out in the House and elsewhere before, not having that £200 million, not having the £100 million of pay bill savings that would accrue this year and not having the sizeable pay bill savings that would accrue in subsequent years would put extreme pressure on our Budget.

**Mr Lynch:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as an fhreagra sin. I thank the Minister for his answers so far. Will he outline the protections that are in place to maintain front-line services in the context of the voluntary exit scheme?

**Mr Hamilton:** It is incredibly important that, whilst there is some dispute in some corners of the House about how we are financing the exit scheme, I do not think that there is any dispute from any quarter that it is something that we should be doing. In fact, some of us might argue that we should have done it a little bit earlier. We are where we are, and I hope that we can proceed from our current position if progress is made elsewhere.

In reducing the size of our public sector at a time when our private sector is growing, it is critical that there is continuity of service in our public service delivery. The best intervention that we can make as a Civil Service to ensure that there is continuity of service and minimised disruption to service delivery is the timely and planned use of redeployment. Within the scope of the scheme, Departments can use some limited flexibility to ensure that the timing of the release of staff does not have an impact on business continuity and service delivery. However, it will require us to have well-thought-out and well-planned redeployment of staff in some places so that, wherever services are being delivered in Northern Ireland and whatever services they are, they still produce the outcomes that our citizens require.

**Mr Dallat:** The voluntary exit scheme might be exciting for those who wish to leave the Civil Service, but for the 20,000 young people who might traditionally have expected to get on the first rung of the jobs ladder over the next few years, it is not so funny. Has the Treasury expressed any interest in decentralising any of the tens of thousands of jobs in Britain, which might be sent here?

**Mr Hamilton:** I do not think that anybody finds any aspect of the voluntary exit scheme a laughing matter. I take it as a very serious and necessary thing to be doing. It is an onerous matter, and we must deal with it accordingly and in an appropriate manner.

The Member will know that, unfortunately, the DVLA issue did not work out that well for his constituency, but there are other areas of employment where people who are based in Northern Ireland are providing public services to people who live in other parts of the United Kingdom. One particular area is the Social Security Agency, which has people based in Belfast and in Londonderry and the north-west — drawing, I am sure, people from the Member's constituency — who are doing work for that

agency in assessing and delivering benefits for people in the south-east of England. It is incredibly important that that continues, but one threat to that would be if Northern Ireland were to diverge further away from the rest of the United Kingdom in welfare. I know that it has been mentioned in discussions between DSD and DWP in the past that failure to implement welfare reform in Northern Ireland and, therefore, having a different system here is one of the factors that would be considered by DWP in keeping some 1,600 jobs in both locations here in Northern Ireland. That is about keeping those jobs that we already have, never mind attracting more from England or other parts of the United Kingdom to Northern Ireland. That is something that we are very good at and very capable of.

**Mr Allister:** As a complement to the exit scheme, if it goes ahead, has the Minister a Civil Service recruitment freeze in place and, if so, for how long? In deciding whether to grant an application to the exit scheme, what account will be taken of the impact that that would have on the balance of the community background in the Civil Service?

**Mr Hamilton:** There were two supplementary questions there. There is a recruitment freeze in place; in fact, it was one of the first strategic personnel interventions that we enacted, long before the launch of the voluntary exit scheme. It is important that we introduce a range of measures to ensure the achievement of the Stormont Castle Agreement target of a reduction of 20,000 in our public sector. It has been misreported — I think, deliberately — by some people that 20,000 jobs will go, but it is hoped that 20,000 posts will go over a period of four years. Some of those posts will go because of a recruitment freeze; in fact, freezing recruitment in the Civil Service has already reduced the number of posts by around 1,000, because those vacancies are not going to be filled in future.

On the issue of community background, an equality screening assessment of the scheme was done beforehand, and it was actually screened out. It was screened out because, with a few exceptions for some very senior grades at permanent secretary level, the scheme was open to everybody in the Civil Service to apply for, given its nature as a voluntary exit scheme. We have to be clear and methodical in how we choose people exiting on the basis of clear, set criteria that have, quite frankly, nothing to do with somebody's religion. I appreciate that there are issues at both ends of the scale — in the Senior Civil Service and at the lower end — in different ways with underrepresentation of certain genders and religious backgrounds, but using a voluntary exit scheme is not the way to deal with that particular problem. There are other measures that we have to introduce to ensure that nobody is dissuaded from applying for posts in the Civil Service in future because of their religious background, gender or anything else.

### Subcontractors: Payments

4. **Mr Poots** asked the Minister of Finance and Personnel what measures can be taken to ensure payments to subcontractors are made in accordance with his Department's guidelines. (AQO 7949/11-15)

**Mr Hamilton:** It is important that the benefits of prompt payment are shared throughout the supply chain, and

this is reflected in the guidelines that my Department has set. As the problem has been felt most acutely in the construction industry, centres of procurement expertise are required to monitor the implementation of fair payment requirements in government construction contracts. The information is reported quarterly to CPD and discussed at each meeting of the Construction Industry Forum for Northern Ireland.

### 2.15 pm

The monitoring regime involves dip sampling to ensure that prompt payment is happening in practice. In 2014, a sample of 15% of payments was validated, with only one irregularity found. That has since been resolved by the relevant centre of procurement expertise. For supplies and services contracts, CPD has implemented standard terms and conditions requiring subcontractors to be paid within 30 days. When issues of non-compliance are highlighted to CPD in projects that it manages, they are pursued with the contractor so as to facilitate early resolution.

**Mr Poots:** Can the Minister give us an assurance that, where companies are highlighted that are not adhering to the principles that he has outlined, thorough investigation will take place to identify the veracity of the complaints and, if they are found to be right, actions taken thereon? Many small companies fear raising the issue because they believe that they will lose out on contracts. It is incumbent on us to defend the subcontractors and ensure that they are paid promptly.

**Mr Hamilton:** I thank the Member for his supplementary question. The measures that I and, more so, my predecessor have introduced in that regard have come as a result of concerns expressed to us by small businesses — contractors in supply chains, particularly in the construction sector. Measures have been introduced over the last number of years to deal with the issue, which has been highlighted, I suppose, in the very high-profile collapse of some local construction firms. In January 2013, we introduced the ability to have project bank accounts for projects of over £1 million with a significant amount of subcontracting going on. Ten pilots have been chosen for that, and feedback so far has been positive. Indeed, we may well look to extend it away from construction and into supply contracts too.

Perhaps more relevant to the Member's question is that a procurement guidance notice was issued in January 2012. It has now been backed up by regulations introduced this year that monitor the performance of main contractors in a range of ways, including on their payment to subcontractors, and a certificate of unsatisfactory performance can, in appropriate circumstances, be issued. Indeed, main contractors who are found to be failing to pass on the prompt payment that government is doing — government is very good at paying; some 91% of our invoices in DFP are paid within 10 days — can be struck off public contracts for 12 months. Now, there has been no single case of that so far, but, as I revealed in the first answer to the question, one of the samples taken last year showed that there were some issues. That was dealt with between my Department and that main contractor.

My Department relies on companies coming forward. I accept the point that the Member makes about the fear that some people have, but, if subcontractors are even prepared to go through Members or other elected

representatives to bring that to my attention, I assure the Member and the House that those issues will be dealt with with the appropriate seriousness.

**Mr Principal Deputy Speaker:** I remind the Minister of the two-minute rule.

**Mr Maskey:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Can the Minister advise the House whether there are any protections or measures in place to ensure that local businesses can avail themselves of all subcontracting opportunities?

**Mr Hamilton:** There are no particular measures or statutory provisions in place to ensure that. What is found in most cases is that those main contractors, even if they are not locally based, bring on a large number of locally based subcontractors, particularly in construction, to do their work and assist them in the provision of whatever capital project it may be. Again, like our prompt payment, we have a good record of letting contracts of all types, whether construction or supplies contracts, to suppliers in Northern Ireland. We have a record that sometimes does not get through. Sometimes you would think, even listening to debates in the House, that local suppliers are not getting to deliver government contracts, but that is not the case. I think that the latest figures show that over 70% of contracts go to local firms. Indeed, about two thirds go to local SMEs, so we have a good record in Northern Ireland not just on prompt payment to contractors but on getting local suppliers. We do that without having to manipulate. As the Member will be aware, procurement is highly governed by the European Union and you have to be very careful about what you do at local level so that you do not breach European law. Within the laws that are there, we have a very good record in this part of the world of ensuring that local suppliers get work.

**Mr D Bradley:** Go raibh míle maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as ucht a fhreagra. I thank the Minister for his answer. In relation to small construction companies accessing government contracts, especially small to medium-sized road contracts, I am hearing that there is a catch-22 situation in that, in some cases, if you are not already on the list, you cannot be considered for the list. Is the Minister aware of this situation, and, if so, is there anything that can be done about it?

**Mr Hamilton:** I was just checking the precise figure that I gave to Mr Maskey in my previous response. In 2013-14, 75% of government contracts were awarded to Northern Ireland firms. That £2.6 billion, more or less, is being spent every year in Northern Ireland on centrally-let government public contracts, of which 75% are going to Northern Ireland firms. I am sure that we would all like to see that being higher, but it is a record that compares favourably with other jurisdictions in the British Isles.

I have not been made aware of the particular issue that the Member raises. I suppose that, in some ways, I would not expect to be; road contracts are obviously taken forward as the responsibility of the Minister for Regional Development. Roads Service — Transport NI, as it is now called — has a centre of procurement expertise of its own. I would expect that perhaps Minister Kennedy would have a better appreciation of that problem. I encourage the Member to draw any concerns he has from his locality to

the attention of the Minister for Regional Development or, if not, I am happy to pass them on to Minister Kennedy.

## Rates: Non-domestic Revaluation

5. **Mr Rogers** asked the Minister of Finance and Personnel for his assessment of the non-domestic rates revaluation. (AQO 7950/11-15)

**Mr Hamilton:** The Executive agreed back in 2012 to undertake a revaluation in response to calls from the business sector. My assessment is that it was the right thing to do and has helped to rebalance the rating system. We could not have continued to ask commercial ratepayers to pay business rates that are shared out on the basis of 2001 rental levels given the fundamental changes that have taken place in the way in which people live, work, shop and go about their business.

This exercise in redistribution, however, means that there are winners and losers. I cannot go into all the effects of the revaluation now, but take, for example, the retail sector: the outcome is that there are far more winners than losers. Many high streets and town centres have benefited, but there are others, such as modern convenience stores and large edge-of-town or out-of-town food stores that now pay a lot more than they did before. This reflects their success in the real world and mirrors the relative decline of many of our traditional shopping areas.

At the end of the day, it is not LPS or DFP that decides who should pay more or who should pay less; the property market has already done that. The problem for some stems from the gap between this revaluation and the last one. It could be argued that those now paying more should have been paying it well before now.

Finally, it is worth pointing out that the revaluation does not raise more money from the system for the Assembly. The regional rate has actually gone down a little to reflect a modest overall increase in values and thereby fulfil the Executive's commitment to ensure that this revaluation is revenue-neutral in real terms.

**Mr Rogers:** You talk about winners and losers, but I have not found very many winners in this situation in towns like Kilkeel, Newcastle and Castlewellan in South Down. What can the Department do to keep shutters going up when the rates for businesses, like pound shops, have gone from £6,200 to £16,200? How can you convince businesses like that and many others? What can the Department do to keep them open?

**Mr Hamilton:** It is not my job to keep businesses open in that sense. It is not my job to step in and do that. What we have done through the rating system over the last number of years is to be incredibly generous through the support that we have given in the small business rate relief scheme, for example, which has ensured that over half of business properties in Northern Ireland get at least 20% off their rates. We continue to keep in place industrial derating, which offers over £60 million worth of support to many of our bigger businesses in Northern Ireland.

A revaluation will always produce winners and losers. The important point for the Member and the House to note is that the Assembly does not raise any more money through the regional rate as a result of the revaluation; it merely redistributes money from one section of ratepayers to another to reflect where the market has gone and the

changes in circumstances that have affected that. In those circumstances, there will always be some winners and some losers. There will be some winners in the Member's constituency, and there will be some losers in his constituency, just as there are in every constituency across Northern Ireland.

It is significant, though, to note that the Northern Ireland Independent Retail Trade Association called for the revaluation to go ahead. When the revaluation results were published, its chief executive, Glyn Roberts, said:

*"We welcome the outcome of the rates revaluation and are particularly pleased that [it] has addressed the unfair imbalance of large out of town multiple retailers paying less rates per square foot than many of our members in town centres. This is a win-win for our independent retailers and town centres".*

I accept that that is not the case for every town centre and retailer, but it has tried to redistribute more fairly where the rates burden should lie, reflecting the changes over the preceding 13 years.

**Mr Middleton:** What plans does the Minister have for reviewing business rates in Northern Ireland?

**Mr Hamilton:** In his recent Budget statement, the Chancellor announced that he was going to review business rates in England, and some have called on me to review them. In fact, a Member who was in the Chamber not that long ago called on me in his local press to review the business rating system in Northern Ireland. Two years ago during a Question Time in the House, in response to a Member's question, I announced that it was my intention to review business rates in Northern Ireland and to do so after the revaluation had bedded in. That process will start in the next number of weeks. In fact, we will have an innovation lab that will look at this issue and discuss it with retailers and other businesses.

I go into that review with an open view about what the outcome should be. A lot of people express concern about the rating system. There are some who do not like that it is based on property values and others who put forward suggestions on how it might be replaced. I am open to looking at all those possibilities. I am also open to looking at the reliefs and allowances that we have in place. They have been there to try to support business and to keep it in place and operating through the downturn. Let us not forget that the small business rate relief scheme was an intervention to help businesses through a very difficult recession. Many of our retail businesses still struggle not because of the recession, per se — in some cases it is because of its effect — but because of other lifestyle changes, changes in our town centres and the effect of large out-of-town retailers. I want to look at all those and other issues to make sure that, moving forward, we have a suitable system to locally tax our businesses.

**Ms Sugden:** I will see whether I can talk fast to counteract the Minister's ad-libbing. The revaluation is a bit of a shambles, and I have requested a meeting with the Minister to discuss it. I concur with Mr Rogers: there are certainly very few winners in my constituency. I do not expect the Minister to have specific figures to hand, but does he have any idea for how many business properties the net annual value has risen and made them ineligible for the various thresholds of the rate relief schemes?

**Mr Hamilton:** I do not have those specific figures in front of me, but I am happy to furnish the Member with them, if she will forgive me for ad-libbing, I suppose. In her constituency, East Londonderry, you can take Coleraine as an example; it is the principal or premier borough — I do not know how they would describe it. As a result of the revaluation the average increase in rates was 7%. Let us take high streets in the constituency. If you look at Church Street in Coleraine, you will find that its valuation fell by 40%. This is the average in the area, and I appreciate that there will be differences. In The Diamond, rates went down by 45%. In Kingsgate Street in Coleraine, they went down by 30%. The rates of the Main Street in Garvagh went down as well.

I could go into some secondary streets as well. Bridge Street in Coleraine went down by 20%. New Row in Coleraine went down by 10%. Contrast that with some of the retail parks, which are up by 20% from their previous valuation. I suggest that, if that is the average in those areas, there are plenty of winners in Coleraine and right across the East Londonderry constituency. I accept that not everybody is a winner, but, in a revaluation, not everybody is going to be a winner. However, a significant number of business properties in the Coleraine area, east Londonderry more broadly and, indeed, right across Northern Ireland are reflecting where the market is and are paying lower rates bills today than they were in the past.

2.30 pm

**Mr Principal Deputy Speaker:** That ends the period for listed questions. We now move to 15 minutes of topical questions.

### Rates Revaluation: Winners and Losers

T1. **Mr Ó Muilleoir** asked the Minister of Finance and Personnel, in a move back to the contentious issue of rates, but perhaps from a different angle, and given that the Minister said that it is not his job to keep business open, whether he agrees that, for the losers — and there are losers in the rates revaluation — our message should be that we will do more to support them in the time ahead, that we do not want to see them disinvest, that we want to give them every support that we can and that, although we realise that not everyone can be a winner, it is our job as an Assembly and an Executive not only to keep business open but to ensure that business prospers. (AQT 2361/11-15)

**Mr Hamilton:** It is certainly our job to support businesses. They create the jobs and make the investments, and they need to be encouraged and supported in doing that. As I mentioned in response to previous questions, the Executive have a very good track record of supporting businesses through our rates system. It is our main fiscal lever that we have to pull, and we have done that through the small business rate relief scheme. Indeed, we have continued that into this current financial year, so several thousand businesses across Northern Ireland will receive that reduction in their rates bill. That will cost the Executive some £20 million. We have done that in spite of the fact that it was introduced in 2010 to tackle the recession. The legislation that governs it specifically talks about the downturn. That downturn has, statistically, passed. There are still effects for retail businesses, just as there are for construction sectors and others as a result of the downturn, but other factors are hitting our retail sector as

well. I am very keen that we continue, as we are this year through the small business rate relief scheme, to offer support to that important sector.

Our captains of industry and small businesspeople do the work and create the jobs. It is our job in the Assembly to support and encourage those businesses and do what we can through rates and other interventions to allow them to grow.

**Mr Ó Muilleoir:** Go raibh maith agat. Gabhaim buíochas leis an Aire as an fhreagra sin. I thank the Minister for his response. The Minister has the facts, figures and stats. In the time ahead, is there a way in which we could look at the cohort of those who had a 100% or more increase — I am talking about non-domestic properties — and find ways of going to the businesses that took the biggest hit and seeing what extra help we can give them to ensure that they remain committed to growing their businesses here?

**Mr Hamilton:** That was considered well in advance even of the publication of the new values. I was well aware that, given the fact that there would be losers in the revaluation, there would be a plea from many quarters for some special assistance, such as some sort of transitional relief, to be put in place for, so to speak, the biggest losers. I pondered that carefully over a period and I came to the very clear conclusion that many of the biggest losers are very large businesses. Some of them are big global businesses that have seen their valuations go up by 40%, 50%, 60% and even more. Those are businesses that one would expect to be paying more, compared with the 2001 valuations of those properties, so I was not sure about the ethics of offering some support through the public purse, which is, in effect, taking it from other ratepayers and giving it to those big businesses.

I was obviously concerned about smaller businesses that would lose out as a result of the revaluation. That is why, rather than constructing a sophisticated transitional scheme on top of all the other very complex things that we have been doing with rates this year, the Executive agreed to extend the small business rate relief scheme — the Assembly has endorsed this — which will offer that additional £20 million-worth of support to thousands of businesses across Northern Ireland. Now, some of those will be businesses that have done OK out of revaluation, but many will be businesses that have done badly out of the revaluation. I hope that that, rather than some other transitional relief scheme, will be able to afford those businesses some support and allow them to continue to stay in business in the short term and grow in the longer term.

### Civil Service: Redundancy Criteria

T2. **Mr McNarry** asked the Minister of Finance and Personnel to confirm what criteria are being used to identify redundancies in the Civil Service. (AQT 2362/11-15)

**Mr Hamilton:** I am going to go back to a previous question from Lord Morrow, who asked about the scheme. If the Member will bear with me, I will give him the specific criteria. I have just found them; by the way, I was ad-libbing up to that point.

There are two criteria. The criteria that have been applied in order by grade, analogous grade and discipline, where necessary, to determine who should exit under the scheme

are principally based, over a one-year period, around best value for money using the least cost up front, which is the payment that would be required to give somebody a voluntary exit payment, and the maximum payback, which is how much it yields in pay bill savings. Now, that will, in some cases, have people who are exactly the same. In situations where there is a tie on those criteria, random selection will be used.

**Mr McNarry:** I am grateful for the Minister's explanation. Could he tell me what weight age is being given for these redundancies?

**Mr Hamilton:** There is no weight given to age. Age does not carry any more or less of an impact. The system that is governing this is legislation that passed through this House some years ago: a Superannuation Bill, now Act. If I say anything wrong, I will correct it in correspondence with the Member.

**Mr McNarry:** There is no ad-libbing now. This is a straight answer now.

**Mr Hamilton:** This is the law now. My understanding is that those who are over 60 do not get the same amount of payment. They are capped at a six-month salary as opposed to the 20-month salary for those who are under 60. Obviously, in some cases, it may be financially less attractive. However, given the stage that they are at in their careers, there may be other reasons and other factors as to why people who are a little older might still find it attractive to take up the voluntary exit scheme.

### Private Sector: Wage Levels

T3. **Ms Maeve McLaughlin** asked the Minister of Finance and Personnel whether he agrees that, with the economy slowly moving towards recovery, now is the time to urge the private sector to raise wage levels to reward workers who, in essence, have kept businesses moving forward in very difficult times. (AQT 2363/11-15)

**Mr Hamilton:** Yes, I do. I say that quite clearly knowing that, whilst the economy is growing and the latest figures in Northern Ireland suggest a year-on-year increase of 1.2% between quarter 3 of 2013 and quarter 3 of 2014, that the claimant count has fallen for 27 consecutive months and that unemployment is down at 6%, which we should welcome, there are still many businesses in Northern Ireland that are struggling. What I also know — and I am sure that many Members will know it from contact with businesses in their areas — is that, during the recession, although some businesses shed staff and, in extreme circumstances, some had to close unfortunately, others kept themselves going through cutting wages. We talk about pay freezes and pay restraints in the public sector. We sometimes forget that, in the private sector, pay cuts were the order of the day in many cases. As companies get back to strength, the economy grows and companies benefit from a growing economy here in Northern Ireland and those in our neighbouring countries and around the world, that should then be reflected in increasing wages and pay packets for our workers.

**Ms Maeve McLaughlin:** Go raibh maith agat. I thank the Minister and welcome that clarification. If the Minister is saying that he can see clearly that higher wage levels would feed into boosting the economy, could he outline

how he, the House or the Executive could promote that line of action?

**Mr Hamilton:** I go back to the earlier question. It is not my job to tell businesses how to do their job. They are in a far better position than I am or, indeed, anybody in the House is to know how their business operates, the market that they are operating in and the circumstances that affect their business. Whilst it is maybe easy for me, standing in my position, to look at the totality of the economy and say that things are good, that this sector is up, that sector is up and, indeed, even the construction sector, which had been doing very badly, is showing signs of growth and recovery, neither I nor any part of government can dictate to firms and businesses that their staff's wages should go up. As the economy grows, however, it is incumbent on our businesses, as their business improves, that they pass on those benefits to their staff who, in many cases, absorbed significant pay cuts during the recession, stuck with those firms and stayed loyal to them so that they could retain the skills and experience that they brought. If those businesses are doing well, and the markets in which they are operating are improving, any sensible business should increase its staff's wages. That, obviously, helps the economy in a broad sense, and it also reduces the benefits bill, as those in-work benefits, which are sometimes forgotten about in a debate on welfare reform, would naturally reduce as people get paid more.

### Northern Ireland Water: Pay Remit

T4. **Miss M McIlveen** asked the Minister of Finance and Personnel whether he has received the pay remit for Northern Ireland Water, given that he will recall the strike by Northern Ireland Water staff in January and the impact on services of that action. (AQT 2364/11-15)

**Mr Hamilton:** I recall the strike and its impact. I am sure that there are Members who represent constituencies in the west of the Province and constituents who remember it far better than the Member does or I do. The answer to her question is yes. I received the pay remit from Northern Ireland Water on my desk at the end of March. I have had it for a couple of weeks, and I have been carefully considering it over that time.

**Miss M McIlveen:** I thank the Minister for his response. When does he expect to be in a position to take a decision?

**Mr Hamilton:** As you would expect, the pay remit deals with pay issues for Northern Ireland Water staff. It also deals quite substantially with productivity issues and benefits that Northern Ireland Water management hopes to be able to produce as a result of modernisation and transformation moving forward. It is easy to look at the pay side and to understand it superficially, but I have been carefully considering the productivity side over the past number of days. I hope to be in a position to approve the pay remit within the next 24 or 48 hours.

### Peace Funding: Applications

T5. **Mr Ó hOisín** asked the Minister of Finance and Personnel for an update on the opening of applications for Peace funding. (AQT 2365/11-15)

**Mr Hamilton:** The House will be aware that the INTERREG V programme has already been approved

by the European Commission. Agreement was reached in the Executive and between us and the Department of Public Expenditure and Reform in the Irish Republic on the Peace IV programme. That has been transmitted to the Commission for its approval. The Commission has come back with some queries, which we are dealing with systematically. I hope that we will have approval for the scheme in the next number of weeks, which will allow it to go out to open calls later this year.

**Mr Ó hOisín:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as an fhreagra sin. I thank the Minister for his answer. How confident is he that there will be a quick turnaround for applications in the next round of Peace funding and that there will be no further delays?

**Mr Hamilton:** It is a constant cry from people who have been involved in various Peace funding schemes that the process can be very long and frustrating. Indeed, many have had their fingers burnt in the past and may not want to be involved in Peace IV, given their experiences of Peace III. However, I am committed, as are my counterparts in the Irish Republic, to trying to cut down the time that it takes to assess various schemes to allow the funding that is approved to go to the schemes as and when required. I say that, but with the absolute caveat that it is important that the financial fiscal processes through which we put public money in Northern Ireland continue to be used but in a more efficient and quicker manner.

2.45 pm

## Health, Social Services and Public Safety

### Cancer Treatment

1. **Mr Dobson** asked the Minister of Health, Social Services and Public Safety for an update on how many patients urgently referred with suspected cancer are beginning their treatment within 62 days. (AQO 7961/11-15)

**Mr Wells (The Minister of Health, Social Services and Public Safety):** I am disappointed that the number of patients who are referred as urgent by their GP with a suspected cancer and receive their first treatment within 62 days remains below the ministerial target of 95%. Recent performances are 70.1% in October 2014; 74.1% in November; and 74.7% in that December. The majority of patients waiting beyond 62 days are in the urology speciality. Urology services across Northern Ireland remain challenging, and the Health and Social Care Board (HSCB) is leading a service improvement initiative across all trusts to improve the position.

**Mrs Dobson:** I note what the Minister has said, but the minor improvements in no way excuse the totally unacceptable situation that persists, not least considering that the vast majority of people who are not treated on time are later diagnosed with cancer. Does he think that that is an acceptable situation for the patients, as the disease spreads freely through their body, or their families, who are forced to sit by and watch helplessly?

**Mr Principal Deputy Speaker:** I remind the Member that questions should be asked and not read out.

**Mr Wells:** The short answer to the honourable Member for Upper Bann is, "No, I do not think that it is acceptable." There is massive room for improvement, and, indeed, the board has set challenging targets for the trusts to meet in the coming year.

I emphasise that there are two targets: the 62-day target and the 31-day standard, which is the time between diagnosis and first treatment. In fact, the trusts are doing exceptionally well on that target. For instance, the most recent figures that I have are 91% in the Belfast Trust; 100% in the Northern Trust; 97.6% in the South Eastern Trust; and 100% in the Southern Trust. Those figures are for up until February 2015. The latest figure that I have for the Western Trust is for up until December 2014, and, again, it is 100%. Clearly, once a diagnosis is made, the clinicians are very quick to organise and deliver treatment. The problem lies after the earlier reference from a GP for diagnosis, where there seems to be a delay.

Some of the issues are outside my control. There is a shortage of urologists throughout the United Kingdom, and, at the moment, we have vacancies in the Northern Trust and the Belfast Trust that are proving difficult to fill. In the absence of those clinicians, it is difficult to deliver a service, but I accept that there is room for improvement on the 62-day target, which we are determined to deliver.

**Ms Maeve McLaughlin:** I thank the Minister for the update. The recent statistics from Macmillan show that survival rates in the North for people with lung, breast, colon and stomach cancer lag behind some other European countries by as much as 10 years. What is the strategy or plan to tackle that stark statistic? Go raibh maith agat.

**Mr Wells:** It is worth saying that, in Northern Ireland, we are achieving remarkable outcomes on some cancers. For childhood leukaemia, prostate cancer and breast cancer, survivorship is way beyond 80%, which shows that we have made remarkable advancements in the treatment of those cancers. Taken as a whole, Northern Ireland can hold its head up when it comes to overall survival rates, but I accept that, for conditions such as lung cancer, pancreatic cancer and ovarian cancer, we are still way behind where we want to be. Our rates are similar to those in the rest of the United Kingdom. I accept that in countries such as Sweden, Norway and Denmark, where there are far more resources available for cancer treatment — with commensurately higher taxes, I have to say — the outcomes are better, and we need to learn from those countries' experiences. However, we are certainly moving in the right direction as far as cancer treatment is concerned.

The one issue that I do not have control over is staffing. If the staff are simply not there and the qualified urologists and oncologists are simply not available for recruitment, it makes it difficult for the trusts to meet their targets. Workforce planning, I am afraid, will become a more and more dominant issue in health. I think that we have 11 workforce reviews on at the moment, and at almost every level in the health service at the moment, we face workforce pressures. The tide has turned inexorably in that area, and we will have problems ahead. This is not about money. I must make it absolutely clear: we have the money

to employ the specialists; we simply cannot get them at the moment.

**Mr McKinney:** Can the Minister give a commitment, similar to the approach taken in Scotland, that he can relax the exceptionality criteria in the IFR process while the consultation period continues and is adjudicated on to allow access to life-extending drugs?

**Mr Wells:** That is a fairly valid comment. If he carefully reads the statement that I made on the IFR report, the Member will see that, implicit in that is a very significant increase in the funding for cancer drugs; I think that it is a trebling of the amount. That presupposes that the new two-committee system that we are setting up will have a much more flexible approach to IFR requests for individual cancer drugs. Therefore, we are determined to deliver on that, even in terribly difficult financial situations, but remember that that will not greatly improve survival rates. The vast majority of the drugs enhance and extend life; very few of them save life. The comments that Mrs Dobson has made will not be addressed by a more flexible IFR strategy, but it will help those who have a terminal diagnosis to live out their life on an extended basis and more comfortably. That is a very valuable role that those drugs perform. Still, the overall figures show that Northern Ireland, particularly through the Belfast cancer centre, has achieved so much in a very short period, and that is to be welcomed. We should not beat ourselves up on this issue; we are doing well.

**Mrs Cameron:** The Minister has already mentioned that urology is a major part of the problem here: can he outline what actions are being taken to make improvements in that field?

**Mr Wells:** The main pressure points are in the Northern and South Eastern Trusts. I expect both to take urgent action to reduce the time that patients wait on a urological pathway. That will involve moving urology services temporarily to the Western Trust until issues in the Northern Trust have been resolved. As a result of that action, the number of patients waiting longer than 62 days on the urology pathway in the Northern Trust has been reduced from 140 in August 2014 to seven in the provisional reporting that the board issued at the end of February 2015.

Last week, I was in Londonderry with the Irish Health Minister, Minister Varadkar, and we inspected progress on the new radiotherapy unit that is being built at a cost of £69 million and has been partially funded by the HSE in the Irish Republic. Once that is up and running in the autumn of 2016, it will provide new capacity for radiotherapy, not only for Northern and Western Trust patients but also those from Donegal. It will also relieve the pressure on the Belfast cancer centre. Therefore, we should see a general improvement in treatment throughout Northern Ireland. I was delighted to hear, when I was up there last Wednesday, that it is on time. That will interest the Chair of the Committee. The building will be state of the art. Indeed, it will be the most modern radiotherapy centre on the island of Ireland and, we think, in the United Kingdom. Therefore, the people of the north-west will get a marvellous new facility that will help in the diagnosis and treatment of cancer for over 450,000 people.

**Mr Principal Deputy Speaker:** I remind Members that question 11 has been withdrawn.

## Health Promotion

2. **Mr Buchanan** asked the Minister of Health, Social Services and Public Safety what discussions he has had about raising awareness of health promotion messages on skin cancer and other conditions with organisations such as the loyal orders and marching bands. (AQO 7962/11-15)

**Mr Wells:** I have invited representatives of the Grand Lodge of Ireland and the Confederation of Ulster Bands to meet the Public Health Agency and me to discuss how public health messages can be disseminated to their members. I also met Cancer Focus Northern Ireland to discuss its initiatives to improve community health, including its work with the Orange Order.

**Mr Buchanan:** I thank the Minister for his response. Can he outline what particular conditions he envisages progress being made with?

**Mr Wells:** The meeting with the Orange Order and the PHA will provide an opportunity to discuss how we can raise awareness around a number of health issues. Of course, the vast majority of those who participate in Orange Order parades and band parades are, basically, male, and often young male. We are looking at issues such as heart disease, stroke, diabetes, obesity, physical activity, alcohol problems and, of course, the promotion of smoking cessation.

We know that men are four times less likely to visit their GP than women and, often, men find that, by the time they do report with a condition, it is too late; it has progressed. Therefore, we feel that it is important to get out into the community and speak to young men in particular to emphasise the importance of giving up smoking, drinking sensibly and, more importantly now, reducing skin cancer, which is now the most prevalent form of cancer in Northern Ireland. Therefore, people who tend to be out in the sun a lot need to be very careful to take protective measures, whether they are marching or simply out enjoying the countryside.

I was very enthusiastic about the Cancer Focus NI initiative, which is to go out into the community, not just to Orange and band events but also, for instance, to reach those in the farming community. Male farmers tend to be very loath to report a problem to their GP. For instance, it visited the field during the sham fight in Scarva on 13 July, and it was in Markethill on the Twelfth, and it was interesting to notice that it picked up conditions amongst those members of the Orange, the bands and their families that would have been missed had the Man Van, as it is called, not been out in the field. I also understand that it is exploring that initiative with the GAA. This is an excellent opportunity of taking health provision to the community and identifying conditions that, up to that point, would have been missed totally.

**Mr Cree:** I am interested in the Minister's comments. Minister, can you explain why there is effectively a postcode lottery for people across Northern Ireland who are diagnosed with things like skin cancer? It depends on where they live.

**Mr Wells:** I would be very interested in the evidence of that, because, in Northern Ireland, we have taken the very sensible step of centralising acute cancer services into the Belfast City Hospital cancer centre, and that has led to a concentration of resources and skilled

clinicians, consultants etc in the one building. We have had experience of that for about 10 years, and all the evidence indicates that that has been the right way forward. Therefore, someone in a trust who has been diagnosed with a serious cancer should be referred to that service, without any difficulty with a postcode. There is no real evidence to indicate that people are being turned away because they happen to live beyond Glengormley or Carryduff or whatever.

The problem in the South Eastern Trust is the lack of urological consultants, but, once the diagnosis has been made, the South Eastern Trust is meeting its target — I think that I quoted 97% earlier — of patients who are then treated within the 31-day period. I would be very interested in any evidence that he could give me of that happening. From my point of view, the evidence is that we are moving forward to a healthier society, with fewer of us dying from cancer, as a result of that work.

I said this before, and I keep mentioning it, because I have noticed that good news does not travel very fast out of this Building. Last year, for the first time ever in Northern Ireland, more people with cancer were alive after 10 years than had passed on. That is very, very important — almost a Rubicon that we have crossed. For the first time ever, more people are alive than have died. Therefore, cancer is rapidly becoming a long-term condition, rather than an acute condition that leads, ultimately, to fatalities. We need to keep that going, and we are doing well.

The Member for Upper Bann has highlighted an issue that has caused me concern, and I am worried about what has been said. We need to tighten up on the 62-day target, and we owe that to the people of Northern Ireland. I know what a worrying period those 62 days are for many people, and we have to try to bring it down to a more manageable level.

**Mr Principal Deputy Speaker:** I remind the Minister about the two-minute rule.

**Mr McCarthy:** The Minister now acknowledges the high importance of the work of the Public Health Agency. Will he reconsider the huge reduction in its budget of 15%, which will leave it unable to provide the service that it has heretofore?

### 3.00 pm

**Mr Wells:** We have moved a long way from the Twelfth field at Markethill, assuming that it is still relevant to the question. The 15% efficiency saving in the PHA is in administration; I need to emphasise that. We targeted administration as the way to make savings in the health service without affecting front-line care. We examined carefully the savings proposed by the PHA, and we believe that they are achievable in a way that does not cause difficulties to the essential work that we all recognise that the PHA is carrying out. It will be a stretching target; I accept that. Still, many of the programmes that the PHA has been rolling out across the Province will remain intact despite the huge difficulties we are in as far as funding is concerned.

## Oakridge Day Centre

3. **Ms McGahan** asked the Minister of Health, Social Services and Public Safety what assurances he can give that the Southern Health and Social Care Trust



has sufficient capital in its 2015-16 Budget allocation to provide a modern facility to replace Oakridge Day Centre, Dungannon. (AQO 7963/11-15)

**Mr Wells:** My Department is in the final stages of reviewing the business case for the replacement of the Oakridge social education centre in Dungannon. Due to current financial constraints, a number of projects under consideration, like this one, cannot be progressed as no funding is available. The timeline for completion will, therefore, be dependent on appropriate business case approvals and, ultimately, budget availability.

**Ms McGahan:** Go raibh maith agat. I thank the Minister for his response. Minister, I am sure that you would acknowledge that there is a need for a new facility in the Dungannon area for those with learning disabilities. I encourage you to visit Oakridge to see it for yourself. Will the Minister commit to providing new and enhanced modern facilities for those with disabilities in the Dungannon area?

**Mr Wells:** I have promised the Member and Lord Morrow that I will visit Loane House in Dungannon, so I could easily combine a visit to Oakridge with that. I am sure that, now that she has reminded me, my diary secretary will be beavering away to ensure that that happens.

That project would have a capital cost of £3.5 million. For next year, I have an entire capital budget of about £203 million. By the time you take in all that I have committed to, and what my predecessor Mr Poots, and, indeed, Mr McGimpsey, committed themselves to, that leaves us with next to no money for any new initiative.

It is important to emphasise what we will be spending money on in 2015-16. I mentioned the new radiotherapy block at Altnagelvin; we are doing a new north wing in the same hospital. A new Ulster Hospital general ward and acute services block is costing us £210 million. The Omagh local hospital will benefit some of the lady's constituents, and there are new health and social care centres in Ballymena and Banbridge. There is the new children's hospital on the RVH site, and paediatric services at Daisy Hill and Craigavon hospitals.

We are trying to squeeze as much as we can out of that budget, but, in the absence of something happening post-general election or some great success in the monitoring round, it is difficult to see how I can commit myself to that sort of funding. The Member will, of course, say that it is only £3.5 million out of a £203 million budget. However, I am sure that, in the Chamber, Members have at least a dozen or 15 similar projects, and if I conceded on this one, no doubt they would be in to see me to demand similar treatment. I had a group in the other day from Crossmaglen demanding similar provision in that area. Both made the point, as you have, that the present facilities are very poor. I accept that, but the present budget does not give me much in the way of funding.

That is in the Southern Trust, to which a large range of schemes have already been committed. For instance, we are putting £16 million into the health-care hub in Banbridge, £11 million into Craigavon for rewiring —

**Mr Principal Deputy Speaker:** I ask the Minister to bring his remarks to a close.

**Mr Wells:** — and a new scanner in Craigavon.

**Mr Principal Deputy Speaker:** Paula Bradley, can I remind the Member that this is a very specific question to a constituency?

**Ms P Bradley:** Thank you, Mr Principal Deputy Speaker.

**Mr Principal Deputy Speaker:** You are waiving your right. I move on, then, to Mr George Robinson.

### Suicide: Cross-departmental Support

4. **Mr G Robinson** asked the Minister of Health, Social Services and Public Safety for his assessment of cross-departmental support to address suicide. (AQO 7964/11-15)

**Mr Wells:** The ministerial coordination group on suicide prevention has helped to ensure improved cross-departmental engagement in addressing suicide. Cross-departmental work has taken place through sporting organisations, rural networks and in justice settings, libraries and schools. The group last met last week on 16 April, a meeting that I chaired, to consider the first draft of the front-line intervention section of the suicide prevention strategy that is in development.

**Mr G Robinson:** I thank the Minister for his answer. Will he outline some examples of actions being implemented by other Departments?

**Mr Wells:** I found the meeting last week — last Thursday — to be very useful, and not because I chaired it. There was buy-in from all of the Executive, which was shown by the fact that Minister Durkan, Minister Storey and Minister McCann were all present. If other Departments were not represented by Ministers, a very high-powered group of officials came along to represent them. We worked well together.

The main work of the group is to refresh and update the Protect Life strategy, which was rolled out over the last two years. The good news is that the number of suicides in Northern Ireland has dropped from about 303 in 2013 to a provisional estimate of just over 280 for 2014. That is despite a situation in other parts of western Europe where the numbers have inexorably grown. So, we believe that the strategy is working. Therefore, the various activities that have been carried out by the Departments have been successful. However, we cannot be complacent, because 280 — I think it is 286 — suicides have a hugely devastating impact on a society the size of that in Northern Ireland. It is reckoned that every suicide in the Province affects 60 people directly, because of the close-knit society that we have.

Therefore, I am pleased that at least we seem to be getting some progress on this very difficult issue. The Lifeline initiative has had 655,000 callers in the last year up to February 2015, and interventions were required for 13% of those callers. It is handling 2,244 calls per week. We are putting a total of £7 million into the budget for suicide, and almost half of that goes into Lifeline. At least there is some encouragement that these policies are beginning to work.

**Ms McCorley:** Go raibh maith agat, a Príomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as ucht a fhreagraí go dtí seo. I thank the Minister for his answers. An dtig liom a fhiafraí den Aire cén plé a bhí aige lena mhacasamhail sa Deisceart maidir le cur chuige le déileáil le féinmharú agus le clár feasachta faoin fhéinmharú

a chur chun tosaigh? What discussions, if any, has the Minister had with his counterpart in the South in relation to tackling suicide and the promotion of suicide-awareness programmes?

**Mr Wells:** I had a very useful meeting with the Health Minister of the Irish Republic last Wednesday in Londonderry, in Altnagelvin Hospital. We found ourselves singing from the same hymn sheet on this issue. Both jurisdictions are bringing forward strategies to deal with suicide. We are at different stages in the process, and we agreed at that meeting that there was little merit in having a joint all-island strategy but that there was huge merit in officials from both jurisdictions getting together on a regular basis to share best practice on this very important issue.

We identified that, on both sides of the border, the particularly difficult area is males between 15 and 50, particularly unemployed males from socially and economically disadvantaged areas, and the important role that alcohol unfortunately played in suicides. Therefore, both jurisdictions agreed that that was the core area that we needed to analyse in particular. We are going to work together to see what is best practice in the Republic and Northern Ireland.

**Mr McGimpsey:** Bearing in mind the important role that the Internet and Internet chat rooms have had in promoting suicide, how effective have the Byron report and the Byron task force been in bringing providers into some sort of social responsibility to help us press down on what is one of the scourges of our society?

**Mr Wells:** The Member has asked a very useful question. If he was on my Back Benches, you would say it was a plant. It is something that is incredibly important, because unfortunately the growth area, as far as danger to our young children is concerned, is in the Internet and electronic media. There have been some extremely worrying developments. As a recent BBC 'Spotlight' programme showed, several hundred young girls had their Facebook images used for pornographic images. Also, there was a report recently that showed that a high proportion of eight-year-old boys have been exposed to sadistic pornography, which is absolutely appalling.

Issues that were totally unheard of when many in the Chamber were young are now rampant. That is why I welcome strongly that the entire Executive — this is unusual — have agreed to jointly fund a strategy on the issue. The money — I think that it is £80,000 — has been made available, and we are going to develop a strategy for Northern Ireland. Without pre-empting that, I would like to hope that the situation will arise that means that this hard-core material, bullying and all the associated risks to our young people will be automatically blocked unless an adult registers to opt in to it. I simply cannot understand why the big multinational Internet service providers allow our young people to have unlimited free access to material that is totally unsuitable and desperately damaging to their emotional and physical welfare. I would like to think that the lead that some Internet providers like Sky have already adopted will be brought in for all the companies. If someone wants to access this material, that is up to them, but they need to register for it, and it needs to have a blocking mechanism so that no one under 18 can see it.

**Mr Dallat:** I welcome the Minister's answers so far. Obviously, the subject under discussion is very serious,

and we welcome the reduction in suicides. Will the Minister agree with me that early intervention for those people who find themselves in this situation is absolutely critical? Will he also agree that best practice, where it exists, should be more widely known? For example, in the Holywell Hospital in Antrim there is best practice, and at the Robinson Hospital in Ballymoney there is best practice. However, perhaps not enough people have access to those wonderful facilities, where people go out literally into the homes of those who are at risk and help them and, indeed, save their lives.

**Mr Wells:** I recently attended a meeting in Gransha with the Western Trust. It is quite clear that the Western Trust is taking the lead on this issue. It worries me slightly that, as you go around Northern Ireland, you see little pockets of excellence being carried out by various trusts but not much evidence of it being shared with the rest of Northern Ireland. One of the things that the Western Trust told me is that 72% of those who commit suicide in Northern Ireland are totally unknown to the health and social care system. That shows you how difficult it can be to identify those who have mental health issues that can lead to suicide. What is even more worrying is that over 40% of those who subsequently committed suicide had presented to A&E and were not picked up as suicidal during that visit. The Western Trust was concentrating on that.

Another issue that I will highlight relates to the fact that the majority of those who commit suicide in the Londonderry area do so in the river. I congratulate the Western Trust for taking action on that. For instance, it is putting up cameras at the appropriate spots to identify those who perhaps are considering suicide. The trust is making signs on the bridges — it really is the bridges that are concerning — more informative by giving warning to those who are considering taking such drastic action. Foyle Search and Rescue has told me that the vast majority of people who it rescues have not slipped but have jumped into the river and, therefore, are contemplating suicide.

Therefore, the Member is right to say that there are examples of good practice. He mentioned the Robinson Hospital, and I think that we need to disseminate this good practice throughout Northern Ireland because we are still losing far, far too many people to this awful situation.

## Sleep Clinics

5. **Ms Ruane** asked the Minister of Health, Social Services and Public Safety to outline what procedures are in place for sleep clinic patients forced to wait for an appointment beyond the 18-week time period. (AQO 7965/11-15)

**Mr Wells:** It is disappointing that some sleep clinic patients are waiting longer for appointments. That is a particular problem in the regional services that the Belfast Trust provides. Again, that is due to staffing issues. The Health and Social Care Board is working with the Belfast Trust to expedite the transition of sleep clinic services to other trusts to help waiting times. The Belfast Trust is also making every effort to cover the workload until the staffing issues are resolved; for example, by obtaining additional limited capacity in Edinburgh.

**Ms Ruane:** Go raibh maith agat. Thank you. Gabhaim buíochas leis an Aire as an fhreagra sin. I thank the Minister for his answer. Can he detail the numbers waiting and the action plan that he has for this serious matter?

**Mr Wells:** I do not have the exact details on the numbers that are waiting. We would have to obtain those from the five trusts, but I am more than happy to write to her with specific details and to provide a bit more update on what we are doing to improve this service, particularly with the link to Edinburgh and trying to take the load off the Belfast Trust. I think that we are running out of time here.

Once again, we are in a situation where there is only a finite number of experts on this issue at consultant level. We are finding it hard to recruit. I am afraid that this issue will come back time and again: the labour market in health is tightening rapidly. From nursing to middle-grade doctors to consultants, we are finding it very hard to recruit the necessary staff. At the end of February 2015, there was a total of 555 patients waiting for diagnostic sleep study, and 128 of those had been waiting for nine weeks. A total of 127 patients have been waiting for over nine weeks in Belfast, and one in the South Eastern Trust area. I will expand on those figures and send the Member full details.

3.15 pm

**Mr Principal Deputy Speaker:** That ends the period for listed questions. We now move to topical questions.

### Post-mortem Services

T1. **Mr Milne** asked the Minister of Health, Social Services and Public Safety how many families have been impacted adversely by the lack of weekend and bank holiday post-mortem services. (AQT 2371/11-15)

**Mr Wells:** Rev William McCrea, MP for South Antrim, has raised the issue with particular reference to Antrim Area Hospital and the distress that this can cause families. Without prior notice, I cannot give the Member the figures. Mr McCrea's approach prompted me to make a mental note to investigate the issue because it seems to be a problem throughout Northern Ireland, apart from in the major Belfast hospitals. We will investigate the issue and see what can be done to help families in this very distressing situation.

**Mr Milne:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a fhreagraí go dtí seo. I thank the Minister for his answer. I appreciate that this does not affect just my constituency; it happens across the whole of the North. It is reassuring to hear the Minister state that he will take a look at this. If a review is needed, I ask that it is done as quickly as possible because of the stress that it causes to the families concerned.

**Mr Wells:** Yes, I will look at this. Rev McCrea gave me information on a very distressing incident that he was involved in with a family from Magherafelt. No one could give a definitive answer to the family. Unfortunately, the deceased passed away at the weekend, and there seemed to be a hiatus before anything could be done to assist them. I suspect that that issue, which was raised in the local media in mid-Ulster, is the one the Member is referring to. You have to balance that with whether you keep staff working over the weekend when there may be very few cases to deal with. But, having heard from Rev McCrea of the huge hurt that that particular issue caused, I think it is something we should investigate, and I will do that. It will not be a formal review but a departmental look at where we are going on this. Remember that we do not

have direct control of all these issues, but we will certainly look at it.

### Abortion: Guidelines

T2. **Mr Sheehan** asked the Minister of Health, Social Services and Public Safety where the guidelines on the termination of pregnancy currently sit, given that, five weeks ago, he said that he was working on them and that he hoped to bring them before the Executive within a few weeks. (AQT 2372/11-15)

**Mr Wells:** This is an incredibly difficult and complex issue, as the Member will understand. It is inevitable that whatever I decide will be judicially reviewed. If the guidelines are perceived by some as being too weak, those who campaign in the pro-life movement will judicially review them; if they are seen as being too strong and seem to others to be too pro-life, inevitably those in the charitable and NGO sector in what is called the pro-choice lobby will judicially review them. It is, therefore, very difficult. We have been trying to deal with the issue for, I think, nine years. Each time, obstacles arise because it is such a difficult moral issue and one that many, many people in Northern Ireland and their public representatives feel exceptionally strongly about.

As far as the timeline is concerned, we are coming close to a situation where we will be able to refer the guidelines to the Executive for discussion, but I can assure him that that will not be the last of it. We know from experience in the House how frequently our constituents and lobby groups go to the courts. I will, therefore, be very surprised if the issue is permanently resolved within the year.

**Mr Sheehan:** Go raibh maith agat. Gabhaim buíochas leis an Aire as an fhreagra sin. Does the Minister accept that delay on the issue puts pressure on all the people concerned, not least the health professionals?

**Mr Wells:** Getting this wrong will not help the health professionals. If I issue a document that is immediately referred to the High Court and that leads to long and turgid judicial review, we still have a lack of clarity as far as the clinicians are concerned. We all have vast experience in the Chamber of legislation being referred for judicial review and sitting for years before agreement is reached on the way forward.

I will be honest with you: I think that this is the most difficult issue that I have on my table at the moment in terms of reaching a consensus that, I feel, will be deliverable in the community. It is one that I have spent a huge amount of time on and one that I would prefer to see resolved, but I have to say that I cannot see that happening in my time as Minister of Health and probably not in my successor's.

**Mr Principal Deputy Speaker:** Question 3 has been withdrawn.

### Alzheimer's Disease/Dementia: Support

T4. **Mr Lyttle** asked the Minister of Health, Social Services and Public Safety how he intends to support the Alzheimer's Society's Right to Know campaign, given that there are around 7,000 people with dementia in Northern Ireland who do not have a diagnosis, a quarter of people who are diagnosed receive no information and support and around 90% feel that the support that they receive is inadequate. (AQT 2374/11-15)

**Mr Wells:** I am very supportive of the Alzheimer's Society's Right to Know campaign, and I work closely with the charity in that field. We have to understand that, whilst the percentage of people with Alzheimer's is falling, the overall numbers are rising dramatically, because we are an ageing society. That puts tremendous pressure on clinicians. A greater awareness of Alzheimer's is combined with larger numbers. It is, therefore, still a real challenge. Northern Ireland has been commended as the best region in the United Kingdom for making an early diagnosis of dementia, so we are getting it right to some extent.

I have to set aside £35 million every year in the health service budget simply to take account of the fact that we are an ageing society. That gives you an indication of the pressure I am under. We are making progress. I hear regularly reports in the media of some breakthrough cure or diagnosis for Alzheimer's, and I really hope for success, because, at the moment, there is no quick fix for this awful condition, which is progressive and causes huge difficulties for sufferers and their families. Nothing would make me happier than to introduce some form of medicine that would curtail the progression of the condition or better. We are doing our best in difficult conditions, and we can stand up proudly with the rest of the United Kingdom in what we have achieved. Is that enough at the moment? No. It is becoming a more difficult issue as the years progress.

**Mr Lyttle:** I thank the Minister for his response and for his support for the Right to Know campaign. In his assessment, how far are we from achieving the key targets of the campaign, which are a diagnosis for everyone with dementia, a wait of no longer than 12 weeks between first appointment with the GP and diagnosis and a dementia support worker or equivalent for everyone at the point of diagnosis?

**Mr Wells:** Those are the aspirations of the Right to Know campaign; it is not based on any clinical recommendations from those directly involved. One of the reasons for that is that it is extremely challenging to have a guaranteed wait of only 12 weeks. To have a guaranteed nurse practitioner looking after the patient is terribly demanding in the present economic situation. I have to say that, when I reveal the budget for 2015-16, there will be a lot of pain for a lot of parts of Northern Ireland and a lot of concern expressed about reducing services yet maintaining our high standards of clinical care. I do not think that we are yet in the position to deliver the Right to Know campaign's demands, which could be said to be legitimate, but we will continue to ensure that people in Northern Ireland with suspected Alzheimer's are diagnosed as quickly as possible and given the best care pathway in what is a very challenging economic environment.

### Health Service: Senior Staff Salaries

T5. **Mr McNarry** asked the Minister of Health, Social Services and Public Safety to outline the salary increases received by Northern Ireland's senior health service staff in the past two years, albeit that it is very interesting to hear him mention the budget that he is going to reveal. (AQT 2375/11-15).

**Mr Wells:** Our senior health staff have actually had pay reductions because of the increase in their pension contributions. I know that it is quite easy to criticise our chief executives and directors, but the problem — the Member will have to face up to this — is that we have

recently lost three very capable senior executives of health trusts to England, where they offer packages that are way in excess of anything that we are allowed to offer under the guidelines issued by DFP. I am particularly annoyed about losing one individual who, everybody in the House accepted, was absolutely outstanding. If we are to retain the best talent in Northern Ireland, we have to look at pay and conditions. I know that it will be unpopular if I suggest that they should be paid the going salary for the crucial work that they do. However, I flag that up as an issue that will arise in the future that I am particularly worried about.

Senior health staff all have contracts under which they are permitted to receive statutory pay increases. I can assure you that those have been very modest, and, taking into account increases in their pension contributions, all of them, as far as I am aware, have taken a pay cut. There are two exceptions to that, because two trust chief executives are also qualified consultants. They are on a different pay scale to the non-consultants, which is why it may seem that their pay is quite high. However, you should remember that, if they were doing consultancy work with some private add-ons, they would be receiving a very high standard of pay.

I believe that we now have in place a very strong team of chief executives and directors at all levels in the health trusts. We have seen some quite remarkable turnarounds and improvements in performance throughout the service in Northern Ireland. One of my roles is to try to keep that team together for as long as possible. That will be difficult, given what I see happening in England, where that talent is recognised in both status and pay.

**Mr McNarry:** I am not criticising anyone, least of all the Minister. In fact, I join him in the encouragement that he has given to the talent and the people we have.

There were revelations in England that some health executives earned more than £1 million last year and that directors were getting packages of up to £5,000 a day. In light of what the Minister has said and to allow us to compete, what increases does he have in mind over the next two years for the category of staff that he has just told the House about?

**Mr Wells:** We are looking at that, but I assure you that we will never reach the situation where anyone in Northern Ireland is paid anything like that amount of money. Some of our top staff are in charge of budgets of £600 million or £700 million — indeed, it is over £1 billion in the Belfast Trust — and in their delivery, the better and efficient management of their trusts and a more efficient delivery of health-care provision, good chief executives or directors can save more than their salary. Liam Donaldson's report stated clearly that we needed to recognise that talent. It is not just me who recognises it. Chairmen of trusts throughout England are eyeing up Northern Ireland for potential transfer deals, if I can put it that way. That tells me that we have some very capable and special staff in Northern Ireland.

I want to flag up one other issue. Many English trusts are moving to joint health and social care provision, whereas, up to now, they have been split. Where is the only place in the United Kingdom that they can get good, experienced staff with skills in health and social care? It is in Northern Ireland. Therefore, we have to watch out that more staff are not lured to southern England. We need to look at that,

but any change would, of course, need to fit in with broader Northern Ireland public sector pay and have the approval of DFP. It is a difficult issue, but I do not think that our top staff are recognised sufficiently.

### GP Services: Kilkeel

T6. **Mr Rogers** asked the Minister of Health, Social Services and Public Safety what he will do, first, to enhance out-of-hours services in Kilkeel through extra funds for GP services so that Kilkeel becomes a model for rural health care right across the North, particularly given the Minister's comments about there being a lot of pain, which was highlighted by a constituent who had a lot of pain at the weekend and who was told to ring back on Monday, which led to relatives phoning the emergency number to get an ambulance, and, secondly, to create a bit of flexibility around GP appointments, given that many working people leave Kilkeel at 6.30 am and have no access to appointments. (AQT 2376/11-15)

### 3.30 pm

**Mr Wells:** The Member for South Down's point is well made. Indeed, that is the reason why, 10 days ago, I announced an extra £15 million in funding for GP services, including £3.1 million in additional moneys for out-of-hours provision. The BMA and the Royal College of General Practitioners have been lobbying the Department and me on that. Indeed, on Thursday night, I was at a meeting with the BMA at which the issue arose again.

I have seen the rotas for Kilkeel — it is a particularly difficult area, where there are large gaps throughout this month and beyond — and I can see the problems that we are having. Many MLAs throughout the country, particularly those in rural areas, have mentioned the problem to me. We are hoping that the extra £3.1 million will enable us to employ locums to provide cover in difficult areas. In Kilkeel, as the Member knows, the options are very limited. You go to Newry, Downpatrick, Craigavon or wherever. It is a long distance to the other cover, and it is therefore important that we plug the gaps in Kilkeel. As he knows, this has been going on since last May. In July, there were long shifts around the Twelfth fortnight for which there was no cover, because staff were not available to do it. That is why I am hoping that the £3.1 million will have some impact on overall performance in Northern Ireland. I do not want patients to be going to A&E at Daisy Hill Hospital or Downe Hospital, because, on many occasions, that is not what is required. We are simply storing up trouble for down the road, as it were. We need to improve out-of-hours provision throughout rural parts of Northern Ireland.

**Mr Principal Deputy Speaker:** Time is up. That concludes Question Time. I invite Members to take their ease while we change the top Table.

(Mr Speaker in the Chair)

## Private Members' Business

### Fuel Laundering

Debate resumed on amendment to motion:

*That this Assembly expresses its concern at the continuing high levels of fuel laundering, the organised criminal activity surrounding it and the evident lack of criminal prosecutions; notes the environmental damage caused to the countryside; recognises the financial losses suffered by Her Majesty's Treasury and legitimate fuel operators and the consequential serious implications for the local economy; and calls on the Minister of Justice to ensure action is taken at every operational level to secure greater numbers of prosecutions for this serious crime. — [Mr Bell.]*

Which amendment was:

Insert after "economy;"

*"further notes that legislation extending the role of the National Crime Agency in Northern Ireland has completed its passage at Westminster and that the National Crime Agency must now demonstrate that it will deploy its full powers and resources against any and all persons or organisations involved in fuel laundering and other organised crime;". — [Mr Attwood.]*

**Mr Ford (The Minister of Justice):** I start by congratulating the junior Minister Mr Bell, who has now resumed his customary Front-Bench seat, on securing the Back-Bench debate on this important topic. I welcome the motion and the amendment before the House.

The debate is very timely, as it coincides with the recent introduction of a new rebated fuel marker — the Dow marker — on 1 April. That was the culmination of a detailed joint project involving Her Majesty's Revenue and Customs and the Irish Revenue Commissioners. I welcome that step at the outset. It is a very significant development, and one that the Organised Crime Task Force hopes will have a major impact.

The comments that I have seen locally have been positive about the introduction of the fuel marker. As others said, fuel laundering is a total scourge on our society. For those who are buying laundered diesel, it may seem like a victimless crime — a cheap fill-up, with nobody losing out except the Government — but that is certainly not the case. First, the loss of revenue to government is very significant and important. As a number of Members highlighted, fuel laundering in Northern Ireland costs the Exchequer in the region of £80 million every year, although it should be pointed out that, since excise duty is a non-devolved issue, not all of the £80 million would be available for services in Northern Ireland were it to be achieved.

There are other important aspects. There are the losses to honest businesses: those who are either selling legitimate fuel or in an industry such as haulage who are seeking to compete with the criminals — that is what they are — who are undercutting them through the use of illicit fuel. There is the damage to the environment. As we have heard repeatedly today, fuel laundering produces toxic waste,

which is dumped with no regard for the potential impact on the environment and on the health of people round about.

There have been a number of recent media reports about fuel laundering. There is the direct financial impact locally. The cost of cleaning up the waste, whether by HMRC, DOE or local councils, is money that could be used for more productive purposes. Additionally, it has been established that this sort of fuel can damage vehicles. A short-term saving can lead to major costs for vehicle repairs in the longer term. There is also the very real concern that that crime is supporting organised crime groups and that some of them are using the profits to fund other serious and organised crimes, such as drugs.

I think every Member who has spoken today recognises those problems, so I now want to set out some of the steps that are being taken across the justice system to address the crime, but, before I do so, I should exercise a little caution and remind people that excise evasion is a reserved matter, and that responsibility for tackling fuel laundering lies firmly with HMRC, which answers to the Treasury for its results. A number of Members, such as Lord Morrow and Mr Craig, suggested that it was principally an issue for the Department of Justice. No; the issue of excise evasion is excepted and is operational. It is not really for the DOJ at all.

**Lord Morrow:** I thank the Minister for giving way. I did not say that; I said the very opposite — that I accepted that it was not a totally devolved matter.

**Mr Ford:** I thought that is what I said. The point is that it is not devolved at all.

As chair of the local Organised Crime Task Force and as Justice Minister, I do have a close interest in the subject, and work is done within the OCTF to deal with the issue. In response to Mr Attwood, there is no specific subgroup of the OCTF dealing with waste, although the Northern Ireland Environment Agency (NIEA) has attended meetings of the OCTF, but waste is principally a matter for the NIEA. There has been a co-hosted seminar between the DOJ and NIEA, so there has been that kind of joint working.

The subgroup on fuel operates on a cross-border basis, and, as I report regularly when I report on meetings of the IGA with the Irish Justice Minister, the issue is discussed regularly. I think it has probably been at every meeting that I have held since I became Minister. Laundering also features regularly at meetings of the full OCTF, and that subgroup continues to do detailed work, bringing together the relevant agencies, including the gardaí and the Irish Revenue Commissioners, to ensure the best possible cross-border action.

My experience is that HMRC does have a clear focus on the issue. The motion mentions prosecution, quite properly, but we should note that disruption and detection are also important parts of the process. In the past three years, HMRC has found and dismantled over 90 laundering plants, but prosecuting those responsible is, we accept, a difficult task. The nature of fuel laundering, because most of it is automated, means that sites do not need to be attended, making it difficult to identify those responsible and achieve successful prosecutions. I visited one particular plant as HMRC was breaking it up in south Armagh, very close to the County Louth border, and it was clear that, in that place, somebody could drive in a tanker and connect up a hose to the filtration mechanism to an

underground tank, could drive back the next day and, in half an hour, pump the proceeds into a different tanker. These are not factories or industrial-scale processes with large numbers of operatives available. That is why it is frequently very difficult to catch people and, even if people are caught, they are not Mr Big; they are the guy driving the lorry for €100 or £100.

However, steps have been taken to improve detection. HMRC now uses a scenes of crime officer to capture evidence, and evidential pictures can be built up in different sites over time. In addition, and contrary to the impression that has been given here today, most notably in the last contribution, from Jim Allister, there have been prosecutions here — 53 prosecutions in Northern Ireland since 2011, and a number of cases are pending. There is clearly an issue of sentences, which I will return to later.

The new fuel marker introduced should have a significant impact as well. No one is claiming that it is impossible to remove, but HMRC believes that it is difficult to the point that it should make laundering uneconomic. That view is based on engagement with scientists at the Laboratory of the Government Chemist — a full scientific assessment, not the comments of those who might have interests in other particular systems.

There is also an issue that has been raised today about naming and shaming stations found to be selling illicit diesel and the current legal position that they cannot be named in such a way. I have written to the Exchequer Secretary to the Treasury on it because I believe that it is important that we should allow naming and shaming. I hope to have a meeting with the new Exchequer Secretary to the Treasury after the election.

**Mr Humphrey:** I am grateful to the Minister for giving way. On that very point, does he believe that the Exchequer is taking that view simply because it prevails across the United Kingdom? I am sure that the Minister has made the point to the Exchequer that the circumstance of the land border with another EU country means that Northern Ireland has to be treated as a separate case on this issue?

**Mr Ford:** I thank Mr Humphrey for that point. I think that there is probably a case that Treasury does not view it seriously enough because it is of much less significance in other parts of the UK. The issue is not the question of fuel being brought across a land border, which is at least benefiting the Irish Exchequer, but the laundering process that occurs close to the border on both sides, whereby neither jurisdiction gets any financial benefit.

We also need to recognise the problem that people are buying fuel because they think that they are getting a bargain and do not realise the full implications. It is an old adage that if the price of something looks too good to be true, it probably is. In the case of fuel, if it looks too good to be true, it certainly is. I appeal to businesses and individuals who knowingly, half knowingly or with some suspicion buy fuel to think about whom and what they are supporting. I also warn people that if they know that they are buying illicit diesel, they are committing an offence themselves and can be dealt with by the courts.

HMRC has equipment to check storage depots, lorries and cars, and it uses it. Furthermore, HMRC is undertaking a tender exercise to strengthen that testing capability. The new contract for forensic testing, which will be tendered shortly, will have a requirement to have at least one

accessible forensic site to allow same-day turnaround on the laboratory condition tests that underpin the roadside programmes. The benefit of roadside testing was mentioned by Mr Ross, I think. That was part of the last tender process, but in the weighting of different factors, it did not emerge as the crucial issue. Clearly, the faster that there can be a turnaround of testing, the better.

We need to ensure that all the relevant agencies work together to fight this problem. HMRC is backed by the PSNI, the National Crime Agency and others in tackling this crime. They need the support of the public. We, as MLAs, can help in that by giving a clear, public signal of what needs to be done. Those who have suspicions about a laundering plant or filling station can report it anonymously to Crimestoppers if they fear for their safety. The same goes for those who know of a business that is using illicit fuel anywhere.

With regard to sentencing, my Department introduced legislation that means that any excise evasion sentence that appears to the DPP to be unduly lenient can now be referred to the Court of Appeal. That was a response, in part, to the view that sentences here were too low. HMRC and the OCTF strategy group are monitoring the outcome of cases. In addition, the judiciary has produced guidance cases on tax evasion, so far specifically on tobacco. Furthermore, duty evasion and smuggling is on the Lord Chief Justice's programme of action on sentencing. Where there is a suitable case for further guidance on excise duty relating to fuel, guidance will be issued. Decisions are, of course, for the judiciary in individual cases, but the unduly lenient sentencing provision is now available. HMRC is also reviewing the penalties for those fuel stations that sell illicit fuel.

Finally, I should also mention that to take stock following the introduction of the new marker, and in light of concerns that have been expressed by different bodies and MLAs, OCTF is planning a focused workshop on fuel laundering before the summer. The Fiscalis European conference will be held in June. It will be the second time that it is held in Northern Ireland because of the work that is being done by HMRC and the Irish Office of the Revenue Commissioners, and the recognition across Europe of the work that is being done here.

The amendment makes clear that the National Crime Agency will now be fully operational in Northern Ireland. It will come into place on 20 May. I believe that the NCA will give all the support it can to the police and other agencies in the fight against fuel laundering, as well as other organised crime. I understand that work is now well under way to ensure that the NCA is ready to work to the fullest effect from day one. We should remember, in particular, that a key part of the NCA's role will relate to asset seizure — something currently not possible, even where the NCA is able to operate in the reserved field.

Fuel laundering is a difficult problem that needs a joined-up effort from all to tackle it. The introduction of the new marker will help. OCTF will continue to focus on other strategies. I believe that we are now in a significantly better place than we were just two or three years ago. I support the motion that is before the House and, although I might quibble with the precise wording of it, I entirely endorse its sentiment and that of the amendment. I commend them both to the House.

### 3.45 pm

**Mr A Maginness:** I thank all those who participated in the debate and who added to the debate on the amendment brought forward by my colleagues in the SDLP. Let me say that this is a very pernicious activity on the part of criminals, and I accept what Mr Bell said, that, as an Assembly, we should collectively send a clear message to those criminal groups that their time is up. I believe that this debate is appropriate and timely, because it sends a strong message. As the Minister said, the introduction of the new marker in relation to fuel will — I share the Minister's confidence — make it extremely difficult for people to launder fuel as they have done hitherto. Therefore, it is the right moment to send the right message to the right people.

This is a criminal conspiracy that has been going on for years, and it needs to end now. The effect of it has been to corrupt, first of all, those involved in fuel laundering, but also those involved in business because, at times, they have been pressurised, forced and almost blackmailed into using such fuel, receiving it and cooperating to some extent. It has therefore corrupted legitimate business, and that is wrong, cancerous and something that, I believe, we should all try to end.

I hope that the introduction of the marker and the National Crime Agency, with its full force and resources, will give the public, and those engaged in business, confidence to resist the pressures that there may be out there in the community. It is very important for all of us to identify this as criminality at its worst, and I take on board the remarks made by Mr McCartney and Mr Lynch, on behalf of Sinn Féin, that they regard this activity as criminality. Historically, however, the provisional republican movement was involved in it: there is little doubt about that; it is not even speculation. It is important that, if Sinn Féin recognises this criminality now as a contemporary crime, it should also recognise that, in the past, fuel laundering was a historic crime.

It has had some very bad impacts on the environment; that has been well outlined by various Members throughout the debate. It has affected the natural environment, natural watercourses and so forth. However, let me say this: with the NCA, we now have an opportunity; it has the powers that are required to deal fully with this crime. We in the SDLP have suspected, in the past at least, that a light-touch approach was taken to this form of criminal. I hope that we are wrong; but there certainly was a very strong suspicion that effort was not put in to deal with this type of criminality. If that was in fact the situation, let it be in the past. We now move to a new situation where the NCA can show its mettle and really tackle this insidious crime, which has so long dogged legitimate enterprise, business and trading throughout Northern Ireland.

I will conclude simply by saying that I hope that all colleagues in the House support our amendment, which strengthens the motion.

**Mr Ross:** I thank Mr Bell, for setting the scene for the motion, and the Members who contributed to the debate today. As many Members mentioned, it follows on from a debate on organised crime that my colleagues tabled in the House of Commons at the beginning of March. Of course, fuel laundering was a significant part of that debate. Perhaps, this time next month, Mr Bell will be

joining them on the green Benches at Westminster and can continue some of the work he has started on these blue Benches today.

This is a serious issue. There needs to be coordination between the House of Commons and Stormont. This is one of those issues that requires joined-up collaboration among a number of agencies, whether it be the Police Service of Northern Ireland, the NCA, the Department of Justice here, the Ministry of Justice at Westminster and, of course, HMRC. It is a crime that costs the UK £400 million per annum. Here in Northern Ireland, as many Members outlined, it is £80 million annually, according to the figures that we have. As Mr Bell outlined at the beginning of the debate, it accounts for 13% of the fuel trade here in Northern Ireland, compared to only 2% in Great Britain. As nearly all Members mentioned in their contributions, there is an impact on the environment, the water supply because of illegal dumping, and legitimate trade, and there is a huge loss of revenue that should be going to Treasury. Mr Bell put that in context when he said that the amount of revenue lost is the equivalent of 857 nurses. It puts it in some context when we learn of that.

One of the concerning themes throughout the debate was the fact that a number of Members questioned why little or no action has been taken against those responsible for fuel laundering in Northern Ireland. Many Members pondered whether a blind eye is being turned to that sort of criminality. Mr Maginness asked whether there was a light touch towards that sort of crime. That is something that we have to be very concerned about. There is a saying here in Northern Ireland that even the dogs in the street know what is going on. Having followed Mr Bell's Twitter feed and his electioneering, I do not think that there is a breed of dog that he has not talked to in his research for the debate today. On a serious note, it adds to the level of cynicism amongst members of the public if they feel that this sort of crime is going on, they know who is involved in it, but they do not see those individuals being brought before the courts and, ultimately, being put behind bars. Indeed, as one Member mentioned, when we hear reports of the fact that, before the law authorities arrive at one of the plants, laptops have been destroyed and papers have been removed, it suggests that somebody was tipped off. That adds to the cynicism that there is, perhaps, in the public; I have certainly picked up on it during the debate here today.

Mr Bell talked about it being a crime with consequences. That is a hugely important comment; it is not a victimless crime. The profits being made from fuel laundering quite often fund illegal terrorist activity; they fund organisations that are intent on destroying and murdering people in our community. He also raised the concern about the lack of prosecutions and convictions. That theme ran through the contributions of all Members this afternoon.

Mr Attwood, in proposing the amendment, which we, on this side of the House, are comfortable with supporting, spoke of the importance of the NCA now operating in Northern Ireland. That is a positive contribution that the SDLP has made. It is unfortunate that it took so long, but we are there now; that is the important thing. He said that it is important that no individual or organisation be off limits. He suggested that this piece of work is a test for the NCA and that the public will be looking for action. That is right. He talked about the plants that are active in south Armagh,

the 50 tons of waste being dumped and their capability of producing significant amounts of illegal fuel annually and yet only one arrest has been made. If anything comes out of the debate today, it is our frustration that we do not see convictions of those involved in that illegal activity. He also talked about the need to seize the assets of criminality; something that the Minister mentioned in his contribution as well. He also talked about some of the other counterfeit materials, whether that be tobacco or alcohol. I will resist talking about the impact that plain packaging will have on making it easier for counterfeit tobacco products in Northern Ireland.

In Mr Lynch's contribution, he condemned those involved in illegal fuel laundering and called them criminals, but, interestingly, he did not say that he would support the NCA in trying to put those criminals behind bars. That is where Sinn Féin is becoming increasingly isolated in the community; it will not support the NCA in tackling not just fuel laundering but a range of crimes that are affecting people across Northern Ireland. Mr Beggs talked about —

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

**Mr Ross:** I will.

**Mr Attwood:** Returning to Mr Maginness's point, if Mr Lynch now maintains that any republican involved in fuel laundering is a criminal, would it not be very important to hear from him and his colleagues today that any republican ever involved in fuel laundering was and is a criminal?

**Mr Ross:** One would imagine that that logic would follow. Indeed, when Sinn Féin talks about those involved in terrorism today being wrong, it follows that those involved in terrorism in the past were also wrong. I am quite sure that that point will not be lost on the public.

Mr Beggs made the point about the dangers of fuel laundering to public health. He talked about the toxins that are released into the countryside and the water supply. He appealed for those with information to bring it forward. Indeed, to follow on from the point, given that Sinn Féin has said that those involved in this sort of activity are criminals, it follows that it should also be encouraging people to bring information forward to the police. Mr Beggs asked what is going on with law enforcement, which is a theme that, as I said, many Members raised.

Mr Dickson, who along with me tabled the motion on the NCA that was successfully passed at the beginning of February, said that he hopes that the tide has turned, pointing out the number of fuel plants that have been dismantled and the fact that the cost of fuel is coming down. As much as I would like to agree with Mr Dickson — I hope that he is right — I will point out that a number of individuals are concerned at the type of activity that is going on and that, although we are discovering fuel plants and shutting them down, we are not necessarily seeing convictions. I think that the public would want to see fuel plants being shut down and people being brought in front of the courts and put behind bars. The cost of fuel has come down of late, although I suspect that that will not last for too long with the manipulation of the market in the Middle East. The people who are involved in this sort of activity are making huge profits. That will continue, and I do not think that that situation would deter them.

Mr Dickson and the Minister talked about the fuel markers, but Mr Bell pointed out at the beginning that there are



serious concerns about whether the type of marker that the Government favour is the best available. As the Minister acknowledged, I mentioned the lack of roadside capability. I think that that is important if we are to tackle this properly. I know that, in a House of Commons debate, many Members pointed to some of the technology that the Brazilian Government were able to use to help to counter the illegal fuel trade there. Mr Dickson, in concluding, called on Sinn Féin to "tell us what you know." I think that many Members would agree with that.

Lord Morrow said that it is a tragedy that we are discussing this issue here once again. It shows that little improvement has been made. He asked whether south Armagh is a no-go area for law enforcement agencies and whether HMRC is too scared to go there. If HMRC is to do its job properly, it is important that it is given support from other law enforcement agencies. I think that we all want to see HMRC go to areas of south Armagh where perhaps it is not particularly welcome and tackle this issue head on. That is hugely important.

Mr McCartney said that he supported his colleague Mr Lynch's comments, and he warned the House against media reports with unnamed sources. He did not, of course, question that this type of activity is going on, nor did he say that he would support the NCA in tackling it. That is important to note as well.

My colleague Jonathan Craig, a member of the Policing Board, of course, talked about the role that fuel laundering profits played during the Troubles. He said that those profits were used to bankroll the Provisional IRA. That point was also made by Mr Alban Maginness who, in his conclusion, talked about the lucrative nature of the business and the complex escape tunnels, lookout posts and material at the fuel laundering plants. Those again show the sophistication in some of the plants that are making this illegal fuel.

Mr Patsy McGlone talked about the poison of the toxins that are released, and he made the important point that, where this activity is going on, people are poisoning their own communities. It is the people who live beside them and who the launderers are friendly with and, in many cases, related to who are suffering from these toxins being put into their waterworks. I think that that it is an important point. He also, in common with other Members, asked why nobody is ever at the fuel plants when they are discovered.

Mr Allister spoke about a number of issues. The Minister highlighted the difficulty in catching people in the act, as these plants operate independently, are automated and can be unattended. However, Mr Allister pointed out that many ordinary farmers are caught out in some of their activities by satellite imagery. He asked why similar technology cannot be used to see plants where large-scale lorries and tankers are coming and going at different points of the day. I am quite sure that there is technology that could see where that kind of activity is going on and that would help law enforcement agencies to bring those people to book. He said that it was inconceivable that this level of fuel laundering was going on with nobody knowing about it. He finished by calling for tough guidelines in the event of a conviction. I am sure that all law-abiding people would concur with that.

#### 4.00 pm

The Minister spoke about a number of issues. I think that it is important that we look at whether fuel stations that are selling illegal fuel should be named and shamed. I do not buy the argument that they are changing their supplier every other week. Therefore, I think that they have a responsibility to ensure that the product that they are selling is legal and has its duty paid. We will watch progress on that with interest. It is important that we do not take our eye off the ball on this issue. There is concern across the community, and I look forward to more convictions in the future. I certainly give my support to the law enforcement agencies in tackling the issue.

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

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

*Resolved:*

*That this Assembly expresses its concern at the continuing high levels of fuel laundering, the organised criminal activity surrounding it and the evident lack of criminal prosecutions; notes the environmental damage caused to the countryside; recognises the financial losses suffered by Her Majesty's Treasury and legitimate fuel operators and the consequential serious implications for the local economy; further notes that legislation extending the role of the National Crime Agency in Northern Ireland has completed its passage at Westminster and that the National Crime Agency must now demonstrate that it will deploy its full powers and resources against any and all persons or organisations involved in fuel laundering and other organised crime; and calls on the Minister of Justice to ensure action is taken at every operational level to secure greater numbers of prosecutions for this serious crime.*

## Westminster Elections

**Mr 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 Eastwood:** I beg to move

*That this Assembly notes the potential for a hung Parliament following the Westminster elections; further notes that the votes of Members of Parliament from Northern Ireland could be critical in relation to the formation of the next Westminster Government; and calls on all Members of Parliament returned from Northern Ireland to play their full part in achieving the best possible outcomes for Northern Ireland, in particular in relation to the block grant and welfare provisions.*

I am glad to move the motion this afternoon. It is quite clear that this is one of the most interesting Westminster elections that we have seen in quite a while. For the first time in a long time, people here can have a say in what type of British Government are formed, what type of policies they will follow and what impact that will have on us here. We are all very good here at blaming the British when we run out of money, and we are very good at, rightly, recognising that the Tory cuts have been detrimental to our people and that the welfare cuts have had a very real and dangerous impact on the people of the North. If we recognise that, we have to recognise that that is where the decisions are being made in relation to those key areas of budget and welfare. The logical outworking of that is that we go there, as a starting point, and that we go there to maximise our influence to best serve the people of the North. That is what the SDLP intends to do. We want to join others in a kind of Celtic coalition to help lock David Cameron out of Downing Street. I think that would be a good result.

We have heard people in the Chamber, people on protest rallies and people from trade unions talk about the impact that the Tory Government have had in the North, whether on the welfare system or on our block grant. When we are offered the opportunity of an election in Westminster, whatever some of us might think about the fact that we, unfortunately, still have to go to there to represent our people, I think it is incumbent on all of us to take up that opportunity to put the case and get the best possible deal for people here.

The Tory Party has said that its very first act would be to reduce the benefit cap. If that is going to be its first act, I worry very much about what its second, third, fourth and fifth acts will be. I think that the potential Tory Government or Tory/UKIP Government, with, maybe, the DUP as well, are determined to reduce even further the welfare provisions for the most vulnerable; they are determined to reduce even further the pay and conditions for our public sector; and they are determined to reduce the size of government. We all know what kind of an impact that will have here and on people in constituencies like my own that suffer unemployment issues and suffer as a result of bad government and bad politics. We are determined to make our voice heard; I encourage other people to do the same.

I ask the DUP to make it clear that, if it is within its gift, it will not allow a Tory Government to do what they have been doing, multiplying the impact on the people here. Equally, I ask Sinn Féin to review its policy of abstentionism, because, if it is able to sit in here and Dáil Éireann, how does that not apply to Westminster? I understand that people can be abstentionist if they want, but I do not think that there is a consistent message in sitting in here while there is still no united Ireland. I do not understand. If there is a place that people need to be represented in, people need to go and do that representing. We need to join with the other progressive forces across these islands in trying to prevent another Tory Government and trying to support a Labour Government that will do the right thing because we make sure that they do the right thing. What we need to look for from the negotiations that, I think, will be inevitable after the Westminster election is a proper, better and fairer deal for the North.

What should the Barnett consequential of the HS2 project look like if we get them? Based on DFP's figures, it should be £1.3 billion for the North of Ireland. Imagine the infrastructure development that we could put in place with £1.3 billion. People talk about welfare all the time. We need to tackle welfare dependency, and the best way to do that is to put people into work. The way that you put people into work is by investing in infrastructure and skills. We want a deal that ensures expanded university provision and expanded infrastructure investment right across the North, so that places like Derry can begin to properly contribute to the economy of the North, therefore reducing the welfare bill and leading to all the positive things that flow from that. We would also like to see a city deal for Derry — my colleagues from other cities will allow me this indulgence — that will allow us to ring-fence funding and borrowing powers for people in Derry and to implement all those things that we would like to see happen.

I have another major worry about this election. One of the potential Governments that are talked about is one made up of the Conservative Party, UKIP and potentially the DUP. What would that end up with? It would end up with there being a referendum on Britain's involvement in the European Union. Does anybody in the House think that a British exit from the European Union would be good for Britain or here? When we are sitting with a land border with another jurisdiction that is part of the European Union, I cannot understand how that would be a positive thing for the North of Ireland. In fact, look at the direct funding that came from the EU between 2007 and 2013. It was £1.3 billion in single farm payments; £330 million through the Northern Ireland rural development fund; £18 million through the European Fisheries Fund; £180 million through Peace III; over £300 million through the European regional development fund; £165 million through the European social fund element; and £77 million through INTERREG IV. That is without even talking about the benefits from doing trade with other member states. After this election, we are potentially looking at a Conservative/UKIP/DUP alliance that would allow for an exit from the European Union. People in Northern Ireland should be very scared of that, and, in our view, the only way to stop it is to ensure that we have a Labour Government in Downing Street, one that have their feet held to the fire by progressive forces from the Celtic areas around here.

I am an Irish nationalist and I would love not to have to go to Westminster. I would far rather go to our own national Parliament in Dublin, but the fact remains that power rests with Westminster, and, as democrats, we will go to Westminster to try to get the best possible deal for our people. We will go to Westminster to try to lock David Cameron out of Downing Street and ensure a progressive alliance in the next British Government. I hope that others will hear the call and join us in that fight.

**Mr D McIlveen:** I welcome the opportunity to speak to the motion, which is very timely as we come up to 7 May, and the election draws ever closer. I listened with interest to what the proposer of the motion said, and I think that the issue of Europe needs to be looked at very quickly. Amongst those who wish for the status quo with Europe to remain, there is hysteria about the very prospect of a referendum, but, importantly, there has not even been any agreement at this stage on what the referendum question would be. Given that, at this point in the election, we do not know what will happen on 7 May in any great form, we have to be careful not to allow ourselves to get drawn into an almost hysterical position on what our future relationship with Europe would look like. That broader discussion will definitely need to happen, but I am not convinced that this is the time to do it.

That said, I welcome the Member's premise. It is very telling, and it will not go unnoticed by the electorate, that there are people, even in the Assembly, who are very vocal in their opposition to the so-called Tory cuts, but, when they have the opportunity to make their voices heard in the national Parliament, they refuse to do so and miss that opportunity. The electorate's patience is growing thin. I believe that, in this election, the electorate will be looking not only at those who are shouting the loudest but at those who are backing up their words with actions.

This is a unique opportunity, and the precedent has been set. The Member for Foyle makes a very good point in that Northern Ireland is within the United Kingdom — long may that be the case, as far as I am concerned — but, while that is the case, what excuse do the parties that do not take their seats have, because the precedent has been set in other places?

If we look at the Israeli Parliament, for example, there is a very strong Israeli Arab representation, and it would be easy for those people to throw their hands in the air and say that they do not agree with the state and what it is doing, so they will absent themselves. However, what they say is that they can make a difference in the Parliament and can have the voices of their people heard. They back up their words with actions in the way that they do so. I struggle to see what the abstentionist parties really feel that they are achieving by taking that stance.

There are more important issues for us to look at. What can be achieved by strong Northern Ireland representation in the Mother of Parliaments in Westminster? From our point of view on this side of the House, we are putting the economy at the very centre of what we want to achieve, and we want to use our influence to ensure that Northern Ireland continues to prosper and to be looked on as a serious contender when it comes to foreign companies investing and creating wealth. The ability to set our own rate of corporation tax would be a hugely beneficial tool in making that grow even more. However, there is a huge question mark over whether, in the short to medium term,

that will turn out to be the case while there is a continued failure on the part of some parties in the Assembly to face the realities that are being forced on us in relation to welfare reform.

I recognise that the Member for Foyle made specific mention of our party, and I am glad that even the nationalist parties are recognising that it looks like the DUP will be a strong contender for kingmaker when it comes to the next term. The Member will not be surprised to learn that I share his confidence. It is so important. This is a once-in-a-generation opportunity. Indeed, it is a once-in-a-century opportunity for the parties of this island to have a real influence on the affairs of the national Parliament. That can be done only by returning a large, united group of people to Westminster. I believe with all my heart that the party on this side of the House is the only party that will be able to do that.

#### 4.15 pm

**Ms McCorley:** Go raibh maith agat, a Cheann Comhairle. Beidh mé ag caint in éadan an ruin seo inniu. I say at the outset that I oppose today's motion. I oppose it because, first, it is based on a false premise. It presupposes that there is a worth in taking seats at Westminster, that there is an impact and value to doing so and that it somehow reaps benefits for the people in the North. I have seen no benefits come to the North as a result of people taking their seats at Westminster, but it is up to them to do that. I represent West Belfast in the Assembly, and I can only say that I do not hear that from anybody there. Nobody has raised it with me — not once. Gerry Adams went before the people of West Belfast for many, many years, and he got a resounding endorsement on an abstentionist ticket. Nobody wanted Gerry Adams to take his seat, and that is the case throughout the North. Nobody who votes for Sinn Féin wants Sinn Féin to take seats in Westminster, because they do not see it as having value. Paul Maskey is going in front of the electorate in a few weeks' time, and I am sure that he will receive the same ringing endorsement as Gerry Adams had before him. I am convinced of that.

The leader of the party that tabled the motion, Alasdair McDonnell, is not here today, and I am a bit disappointed, because I would like to have heard from him. I read in a paper that he is in the bottom 10 out of 645 MPs at Westminster in attendance for votes. That tells me that he does not have much confidence in the system either. If he has confidence in it, why is he not there using his vote to make the impact that, he feels, it would have? I would like to hear from Alasdair about why he is not here today to extol the virtues of taking his seat in Westminster. I thought that that might have been useful. However, we will go on and see whether he appears.

As for influence, Sinn Féin has participated in all the major negotiations and all the big political decisions that affect people in the North, and we have done that successfully without taking seats in Westminster. It has not been a requirement; actually, it has not even been relevant. We have had the Good Friday Agreement, the Hillsborough agreement, the St Andrews Agreement and the Stormont House Agreement. All five of the main parties here, plus the two Governments, signed up to the Stormont House Agreement without a mention of Westminster. It was just not part of the equation. Therefore, it does not matter that, out of that, people then reneged on their agreements; the

fact is that agreement was made. It is a major agreement, and it is one that we need to get back to.

**Mr Frew:** I thank the Member for giving way. Will she tell the House why her party is so frightened to take its seats in the House of Commons? Is it the case that you cannot get by and around the swearing of the oath?

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

**Ms McCorley:** I tell the Member that we are not frightened; we just do not see it as relevant. We are Irish republicans, so we want to have influence on the island of Ireland. That is where the sphere of influence lies, not in a British Parliament, and I will unashamedly stand by that, as will my colleagues in Sinn Féin. As for the oath of allegiance, I have no desire to take any oath of allegiance to a British Crown. That is my position and my party's position. It is up to other people to decide whether taking an oath of allegiance to a British Crown assists the people of Ireland.

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

**Ms McCorley:** I will.

**Mr Beggs:** Has the Member any interest in the taxes that are raised from her constituents? Is she aware that there are different oaths that can be sworn?

**Ms McCorley:** Sorry, I did not quite get the first bit of what you said.

**Mr Beggs:** Is she interested or concerned about the taxes that can be raised by Westminster, which can significantly affect her constituents, or, indeed, about the levels of benefits that are set at Westminster that, ultimately, we largely have to follow? By her absence, is she not accepting that she is leaving that to others? Furthermore, is she aware that a variety of oaths are available at Westminster if she happens to have a particular difficulty with the oath that most of us are content with?

**Ms McCorley:** In terms of taxes, what I and my party would like to see is more powers devolved to the North so that we could make our own decisions here. Whatever about what happens in Westminster, we will call for more powers to be devolved to the North, where we can make decisions for ourselves and not be beholden to decisions made by a Tory Government.

The part of the motion that I agree with is where it calls on all the people elected to come together to make the case for the best outcomes for people in the North. That is what Sinn Féin does; it is what we do every day. Everything we do is for making best outcomes for people in the North, and we do that without taking seats in Westminster.

**Mrs Dobson:** I am a confirmed and unashamed unionist. It is my firm opinion that, whether we face a hung Parliament or a massive majority for Conservative or Labour, every Member elected from Northern Ireland should, as the motion states, seek at all times:

*"to play their ... part in achieving the best possible outcomes for Northern Ireland".*

When the last Labour Government left power, Liam Byrne left a note for his successor as Chief Secretary to the Treasury stating:

*"Dear Chief Secretary. I'm afraid there is no money. Kind regards — and good luck! Liam."*

The world economic situation meant that austerity was inevitable, regardless of who was in Downing Street. A Labour Government in 2010 would still have had to implement austerity policies. The collapse of the eurozone devastated the economies of the Republic of Ireland, Greece, Italy, Spain and Portugal. The reality we face is that, in a bid to balance the books, there have been cuts in public spending in every English region plus Scotland and Wales, as well as Northern Ireland. We receive a subvention of £10 billion per year in Northern Ireland. The price of the Union is that we share in the national wealth when times are good and carry our share of the burden when times are not so good.

With regard to welfare provisions, there is no bottomless pit of money. We really must seek to put in place the welfare state we can afford. Since its inception in the post-war consensus of 1945, it has expanded massively and expensively. It should be a safety net and not a lifestyle choice. We should reform all aspects of public services to ensure that we deliver value for money and operate as effectively as possible.

It should go without saying that every Northern Ireland MP elected to Westminster should at all times seek to represent and do the best for his or her constituents. It is in the Mother of Parliaments that key decisions are taken on taxation, welfare and defence. That is what makes Sinn Féin's policy of abstention futile. How can you complain about the impact of a policy when you could not be bothered to turn up when it was being debated? Instead of sitting on the green Benches of Westminster, Sinn Féin MPs adopt an approach of sitting on their hands. Would it not have made more sense to take their seats in the House of Commons and engage in debates on issues such as the Budget, taxation and welfare reform? There was a time when republicans pledged "No return to Stormont", yet here we all are. Perhaps one day they may take their seats at Westminster and represent the people who choose to elect them. The work done at Westminster is vital to daily life in all corners of our nation.

It is the duty of all the 18 individuals elected from Northern Ireland to go to Westminster to participate fully in debates and Committees. No matter what the result of the election on May 7 is, whether there is a clear victory for one party or a hung Parliament, the Ulster Unionist Party will not seek to exploit our fellow citizens in the rest of the United Kingdom. A stable Union is the most important result a good unionist should hope for in the election. Ulster Unionist MPs will be responsible citizens of the United Kingdom and will defend, promote and advance the Union at this time of immense uncertainty. While our MPs will seek to do the best they can for the people of Northern Ireland, we will also work in the best interests —

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

**Mrs Dobson:** No, I have almost finished my speech.

We will also work in the best interests of our country as a whole. In the event of neither Labour nor the Conservatives securing a majority of seats in the House of Commons, the Ulster Unionist Party will not go to Downing Street holding out a begging bowl. Ulster Unionist Party values are not an auction item available to the highest bidder.

**Mr Dickson:** I welcome the opportunity to take part in the Assembly's election broadcast on behalf of the SDLP, the

Ulster Unionist Party, the DUP and Sinn Féin, whether they are taking their seats or not.

We have had five years of Tory-led Government in Northern Ireland. It is difficult to describe them as good years, whether it has been cuts, foreign policy or a wide range of other issues that that Government have embarked on for all citizens in the United Kingdom. I welcome the opportunity for a change of Government in Whitehall, but the wording of the motion somewhat perturbs me. It calls for Members to be returned to seek:

*“the best possible outcomes for Northern Ireland”.*

Surely that is what the 18 Members of the last mandate in Westminster must and should have been doing. Certainly, I know one Member who has been doing that: Naomi Long, the Member for East Belfast. She has been delivering for the citizens of Northern Ireland and for the people of East Belfast. She voted in over half of the divisions in the previous Parliament, and she has been a strong voice for progressive politics in many areas. She influences, and, if Sinn Féin wants to know about welfare cuts and why it feels that its abstentionism has benefited the citizens of Northern Ireland, you only have to look to the record of an MP like Naomi Long, who has influenced legislation at Westminster to the point of change.

Of course, let us look, by stark contrast, at the party that tabled the motion. Its leader has only voted in 27 % of the Divisions. In fact, Dr McDonnell cost the taxpayer over £3,000 for every vote that he makes in Westminster. I will leave it up to the Members of this House to decide whether that is money well spent or not. How on earth can we be expected to take lessons on influencing government from the SDLP, when it only shows up for 27% of the votes? Perhaps Dr McDonnell can confirm to the electorate — of course, he is not here today — whether he will continue the shameful double-jobbing, providing a poor service to his constituents and ignoring the consensus that it is a disgraceful situation to maintain.

That brings us to the elephant in the room: the party that stands for election but does not take its seats. The party that complains, grandstands and allows us to be vulnerable to Tory cuts but cannot bring itself to do the right things and represent its constituents where it matters. All that stands in stark contrast to the Member for East Belfast, Naomi Long. She does not have two or three jobs, she has one job: representing the citizens of East Belfast with energy, enthusiasm and dedication. She will do that again in this election.

It is time that Members of Parliament, whatever party they come from in Northern Ireland, stop taking out the begging bowl and, instead, want to be returned as confident Members of Parliament to try to move this country forward. I hate to pour cold water on the coalition ambitions of the parties here, but what sane party of national government in the United Kingdom would go near either the DUP or the SDLP? The DUP is a party that talks about British emblems and symbols but wishes to exempt Northern Ireland from the social progress made in the rest of the United Kingdom and is keen to ignore British values of liberal democracy and tolerance. It is a party that does not have a single female candidate.

The SDLP is similar. It has a leader whose views on a range of issues would likely see that Member excluded

from its sister party. It cannot even keep to its word here in Stormont on such key agreements as the Stormont House Agreement, so how on earth would any national Government trust it in Westminster? Of course, ultimately, Sinn Féin is just a bystander in the real politics of Westminster, never mind its baggage.

#### 4.30 pm

Once again, this should be about taking Northern Ireland forward, stepping out and stepping up on behalf of all the citizens of Northern Ireland. Sadly, the citizens of East Belfast cannot have the choice of Mrs Dobson's party because it is not standing there. This is not about cash; this is about building a Northern Ireland that all our citizens can be proud of, a Northern Ireland that will stop being the illiberal backwater it is so often perceived as, so that we can play a meaningful and proud role representing all the citizens of Northern Ireland.

**Mr G Robinson:** First, I congratulate all my party colleagues who are outgoing Members of Westminster as they have represented Northern Ireland consistently and with dignity in the Mother of Parliaments during the last few years and more. I believe that, whether or not there is a hung Parliament, DUP Members will continue to argue Northern Ireland's case and seek the “best possible outcomes” for Northern Ireland. At least my party MPs are in their Westminster seats to argue Northern Ireland's case, week in and week out.

I am confident that MPs who are returned for the DUP will continue a tradition of not hitching their political wagon to any single political party unless the needs of Northern Ireland are being fully addressed, particularly from an economic and austerity point of view. The concerns about the block grant and welfare provision have to be part of any discussions in the event of a hung Parliament, regardless of others' wish lists. I am confident that all returned DUP MPs will have Northern Ireland's best interests at heart and will be arguing the case for the additional funding required to continue the improvement in our local economy.

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

**Mr G Robinson:** I am finished.

**Mr Hazzard:** Go raibh maith agat, a Cheann Comhairle. I was not expecting to be called so quickly.

Coming into the Chamber for the debate this evening, I prepared myself to listen to all the great achievements that have been grasped from the hands of power at Westminster by the various parties. I am not surprised, however, that I have not heard anything. The BBC leaders' debate last week featuring the parties from Britain is a stark illustration of the complete failure of local parties to make any impact whatsoever at Westminster. There was no voice and no concern for local issues, and I thought that it was a very pertinent example of how local issues simply do not hit the political radar when it comes to the Westminster political elite. To pretend anything else is a complete fallacy, and I think that parties are simply horse-trading for votes ahead of an election when they talk about being kingmakers.

The DUP likes to believe that it will be the kingmaker in a new Government; it talks itself up, but it is complete nonsense. I think that there is an awakening in Britain as

well, in that people are starting to realise and to ask who exactly they will be getting into bed with when it comes to the DUP. It is a party that would undoubtedly look to set back the clock on civil rights across these islands; it is a party that, in recent weeks, has been involved in race rows; and some of its leadership figures believe that the earth is not older than 6,000 years. I think that that is starting to resonate in Britain and that people are starting to ask who the DUP is. This is the party, of course, that, amongst its leadership, has climate change deniers as well. I think that some of the questions will start to shine a light.

From the SDLP, there is such hypocrisy. Last week, when its leader was questioned on his very, very poor attendance record, he said that his constituents do not want to see him sitting in Westminster. That is exactly what Sinn Féin is saying. You are wasting your time talking to yourself on the green Benches at Westminster. Anything that people have gathered has been gathered from direct negotiations, be it the devolution of policing and justice powers or the devolution of corporation tax that is eventually coming. It has been direct negotiations with the British Government, and that is exactly what it is.

My colleague has outlined some of the issues around the principles of this. It goes without saying that a British Parliament never has, does not, and never will have any right to adjudicate over Irish affairs. We stand firmly behind that. It is one of the reasons why, as a party, we received the most votes at the Westminster election last year. It is not as if, as one of the Members claimed recently, we are somehow conning the electorate. We go to the electorate as proud Irish republicans. Since Countess Markievicz was elected the first female to the Westminster Parliament and did not take her seat, we do not take our seats at Westminster.

**Mrs D Kelly:** Will the Member give way?

**Mr Hazzard:** I will not be giving way, no. We will not be taking our seats at Westminster: it is as simple as that.

I am not surprised at the SDLP. I know that when the late Eddie McGrady died, Seamus Mallon was on the radio talking about how they used to miss votes at Westminster because they were off seeing matinees in the West End in London. Then they have the cheek to say that we are somehow not representing our party or constituents if we are not over in Westminster. Well, you are not even in Westminster. You are at West End matinees and everywhere else. It is about being truthful to the electorate and to the people we represent.

It is important that we look to repatriate as many powers as possible away from the London-centric elite and back home to Ireland, because it is here in Ireland that we are going to build the society that the previous Member was talking about, in the interests of our people.

**Mr D Bradley:** Go raibh míle maith agat a Cheann Comhairle as an deis labhairt sa dFospóireacht seo inniu. I will begin by responding to some of the points made by other Members. Ms McCorley and Mr Dickson have criticised Alasdair McDonnell's attendance record at Westminster. Alasdair McDonnell has been at Westminster for 100% of the votes on Northern Ireland, which is where he is elected to represent. He is not elected to represent north-east England or south-west England: he is representing South Belfast. Any vote pertinent to that

region has been attended and actively participated in by Dr McDonnell.

Sinn Féin makes much of its view that it does not recognise the British Parliament, yet we have seen its members, down through the years, running back and forth to Downing Street. That is a de facto recognition of the British Government.

**Mr D McIlveen:** I thank the Member for giving way. Would the Member agree with me that Sinn Féin appears to have some degree of amnesia when it comes to the issue of what goes on in this place? The Education Bill, which was recently brought forward by the previous Member's Minister, starts with the words:

*"BE IT ENACTED ... by the Northern Ireland Assembly and assented to by Her Majesty".*

Surely this is a clear indication that to make a viewpoint that the British have no say in the affairs of Northern Ireland is utterly insane.

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

**Mr D Bradley:** I thank the Member for his intervention. Hypocrisy has never troubled Sinn Féin in the past, and I do not see why it should begin to trouble it now. Ms McCorley makes much of the fact that negotiations are carried on between the parties here, but what does she say after that?

*"it does not matter that ... people then reneged on their agreements".*

What a statement to make. I am sure the Irish language community, who have no Irish language Act because people reneged on their agreements, will not welcome that statement.

The descent by Mr Hazzard into insulting the memory of Eddie McGrady is hardly worth comment. It speaks for itself.

**Mrs D Kelly:** Will the Member give way?

**Mr D Bradley:** I will.

**Mrs D Kelly:** Does the Member agree that it is no wonder that the electorate is confused over Sinn Féin's stance of not taking its seats at Westminster, when it has taken its seats here and in the Dáil, even though, over the years, it said it would not do so. Is it not the case that the only time that Sinn Féin negotiates with the British is for an on-the-runs letter or a royal prerogative of mercy?

**Mr D Bradley:** The Member makes very good points. There is little doubt that we will be facing a hung Parliament and that MPs returned from this region will play a decisive role in the formation of a new Government.

David Cameron wants votes from the DUP to add to a coalition with UKIP. Sinn Féin, of course, will not be there and will make things easier for the Tories — that is, if it will not be there. There seems to be some confusion about that. Michelle Gildernew says, "Never say never". Mickey Brady says, "The policy is always open to review", just as it was in the case of Leinster House or just as it was in the case of this House. These are the people who used to sing:

*"take it down from the mast, Irish traitors".*

They used to sing that to the Irish Labour Party, Fianna Fáil and Fine Gael. Now they are busting their backs to get

into Leinster House. We can see who makes the U-turns. It is certainly clear to me.

The SDLP is the only —

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

**Mr D Bradley:** You did not give way to Mrs Kelly, so I do not see why I should give way to you.

The SDLP is the only party in this region that has said that it will be there with the Scottish Nationalist Party, with the Welsh nationalist party, Plaid Cymru, and with the Greens to work with the Labour Party to ensure that it does the right thing by our people here. We will hold the Labour Party true to its values and ensure that we begin phase 2 of the peace process — the prosperity process. We clearly outlined that in our manifesto.

We will stand against the serious threat UKIP poses to our relationship with Europe. To judge UKIP, all we have to do is look at some of its representatives here in Northern Ireland. I need say no more. Even more than England, Scotland and Wales, we here have a deep and unique link with Europe, mainly because of our trade relationship with the Republic. Not many people will be aware of this, but the Republic is the biggest source of inward investment for Northern Ireland. Any change in the link with Europe would be devastating for us here, and people on all sides of the House should remember that.

The SDLP has stood firm on welfare reform and will continue to do so in the next Parliament. Our MPs voted against Tory Budgets of fiscal responsibility, which would enforce £30 billion of cuts on the next Government —

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

**Mr Dickson:** Will the Member give way for a moment?

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

**Mr D Bradley:** We voted against the welfare cap, the bedroom tax, and we will do so again. Thank you, Mr Speaker.

**Lord Morrow:** We as a party will obviously support the motion. I congratulate the SDLP on coming to the reality of the situation. It has been denied up until today's debate. It is simply this: yes, potentially, the DUP will have a big influence on the forming of the next Government and, indeed, will perhaps even decide who will be Prime Minister of the United Kingdom. I say to the SDLP, "Well done. You were a wee bit slow in coming to it, but, nevertheless, you are there now".

It was interesting to listen to Mr Hazzard. He was bouncing about, hitting everybody and sundry as he thought. This thought came into my head: when you throw a stone into a pack of dogs, you always know the one you have hit. It is the one that growls the loudest. That is just how Mr Hazzard came across. He obviously now sees the new dawn breaking, but his colleague Michelle Gildernew seems to be a step ahead of him, because she is already paving the way for Sinn Féin to do another about-turn and U-turn. She has said, "We will never say never to taking our seats in Westminster". Now, of course, that is not what Mr Hazzard is saying; he can never see the day when Michelle Gildernew and co will go in and take their seats. Michelle Gildernew can see the day coming, and maybe Mr Brady agrees with her; I do not know. We will perhaps hear from him on that subject later.

It is patently obvious that, when things become clear after this election and when all is said and done, it will be the DUP that will have the greatest influence of any party from Northern Ireland. That has been accepted, I think, by everybody who has spoken. They might not have used those words, but that is quite clear. Why do we say that? We say it because we know that Sinn Féin, at the present time and perhaps for the next Parliament anyway, has said that it will not take its seats. So it goes out and gets people to elect it not to take its seats.

4.45 pm

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

**Lord Morrow:** Right, OK. Come on.

**Mr Dickson:** On the point of Sinn Féin not taking its seats, I am sure that Lord Morrow will agree with me that the hundreds of thousands of pounds that have been taken by way of expenses for those seats that are not taken in Westminster is a sort of halfway house between taking your seat and not taking your seat. Perhaps he would like to comment on the sums of money that have been put into the coffers of Sinn Féin by the British Government and the British Parliament that they will not take their seats in.

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

**Lord Morrow:** Thank you. Mr Dickson made a very good point. He does not always make good points, but he has done it today. *[Laughter.]* Sinn Féin not taking only goes so far: when it comes to taking the cash, we will have that all right. We like that; we like the smell of that and we like the pounds. Therefore, the expenses are very good, and they will have those.

Returning to the debate, the reason why we say that a strong DUP team will have the biggest influence of any party in Northern Ireland is simple. The SDLP have already made it very clear that they are tied to the Labour Party, so they are already bought and sold. Sinn Féin will not be there, as we have said, at least for this Parliament. All the other parties are far too small and insignificant and so will have absolutely no influence. They will take their seats, and rightly so, but they will have absolutely no influence at all. Therefore, in a hung Parliament, it will be left to the DUP, potentially, to be kingmakers. There are those who might want to deny that, but reality sometimes speaks much louder.

In the motion, we have an opportunity, and that is why we are enthusiastic about voting for it. The motion states very clearly that it:

*"further notes that the votes of Members of Parliament from Northern Ireland could be critical in relation to the formation of the next Westminster Government".*

Every pundit and opinion poll to date has suggested that it will most likely be a hung Parliament. All the pollsters are united on that issue. Therefore, we can see that Northern Ireland could and maybe will have a real influence after the next election.

Mr Dickson spoke about the Member who will leave her seat on 7 May, who, he said, has put in a great performance. Well, all good things come to an end, and that will be the case for Naomi on 7 May. However, there are others. Her successor will carry on and do a superb job in the Houses of Parliament.

Sinn Féin tells us that they are opposed to austerity and do not want welfare cuts or anything like that. What did they do to try to stop them? Absolutely nothing. They would not speak to the Government, the people who make those decisions, and it was left to the DUP and others to try to influence the Government and say that the austerity measures were too steep. The result was that we were influential in making many changes to those measures. Hence, they let down the working-class people of Northern Ireland, whom they claim to represent.

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

**Lord Morrow:** They turned their head, looked the other way and walked away, but, come the new Parliament, the DUP will not do that. We will stand up tall and strong for the people of Northern Ireland. The House can be assured of that.

**Mr McKinney:** I begin by recognising the opposition to the motion of Sinn Féin. Rosie McCorley stuck rigidly to her view. It has been said by other Members who spoke that perhaps she and Chris Hazzard could have had a conversation with Mickey Brady, who is sitting two seats down, or with Michelle Gildernew in Fermanagh and South Tyrone.

The comments from the Sinn Féin Members in this room are fixed; they have said that they will not take their seats. Therefore, are they saying, when the opportunity comes, as it has in the past, for elected Members from Northern Ireland to go to Westminster to vote against war, that Sinn Féin will reject that opportunity?

Well, you have heard it here. Sinn Féin would be given the opportunity to vote against war, like the SDLP did.

**Mr Hazzard:** You saved Iraq, all right.

**Mr McKinney:** And you sat in your seats, all right, but they were in comfy back kitchens somewhere and you had no impact. Are you also saying that, given the opportunity of taking the concerns of the hard-pressed people of Northern Ireland and the vulnerable people of West Belfast, North Belfast, Derry and Strabane right to the heart of those who write the cheques, Chris Hazzard, were he elected in South Down, would not go and defend those people? Not that he will get elected in South Down, now that we are into party election broadcasts.

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

**Mr McKinney:** Yes, I will.

**Mr Hazzard:** The Member's sister party was in power for over a decade. Name me one time that your party was able to get a favour for vulnerable people in the North.

**Mr McKinney:** You have done absolutely nothing. We have —

**Mr Hazzard:** Your sister party was in power for over a decade —

**Mr Speaker:** Order. All comments must be made through the Chair.

**Mr McKinney:** I will answer it. Chris Hazzard is enjoying a life here in politics that follows 40 years of violence that his party supported and which the SDLP said had to come to an end. We said that politics was the only answer and that peace was the only answer. During the political process, we said that power-sharing was the way forward. What did

Sinn Féin say about that? They rejected it all and came kicking and screaming to it. What did we do through our influence at Westminster? We furthered that proposition, and we helped deliver devolution here.

What we need to do now is make sure that devolution is beginning to work. How can we do that when the block grant is being strangled by a Tory system that would be supported by the DUP, by the way? Remember, once again, that it is also being supported by a vote for Sinn Féin. A Sinn Féin vote in an abstentionist position gives more power to the Tories to cut. *[Interruption.]* You might laugh, Chris, but do not laugh when you meet the people from the Downe Hospital tomorrow who will have to listen to you on the one hand saying, "We feel your pain" but on the other saying that you will do nothing about it.

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

**Mr McKinney:** I will.

**Mr Hazzard:** The Member has raised health. When the Health and Social Care (Reform) Bill went through the Assembly, Margaret Ritchie was missing for 15 of the 16 votes. What did Margaret Ritchie do for health when it came to it?

**Mr McKinney:** Margaret Ritchie's record in standing up for the people of South Down does not take any criticism whatever. You will not be there, and, by saying what you are saying, you make an argument for going. Maybe now you are listening to Michelle Gildernew, and maybe now Mickey Brady would like to intervene and explain where he stands in relation to all this.

**Mr Brady:** Will the Member give way and I will explain? The remarks I made were taken totally out of context. When asked the question, I said, "All policies can be reviewed" — "all policies", not "a policy". I wish that people would stop misquoting me because it suits their purposes.

**Mr McKinney:** And that policy, of course, will include abstentionism or non-abstentionism, eventually, potentially, maybe.

I return to the comments of the proposer of the motion, Mr Colum Eastwood, who spelled out exactly what the situation here is. The poll of polls in the newspapers at the weekend showed that the Tories and Labour are both on 34%. There will be a hung Parliament, potentially. While the DUP spells out everything that that will do for them potentially, Colum has articulated what, I think, is at the core of a lot of this. A lot of inequality is emerging out of the Westminster dialogue or concept, and that inequality is affecting the north of England, Scotland, Wales and Northern Ireland. There is room for a Celtic coalition. Through that vehicle, there is room for the argument that it is undermining our vulnerable people, our economy and our people in general to be put forward. A Labour Government with that number of seats and with conversations from us will be able to put a strong case.

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

**Mr McKinney:** Yes, I will.

**Mr D Bradley:** Does the Member agree that it is time that the peace dividend, which was much talked about in the past, was delivered? Does he also agree that the beginning of the next Parliament will be a good occasion to argue and ensure that that peace dividend comes? All that



we have had until now is sleight of hand in an economic pact, and no real new money has come.

**Mr McKinney:** I value the Member's contribution. The reality is that we sit here today with an economy that is 66% public sector and 34% private sector. It is a weakened situation and is exactly the reverse of the Republic of Ireland. That 66% public sector is being constrained, and it would be constrained further by a Tory Government. As the SDLP articulated in its manifesto and will articulate going forward, we want a prosperity process. Remember, as I said, that it was an SDLP problem-solving approach that made the difference and said that violence would not pay and that, if anything, violence was destroying this place and pushing a united Ireland even further away. The aftermath of that has continued to do so. You only have to look at the strain on our health service and on our people with major mental health difficulties. You have the republican movement to thank for much of that.

**Mrs D Kelly:** Will the Member give way?

**Mr McKinney:** Yes, I will.

**Mrs D Kelly:** Like me, has the Member discovered on the doorstep that, by and large, people are concerned mostly about our public sector, health, education and good services? At least our party stood up and voted against the Budget that Sinn Féin endorsed in recent Assembly debates.

**Mr McKinney:** Sinn Féin would have loved the opportunity to say that it voted against that in Westminster, but it cannot do that, because it will not take its seats. That is why it loves the concept of taking all that into a side-deal scenario.

**Mrs D Kelly:** They are there for the wine receptions.

**Mr McKinney:** You are right: they are there for the wine receptions, but they would love to take it off into a side-deal scenario where they could try to negotiate for themselves — ourselves alone — but not for the people of Northern Ireland and not for ambition for here.

All those years ago, it was the SDLP who said that violence was wrong. It was our plan for power-sharing. Now that you are quoting Séamus Mallon, you will recall "Sunningdale for slow learners". It was our plan for power-sharing way back in the 1970s that culminated in the political developments in the later part of the last century.

Mr Bradley's point is absolutely right: the Westminster Government employed, if you like, a fire-and-forget policy for devolution. They gave us the power, and now they are cutting the purse strings. The SDLP, for one, will be at the forefront against that agenda in Westminster, not sitting in a back kitchen.

**Mr Sheehan:** What have you been doing up to now?

**Mr McKinney:** We have been doing it and winning the arguments. We will continue.

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

**Mr McKinney:** When we said, "End violence", you all said no. You all said that it would not be power-sharing. Now you are all saying no when we talk about a prosperity process. We will win the argument.

*Question put.*

**Mr Speaker:** Standing Order 27(4) provides that where, within a reasonable time:

*"two tellers for one side but not the other have been nominated, the determination of the Assembly shall be that of the side which has nominated the two tellers".*

The motion is passed.

*Resolved:*

*That this Assembly notes the potential for a hung Parliament following the Westminster elections; further notes that the votes of Members of Parliament from Northern Ireland could be critical in relation to the formation of the next Westminster Government; and calls on all Members of Parliament returned from Northern Ireland to play their full part in achieving the best possible outcomes for Northern Ireland, in particular in relation to the block grant and welfare provisions.*

*Adjourned at 5.05 pm.*



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# Northern Ireland Assembly

Tuesday 21 April 2015

*The Assembly met at 10.30 am (Mr Speaker in the Chair).*

*Members observed two minutes' silence.*

## Executive Committee Business

### **Pensions Bill: Further Consideration Stage**

**Mr Speaker:** I call the Minister of Finance and Personnel, Mr Simon Hamilton, to move the Bill on behalf of the Minister for Social Development.

*Moved. — [Mr Hamilton (The Minister of Finance and Personnel).]*

**Mr Speaker:** As no amendments have been tabled, there is no opportunity to discuss the Pensions Bill today. Members will be able to have a full debate at Final Stage. The Further Consideration Stage of the Pensions Bill is therefore concluded. The Bill stands referred to the Speaker.

## Committee Business

### **Sickness Absence in the Northern Ireland Public Sector**

**Mr 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 in which to propose and 10 minutes in which to make a winding-up speech. All other Members who are called to speak will have five minutes.

**Mr McKay (The Chairperson of the Committee for Finance and Personnel):** Go raibh maith agat, a Cheann Comhairle. I beg to move

*That this Assembly approves the report of the Committee for Finance and Personnel on its review of sickness absence in the Northern Ireland public sector; and calls on the Minister of Finance and Personnel, in conjunction with Executive colleagues, to implement, as applicable, the recommendations contained therein.*

I find myself once again speaking about a report by the Committee for Finance and Personnel that identifies huge potential savings for the public purse at a time when we as a government face significant budgetary pressures and the restructuring of our public sector. The Committee's cross-cutting review of sickness absence in the local public sector has identified potential savings of approximately £37 million a year for the public purse if average sickness absence rates in our Civil Service, health trusts and the education sector are brought into line with those of their equivalents in England, Scotland and Wales.

Before I outline the Committee's key findings and recommendations, let me explain the background to the work. The review arose from a referral by the Public Accounts Committee of the Comptroller and Auditor General's report in 2013 on sickness absence in the local public sector.

The 2013 report provided an initial evidence base on performance against targets for reducing sickness absence in the Civil Service, health trusts and the education sector here, compared with equivalent bodies in Britain. The Finance Committee built upon this through coordinated scrutiny of existing policy implementation to identify good practice and procedures as well as potential areas for improvement. Evidence was received from the Audit Office, DFP and the Institute of Public Health in Ireland, as well as from the other Assembly Statutory Committees in relation to their respective Departments. The Committee also received evidence directly from the

health sector, commissioned research on various issues and took account of up-to-date statistical data.

In contextualising the findings, we first have to recognise and accept that people do and will get sick. I also wish to highlight that the Committee's work identified a lot of positives, including the fact that there has been progress in developing and introducing good practice policies and monitoring systems. Some individual business areas have been very successful in reducing absence rates. The statistics show that a majority of civil servants have no recorded sickness absence throughout the year and also that senior managers now appear to be giving greater priority to compliance monitoring. However, whilst the total cost of sickness absence in these areas of the local public sector amounts to around £150 million per year, it has to be stressed that the potential savings of £37 million per year are on the basis of simply matching the performance of comparable bodies across the water. The figures that were provided by the Audit Office are stark, and the conclusion cannot be ignored. More needs to be done, and the Committee's recommendations will assist in this regard.

On the key statistics, while there seemed to be a downward trend in absence figures in the Civil Service up until 2012, when they levelled out, there has been a consistent failure to meet the overall targets. For example, in 2013-14, the actual average number of days per staff lost due to sickness absence in the Civil Service was 10.1 set against a target of nine.

The sense that emerges from the Committee's investigations is that the key reason for the failure to achieve overall targets is because good practice policies have not been applied robustly and consistently enough within and across all Departments, health trusts and the education sector. However, some hopeful signs appear to be emerging in this regard.

I take the Department of Finance and Personnel as a case in point. While the Department as a whole has been unable to meet targets set for absence levels, we have noted some potential success stories from the Committee's scrutiny of performance at a business area level. For example, the corporate services division indicated that the departmental target may soon be met, thanks to a new partnership approach to absence management between HR partner teams and line managers, and an e-learning training programme. The Committee looks forward to seeing the fruits of this very soon and for lessons learned to be applied across the entire Civil Service should it prove successful.

Similarly, in the health sector, in noting the previous limitations of the monitoring systems, members were encouraged to learn that the new HR payroll, travel and subsistence reporting system was being rolled out in an effort to address the poor monitoring and reporting of sick absence, as well as a mixed performance by health trusts in meeting targets. The new system, once fully established, will also assist with target setting.

The Committee would also like to see further benchmarking with comparator health bodies in other jurisdictions where possible, taking into account the different job profiles and health-care structures across different organisations. In catching up with other parts of the public sector, the Committee would also like to see health trusts publishing details of their performance against sickness absence targets going forward.

In respect of the education sector and the other Civil Service Departments, I am sure that the various Committee representatives will wish to outline their respective findings during this debate. Suffice it to say at this point that a number of similar issues and themes emerged across the Departments, although it is important to note that different staffing profiles and job roles can impact on general comparisons being made across those different sectors.

I now turn briefly to what is, undoubtedly, the nub issue — the impact of long-term absence, especially due to mental ill health. That has been identified as an area for particular attention, with nearly 30% of working days lost due to sickness absence being attributed to anxiety, stress, depression and other such conditions. While we might expect that some public-sector roles, such as paramedics, firefighters and social security advisers, are more stressful than others, the reasons why mental ill health is such a significant cause of absence needs to be thoroughly researched to identify and tailor solutions at a local level. For its part, the Committee has highlighted preventative measures, early intervention and health and well-being programmes that have rolled out across the public sector and which could assist in driving down absence in that regard.

The Committee has noted how certain health and well-being initiatives, including the WELL programme, Carecall and welfare support, are having an effect. Members also look forward to seeing the results of the sickness absence recording tool, which could accelerate support to those experiencing work-related stress, which surely will be a focus, given the forthcoming voluntary exit scheme and public-sector restructuring. Indeed, the Committee has identified a risk that sickness absence could rise without sufficient support for staff who remain in post after significant numbers leave through the forthcoming voluntary exit schemes.

In terms of further areas for progress, there is a need for increased focus on preventative and early intervention measures. That includes a roll-out in the consistent application of innovative and proven initiatives such as the mental health first aid programme and cognitive behavioural therapy. Clearly, mental ill health is the area that efforts should be focused on, as previous programmes in that regard do not seem to have had the desired impact on the figures. I, therefore, look forward to hearing the Minister respond on that point, including his comments on any additional or new approaches.

Another preventative area that I am keen to see advanced relates to health and well-being initiatives, such as the Cycle to Work and Caloriewise schemes. I firmly believe that those will yield benefits in the longer term, but only if a strategic and joined-up approach is taken.

Similarly, the Committee highlighted evidence on how flexible working can improve work/life balance, generally, and, in particular, on how flexible location working, utilising technology, can assist in enabling the earlier return to work for some people who are on long-term sick leave.

I conclude by pointing out that the Committee has recommended a number of practical actions that need to be taken to restore the downward trend in sickness absence rates in the local public sector. They include the roll-out of pilot health and well-being programmes, which have demonstrated the potential to contribute to reducing

absence rates; proactive employee engagement on further measures in that regard; the systematic adoption of early intervention measures; more use of flexible location working; continued focus on compliance with procedures and monitoring performance; the application of lessons from the public and private sectors across all Departments; and the regular evaluation of sickness absence policies and programmes against developing good practice.

I look forward to hearing the contributions of Members and commend the report to the House.

**Mr Speaker:** I call Mr Paul Givan.

**Mr Girvan:** The sickness absence report very much came on the back of an Audit Office report, which highlighted the matter. Suffice it to say that there has been a general reduction in the number of days lost since 2006. It has gradually been going down. Unfortunately, it has not quite reached its target. I appreciate that the target set for last year was just 9·7, and it failed to hit that. It reached an average of 10·1 across the Civil Service as a body. I appreciate that there would be £37 million of identified savings if we were to achieve the same figure of 7·6 average days in GB, but I do not see it as just £37 million savings. I see it as a productivity saving as opposed to actual money saving, because I appreciate that the pay will still go on. So, I see it as a productivity saving. We need to work on that to ensure that we get it delivered.

**10.45 am**

It is good to recognise the good work that has been done and the programmes that have been put in place such as Carecall and the WELL programme. Those ensure that, when people come back to work after having been off, there is an opportunity to address some of the reasons for their being off. One of the worrying things is that 30% of days lost were associated with stress. It did not necessarily come out in the report whether that was work-related stress or whether other issues caused the stress, but suffice to say that 30% of absences were associated with stress or anxiety. We need to address that.

Some areas and Departments performed better than others. Some areas need to be focused on, and certain Departments should take this on board, the Department of Health being one. We hear all sorts of stories as to why there is such a high sickness level in that Department. The Department of Education also has high levels of sickness. We need to ensure that we try to address some of the reasons why individuals are telling us that they are off. Long-term sickness is another area. I have to recognise those members of the Civil Service who do not take any sick days. That is a large and growing percentage, which is good to see. In 2012-13, 55% took no sick days whatsoever. That has to be recognised, and those people need to be congratulated. Measures need to be looked at.

As a whole, the report is helpful. I had concerns about areas of the report, flexible working being one. I had a slightly different view on flexible working than some individuals. I believe that hanging your coat over the back of a chair while you are somewhere else could indicate that work is still going on even though the individual is missing in action: "inaction" might be the word. That needs to be looked at to ensure that we have measures in place so that people can work flexibly, but supervision is also needed to ensure that the work is being done. It is about getting the

balance correct. As a whole, it is a good report. I welcome the downward trend in sickness days. If all the measures and recommendations that should be implemented by DFP are put in place, that would help to reduce the number of days lost to the Civil Service. I support the motion.

**Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister):** I will speak primarily as Chair of the Committee for the Office of the First Minister and deputy First Minister. At the outset, I apologise as I will not be able to stay for the whole debate and also because I will bombard Members with statistics.

I will begin with a review of the years 2010-11 to 2013-14. On the upside, sickness absence rates in OFMDFM have been consistently below the average for the wider Northern Ireland Civil Service. Against the individual target for the Department, the performance has, however, been somewhat more mixed. In 2010-11, the Department greatly exceeded its target, which was 8·2 days lost per staff member; the actual absence rate was 5·4 days. The following year, however, the rate was 8·7 days against a target of 8·0 days. In 2012-13, the target of 7·8 days was met, and, indeed, OFMDFM was one of only two Departments to meet their target that year. That was followed by an increase in 2013-14: the target was 7·7 days, and the actual figure was 8·9 days lost.

In noting the increase in sickness absence for 2013-14, the Committee wrote to the Department for comment. The response was that both long-term absence — 20 days or more — and short-term absence had increased in 2013-14. It pointed out, however, that over 60% of staff in OFMDFM had no sickness absence for that year. That compares to 55% across the rest of the Northern Ireland Civil Service.

The largest proportion of working days lost in the Department was due to anxiety, stress, depression and other psychiatric disorders. That accounted for 16·8% of absences. The Department noted that this is significantly lower than the rest of the Northern Ireland Civil Service where the category accounts for 31·3% of working days lost.

As well as managing cases proactively in consultation with the Occupational Health Service, the Department is focused on mental health in its workplace health programme over the last year. With respect to long-term absence, pregnancy-related disorders account for 21% of working days lost. That compares to 7·3% for the Civil Service as a whole.

The sickness absence rates in OFMDFM over the last number of years have been such that it has not been necessary for my Committee to undertake a detailed examination. That said, the Committee for Finance and Personnel's report notes that sickness absences cost the Civil Service £30 million a year, with costs to the wider public sector of £150 million a year. The Committee estimates potential savings to the public sector of £37 million a year. Given the financial pressures facing the Executive, it will be important that Departments do as much as they can to reduce the cost of sickness absence. Therefore, I will be asking the OFMDFM Committee to closely monitor the Department's performance in sickness absence levels.

If I may, I will say a few words in a more personal capacity. I was struck by the Chair of the Committee mentioning mental health and well-being. Of all those statistics, the 16·8% and 31·3% relating to stress, anxiety and

depression are key. I am glad that we got a paragraph about mental health in the Stormont House Agreement, but that is specific to a medical solution. I think that capacity building and resilience is key not just for the Civil Service but for our people so that they have a feeling of empowerment when things are starting to go wrong, and they know that there are routes to be followed to put that right. I also notice what Mr Girvan said about productivity — by the way, your impression of Mr Givan is really not good enough.

Deloitte, in its 'State of the State 2014-15' report, recently highlighted that a 1% increase in productivity in the public sector would be worth £64 million to the public purse just here in Northern Ireland. The amount of savings that we can bring forward to the public purse from simply a 1% increase in productivity across the public sector is an absolutely key point for us to focus on.

I will finish by saying that you can read more about that in Deloitte's 'State of the State 2014-15' report or, indeed, in the Ulster Unionist Party Westminster 2015 manifesto. I commend it and the report to the House.

**Mr Speaker:** We will take your response to the debate as being the priority contribution.

**Mr Weir:** I will try and be a little less partisan than the previous Member was in his closing comments. As highlighted by all Members so far, there is a wealth of statistics in this, which shows the significance of the problem. It has been highlighted and already mentioned by others that, in the Civil Service as a whole, you are talking about £30 million of a direct cost. There are very significant indications, particularly in health and education, of £73 million in health and £46 million in education. As regards those two specific areas, it is not surprising that the figures are high, given the size of those sections of the public sector, but the depth of them should concern us.

Very specifically as regards health and education, there are a number of recommendations in the report. I think that it is important to draw the attention of the Health Department and the Education Department — and the respective Committees — to those aspects of the report because this is not something for DFP or even the Executive as a whole; it burrows into a number of Departments. Beyond the sheer statistics, mention has been made of the direct potential savings if we simply move to a situation in which we are brought into line with the rest of the United Kingdom.

As I think has been mentioned by a number of Members, there are intangible benefits to reducing the level of sickness and, indeed, intangible problems are created. It is not simply the cost and the lack of productivity. The danger with high levels of sickness absence is that it becomes a vicious circle. Indeed, it places an additional strain on those workers who are left to cover the work of absent colleagues in whatever Department or section, and that, in turn, can lead to sickness absences from them.

Mr Nesbitt and others were correct to focus on mental health, as, for many years, it has been the Cinderella service. We have all seen that, and not just through sickness absences. Any of us who are involved in tribunals can see the doctor's report of someone who has massive difficulty with movement in their back or can see someone sitting with a broken leg covered in plaster, and that is all very visible. However, mental health is a lot more

intangible and the symptoms are a lot less obvious, but they are altogether very real.

It is important to acknowledge that, while there is a problem, the report highlights the good work that has been done on this, particularly by the Minister and his predecessor. We have seen the intervention in the creation of the WELL programme, which, while still in its infancy, has led to 170 trained champions throughout the Civil Service. We have seen other interventions, particularly through face-to-face contacts, interviews and wider events such as No Smoking Day, which can all have an impact on health. As a result, we have seen a decline in sickness absence. That has helped to focus on short-term illness. However, that may have a long-term impact because there is a danger that, if you create a culture where there are short-term absences, it can lead to that.

There is no doubt that the thrust of the report looks at long-term illnesses, and that has a major impact on the Civil Service and on the public service as a whole. A wise person learns from their mistakes; an even wiser person learns from someone else's mistakes. The report highlighted the studies done by the City of London Corporation and HMRC, which has been able to reduce its sickness absence considerably. At times, some of us may not necessarily see a reduction in sickness absences in HMRC as the best thing. Nevertheless, it has been very successful in reducing absences, and there are clear lessons to be learned.

Good work has been done in DFP, and the report highlights the need to ensure that what is happening in DFP, and some of the pilot programmes that have begun there, is rolled out across the Civil Service. It is important to have a joined-up approach. The Chair of the OFMDFM Committee indicated that they had been successful in OFMDFM. Success has been somewhat patchy across Departments, and it is important to get joined-up thinking and success.

The report contains recommendations that need to be adopted and carefully studied. For all our sakes, particularly as we move into an era in which the size of the public sector is likely to be smaller — the number of staff is likely to be smaller — that will become a necessity rather than an advantage.

**Ms Boyle (The Chairperson of the Public Accounts Committee):** Go raibh maith agat, a Cheann Comhairle. Speaking today as Chair of the Public Accounts Committee, I welcome this coordinated report by the Committee for Finance and Personnel on sickness absence in the public sector here. The review arose from a referral by the PAC of the Comptroller and Auditor General's report on sickness absence in the public sector. PAC reported on sickness absence in the previous mandates, and it welcomes the Committee for Finance and Personnel's report, which provides a renewed and timely focus on such an important issue in the public sector.

The health and well-being of the NI Civil Service workforce is crucial to the effective delivery of our public services, and staff sickness absence considerably reduces Departments' productivity, affects services right across and carries a significant financial cost. Therefore, it is important that Departments and the wider public sector protect the health of our workforce and manage sickness absence effectively.

**11.00 am**

Some degree of absence is inevitable, and that is accepted when employees are sick and should not come to work. Effective management can, however, help to minimise absence by ensuring that any causes of work-related ill health are addressed and staff helped back to work as soon as possible.

I welcome the fact that, overall, the report shows a declining trend. However, I am concerned that we are still not meeting our targets. The Audit Office estimates that sickness absence costs the public purse £150 million a year across the Civil Service, health trusts and the education sector at a time of ever-increasing pressure on essential public services. It is unacceptable that the cost of sick absence was £73 million to our health trusts, £46 million to the education sector and £30 million to the Civil Service.

While targets have been set in all three sectors, it is disappointing that achievement of them has not been consistent. The Civil Service, for example, had a five-year target to reduce overall absence to 9.5 days a year but did not manage to achieve that. Three of the six trusts did not manage to achieve their targets during the period, and the education authorities did not manage to achieve their targets for teacher absence in 2010-11 and 2011-12.

In 2010, the Public Accounts Committee published a follow-up report on the management of substitution cover for teachers, in which it recommended measures relating to sick absence among teachers. Clearly, more work needs to be done to address sick absence, which cost £12 million in teacher substitute cover in 2011-12.

I welcome the Committee's finding that good practice policies exist in the Civil Service. However, they need to be applied more rigorously and consistently within and across Departments. Long-term sickness absence remains a significant issue and accounts for 70% of days lost in the Civil Service, 66% in health and social care trusts and 60% among teachers. In view of the impact of long-term sickness, I support the Committee's call for the Minister of Finance and Personnel and the wider Executive to place a higher priority on reducing long-term sickness absence rates in the NI Civil Service, especially through measures to address mental health issues, which are a significant cause of long-term sick absence in the public sector.

The Committee for Education undertook separate scrutiny of sickness absence in the Department of Education and wider education sector. Today's report echoes support for measures recommended in the Education Committee's report. I strongly urge that the measures recommended in all those reports are taken forward so that realistic targets can be set that will drive forward improvement in reducing sickness absence across the education sector.

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

**Ms Boyle:** Savings of £37 million a year could be realised if average sick absence rates in the NI Civil Service, health trusts and education sector were brought into line with those in Britain.

**Mr Cree:** The Committee for Finance and Personnel agreed in February last year to undertake a review of sickness absence in the Northern Ireland public sector. This followed a report by the Northern Ireland Audit Office that showed a clear downward trend in sickness absence until 2012-13.

From the beginning, it was apparent that the Committee was looking at long-term sickness absence as a major concern. The Northern Ireland Civil Service failed to meet its long-term sickness absence target for 2011-12. The Audit Office report cautioned that the lack of progress in reducing the long-term absence rate posed a great risk to achieving the Programme for Government target of 8.5 days for 2014-15.

The Committee also noted that the most recent NISRA report stated that, while the 2013-14 figure of 10.1 average days lost per staff year was down from 10.6 in the previous year, it was short of the annual target of nine days. In 2012-13, the average for all Departments was 10.6 days against the target of 9.5 days. In 2013-14, the Department's average was 10.1 days against the target of nine days. It was, however, good to note that there is a growing percentage of staff in the Northern Ireland Civil Service who took no sick leave during the entire year: 55.3% in 2013-14, up from 52.3% in 2012-13. The Department of Finance and Personnel's own performance against targets for sickness absence was not met in 2013-14. The actual figure was 9.4 days against a target of 8.1 days. A concern for the Committee is that DFP and other Departments will have lower targets for future years, despite the fact that targets for previous years were not met.

On a happier note, which the Chair referred to, DFP officials from its corporate services division briefed the Finance and Personnel Committee on the Department's performance against business plan targets. This will help to support DFP business areas to achieve the Department's overall sickness absence target of an average of 7.6 days lost per staff year. A partnership approach to absence management will be used. HR business partner teams will monitor alongside managers, supporting them in taking on a larger role. This is important in the early stages of sickness absence, and the concerted effort should help to get people back to work more quickly. Compliance levels for sickness absence procedures have increased as a result of this action, and it is hoped that DFP will share its success with other Departments in an effort to replicate this success.

The Committee found that there were good practice policies in place for addressing sickness absence, and welcomed the introduction of health and well-being initiatives, such as the WELL programme, across Departments, and the trialling of new approaches as part of the sickness absence recovery strategy. The Finance Committee remains concerned that the sickness levels in the Northern Ireland Civil Service continue to be higher than in the Great Britain Civil Service. This fact gives great concern, especially when one considers that the voluntary exit scheme will have an effect on the overall figures. There is a record of failure to achieve targets here, and it is my opinion that more effort is required to improve the situation.

With respect to the Department of Health, Social Services and Public Safety and the health trusts, the Committee recommends that sickness absence targets be set to cover all trusts, including the Northern Ireland Ambulance Service, which sets its own targets. The Finance and Personnel Committee also noted the Committee for Education's separate scrutiny of sickness absence in the Department of Education and supported the various measures recommended. There are potential savings of approximately £37 million a year to be made to the

public purse if the local public-sector sickness absences are brought into line with those of their equivalents in Great Britain. On behalf of the Ulster Unionist Party, I am pleased to support the Committee's recommendations and the motion before us today.

**Mrs Cochrane:** As a member of the Finance and Personnel Committee, I rise to comment on our report into sickness absence in the Northern Ireland public sector. I apologise for being late to the debate. It is perhaps somewhat ironic that my reason for being late was due to me trying to juggle the responsibilities as an employer dealing with somebody who is on long-term sick absence, which is impacting massively on a number of other things.

From what I have heard, the main points have been covered by other Members, and I concur with most of what has been said. At the outset, it is worth noting that absence due to ill health has huge adverse effects on individuals, businesses, the public sector and, consequently, the economy as a whole. It is an area of policy where the UK is falling behind other countries, and, indeed, the Northern Ireland public sector is performing particularly poorly. Although this report was specifically looking at the absence levels in the public sector, it is widely acknowledged that the percentage of hours lost to sickness in the public sector has continuously been higher than that of the private sector. Therefore, the Committee considered what the absence patterns were like in the private sector and whether any lessons could be learned or best practice shared across both sectors.

There are, however, a number of factors to consider when interpreting the differences between the public and private sectors such as the fact that there are differences in the types of jobs between the two sectors and that some job profiles or work patterns have higher likelihoods of sickness than others.

Another issue to consider is that, on average, women have more sickness absence than men. The public sector employs a higher proportion of female workers and, therefore, figures could be slightly skewed. Individuals in the private sector are more likely not to be paid for a spell of sickness than those in the public sector. That may mean that private sector workers are more likely to go to work when they are sick. Absence levels also tend to increase with an organisation's size, regardless of sector. Most of our public-sector organisations dwarf our business sector in Northern Ireland, so that could be one of the reasons why there are such big differences.

We should not be disheartened. Our report recognises that the Civil Service has good policies in place to address absence and that new health and well-being initiatives are being rolled out. That may be the reason why over 55% of employees have no sick absence at all, and that good news should be celebrated. It is the other 45% that needs to be addressed to reduce the burden of the £30 million cost associated with sick absence.

The report recognised an increase in stress and mental health problems among employees. We need to ask why that is the case. Is it the result of more work pressure, which could be exacerbated with continued public-sector reform? Is it simply that nowadays staff are struggling to cope with their caring responsibilities outside work? Most families now need two incomes, which results in much more pressure on juggling priorities at home. We therefore

need to look more at what workplace flexibility is offered to see whether it can help to reduce absence.

The report highlights the importance of the effective use of the return-to-work interview process. Making adjustments early on really helps to iron out some issues and can prevent the long-term absences that we often see. The report also referred to early interventions, such as referral to physiotherapists or cognitive behavioural therapy. These are recommended as a way to reduce the likelihood of small absences becoming larger.

We have an ageing population, which means that people are working longer, but it also means that there is likely to be a greater prevalence of chronic illness, which is likely to affect those in work and those with caring responsibilities. We need to continue to come up with innovative ways to address the changing needs of the workforce. It is normal for the work environment to change as people's careers progress, and that may entail physical changes to the work environment as well as changes to the terms and conditions of employment. Introducing more flexible working, where we can, can be key to supporting employees' health and well-being as they get older. Other important measures include skills analyses, job design and coaching and mentoring to make sure that people are in the right job, which is also essential for good mental health.

In conclusion, workplace absenteeism is costly and, if not addressed, it will restrain our public sector from delivering services to their full potential. Reducing sickness absence is a must, and the report highlights a number of effective strategies that are worth pursuing. I commend the report to the House.

**Mr Speaker:** I call the Minister for Finance — Sorry, there is one more. John McCallister has joined the queue.

**Mr McCallister:** Thank you, Mr Speaker. I thought that you were introducing me as the Minister. I will not detain the Minister for too long; I just have a couple of points to make.

The Minister is usually keen to stress how difficult a financial period we face, and there is a huge financial gain for the public service in putting in place a better process and making sure that we are doing all we can. As colleagues have mentioned, it will take a partnership approach to drill down, look at best practice and see what needs to change. Also, as Mrs Cochrane mentioned, we have to look at early interventions where possible, whether it is physiotherapy or access to the types of services that return people to full health more quickly and get them back to work, or partially back to work. All those factors need to be taken into account.

#### 11.15 am

One huge issue is the number of females in the public sector, who often must balance work with family life and caring responsibilities, whether for children or an older family member or parent. That can all have a huge impact on how we manage, and we need more flexibility at times in the workplace, as I know from my family experience. We have just finished six weeks of chickenpox with three children and having to find a place for them, since they could not go to their childminder during that period. You either rely on grandparents to help out or else one of the parents has to take a day off. That flexibility needs to be built in because it can be very difficult for any of us to manage, and those in the public sector are no different.



All these factors are very relevant, but we must continue to drive the figure down, reminding ourselves that, if we were at the same level as the rest of the country, £30 million to £37 million — a huge sum of money — could be reinvested and redirected into other services, so there is a huge gain to be got. We also have to remember and look at the issues of stress and mental health. Quite rightly, mental health is the biggest disability we have, and we have to look at the workplace practices that lead to stress and mental health issues, because, as a general rule, work is good for people's mental and physical health. It is a positive thing, and those are some of the factors that we need to look at, Mr Speaker. On that, thank you.

**Mr Speaker:** Thank you very much. I am glad that I remembered to call you.

**Mr Hamilton (The Minister of Finance and Personnel):**

I welcome the opportunity to speak on this motion and respond to the Committee's report. I do so because sickness absence is a serious issue; during my entire time in the Assembly and my extensive membership of the Committee for Finance and Personnel down through those years, the issue has always been at the forefront of the Committee's agenda. Michaela Boyle asked that the Executive take this seriously. Looking around the Assembly Chamber, it is probably something that our Whips should take seriously as well, as it would appear that there is high degree of sickness absence in this place — perhaps some sort of lurgy or other affliction has hit Members of this House.

It is a serious issue; it is taken seriously by the Executive, and that is reflected in the Programme for Government, which sets a target for reducing sickness absence.

The target is a challenging one, and we have not been successful in reaching it every year, but I welcome the fact that there has been a general downward trend in sickness absence in the Civil Service. It is important at the outset to note, as many contributors did, that, although sickness absence is a problem, over 55% of civil servants in the most recent year, as Mr Girvan reminded us, took no sickness absence. That is not just one year: it is habitually the case that over half, or a majority, take no sickness absence at all.

There were a lot of contributions throughout the debate, and, as you would expect, I am always very interested to hear suggestions about saving money. The figure of £37 million, which relates to the savings in the entire public sector if we were to take sickness absence down to the UK level, has been put out there by the Committee in its report. Whilst that would not realise £37 million in additional cash, it would be in additional productivity. Irrespective of whether it is cash or better productivity, it is still a saving that we should pursue, and, indeed, are pursuing. Additional productivity was a point laboured by Mr Nesbitt, who is no longer here. He encouraged us to look at the Deloitte 'The State of the State 2014-15' report, which, as he indicated, I think, informed part of his manifesto. I put it on the record that I contributed to the Deloitte 'The State of the State' report. That is perhaps why it was worthy of being included in his party's manifesto for the upcoming election. That is no doubt a very accurate explanation of why that is the case.

DfP is responsible for the Northern Ireland Civil Service sickness absence policy and procedures. In the time that is available to me, I will deal with the recommendations that

relate to Northern Ireland Civil Service Departments only. I will leave comments on the health and education sectors to their respective Ministers, and I encourage members of the relevant Committees to pursue recommendations directly with those Ministers. Although the Civil Service is substantial in size, with roughly 28,000 staff, the health and education sectors account for considerably more staff, with some 65,000 in health and 50,000 in education. Action to tackle sickness absence levels has to be taken right across the public sector if we are to maximise savings from managing sickness absence.

I welcome the recommendations contained in the report. I acknowledge that sickness absence is a topic that requires constant attention and that there is always more work to be done. However, I am pleased to inform Members that much of what has been recommended in the report for the Northern Ireland Civil Service is either in place, under development or being considered for introduction.

Mental health and well-being features heavily in the report. That is not a surprise. That type of illness, and its long-term nature, has had a significant impact on overall sickness absence levels in the Northern Ireland Civil Service for a number of years, accounting for around a third of all sickness absence. That is not particular to the Northern Ireland Civil Service; rather, it has been a general trend across the public and private sectors in recent years. Many observers suggest that that trend will continue as issues such as job insecurity, financial pressures and general life difficulties become increasingly apparent. A point that many Members who spoke made was that it is not clear whether that means work-related stress or, indeed, stress that is related to other aspects of people's lives.

The Northern Ireland Civil Service is going through a major period of change, which many Members mentioned, with the introduction of the voluntary exit scheme and the reduction in the number of Departments. It is therefore vital that we have the appropriate support available to staff and managers to mitigate any potential impact that health and well-being issues will have, not only on individuals involved, managers and colleagues but on the business and the service that we provide. Preventing sickness absence rather than reacting to it is key. I am therefore pleased to inform colleagues that that approach is being adopted by Civil Service Departments.

The 2014 well-being survey includes stress as a major part of its analysis. To maximise its benefits, the survey is being managed by a cross-departmental working group, which includes the Health and Safety Executive for Northern Ireland. The working group is coordinating and managing the survey and the response on behalf of Departments. Departments have been asked to consider the impact of the voluntary exit scheme and the reduction in the number of Departments when considering their individual action plans.

The sickness absence recording tool, which is mentioned in the report, is a standardised list of reasons used by the Northern Ireland Civil Service to record sickness absence. It provides for more detailed reporting on types of sickness absence as a result of stress-related illness, including work-related stress. In many stress-related cases, an immediate referral to the Occupational Health Service is a routine intervention, while welfare and other support mechanisms are also organised. The availability of that information has helped Departments to formulate an organisational response that is specific to their particular

needs. It allows for more targeted interventions for specific business or hotspot areas that are experiencing particular issues. Again, targeted responses were a recommendation in the Committee's report.

I am happy to advise Members that mental health first-aid training, which provides participants with the knowledge and confidence to recognise mental health problems, to respond helpfully and to support the person's recovery is now being offered to all Northern Ireland Civil Service staff. I am also happy to report that the WELL programme, which received a positive commentary in the Committee's report, has been extended for a further three years. The WELL programme was mentioned and praised not just in the report but by several Members in their contributions to the debate. It is worth acknowledging the success of that innovative scheme, which, as I said, has been rolled out across the Civil Service and has been extended for a further three years. Since its introduction, we have seen a 2% increase in employee engagement; a 2% improvement in health and well-being; a 2.3% decrease in staff absence due to mental health problems; and better attendance at work in 2013 compared with the 2010-11 figure, which saved us roughly £1.6 million. It is an innovative programme that I am very proud of, and I welcome the Committee's praise for the WELL programme.

The "Beating the Blues" online cognitive behaviour therapy programme for those suffering from depression and anxiety, also supported in the report, was introduced into Occupational Health Service practice in April 2011. It has been widely acknowledged that people on long-term sickness are at a high risk of developing depression. In addition, depression is in itself a significant primary cause of long-term sickness absence. Depression is regarded, therefore, as a major predictor of non-return to work and, the longer the spell of absence, the less likely a return to work. Suitable clients are offered access to the programme as part of their OHS assessment, with the option of activating the programme through OHS or their GP practice. Since its introduction, 99 sessions have been accessed by staff. The programme is also actively promoted through WELL and the rehabilitation programme provided by the Northern Ireland Civil Service welfare service.

The Northern Ireland Civil Service is committed to improving staff engagement. One of the reasons for this is that there is strong evidence to suggest that there is a correlation between increased staff engagement and reduced absenteeism. I am happy to advise Members that a staff engagement charter was launched on 4 March 2015. The launch of this charter clearly demonstrates a commitment from senior staff in the Civil Service to the principle of having an engaged workforce. The charter sets out the importance of clear and visible leadership, engaging with managers, listening to staff, measuring levels of engagement, and what is expected of our staff. Departments will use the charter as a springboard to consider how best to improve staff engagement at all levels.

The effective management of sickness absence remains a priority for all Departments. I am confident that all Departments are working hard to reduce sickness absence and to ensure that the policies and procedures that are in place to manage sickness absence are being applied consistently. To ensure that this is the case, a series of compliance measures have been introduced in relation to the prompt recording of absence, return-

to-work interviews and the provision of appropriate certification. These additional measures will be reviewed by each departmental board, alongside their existing absence analysis, to provide the necessary reassurance, governance and authority to ensure that any actions required are being taken forward in Departments. HR Connect is supporting this strategy by providing specially commissioned reports to monitor the achievement of these targets. Another initiative being explored is how the most advanced HR Connect reporting tool, Oracle Business Intelligence, could be exploited to deliver comparable management information directly to line managers across the service.

Supporting managers to manage sickness absence is, of course, of the utmost importance. I am aware that the Northern Ireland Civil Service managing attendance training provisions have been reviewed and that a revised package of training measures has been agreed. All staff will have health and well-being and compliance with Northern Ireland Civil Service policy and procedures incorporated into their annual personal objectives. In addition, all departmental business plans will include, as a priority, the provision of the appropriate staff support measures.

My officials are currently considering two NISRA reports on female absence rates and sickness absence rates in the 55-plus category. High levels of female absence rates have been an area of particular concern. Civil Service female absence levels are over 30% more than Northern Ireland Civil Service male absence levels and almost twice that of females in the GB Civil Service. Reducing the levels of female absence to those of male staff would have a significant impact on overall Civil Service sickness absence levels.

The rationale behind commissioning the report on staff who are over 55 was that, with a recruitment embargo, low levels of staff turnover because of the wider labour market position, the removal of any policy on age retirement in order to comply with age discrimination legislation and the probability that changes to public sector pension schemes will require staff to work much longer before they can draw an occupational pension, the Northern Ireland Civil Service workforce is likely to become an ageing one. It is not envisaged that the voluntary exit scheme will make a significant impact on this overall trend. As this ageing profile is likely to have an adverse impact on sickness absence levels in the future, it is important now to consider what interventions might be possible.

In the past, the Committee produced a report on flexible work practices; that is also mentioned in the report. I am glad that the recent report acknowledged the work of DFP as an exemplar organisation in relation to flexible working. There are many benefits, which include improved staff morale and commitment, reduced staff turnover and absenteeism and an improved work/life balance. In recognition of those benefits, the Northern Ireland Civil Service has already implemented a number of alternative working patterns under the umbrella of flexible working, including flexible hours or flexitime; compressed hours and personalised hours; part-time working, including job sharing; partial retirement; and term-time working.

### 11.30 am

The majority of Civil Service employees can avail themselves of at least one of those schemes, and there is

no doubt that they have a positive impact on the work/life balance of staff. For example, the results of last year's Civil Service staff survey showed that over 60% of staff agreed that they achieve a good balance between their work life and their private life. That is something that can only have a positive impact on staff absence levels.

I assure Members that we will continue to benchmark with other organisations to ensure that the best possible practice is being applied in the Civil Service and that, where appropriate, we will engage with external providers to ensure that we tap into all available support.

Overall, therefore, I can assure colleagues that sickness absence in the Northern Ireland Civil Service is receiving constant attention. Positive initiatives, such as the extension of the WELL programme, welfare support services and the launch of a staff engagement charter, will be important in reducing Northern Ireland Civil Service sickness absence levels. Managers and staff are supported through dedicated training courses, online e-learning and the provision of sophisticated sickness absence data analysis. Departments are vigilant in monitoring sickness absence trends and compliance targets and in adapting their approach in response to that data. Targeted interventions are being deployed with the analysis of female and over-55 sickness absence in addition to the development of well-being and stress action plans. A wide range of flexible working policies are in place to support work/life balance.

It is clear that there is no one silver bullet to resolve sickness absence issues in any organisation, not least one of the size and complexity of the Northern Ireland Civil Service. However, I am confident that we have a wide range of initiatives in progress that, with continued perseverance, training, support and enforcement when required, will result in a reduction in the Northern Ireland Civil Service sickness absence and the associated cost to the public purse.

**Mr McKay:** Go raibh maith agat, a Cheann Comhairle. This has been a very useful debate on the Committee's report. I thank Members and the Minister for their contributions. As I indicated at the outset of the debate, the reality of life is that people do get sick and can need to take time off work at some stage in their working career.

John McCallister made a couple of important points. One thing that he said was that work is good for people's health. I think the vast majority of people do enjoy their work and get a lot from it. At some stage in employees' careers they come across situations that put them off work. Sometimes a lot of the problems are down to management, how those issues are handled and whether the issue becomes protracted and considerably worse over time. We have to learn how to nip those issues in the bud for the sake of the employees and also to get value for money, as the Minister said, from employees, because employees want to be productive. They want to get their work/life balance correct, and all that they want is assistance in doing that.

Of course, I welcome the introduction of mental health first aid and the availability of that for staff, because I think it is an issue. Perhaps staff do want to help their employees and help those that they have line-management responsibility for, but it is about ensuring that they know what to do and how to spot certain signs, especially in regard to employees' mental health.

The Committee's report has outlined how that reality can be dealt with to minimise, manage and reduce absence levels. There is undoubtedly scope for improvement through the public sector that could result, as we said, in savings of approximately £37 million a year to the public purse. Of course, Mr Nesbitt pointed out that a 1% increase in productivity could lead to savings of £64 million.

The figures, as referred to during the debate, show that the average level of sickness absence in the public sector here compares quite unfavourably to that in England, Scotland and Wales. While the figures may vary according to the different parts of the public sector, a rough indicator is that the level of sickness absence in the Civil Service in Britain is about 7.5 average working days lost per staff year, compared with slightly over 10 days in the Civil Service here.

We have heard that the health and wider education sectors need to improve the monitoring and reporting of sickness absence and to set and adhere to challenging and realistic targets. In the health sector, the focus continues to be on long-term absence, particularly related to mental health and musculoskeletal problems. Members are pleased, therefore, to see specific programmes targeting these issues, such as rapid referral to physiotherapy services in the case of the latter.

It has been emphasised that such early intervention schemes need to be replicated across not only the health sector but the entire public sector. In the education sector, stress-related absence in the teaching profession needs to be addressed. This includes, amongst other things, evaluating the health and well-being programmes and training in this area in an effort to increase early intervention and decrease the human and financial cost of teacher absence and, of course, the cost to children.

In relation to the performance of the Civil Service, it is clear that there are a number of well-established procedures and programmes in place to assist staff and that absence is taken seriously. However, as noted earlier, the forthcoming public sector reforms — in particular, the loss of a large number of staff under the voluntary exit scheme — could have an impact on the staff who remain in post. As changes take effect and workloads increase, so, too, may the need for support services such as Carecall and the welfare support service.

Reference has been made to the difference between sick absence rates in the public sector and the private sector. The Committee commissioned research into this issue. From the research findings, members noted that comparisons between the public and private sectors can prove difficult. Levels of absence may appear lower in the private sector, but we need to be very careful about making straight comparisons due to a lack of data on absence levels in that sector. The private sector also covers different types of jobs, and there are differences in the gender breakdown of its workforce, a point that was also raised by Members today.

While the Committee was encouraged to note that the research suggests that more robust reporting mechanisms for sick absence exist in the public sector, I urge caution in making straight comparisons due to the differences outlined. Similarly, direct comparisons between sick absence levels in different Departments and areas of the public sector can be problematic due to the different job profiles and working patterns of their staff. The

Committee has, therefore, based its analysis on comparing performance of public sector bodies here with their equivalents in Britain.

The Committee is convinced of the value of benchmarking and learning from the successes of other comparable organisations in other places. This is highlighted by the example of HMRC, which is referenced in the Committee's report. It successfully reduced its absence rate from 10.5 days in 2010 to 7.51 days in 2013 by introducing a robust assurance programme. This raises the prospect of what the Civil Service here could achieve from a more concerted effort to apply consistently the procedures and policies that are already in place: in other words, better compliance with performance management and absence management policies.

Given the persistent themes around long-term absence and mental health issues, it is clear that resources must be focused on addressing the underlying causes and implications, taking the health and well-being of staff to the very heart of organisations whilst being clear that each Department will have different circumstances with regard to the reasons for absence and related needs. Members have rightly highlighted the fact that long-term absence needs a particular focus. As the Chair of the Public Accounts Committee, Michaela Boyle, highlighted, 70% of days lost are due to long-term absence. As has been said, that needs to be a priority for Departments and the Executive.

Publication of the sickness absence recovery strategy, the roll-out of the mental health first-aid training programme, cognitive behavioural therapy, tailored and targeted training, and adequate policies that are supported by management to deal with bullying and harassment have all been identified as important measures in going forward. It has also been pointed out that there could be value in researching the reasons why mental health-related issues continue to be such a significant causation factor behind absence rates in the local public sector.

Also, as indicated by a number of Members, there must be effective monitoring and reporting systems in place consistently across all Departments. Awareness needs to be raised of how a simple measure, such as a return-to-work interview, can be used to encourage individuals returning to work to be open and candid about any problems which may affect their attendance or ability in work. The evidence shows that, at the heart of these measures and at all stages, the importance of staff engagement should not be underestimated.

We heard from Peter Weir, Leslie Cree and others how the WELL programme, cycle to work schemes, the Caloriewise scheme and adoption of early intervention policies are all ways in which the Civil Service can be more proactive. The value of giving employees the option to work flexibly, particularly in terms of work location, has been proven to reduce sick absence and encourage people to return to work more quickly. It has been emphasised that this option should be progressed in a strategic and coordinated manner. It is fair to say that, in the Committee, Mr Girvan was a wee bit sceptical about flexible location working, but I have to agree with the Member that mechanisms need to be put in place to ensure that work is done and that Members and employers in the public sector can have confidence that flexible location working can work.

In conclusion, I emphasise that we are talking about a significant amount of money. There is a potential saving of £37 million per year to the public purse through simply matching the comparable public sector sickness absence levels in Britain. That is a staggering figure, particularly given the financial squeeze on the public sector and public purse. The Committee's recommendations could have a significant impact on achieving those savings and we expect the Department to study the report very carefully. The Committee looks forward to receiving a formal response to the report after the Department has reflected further on the evidence and the recommendations therein. I therefore commend the report to the House and ask for support for the Committee's motion.

*Question put and agreed to.*

*Resolved:*

*That this Assembly approves the report of the Committee for Finance and Personnel on its review of sickness absence in the Northern Ireland public sector; and calls on the Minister of Finance and Personnel, in conjunction with Executive colleagues, to implement, as applicable, the recommendations contained therein.*

## Private Members' Business

### Water Rates

**Mr Speaker:** The Business Committee has agreed to allow up to one hour and 30 minutes for this debate. The proposer of the motion will have 10 minutes to propose and 10 minutes to make a winding-up speech. One amendment has been selected and is published on the Marshalled List. The proposer of the amendment will have 10 minutes to propose it and five minutes to make a winding-up speech. All other Members who are called to speak will have five minutes.

**Mr Clarke:** I beg to move

*That this Assembly reaffirms its rejection of the imposition of water rates on the people of Northern Ireland; recognises that, were they to be introduced, households would face an additional cost of at least £400 per year; and calls on the Minister for Regional Development to prioritise within his budget to ensure sufficient investment is in place to maintain properly the local water infrastructure.*

From the outset, I make it clear that I speak as a member of the DUP and not as the Committee Chairman. I thank Members for their attendance.

Obviously, the motion is primarily about the introduction or, as I hope, the non-introduction of water charges. It is to be welcomed that, until now, the Executive have supported the non-introduction of water charges. I also want to make it clear that I welcome the amendment proposed by the Ulster Unionist Party and will be supporting it, albeit I may make some remarks about it.

We are in election season. There are ones out there at the moment who, for their own purposes, are making suggestions as to what they believe should happen in relation to this. It is no secret that the Alliance Party has always strongly advocated the introduction of water charges. That is something which, I am thankful, all the other parties in the Executive have avoided for some time and hopefully will do so for the foreseeable future.

If there were a situation where money was plentiful and the pockets of people in Northern Ireland were full, you could ask people to pay more. Unfortunately, we are not in that situation in Northern Ireland and I do not see us being in such a situation for the foreseeable future. It is now on record what such a charge would be. We are all familiar with the fact that the charge would be, on average, just over £400 per household. The average rates bill per household is approximately £800. As a public representative, I am glad — and I keep saying that I am glad — that other Executive Ministers have supported the non-introduction of water charges. I am certainly glad that that has been the commitment because, for many, it is a struggle to find what they have to pay without an additional burden being put on them. The other thing that bothers me is that many depend on rate rebates and suchlike, which someone else picks up. Ultimately, someone has to pay that cost, whether the individual has the money or not.

**11.45 am**

I think that the Alliance Party has been on record these last few days as trying to distance itself from some of its comments. The reality is that a portion of the £800 goes towards NI Water (NIW) through the DRD, but it is a very

small portion; it falls short of £400. I think that the officials were on record last week or the week before, when they came to the Committee, as saying how much that charge would be. To put a burden of an additional £400 would, I think, be irresponsible of the Alliance Party. I look forward to hearing what its Members say in their contributions.

I agree that there has maybe been a lack of investment in infrastructure. I have been critical of the Minister since becoming the Chair of the Committee, but the Minister has to be commended for the work that NI Water has done in recent months to drive efficiencies in the organisation. We cannot be complacent; just because it has found some efficiencies does not mean that there are not more to be found. Given the work that has been done over the last number of months and the commitment that the chief executive has given, I trust that more efficiencies will be found in the organisation. The direct correlation should be that, wherever efficiencies are found, more investment should go into infrastructure. I definitely do not want to see us, as ratepayers, having to pay more. That is how it has to be done.

I indicated that I will support the amendment. The Minister has been supported, and he continues to be supported, by his Executive colleagues. I remind him that he got the fourth best settlement in the Budget this year. I know that he is finding it difficult in other areas, but, in that Budget, he was very generous towards NI Water. However, it has been underfunded in the past, and, going forward, that may be the case again. Efficiencies should be found in the Minister's Department, and I trust that he will do what he can to find those efficiencies to divert as much as possible to the underfunded water infrastructure, which we have been failing for many years. The facts are there for what is required in infrastructure investment. Not taking away from the Water Service, if you look at the same Minister's portfolio, I think that the officials are on record as saying that the investment in roads alone at the last count was £830 million to bring our roads up to a reasonable standard.

I hope that, when the Alliance Party supports water charges, it will not be calling on central government to increase our vehicle road tax to increase the revenue that we can generate to fix our roads and bring them up to a reasonable standard. The two things are on a par; we have hundreds of millions of pounds of underinvestment in both areas. However, let us live in the real world: we have an awful lot less money coming to Northern Ireland. It is a difficult job to try to create a situation where that slice of cake is distributed round each of the various Departments and arm's-length bodies to carry out their role. I commend my party colleague Arlene Foster for the number of jobs that she has brought to Northern Ireland, but we are still not in a situation where our pockets are full and there is money for people to spend, which would pull us out of the deficit that we have on underinvestment.

Underinvestment has not come since devolution here in Northern Ireland; it has been here since we were ruled by Westminster, so it has been a continual problem in Northern Ireland. I certainly do not support the Alliance Party's call for the introduction of water charges now that we have devolved institutions here in Northern Ireland.

**Mr Lyttle:** I thank the Member for giving way. Is his contribution on behalf of the Alliance Party, or is he going to wait to hear what we have to say before he continues?

**Mr Clarke:** If you are having a change of heart because an election is coming, that would be welcome, but the tenor of your argument in the past was always in support of the introduction of water charges. I am coming to an end very shortly. I will sit down with a degree of pleasure if you are hinting that you will support the Executive and the rest of the Ministers to prevent water charges being introduced in Northern Ireland.

I commend the motion to the House.

**Mr Cree:** I beg to move the following amendment:

*Leave out all after "year;" and insert*

*"notes that it is an Executive priority to ensure that there are no additional water charges; and calls on the Minister for Regional Development to work with his Executive colleagues to ensure sufficient resources are made available to his Department to maintain properly the local water infrastructure."*

I welcome the opportunity to move our amendment this afternoon.

The first part of the motion calls for the Assembly to reaffirm its rejection of the imposition of water charges on the people of Northern Ireland. That is something that has already been dealt with. Danny Kennedy delivered the commitment that the Ulster Unionist Party and the then Executive made to ensure that the public would not pay domestic water rates through the Water and Sewerage Services (Amendment) Bill. Members will remember that that Bill extended the period in which the Department for Regional Development will continue to pay a subsidy to Northern Ireland Water in lieu of domestic water charges.

The second part of the motion is the reason why we are seeking to amend it. It seems to forget that, as contained within the Programme for Government, it was the Executive as a whole that agreed to defer the introduction of domestic water charges. The decision that the Executive took to defer the introduction of charging should mean that the five Executive parties work together to make sure that the Department responsible is adequately resourced to ensure that water infrastructure can then be maintained to the highest standards. Instead, we appear to be seeing some parties that are content to tell the public how they have resisted water charges as it makes them feel very popular but that are then doing nothing to assist the Minister who is faced with having to spread his ever-shrinking budget a little more thinly.

It is something that all the parties in the Executive — well, apart from the Alliance Party — have actually managed to unite around, yet the DUP seemingly cannot resist the opportunity to try to politically point score. I hope that our amendment will receive the House's support today, as I believe it is a pragmatic proposal.

Given that the deferral of domestic water charges is something that the Executive as a collective have agreed to, it is only right that the onus should be on all five parties to work with the Minister to ensure that sufficient resources are made available to him to allow his Department to properly maintain water infrastructure in Northern Ireland. This should be an issue where other parties are able to rise above the silo mentality that sadly too often permeates through the Executive.

We all need water. It is a cross-cutting issue that affects us all equally. That should be the motivation for every single one of us in the Chamber to ensure that the Department is adequately resourced to maintain the local water infrastructure and the high levels of water quality.

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

**Mr Cree:** Briefly.

**Mr Clarke:** I welcome and agree with the Member's point about infrastructure, but I think that, at times, we have to be critical of the likes of NI Water. In our constituency offices, we all probably come across cases where there is a leakage. It takes a considerable time for NI Water to fix it. There is a cost for the production of water. I support the tenor of what the Member is saying, but hopefully he will support my saying that NI Water and many other public organisations need to be more proactive to prevent the waste that they create, which I think we are all familiar with.

**Mr Cree:** I thank the Member for that interjection. I know that the Water Service is very much aware of that, and I am assured that it is addressing it.

On occasions like this, it is not too difficult to see why the Alliance Party is considered to be the sister party of the Liberal Democrats. A bit like their pals when they flip-flopped on tuition fees at the first sign of getting in through the door of Number 10, the Alliance Party is content to call for water charges, yet it supported the Bill that extended the period of time that DRD would pay a subsidy to Northern Ireland Water to protect the public from added pressure. The Alliance Party will have the opportunity to outline why it would like to present families who are already stretched with yet another Bill to pay. Remember that these are people who are already facing rising prices in their outgoings, such as electricity and gas.

The Ulster Unionist rationale for upholding this commitment is simple. We believe in a society that is fair. Families are finding themselves increasingly stretched. Many, many people are struggling to balance the scale between income and bills, and the last thing that they need is the added pressure of a bill for water dropping through the letter box. Bringing in universal water charging would mean bringing in an additional charge that would apply equally to all, affecting low-income families at the same rate that it would affect those who have the ability to pay. That does not fit in with our definition of fairness.

The Assembly is often criticised for its lack of delivery, but the continued deferral of these charges, protecting some of the most vulnerable from the added pressure of an extra financial burden, has, I believe, been an example of the Assembly doing good for the people of Northern Ireland.

That is not to stifle debate around the future governance of water in Northern Ireland. Of course we should always strive to do better. We cannot afford to become complacent and just cruise along pointing to the fact that water charges have been deferred. We should always be looking at the state of local infrastructure and assessing how we can improve it to best serve the people of Northern Ireland. We should all be determined to make sure that our people have water coming out of their taps that is of the highest quality, and we should protect our environment by having fit-for-purpose sewerage services.

Historically, water infrastructure in this country has been underfunded, not least during the darker times when

money was urgently needed in other areas and that infrastructure, unfortunately, did not receive the attention it deserved. It is in that context that Danny Kennedy inherited it. Since taking up the role of Minister for Regional Development, his drive has been to see certainty and stability and to create space to explore long-term options and governance models.

Sadly, today's motion seems to mirror the attitude of our friends in the DUP, and the Finance Minister, in failing to take central responsibility for the Belfast port £20 million. Members will remember that. They lambasted the Minister for speaking about the implications there would be for core services, stemming from the cuts to his budget, and he received criticism from them over the concessionary fares scheme — another Executive priority that some parties are happy to lay claim to, but suddenly become shy when it comes to releasing the funds to retain it.

Danny Kennedy has upheld a Programme for Government commitment. He should not face politicking activities by other Executive parties, such as today's motion, for seeing through something that most of them will try to take credit for.

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

**Mr Cree:** If you are quick.

**Mr Dickson:** It is a quick question. In telling us about what the Ulster Unionist Party has done with regard to water charges, perhaps he will explain what happened to his £100 per household water charge party policy in 2007.

**Mr Cree:** The Member has a long memory, but, unfortunately, he does not remember the detail of that. I will acquaint him with that when this is over.

This is a strategic issue for the Executive, so the Minister should be able to work with Executive colleagues to deal with the implications that the deferral has for public spending. I hope that in future monitoring rounds the Minister's bids will be met with the same enthusiasm as the original decision to defer the charges was. I appreciate that the proposer of the motion has accepted the amendment, and I commend it to the House.

**Mr Lynch:** Go raibh maith agat, a Cheann Comhairle. I rise to support the motion. It gives me an opportunity to outline my party's position regarding water rates.

Sinn Féin is on record throughout the island of Ireland opposing the imposition of water charges for domestic households. In its 2007 manifesto, Sinn Féin promised to block the introduction of water charges, and that is exactly what we did. Just prior to the setting up of the Assembly and the Executive in 2007, direct rule Ministers established NIW, with a view to privatisation and the bringing in of household charges. Conor Murphy, the first Minister after 2007, blocked the introduction of water charges, and I acknowledge the current Minister for continuing that policy. Conor Murphy once likened the situation he inherited from direct rule Ministers to trying to turn a tanker in a canal. He ruled out privatisation and made it clear that these public services will operate within full public ownership, now and in the future. Sinn Féin did so on the basis that households here were already hard pressed due to the difficult economic circumstances and should not be forced to endure an additional financial burden or stealth tax. As the first Member said, people are dealing with higher rates bills as we speak.

Since 2007, we have invested over £1 billion in water and sewerage services on overhauling an unfit sewerage system that had been neglected over decades by successive British Governments. In Britain, the Tories took utilities that were paid for by the public, invested sums of public money to upgrade them, and later sold them to their friends and charged the public for continuing to use them. Is that what we should do here? We say no.

## 12.00 noon

Sinn Féin recognises that there are significant challenges across the island of Ireland to achieving a truly sustainable water and sewerage service — one that is affordable, meets environmental obligations and delivers a reliable, high-quality service. However, we have proven in government that that can be done without driving struggling households into further poverty. We recognise that water is a precious resource that is universally recognised as a basic human right, and its delivery should be paid for through general progressive tax and efficiencies in the system. Here in the North, we do not have general taxation powers. Therefore, water is subsidised by the Executive through domestic rates. All parties in the Assembly should be calling for the transfer of taxation powers, which would give us greater control over our taxes and how our taxes are spent, including on keeping water and sewerage services in public ownership.

**Mr Dallat:** I suppose that it is the SDLP's turn to get involved in this party political programme. *[Interruption.]* Let me state from the beginning —

**Lord Morrow:** Not like you.

**Mr Dallat:** I am going to ignore the fact that Mr Campbell is speaking from a sedentary position. I am getting used to it.

The SDLP is, of course, against water charges and does not believe that people should pay twice. Access to clean water is a right, not a privilege for those who can afford to pay. Up until 2016, I believe that it is an Executive priority to ensure that no additional burdens are placed on the people's shoulders to fund charges. That policy should continue, and it is the responsibility of the Assembly and the Executive to ensure that there are sufficient funds available to maintain the local water infrastructure. The historical neglect was mentioned by the Chairperson of the Committee, and I will go back to that later. Money is needed to improve water and sanitation, and, down the years, particularly during direct rule, the service was robbed of that money.

On a positive note, in recent times, there has been an unrecognisable improvement in the delivery of the service, but sadly not before a near collapse because of the ineptness and incompetence of the former chief executive, Laurence MacKenzie, and, indeed, the Minister of the day, Conor Murphy. Sadly, during those turbulent times, four non-executive directors were removed from the board of directors in a public shaming exercise, when, because of their principles, they refused to sign up to the disgraceful way in which the organisation was then run. Indeed, that was during a period when millions of pounds were squandered.

Those were the wasted years when progress could and should have been made on creating an organisation fit for purpose. It did not happen, but that is history and is best left behind. Perhaps one useful outcome of that,

however, was the independent water review panel, which stated clearly that separate water charges and sewerage charges were not a wise or sensible way in which to move forward. That would simply have created a new layer of bureaucracy, a requirement to manage bad debts and all the other associated difficulties.

We are one island, and I am sure that all the political parties are watching what is happening at the moment in the South, where 15,000 people took part in a rally against charges. I suggest that Irish people, by their very nature, see water as something that is their right.

Water charges are, I am afraid, handled by Sinn Féin on a partitionist basis. Conor Murphy allowed more than £1 million to be spent on installing domestic water meters. He did not invoke the legislation that would have stopped that. In recent times, the current Minister for Regional Development has indicated that he will do that, and I look forward to him confirming that promise. It will be viewed by many people —

**Lord Morrow:** Will the Member give way?

**Mr Dallat:** Of course. For Lord Morrow, certainly.

**Lord Morrow:** Thank you very much. You mention the fact that the former Minister Mr Murphy did not stop the installation of meters. Do you think that this is Sinn Féin preparing itself for the day when it will say that water charges are now a necessity here?

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

**Mr Dallat:** I am going to avoid that because, in my opening remarks, I was critical of the party political broadcasts and I do not want to go down that road, but I am sure that Lord Morrow, in his intelligent way, will have worked out the answer to that for himself. Do you put in water meters and then tell the world that you are not going to impose water charges? Do you not repeal the legislation when something like that might be at the back of your mind?

In response to a question asked by my colleague Seán Rogers in January 2015, the current Minister for Regional Development said that it was his intention to amend the legislation requiring the installation of water meters in the upcoming Water Bill. As I have said, I look forward to the legislation as an attempt to put right a wrong, which Mr Murphy could easily have corrected.

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

**Mr Dallat:** No. In conclusion, let me return to the vexed question of underfunding, which the Chairperson referred to in his opening remarks. There needs to be a great deal of discussion on the way forward, which will address the underfunding and provide Northern Ireland with the highest standards of water and sanitation. In that respect, the British Government need to accept that, during direct rule, millions of pounds of funding was switched from water to security. In all the discussions in the posh mansions in Britain and here, that issue was not raised, and it needs to be raised because there is a historical debt where people were robbed of the capital investment that was needed for the Water Service and was put into different types of tanks instead.

**Mr Lyttle:** I think that it is fairly clear that Westminster election fever continues to infect the DUP contribution to this Assembly. If the contribution of Trevor Clarke is anything to go by, we are going to have scaremongering and misrepresentation of the Alliance Party, as is par

for the course, with little to no new ideas about how we address the serious issue of underinvestment in our water system, which is interesting, given that Trevor Clarke was quoted on 4 October 2014 as saying:

*“Water charges in Northern Ireland have been deferred until 2016 but everything is potentially up for discussion”.*

So, it has been an interesting contribution from him so far today. I will take this opportunity to respond to the motion on behalf of the Alliance Party and I will challenge the deliberate misrepresentation of our position by political parties intent on electioneering.

The Alliance Party will support the motion as we oppose the introduction of additional water charges at this time, in line with the Executive agreement and because other Executive parties have failed to tackle waste and inefficiency in their Departments. We do, however, need to give serious consideration as to how water and sewerage infrastructure will be adequately financed and governed if fit-for-purpose provision for existing and new customers, environmental protection, flood prevention and economic growth are to be achieved.

Alliance believes that existing charges for water should be more open and transparent. Households should have an identifiable charge for water separated from the rates bill, with no household paying twice. That would provide a clearer picture of how our water and sewerage system is being paid for, with protections for vulnerable households, and Northern Ireland Water would have, in part, an improved borrowing ability for capital investment in this vital service. So, we support the motion but we challenge the proposers to consider how water and sewerage will be financed and governed on a long-term basis, and to acknowledge the cost to the taxpayer of waste and inefficiency in other Executive Departments.

The cost of division is estimated at over £1 billion every year. That is around £1,000 per household per year. Separate education costs around £300 million. There is separate teacher training; proposals on that were put forward by an Alliance Minister and blocked by other parties in the Executive. Welfare reform fines and the policing of parades and protests cost the taxpayer in Northern Ireland multimillions of pounds every year. That is wasted money that could otherwise be used to fund health, education and jobs and protect vulnerable people in our community. The refusal of other parties to tackle the cost of that waste and division has a devastating impact on the very households that the DUP claims to support. Unlike other political parties, Alliance Ministers are working to reduce the cost of waste and division for households and to maximise the resources that we have to build a shared society and a strong economy for everyone in our community.

Alliance certainly does not want households to pay more in water charges to simply paper over the cracks of financial mismanagement by the DUP and Sinn Féin with the willing support of other political parties. Political parties need to get serious about tackling waste and have a realistic debate about how we fund much-needed improvements to our water system. People in my constituency of East Belfast know painfully well that the current level of investment in water and sewerage infrastructure is not enough. The current model does little to help those households every time we have heavy rain



and the panic of more flood damage to homes sets in. It is my understanding that the Belfast drainage plan alone requires an investment of around £750 million. Funding for NI Water, however, includes a subsidy of approximately £275 million every year, paid for by the taxpayer from the Executive Budget, and that is £275 million that cannot be spent on other vital services and contributes to a funding model that limits the ability of NI Water to borrow for capital investment. I would be interested to hear from other parties how they think the Belfast drainage plan will be funded. The Executive should consider alternative models for funding capital investment in our water system. One alternative would be to mutualise, as has happened in Wales, to improve borrowing ability for capital investment.

Alliance opposes the introduction of additional water charging at this time, but we oppose the squandering by other political parties of Executive Department budgets that are vital to protect the households in Northern Ireland that the proposer of the motion claims to support. The failure to even explore other models of finance and governance for our water system —

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

**Mr Lyttle:** — will cost households and the economy in the long term. It is time that all parties faced up to the realities that households and businesses across Northern Ireland need us to address if we are to provide the water system and the vital public services that they need and deserve.

**Mr Byrne:** I welcome the opportunity to speak on the motion. Water rates is a very contentious issue in Ireland. Many members of the public believe that they pay for domestic water through the current rating system. Obviously, commercial water rates are charged for through metering, and it is generally accepted that the political consensus in Northern Ireland is that there should be no direct charge to private consumers for water.

On Saturday past, we once again bore witness to the fury of the population in the Republic, as 10,000 people took to the streets to protest against the Government's current plan to implement water charges. I can only imagine similar outrage in Northern Ireland, unless the Assembly and the Executive reaffirm their commitment today to reject water rates. No one in Northern Ireland wants to see a water-charging system that could lead the way to a privatised water company being formed in the future, and that is the worry.

I recognise that, for the past several years, water meters have been introduced in towns throughout Northern Ireland. Last January, I asked the Minister how many water meters had been installed in my constituency of West Tyrone. Although the Minister was unable to tell me the exact figure, he was able to tell me that over 32,000 domestic meters had been installed in Northern Ireland since 2007. The supposed reasoning for that was that new homes being connected to the water supply are required, through article 81 of the Water and Sewerage Services Order 2006, to have water meters. The Minister has confirmed that, as yet, those meters only record the consumption of water and have not been set up to ease the imposition of potential charges. I welcome the Minister for Regional Development's response on the issue, and I hope that he remembers that the people of Northern Ireland will not tolerate the creation of a charge infrastructure that seeks to impose water charges for domestic users by the back door.

## 12.15 pm

I recognise, of course, that Northern Ireland's water infrastructure is not perfect. I can see why people may be tempted by the lure of privatisation or new charges to solve our problems. I reject that reasoning, however, as homes in Northern Ireland already pay at least £160 on average through the rates system for their water supply. The true problem of Northern Ireland Water stems from the systematic failure to invest properly in our infrastructure over the last 30 to 40 years, although I recognise that there has been capital investment in recent times.

In 2007, the independent review panel found that infrastructural problems were concentrated west of the Bann and that the west suffered from out-of-date and deteriorating infrastructure that was in desperate need of modernisation. That was eight years ago, and the situation does not seem to have greatly improved. The debacle last January demonstrated the difficulties with our water supply in the west. The same report recognised that there should be no standing or volumetric charges.

I find it surprising that, once again, the west is being brutalised with infrastructure imbalance. Much like the traditional economic imbalance, the struggle with deteriorating water infrastructure stems directly from the consistent failure of Assembly Ministers before and after the economic crash to invest properly in infrastructure in the western parts of the North. I worry that the people of Northern Ireland and specifically those in the west have been neglected and treated without regard and could soon be unfairly asked to pay more for their shabby treatment.

The people of Northern Ireland deserve access to consistent, safe and reliable water. That is a basic human right. The people of Northern Ireland pay for their water through our domestic rates and taxation system. The people should not be asked to pay again for it. I support the re-itemisation of our water charges so that the people of Northern Ireland can see what they are paying for through their rates and will not be duped in the future into paying additional charges.

**Mr Clarke:** I thank the Member for giving way. I am sure that, when you are welcoming all that today, you will welcome the shift by the Alliance Party. Chris was reading into the record, and I want to read something that he said in January this year:

*"[Alliance] believes that we have to be open and honest about the need for serious consideration of the introduction of fair domestic water pricing based on the ability to pay if we are to meet the demands on ... vital public services". — [Official Report (Hansard), Bound Volume 101, p381, col 2].*

To me, that sounds like water charges. That was in January, and we have had a change of heart today. I am sure that you will welcome that, Mr Byrne.

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

**Mr Byrne:** Mr Speaker, it is beyond my political comprehension to make reference to a third political party. *[Laughter.]* I support the motion being amended to recognise that current infrastructure issues in Northern Ireland Water require a concentrated effort to solve some of the outstanding capital investment issues. I recognise that decisions on water funding cut across

all Departments. Ultimately, it is for the Assembly and the Executive to recommit themselves to rejecting the imposition of domestic water charges and push for new approaches to solve our ongoing problems.

The people of Northern Ireland like their Government to be like their water: fully transparent and crystal clear. I urge the Assembly to commit itself to rejecting water charges, which would be a new version of a stealth tax.

**Mr McCallister:** Motions like this are inclined to remind me of Ian Paisley Junior's demands for £1 billion as the price for supporting a new Government or Sinn Féin's demands for maybe £1.5 billion for Northern Ireland. When I look at this motion, I know instinctively that it is fiscally reckless Ulster nationalism. I look at the United Kingdom in the midst of a general election and the pressure coming from Scottish nationalists, Welsh nationalists, Irish nationalists and now Ulster nationalists. It is not a good place for our country to be in that it is only about money.

In opening the debate, Mr Clarke rightly said that someone should pay for the water. Absolutely, but in his view that someone should be in the south of England, not in Northern Ireland. He does not want us to pay for anything. I look right through all of the Executive's policies, and we have this motion set against the backdrop of a general election in which two parties are in an electoral alliance. They have a pact, and then they are attacking each other over water and various policies — *[Interruption.]* Well, Mr Clarke is admitting that this is entirely about the East Belfast campaign instead of being about how we seriously deliver water or public services in Northern Ireland and how we pay for them.

How do we avoid EU infractions or other legal action? How do we look at models of governance? Should we change the model of Northern Ireland Water? Should it be clear on a rates bill that we are all contributing to water? The Finance Minister constantly repeats the idea that we are the region in the UK with the lowest household charges, yet we get £2,000 more to spend per head of population from the rest of the UK — and still it is not enough. Although I have no ideological difficulty with a charge for water or with paying for it through my rates, my big difficulty is that I would not give this politically exhausted Executive one penny piece more, because they will not reform anything. They are exhausted and have no purpose, no direction and no idea where they are going or what they want to do in any policy area.

You can take any example, whether it is topping up welfare with £565 million while slashing early years funding or slashing funding to the environment from the Mourne Heritage Trust to the Causeway Coast. Where is the joined-up thinking in government? We have an Executive who are giving that away and want to cut corporation tax, at a cost of over £300 million, while still slashing the skills budget. Where is the consistency in Executive policies? We have a Health Minister who has claimed that there is not enough money to deliver, having said in a previous mandate that health was nearly overfunded and too well looked after. Yet, Transforming Your Care has stalled. Three and a half years after Transforming Your Care was announced, it has stalled. It is going nowhere and is delivering nothing. There is no money to make it happen. That is another Executive policy that has gone by the wayside.

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

**Mr McCallister:** I am happy to listen.

**Mr Campbell:** I thank the Member for giving way. If I can, I will bring him back to the debate about water charging. He said that he has no ideological opposition to water charging and was outlining the almost affluent perception that he feels Northern Ireland has, as opposed to the reality. Can he outline what net benefit he thinks there might be from the introduction of water charging, if you exclude all the marginal and vulnerable communities that would have to be protected if you were to go down the route that most of us do not want to go down? What would the net benefit be if he does not have an ideological opposition to the introduction?

**Mr McCallister:** The Member knows full well that £275 million of public money goes in. He knows that there is no Barnett consequential for that. He knows that that comes out of health, education, skills and every other area of government. That is a choice that the Executive and Assembly have made. If the Assembly and Executive cannot prove, before they raise any more money, that they can solve problems like St Mary's, like welfare and like the crises in housing, health and education, where there are 65,000 empty desks, why would anyone want to give this Executive a penny piece more? You are almost financially bankrupt now. We may not even be able to do our Budget by June or the early part of the summer because of welfare reform. We are giving away £2 million a week, and he still expects that this is purely about water charging. You set this in the context of a debate for which the lead party in the Government of Northern Ireland tables this ridiculous motion, which is almost as silly as the one that Sinn Féin tabled last week when we had a debate on the block grant. We table these ridiculous motions as government parties, and these are the choices that you, your Executive colleagues and the Assembly are making. It is not setting Northern Ireland on a sound basis to have good governance. There is no purpose and no direction, and the Executive are very nearly —

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

**Mr McCallister:** — on the edge of being bankrupt and looking increasingly politically exhausted and out of time.

**Mr Speaker:** The Business Committee has arranged to meet immediately after the lunchtime suspension today. I propose, therefore, by leave of the Assembly, to suspend the sitting until 2pm. The first item of business when we return will be Question Time and, when we return to the debate, the Minister will be the first to speak.

*The debate stood suspended.*

*The sitting was suspended at 12.25 pm.*

*On resuming (Mr Principal Deputy Speaker [Mr Newton] in the Chair) —*

2.00 pm

## Oral Answers to Questions

### Justice

**Mr Principal Deputy Speaker:** I remind Members that questions 1, 2 and 9 have been withdrawn.

#### Magilligan Prison: CJINI Report

3. **Mr McCartney** asked the Minister of Justice for an update on how the recommendations of the recent Criminal Justice Inspection report into Magilligan prison will be implemented. (AQO 7977/11-15)

**Mr Ford (The Minister of Justice):** The senior management team at Magilligan has an action plan in place that records all 79 recommendations that Criminal Justice Inspection Northern Ireland (CJINI) made. The recommendations are broken down into those that have been accepted; partially accepted; accepted in principle; or not accepted. All accepted recommendations have already been allocated to a senior manager, who has the lead responsibility to ensure that they are implemented. A number of recommendations, such as replacing the house blocks, cannot be implemented at this time. That recommendation and others will be addressed when the new prison is eventually built. Magilligan senior management will hold regular meetings on a quarterly basis to monitor closely and record any progress made against the CJINI recommendations. Following those review meetings, the director general and I will be provided with progress reports.

**Mr McCartney:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as an fhreagra sin. Thank you very much, Mr Principal Deputy Speaker. I thank the Minister for his answer. Magilligan prison has featured very well over a number of CJINI reports. As part of its approach, will the senior management team look at the slippage areas and at what perhaps led to the slippage in some of the areas that are now weaker?

**Mr Ford:** I appreciate Mr McCartney's supplementary question, Mr Principal Deputy Speaker. The key concern is the slippage that was specifically in constructive activity. That was the disappointing result. It is clear that an element of it is that the increasing prisoner numbers have meant that a lower proportion was involved in constructive activity. Getting constructive and purposeful activity back for all prisoners is a key part of the work, and I entirely accept Mr McCartney's point that we need to ensure that that slippage back is redressed in the next few months.

**Mr A Maginness:** I welcome the Minister's response to the question. Certainly, purposeful activity seems to me to be the central requirement of the CJINI report, but it should also be emphasised that it is positive about the overall running of the prison. The retention of the current ethos, which is very positive, should be at the centre. Does the Minister agree?

**Mr Ford:** I am happy to endorse Mr Maginness's positive words about the report. As we tend to forget when we emphasise the work that has to be done, on three of the four key tests, Magilligan performed well; it is just the unfortunate slipping back on the constructive and purposeful activity that needs to be redressed. In other respects, however, Magilligan has scored extremely well in comparison with the past and with other prisons across the UK.

#### Downpatrick Courthouse

4. **Mr Hazzard** asked the Minister of Justice whether plans for the future of Downpatrick courthouse have been finalised. (AQO 7978/11-15)

**Mr Ford:** Plans for the future of the court estate, including for Downpatrick courthouse, will not be finalised until I have had an opportunity to consider the outcome of the ongoing consultation exercise. Downpatrick courthouse is not one of the venues currently under consideration for closure. The consultation paper indicates that, in the event of the closure of Newtownards courthouse, family business relating to the petty sessions district of Down would transfer from Newtownards to Downpatrick.

**Mr Hazzard:** I thank the Minister for his answer. I think that that will bring quite a lot of relief to some people in and around the Downpatrick area who feared for the future of the Downpatrick courthouse and that we would lose yet another service from our county town to centralisation. That comes as quite a relief. I know that the Department of Justice is now looking at the opportunity to perhaps decentralise some of its headquarters. Would the Minister perhaps look at Downpatrick as a venue for that? Go raibh maith agat.

**Mr Ford:** I was going to welcome Mr Hazzard's positive comments about the courthouse consultation. I think he is the first MLA who has stood up in the Chamber and welcomed an aspect of it. That is something of a rarity, and I should therefore be grateful. However, he then pushed me on the decentralisation of services. There is certainly a project ongoing that is looking at the accommodation provision for the Department of Justice and its agencies as a whole. Whether that will involve any decentralisation out of the greater Belfast area is very much under consideration at this time, but, given the range of the Department's responsibilities, I am not sure that there is likely to be a decentralisation away from greater Belfast, as opposed to bringing agencies together within Belfast.

**Mr Ross:** The Minister will be aware that there are campaigns in a number of council areas to keep local courthouses open. Does he see any reason why local councils cannot work with the Department and the Courts Service to utilise those facilities better so that courthouses could become community facilities in the evenings and be used by local community groups or by councils themselves? That could be a way of keeping those facilities in local areas.

**Mr Ford:** I agree entirely with Mr Ross's general point. Indeed, in two of the meetings that I have had with council representatives who are concerned about courthouse closures, the issue of the potential additional uses of courthouses was raised.

Courthouses are perhaps not as flexible as some people might wish; they tend to have a lot of built-in furniture and

so on. I am open to looking at what might be possible to spread the costs of maintaining those buildings. That was the remit that I left with officials from the Courts and Tribunals Service in at least those two cases where people came with specific proposals. I am quite happy to look at what might be possible. In some senses, courthouses are not as flexible as we would hope them to be. Unfortunately, they are probably some of the public buildings that are used for the fewest hours in the week.

**Mr Swann:** Following on from that, Minister, will you confirm whether you have had any approaches from the Mid and East Antrim Borough Council on the possibility of additional uses for the Ballymena courthouse?

**Mr Ford:** I am happy to confirm to Mr Swann that one of the delegations that I have met included the Member of Parliament for North Antrim, members of the Mid and East Antrim Borough Council and some business interests around Ballymena. Indeed, I believe that one of the councillors who was present said that he was representing Mr Swann at that meeting. I am happy to confirm that that was a positive engagement about Ballymena.

**Mr Dickson:** Minister, this is an inevitable change to the court service estate. When other jurisdictions have reorganised their courts, they have modernised the facilities, brought in electronic facilities and provided a great deal more online services for members of the legal professions. What action plan do you have in place to do that for the courthouses here as the project moves forward?

**Mr Ford:** I thank Mr Dickson for the question. It is indeed the case that we need to look at making the best of the more modern parts of the court estate. There has been a recent investment of something in the region of £10 million to improve the way in which the Courts and Tribunals Service operates, particularly with things like an IT system and the ability to have live links in all the major courthouses.

It is also the case that it is only the more modern courthouses that have facilities for the proper segregation of vulnerable witnesses, especially children, or victims from perpetrators in the case of some serious criminal offences. That is why the issue is ensuring that we give people a better service when they reach a courthouse, even if they may have to travel slightly further from a district that is currently served by one of the older buildings.

## Courts: Closures

5. **Miss M McIlveen** asked the Minister of Justice what avenues he has explored to either make savings or raise revenue prior to consulting on the closure of courts. (AQO 7979/11-15)

**Mr Ford:** Prior to consulting on the closure of courthouses, the Northern Ireland Courts and Tribunals Service reviewed all areas of expenditure to minimise the impact of budget reductions on front-line delivery. As a result, cuts totalling £2.6 million were delivered in 2014-15 and further cuts totalling £1.8 million have been identified for implementation in 2015-16. Those cuts, which total £4.4 million or 10.8%, have been delivered from existing contracts, reducing leased accommodation, the temporary closure of the Old Townhall building in Belfast, an 11% reduction in the Courts and Tribunals Service's staffing complement and reducing judicial expenditure.

In line with DFP's 'Managing Public Money' document, the Courts and Tribunals Service is also considering, in the context of ensuring full cost recovery, the potential of increasing court fees. I have already indicated, including a few minutes ago, that I am willing to consider any other options that are suggested by Members or local councils.

**Miss M McIlveen:** I thank the Minister for his answer and hope that he can provide Newtownards with the same relief as he has provided to Downpatrick. Has he consulted other Executive Ministers about the transfer of tribunal hearings relevant to their Department out of expensive city-centre accommodation and into existing publicly owned, under-threat court buildings?

**Mr Ford:** Miss McIlveen makes a very reasonable point about the use of courthouses for tribunals. It is also the case that, in some areas, most notably Newry recently, other MLAs have complained about the use of courthouses, which they see as being associated with the criminal justice system, for tribunals. We have sought to make the best use of the courts estate and not to hire additional, expensive facilities. However, there is an issue in some areas, where that is not always accepted by those who use the tribunals.

**Mr Dallat:** Is the Minister sufficiently chastened by the dressing-down that he got from the Lord Chief Justice for his decision to close up to half of the courthouses? Is he sufficiently humbled now to go back and review some of the daftest decisions?

**Mr Ford:** I do not recognise the "dressing-down" that I was given. I would have thought that, after the length of time that he and I have been in this Chamber, Mr Dallat would appreciate the concept of the word "consultation". It is not a decision but a consultation. However, it is a consultation on the back of a very difficult financial situation for the Department of Justice and the savings that have to be made across the Courts and Tribunals Service. If Mr Dallat has specific suggestions to make on how matters can be dealt with and how those costs can be addressed, I am very happy to hear them and discuss them with him. The reference that he makes to a "dressing-down" and to silly ideas are not constructive in dealing with the massive financial problems that we have ahead of us.

**Mr Allister:** Given the obviously strong, negative response that is coming through in the consultation from court users, from practitioners and from the judges who sit in those courts, is the Minister yet ready to face up to the fact and acknowledge that his were ill-thought-out proposals that do despite to the convenience of court users and that would put extra burdens beyond capacity into other courts? Is he big enough to acknowledge that he got it wrong and to retreat from his preposterous position?

**Mr Ford:** It is good to see that Mr Dallat can be exceeded in hyperbole anyway, but I suppose that that is always to be expected.

The reality is that of course there is a negative response. People may have heard just occasionally if proposals come forward to close schools or health facilities that they get a negative response from people in the immediate area, but that does not mean that changes do not have to be made to deal with the budget.

I will repeat to Mr Allister the point that I made to Mr Dallat — I am not sure that there will be a positive response

— which is that, if there are specific suggestions to be made to deal with the difficult budget pressures on the Courts and Tribunals Service, I am very happy to hear them. However, he cannot just come off with words and phrases such as “preposterous” and “ill-thought-out”. When the Courts and Tribunals Service did a very detailed examination of the need for court sittings, of the accessibility from one town to another and of the way in which the business could be structured better using IT links, and so on, all of that was done in a practical, sensible and serious way and should not be derided by the kind of language that Mr Allister uses.

### Legal Aid: Education Tribunals

6. **Ms Boyle** asked the Minister of Justice to outline the changes to be made to legal aid in relation to education tribunals. (AQO 7980/11-15)

**Mr Ford:** Currently, special educational needs (SEN) cases are funded under the legal advice and assistance scheme, commonly known as the “green form”. Advice can be given to assist the applicant to prepare for the SEN tribunal or to prepare to challenge a decision of the education board if it is believed to have failed to provide special assistance or reasonable adjustments for a child. The green form is not available for advocacy or representation at the tribunal. I have no plans to introduce changes to legal aid for special education tribunals. Therefore, provision will remain at the current level.

**Ms Boyle:** Go raibh maith agat. I thank the Minister for his response and welcome the fact that there is to be no change. Will he give an assurance that the interests of all children, particularly those from deprived backgrounds, will remain paramount in any changes that are made in any and every aspect of legal aid?

2.15 pm

**Mr Ford:** I am quite happy to give Ms Boyle the reassurance that all the changes that are being made are being done in a way that will seek to protect the most vulnerable. So, for example, whilst proposals exist around reforming green form advice, there is no proposal to change it with regard to mental health review tribunals, asylum and immigration, special educational needs or children’s order cases — the kind of vulnerable groups that I think Ms Boyle is highlighting — but there are changes that will have to be made in order to live within the budget. The important thing is that the Department is seeking to protect vulnerable people in every circumstance.

**Mr Campbell:** Will the Minister just doubly reassure us, on a belt-and-braces basis, about special education tribunals? Are there to be no changes at all to any provision that might be made through legal aid that is administered by his Department to people who will use that process in the incoming year?

**Mr Ford:** All that I can do is repeat to Mr Campbell the last line of what I said earlier. I have no plans to introduce changes to legal aid in relation to special educational tribunals. Provision will remain at the current level.

**Mr Cree:** What impact will proposed legal aid cuts have on family court proceedings, if any?

**Mr Ford:** In seeking to protect those who belong to vulnerable groups, there are key issues around the family

courts. I have already made clear that I believe that there are cases when, for example, there are repeat applications by a legally aided ex-partner in the case of things like access to children, that have to be addressed, but, on the fundamental issues of work in the family courts, legal aid will remain available as on the current basis.

### Hydebank Wood: Artist Residency Projects

7. **Mr Ó Muilleoir** asked the Minister of Justice for an update on the HMP Hydebank Wood artist residency projects. (AQO 7981/11-15)

**Mr Ford:** In Hydebank college, the artist-in-residence projects are contracted through the Prison Arts Foundation (PAF). The Prison Arts Foundation has completed a number of projects within Hydebank aimed at changing the prison environment through visual art. The projects have included the painting of a number of wall-scapes throughout the college to channel offenders’ energies to positive ends, improving self-worth and helping offenders to build new skills.

Various artworks have been exhibited at the Waterfront Hall, Castlereagh library and here at Stormont. Artists in residence have also inspired a number of offenders to take part in the arts by entering artwork to be judged through the Koestler arts award scheme. That has proved successful, with a high number of awards being achieved.

Due to the reduction of funding across all Departments, the Northern Ireland Prison Service has had to reduce the provision of PAF services across all prisons, including Hydebank.

**Mr Ó Muilleoir:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Ba mhaith liom buíochas a thabhairt don Aire as an fhreagra sin a thabhairt domh fosta inniu. Sílim go dtuigeann sé an mhaith mhór a gní cúrsaí ealaíne do phríosúnaigh agus don tsochaí seo. I thank the Minister for his response. It is depressing news that the Prison Arts Foundation funding has been cut from £240,000 to £83,000 and that the number of artists in residence has been cut from four to two. Will the Minister look again at that vital area of work? I often think that expenditure on tighter security does not bring the same benefits as expenditure on the Prison Arts Foundation. I know that the Minister is very familiar with the work of the PAF. Is this something that he could review to see if we could increase the number of residencies again?

**Mr Ford:** I take Mr Ó Muilleoir’s point, although I suspect that, if we reduced expenditure on the security of prisons, other Members of the House would complain if anything went wrong, so we need to be realistic. I appreciate that there were concerns on the part of PAF, and, indeed, some of our other voluntary sector partners, about the reduction of costs. That is why I was pleased that we were able to find the £83,000 that Mr Ó Muilleoir referred to in order to maintain a level of service, but that is the blunt reality of the world in which we currently live. Difficult decisions have been taken in which many positive areas of justice spending have had to be reduced because of the budget that the Executive have given to the Department of Justice. I do believe, however, that we are getting the best possible value from the services that are currently provided.

**Mr McGlone:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Given the constraints that the

Minister has to work within from the DUP/Sinn Féin budget that has been handed down to him, can he give some indication as to what progress has been made at Hydebank in regard to providing further or proper education and training skills for young offenders?

**Mr Ford:** I thank Mr McGlone for that question because a significant amount of work has been done. Members will have seen news publications on the fact that Hydebank Wood is now formally designated as a college. There is very significant engagement in constructive activity, whether that might be seen as more traditional education around matters like essential skills or vocational training. I believe that something in the region of over 70% of those in Hydebank Wood on the male side, because it does not currently apply to Ash House, are engaged in some of those constructive activities, with Belfast Met providing these services, which will make it an easier transition for those who are engaged in courses to continue in courses in outside venues as they leave the college. I believe that that is an absolutely fundamental step forward in the way in which we manage services for young male offenders. I believe that it is very significant and almost groundbreaking in the context of UK prisons as a whole. We should actually be proud of the work that is being done by the Prison Service.

**Mr Principal Deputy Speaker:** Mr Steven Agnew is not in his place.

### Indictable Cases: Pilot Scheme

10. **Ms McCorley** asked the Minister of Justice for an update on the pilot scheme in Newtownards, on speeding up indictable cases. (AQO 7984/11-15)

**Mr Ford:** The indictable cases pilot was launched on 2 January in the court division of Ards. It will run for a period of 12 months, with an initial evaluation in June.

Through the scheme, the criminal justice agencies are implementing a number of changes to how cases are investigated and prepared, including the greater use of pre-interview disclosure by the police, the provision of a case outline to facilitate early engagement with the defence and a new statement at police interview stage, highlighting to suspects the potential benefits of entering a plea at the earliest opportunity.

The pilot also makes use of improved investigative pathways; clearer file standards with effective supervision; earlier prosecutorial advice to the police in relation to charging; the timely and proportionate use of forensic and other evidence; and, for contested cases, earlier discussions between parties with a view to narrowing the issues.

Average times for pilot cases, measured against the average times for cases elsewhere in Northern Ireland, indicate significant improvements in performance. This reflects the considerable effort that is being made by the police and the PPS. However, the evaluation will be essential in determining the feasibility of roll-out.

I am encouraged by the positive progress to date and the potential that this offers to improve processing times.

**Ms McCorley:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a fhreagra. I thank the Minister for his answer. Will the

impact of the pilot scheme impel him to try this in other areas?

**Mr Ford:** It would be slightly premature to give a definite answer to that. Certainly, early indications — and you will appreciate that we have not even reached the halfway evaluation — are that there are definite improvements in the way in which cases are progressed, to the benefit of defendants as well as victims and witnesses. That has to be applauded.

On the other hand, it has required a significant input of resources by some of the agencies that are involved. We would need to be sure, before we attempt to roll it out, that we are able to put those additional resources into the cases which might be considered for inclusion elsewhere. I will be looking closely at the halfway stage in June and again at the December evaluation to see what is possible, because it is clear that one issue that we need to address significantly in this society is speeding up justice to ensure that cases are in court quicker, that victims and witnesses are not kept waiting and that those who are to be sentenced are made aware of the benefits of early guilty pleas if they are going to plead guilty and that that also assists in speeding things up.

### Antrim Borough Courthouse

11. **Mr Frew** asked the Minister of Justice why Mid and East Antrim Borough Council will be the only council area, which does not share a boundary with Belfast City Council, without a courthouse under the new proposals. (AQO 7985/11-15)

**Mr Ford:** In the context of the financial challenges that are facing my Department, the consultation paper sets out proposals for a reduced court estate. These proposals seek to maximise the use of our larger, more modern and better equipped court buildings while seeking as far as possible to mitigate the impact for court users.

There is no requirement for a court to be located in each council area and it would be wrong to make such a requirement. My objective in seeking to rationalise the court estate is to ensure that we deliver a service that is efficient, effective and affordable. I believe that the proposal to transfer business from Ballymena to Antrim and Coleraine, when taken with the additional flexibility that a single jurisdiction will deliver, will achieve that objective.

**Mr Frew:** I thank the Minister for his answer. Can he assure the House that, no matter what comes out of the consultation on court closure, errors will not be completed in the closure of courthouses? Even in my area of north Antrim, and particularly in Ballymena when we lost the hospital, not one trust official will say nowadays that that was not a mistake. The closure of Ballymena courthouse will be a massive mistake. How can the Minister assure the House that errors will not happen with the closure of any courthouse?

**Mr Ford:** It would be a foolish Minister who said that errors could never happen, but I am not sure why Mr Frew suggests that errors will be more likely with the closure of Ballymena courthouse or any courthouse. The reality is that we have to work with the available budget, and I believe that it is more important to put budget into ensuring that we have adequate staffing, judicial cover and facilities for individuals when they reach court than use it to

maintain buildings, some of which are less than ideal when those who have to use the courthouses arrive there.

**Mr Beggs:** The Minister did not mention the importance of justice being seen to be done. Does he recognise that, in not having a court in each of the new council areas, there is a huge danger that court decisions and sentences will not be reported in local papers, and confidence in the law could be reduced?

**Mr Ford:** I certainly agree with Mr Beggs that we need justice to be seen to be done. I remind him, however, that, in his constituency, Newtownabbey and Carrickfergus have not had courts for many years, and I am not aware that the issue has been raised with me when those cases are heard in Laganside. Similarly, Larne has not had a court for a couple of years, and no complaints have reached me about justice not being seen to be done there. I suggest that, in these days of modern communications, it is not impossible for local reporters to drive 10 miles and ensure that local papers continue to carry the stories of local court decisions.

**Mr Allister:** The Minister talks about living within his budget. Would he then like to explain to the House why he spent £1.7 million upgrading the Ballymena courthouse that he now wants to close?

**Mr Ford:** The answer is very simple. As I have said on a number of occasions about a number of buildings, in certain cases, essential work had to be done to maintain health and safety for the building and to ensure that buildings were compliant with the Disability Discrimination Act 1995. That was before the Department of Justice was hit with the very significant budget cuts that were imposed in-year during the last financial year.

### Arm's-length Bodies: Budget Cuts

12. **Mr Spratt** asked the Minister of Justice what budget cuts have been made to arm's-length bodies funded by his Department. (AQO 7986/11-15)

**Mr Ford:** In establishing the 2015-16 budgets, I sought to protect front-line public services as far as possible against cuts to my Department's budget. Throughout the 2015-16 Budget process, I have highlighted the fact that very difficult funding decisions will be required. It is important to note that the starting point for the Department's budget is a 15.1% cut against our 2014-15 opening baseline, which is a cut of £165 million. The Executive then provided an allocation of £90 million, which is equivalent to 6.4%. Of that, £20 million was provided as part of the final Budget process and was ring-fenced for the PSNI, which will receive £65 million in total of that £90 million.

The balance of the Executive funding that has not gone to the police has been allocated, based on our priorities. In some areas, it will be used to offset the impact of baseline cuts, so some areas have cuts of less than 15.1%; in others, it has been used to offset specific demand-led pressures as far as possible. The core Department, for example, is making savings of 22% so that savings can be reallocated to the front line. Separately, the Treasury is providing £29.5 million of security funding, which is not baseline-related but is specific funding to the police for a specific purpose.

To inform the decisions on final budget allocations, the Department considered the outcome of the budget

consultation exercise and savings delivery plans. Final budget reductions for the Department's arm's-length bodies included the following cuts: the Police Ombudsman, 5%; the Police Rehabilitation and Retraining Trust (PRRT), 5%; the PSNI, 5.7%; the Probation Board, 9.2%; the RUC George Cross Foundation, 11.8%; the Criminal Justice Inspection (CJINI), 12%; the Northern Ireland Police Fund, 12%; and the Policing Board, 15.1%.

2.30 pm

**Mr Principal Deputy Speaker:** That ends the period for listed questions. We now move on to topical questions.

### Fatal Foetal Abnormality: Legislation

T1. **Ms McCorley** asked the Minister of Justice to confirm that he will introduce legislation on the sensitive issue of fatal foetal abnormality, regardless of whether the Health Minister brings forward medical guidelines. (AQT 2381/11-15)

**Mr Ford:** While I appreciate Ms McCorley's question, I cannot guarantee that I will bring forward legislation because, for a Minister to bring forward legislation, it requires Executive approval. I believed that the consultation on abortion would have been better conducted jointly between the Health and Justice Departments, but the previous Health Minister did not wish that to be the case. I proceeded with the consultation on the criminal justice aspects of abortion, on the basis of which I propose to recommend to the Executive the recommendation that was put in the consultation, which is to allow abortion in the very narrow case of fatal foetal abnormality, where there is no prospect of a viable life for the foetus after delivery and no treatment beyond palliative care could be offered. That is the proposal that I will put to the Executive, and I hope that the Executive will support me in enabling legislation to be put to the House.

**Ms McCorley:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as an fhreagra sin. An dtig liom iarraidh ar an Aire an bhfuil amlíne aige nuair a bhéas seo ag tuitim amach? Does the Minister have a timeline for when that might happen?

**Mr Ford:** I cannot give a timeline at this stage, but I will put a paper to the Executive as soon as one can be drawn up. It will then be a matter for the First Minister and the deputy First Minister to decide whether it will be tabled for the Executive, and for the Executive then to decide whether they wish to go ahead. I appreciate that this issue is extremely difficult for many people in this society, but it is right that we should legislate in that one narrow area.

### Justice Minister: Election

T2. **Mr McCallister** asked the Minister of Justice whether he now recognises that the way in which we elect an MLA to hold the office of Minister of Justice holds back the normalisation of politics here, given that, on taking up ministerial office in 2010, he said — "Today is not the completion of a process; the completion of the process will come when the devolved Assembly and Executive carry out all their duties well, consistently and in partnership for all the people of Northern Ireland." — [Official Report (Hansard), Bound Volume 50, p148, col 1]. (AQT 2382/11-15)

**Mr Ford:** No. It is not often that people quote me; I thought that Mr McCallister was quoting me approvingly. I do not agree with him that the way in which the Justice Minister is elected is holding back politics. The way in which the Justice Minister is elected, which is by a weighted majority in the Assembly, is the appropriate way in which an Executive, as a whole, should be formed. That would be closer to the normalisation of politics than the method by which the First Minister and the deputy First Minister are appointed by their parties and then other Ministers are appointed by parties in series. I would have thought that the way in which the Justice Minister is appointed is the way forward for the Assembly to move towards normalisation while still maintaining the need for a majority of support that is significantly higher than 50%+1.

**Mr McCallister:** I am grateful to the Minister for his analysis; he is trailblazing. Does he accept that, although he voted against the 2007-2011 Programme for Government, he took up office? He is now a Minister in an Executive that do not really have a Programme for Government. Does he not think that it is vital that, when you form a Government, you have a negotiated and agreed Programme for Government and collective Cabinet responsibility? That would go a long way to taking the fear out of who holds the Justice Ministry. Will he give an undertaking now that neither he nor any Alliance Member will take the Justice Ministry in 2016 if they do not agree with the Programme for Government?

**Mr Ford:** I think that there were about six questions in that one. To highlight the point, I voted against the Programme for Government in 2007 because I believed that it was inadequate in certain aspects around building a united community and overcoming our divisions. When I took office, it was on the basis of the agreement of the First Minister and the deputy First Minister to what the Alliance Party put forward as the proposals for what would be the addendum to the PFG for the Department of Justice. That is the programme that has been largely implemented over the last five years; we celebrated our fifth birthday last week. It is clear that, on one or two occasions, issues have arisen that were not covered by that PFG addendum and which have sometimes created differences in the Chamber, but, by and large, considering the difficulties of a Department like Justice, there has been a large measure of agreement. I believe that that is because we got that agreement sorted out before I accepted office.

I take his point entirely, and I believe that the world would be better if the Programme for Government were agreed by parties that were then willing to form an Executive, rather than mathematics putting people into the Executive to see whether they can form a Programme for Government. However, I, as a Minister, have to say that we do have a Programme for Government. I will leave it to others to decide whether it is being honoured in full substance. However, when you ask me to give a guarantee that no Alliance Minister will take on the Justice Ministry in 2016, I am minded to quote the outgoing Member of Parliament for Fermanagh and South Tyrone and say, "Never say never."

### Legal Highs: Adam Owens

T3. **Mr McCarthy** asked the Minister of Justice what steps he will take to ensure that lethal legal highs are made illegal and placed well out of the reach of the population of

Northern Ireland, given that he will be aware of the tragic death of young Adam Owens in Newtownards last week, with Adam's family, and indeed the whole community, blaming legal highs for the tragedy, and, finally, will he and other Members of the House join in offering their total and absolute sympathy to the Owens family at this terrible time. (AQT 2383/11-15)

**Mr Ford:** I am very happy to join Kieran McCarthy in expressing my sympathy to the family of Adam Owens. It was just a couple of weeks ago that I had a meeting with Beechmount Mums Against Drugs, which was formed following the death of Sean Paul Carnahan, also from so-called legal highs or, to be more accurate, new psychoactive substances (NPS).

As I have said in the Chamber before, the Misuse of Drugs Act is not a devolved issue. It is a reserved matter for Westminster, and, therefore, we have limited powers. However, I have talked in the past about work that is being led in particular by Belfast City Council — Omagh District Council was second, and Larne may have followed as well — to use consumer safety legislation to deal with the issue of legal highs. I have also been lobbying the Home Office, seeking to get it to take the matter seriously. I have had correspondence with the outgoing Minister with responsibility for drug policy in the Home Office, and I hope to meet the appropriate Minister after the election is resolved at Westminster. I believe that it is essential that we use the knowledge that we have of how matters have been addressed in Northern Ireland, and, indeed, of how matters have been addressed across the border, to ensure that we get the best possible action across the UK as a whole. However, that rests with the Home Office and not with us.

**Mr McCarthy:** I welcome the Minister's commitment to an improvement in addressing the causes of not only this terrible tragedy but other tragedies. I also welcome his commitment to tackling whoever the incoming Minister at the Home Office might be. Will the Minister ensure that, whatever develops between him and the Home Office, these legal highs will be made illegal and put well out of the reach of everyone, particularly the young population here in Northern Ireland and across the UK? It is a deadly serious issue.

**Mr Ford:** Again, I agree entirely that we need to ensure that the matter is dealt with. It is, of course, a slight irony that some of these substances that are referred to as legal highs may well contain individual substances that are illegal. We need to find legislation that actually deals with the reality on the ground and the tragedies that people have suffered in Northern Ireland, including quite a number last year, as a result of NPS. We must not allow the niceties of legislation or the occasional changing of a molecule in the chemical composition to obstruct the efforts of law enforcement agencies to protect people, especially the young people who are most likely to engage in the consumption of these substances.

### Justice: Innovative Policies

T4. **Mr Ross** asked the Minister of Justice to state the most innovative policy that he has come up with during his five years in office, given the launch this Thursday at



1.30 pm of the first in a series of justice seminars aimed at promoting innovation within the justice system in Northern Ireland. (AQT 2384/11-15)

**Mr Ford:** There are so many positive things that I could not possibly highlight just one of them. [Laughter.] If we were to look at the one that will have the most far-reaching effect, it would probably be the reform of the prison system. I was told directly by a former Northern Ireland Office Minister that prison reform was left in the “too difficult” tray under direct rule and was left for devolution to happen. The good work done by the prison reform team, Dame Anne Owers and her colleagues, undoubtedly produced an excellent report. Allowing for the fact that there were some political disagreements in this place as to exactly how some aspects of it would be implemented, it has nonetheless formed the basis of a very significant reform from the culture in which the Prison Service was effectively given the job of guarding the perimeter of the prisons to one in which we now see very positive work going on.

This is the sort of work that I saw highlighted in the Ornella unit in Ash House recently and the additional work assisting women to get their lives back on track; the work that has turned the young offenders’ centre into a college; the work that has got the good result that we highlighted earlier for Magilligan; and the ongoing work in the very difficult and complex prison of Maghaberry to ensure that life is much better there. By the time we have the final report of the three-year oversight group this autumn, I believe that we will see all significant recommendations signed off to the point where all that remains is capital funding. Sometimes, we forget that it is a reform programme that is, frankly, as big as the one that brought the PSNI into operation, but it has gone through in a much quieter way.

**Mr Ross:** Thank you, again. Innovation in justice, and innovative policies, have the opportunity to produce better outcomes that are more cost-effective to the public purse. One of the areas in the court system where there are significant difficulties is the clogging up of the courts. Has the Minister had discussions with the judiciary or the Court Service about how we can digitise the Court Service and, perhaps, look at online courts for low-level disputes?

**Mr Ford:** The concept of online courts is an interesting one that has not come across my desk in any formal way. It is in line with what we are seeking to do to reform the way in which the court system operates to make it more effective and more efficient; but I think that, for some time, people are likely to expect to be present if they are to have their proverbial “day in court”. However, we should acknowledge that it was not that long ago that the prisoner escort service was spending an enormous amount of time and effort transporting prisoners from jails to courthouses for simple remand hearings of a minute or two. We have got away from that by video links. There may be other ways in which we can develop it, but I shall look to those who have greater experience of the IT niceties than I do to make those suggestions.

### **Courthouse Closures: Law Society Comments**

T5. **Mr D McIlveen** asked the Minister of Justice to comment on the Law Society’s comments, in which

it suggested that his approach to the closure of local courthouses has the very definite potential to be penny wise and pound foolish. (AQT 2385/11-15)

**Mr Ford:** I hear lots of things said by the Law Society, including some of the predictions it made about the terrible things that would happen when we reformed criminal legal aid a couple of years ago, and the so-called strike that some of them engaged in for a while before they recognised the reality of what has to be done to live within a budget and to reform the system. So, I am afraid that I do not recognise any sense in the point made by the Law Society. I do not see any suggestion. If the Law Society believes that the proposals around courthouse reform are penny wise and pound foolish, I hope it will engage with the Department of Justice in finding a better way of dealing with matters, given the budget constraints we live under.

**Mr D McIlveen:** I thank the Minister for his answer. The Law Society is critical of the Minister on his position on this issue; the Policing Board is critical of the Minister’s position in how he has handled injury on duty; and the law fraternity, generally, has been critical of the Minister around how he has handled the redistribution of legal aid. Can the Minister identify any body within the legal family at the moment that is not critical of him?

**Mr Ford:** I am sorry that Mr McIlveen highlights that he thinks the Policing Board is critical of me over the handling of injury-on-duty issues, when it is, principally, a responsibility for the Policing Board. If we have the situation where certain solicitors and barristers are not terribly happy with essential reforms to legal aid, then I am sorry, but we might possibly think they have a vested interest in the matter. At the moment, I think I get on tolerably well with most people in probation, most people in youth justice, most people in the Police Service and most of the civil servants working in the core of the Department who support the work that has to be done, despite the difficult budget cuts. So, at the moment, I am reasonably content that we are still winning, thanks.

2.45 pm

## **Regional Development**

**Mr Principal Deputy Speaker:** I inform the House that question 9 has been withdrawn.

### **Street Lighting: Annual Cost**

1. **Mr Girvan** asked the Minister for Regional Development how much his Department spends on energy costs annually for street lighting. (AQO 7989/11-15)

**Mr Kennedy (The Minister for Regional Development):** To get the most competitive electricity prices for street lighting, a tender competition is run each year. The annual cost of electricity for street lighting varies from year to year, depending on the prevailing cost of electricity, the number of street lights and their wattage. In recent years, the annual cost has typically been in excess of £10 million. The out-turn costs for the last financial year, 2014-15, are not yet finalised, but I confirm that, in 2013-14, for example, street lighting electricity cost just over £10.6 million. I am glad to say that, like many other electricity consumers, my Department has recently seen a reduction in the unit cost of electricity. However, it must be recognised that,

while prices have fallen, the number of street lights that my Department is responsible for inevitably grows each year as new housing development streets and other new roads are adopted into the public road network.

**Mr Girvan:** I thank the Minister for his answer. In relation to technology and the availability of low-energy lighting — LED lighting is 80% more efficient than the lighting systems that are currently used — has the Department looked at investing in that to save in the future?

**Mr Kennedy:** I am grateful to the Member for his supplementary question. I am happy to confirm that the Department is looking at that proactively, and we have a major pilot project on that in the Banbridge and Craigavon area. LEDs for street lighting use have only recently been developed to the point where they are economically and technically viable when compared with other options, such as the more conventional sodium street lights. Until very recently, the high capital cost of LED street lights meant that their widespread use could not be justified. However, prices have fallen by more than half over the past two years, and I have recognised that the time is now right to invest in LED technology on a much larger scale.

**Mr Ó hOisín:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Could the Minister confirm or otherwise reports of the practice of street lighting being turned off in some areas during the hours of darkness?

**Mr Kennedy:** I am grateful to the Member for his supplementary question. I am not aware of those instances. If he has evidence of any cases, I would be interested in obtaining it. There is certainly no planned systematic switch-off of lights at present, even though, as he will know, the resource budget is under considerable pressure.

## Community Transport

2. **Mr Dallat** asked the Minister for Regional Development to outline his plans for ensuring that community transport remains an integral component of public transport. (AQO 7990/11-15)

**Mr Kennedy:** First, I acknowledge the valuable services that the community transport operators provide to local communities and their members across Northern Ireland. Rural community transport partnerships can provide access to local essential services such as shopping, the post office or local health services, such as GPs, or they can link in with the wider public transport network to enable people to travel outside their local area. It is my intention, subject to EU rules and licensing arrangements, to continue to support those organisations. However, while I support fully the services provided by all community transport service providers, there will unfortunately be a reduction in the level of funding available. I have tried to minimise that, and it should be noted that, during my time as Minister, I have protected the baseline budget for community transport year on year and, where possible, supplemented it with in-year funding. I have been working intensively with officials to determine how best to spend the limited resources that are available to me.

The Member will know that my Department delivers key water, transport and road services. The population relies on my Department's services 24 hours a day, seven days a week. However, I am facing £60 million of pressures in this financial year, and the scale of reduction required to

meet that cannot be delivered without an impact on core services. My Department will work closely with the service providers to explore ways of providing the service in a more cost-efficient manner and will seek to minimise the impact on the end user.

**Mr Dallat:** I have listened carefully to the Minister and the problems that he has in balancing the books, but does he agree with me that Causeway community transport, for example, faces cuts of over 30%? Does he agree with me that neither Translink or any other organisation can fill the gap that will be created when people who require specialist transport to hospitals or clinics are left? It is another case of the most vulnerable being the victims of these vicious austerity cutbacks.

**Mr Kennedy:** I am grateful to the Member for his supplementary question. I share the concern about the potential impact. The Member has suggested that some rural community transport is being cut by one third or 33%. The effective cut in grant to rural community transport is from a baseline amount of £2.75 million to £2.4 million. That is an 11% reduction. The figure of 33% refers to the position after last year's in-year monitoring rounds are included, and the Member will know that I have been successful in previous years in supplementing the awards to the groups through the monitoring rounds. I will continue to do that as we enter the new financial year. I do not underestimate the challenge, but what I am determined to do, through my officials, is to work with the providers and the groups to see where we can minimise the potential impact.

**Mr G Robinson:** Will the Minister state whether community transport services for the rural population, such as those in the Limavady area, will be retained to reduce the impact on social deprivation, isolation and health visits? I appreciate what his answer was to Mr Dallat.

**Mr Kennedy:** I am grateful to the Member for his supplementary question. There is no proposal or intention by me to withdraw the services, but I face a fairly critical financial position in my resource budget. The Member will know that, the Assembly knows that and the Executive know that. I cannot spend money that I do not have. That said, we are working with providers and users to try to mitigate some of the issues on the ground, and we will continue to do that in all areas, in addition to the area that the Member mentioned.

**Ms Maeve McLaughlin:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Following on from that, will the Minister confirm the success or otherwise of integrated transport, including community transport, particularly in the mid-Ulster area?

**Mr Kennedy:** I have no doubt that they are successful projects that operate very successfully in areas and provide essential assistance to people who use the services, whether for social occasions or medical appointments, especially in rural areas. Representing a rural constituency, I am aware of the importance of connecting communities and people in local areas. We will continue to seek to do that, but it is a challenge, given the budget that I face.

**Mr Swann:** Has the Department tried to source funding from any other avenues?

**Mr Kennedy:** I am grateful to the Member for his supplementary question. I can confirm that the Department made

a bid for Delivering Social Change funding of some £2 million over the period 2014-16 to extend the services of local rural community transport partnerships in the evenings and at weekends. That initiative has been included as a measure in OFMDFM's draft Active Ageing strategy, but, as yet, the Department has not received confirmation that it will receive the necessary support from those funds.

**Ms Sugden:** Are the cuts to each rural community transport partnership equally and strategically justified across Northern Ireland?

**Mr Kennedy:** I am grateful to the Member for her question. I do not underestimate the challenge that is before the user groups and the operators. We have sought to apply the cuts as evenly as we can. That will be the case going forward as we seek to work with groups to address the underfunding situation. I will be grateful for any representations that the Member may wish to bring to me.

### Cycle Network: East Antrim

3. **Mr Beggs** asked the Minister for Regional Development for an update on the development of the cycle network in East Antrim. (AQO 7991/11-15)

**Mr Kennedy:** I am committed, as the House will know, to creating a network of high-quality, direct, joined-up routes throughout Northern Ireland so that everyone can use the bicycle to make every day journeys. I envisage arterial and quiet routes in cities and greenways between urban centres to provide links to shops, community facilities, places of education and workplaces. That will take time to develop, but my Department has already begun work to develop a bicycle network for Belfast that I hope to consult on later this year. Work will then begin on similar plans for other urban areas.

In East Antrim, I am pleased to be able to confirm, the scheme to provide a combined footway and cycleway along Prince Andrew Way in Carrickfergus is nearing completion. Combined footways and cycleways have also been provided along the length of the A8 dualling scheme between Coleman's corner and Larne and on the A2 scheme between Jordanstown Road and Station Road, Greenisland. Plans are also in hand to extend the cycle route from Station Road to Trooperslane and on to Carrickfergus.

My Department will continue to deliver cycling infrastructure, as resources permit, in line with the network identified in the existing transport plans.

**Mr Beggs:** With the A2 at Greenisland road-widening scheme nearing completion and the cycle lane at Prince Andrew Way proceeding, that will be a considerable enhancement to cycling in my constituency, in particular because it links it to the greater cycling network in Belfast. Will the Minister provide more details of the scheme at Prince Andrew Way and how it might be extended throughout the rest of the town?

**Mr Kennedy:** I am grateful to the Member for his supplementary question and, indeed, for his enthusiastic support for cycling and the cycling revolution that is well under way. I know that he is a keen cyclist. The scheme at Prince Andrew Way is a continuous 2 kilometre-long and 3 metre-wide combined footway/cycleway along the north side of Prince Andrew Way in Carrickfergus. The

substantial investment of over £200,000 in the cycling infrastructure will provide a continuous footway/cycleway route between North Road and Craigs Road and will make it easier and safer for people to walk and cycle in Carrickfergus. It is in line with the Department's policy to continue to promote sustainable transport such as walking and cycling as a healthy, environmentally friendly and cost-effective mode of transport.

Importantly, the scheme links several schools in the area and supports my Department's Active School Travel programme, which aims to increase the number of pupils travelling to school actively, whether through cycling or walking. The programme also improves pupils' general cycling skills and road awareness, and their knowledge of the health benefits of cycling and walking. Ultimately, it helps to create a culture of active travel within schools throughout Northern Ireland. I thank the Member for his enthusiasm for cycling in East Antrim.

3.00 pm

### Car Parks

4. **Mr Milne** asked the Minister for Regional Development, following the handover of car parks from his Department to the new local councils, what provision has been made to address councils' concerns regarding the condition and structural integrity of these car parks. (AQO 7992/11-15)

**Mr Kennedy:** My Department was not given any specific funding by the Department of Finance and Personnel to resurface or upgrade car parks in advance of their transfer to the new councils, and that remains the case. From a condition and structural integrity point of view, the car parks that transferred were deemed fit for purpose. They were inspected regularly and were in daily use up to the point of transfer. Any defects identified in the run-up to the 1 April 2015 handover were prioritised and repaired as the Department's resources permitted.

Following receipt of an additional allocation for routine maintenance in January monitoring, my Department did undertake some minor works such as the renewal of white-lining in car parks where that was deemed necessary for enforcement purposes prior to the handover to the councils. In addition, engineers carried out a special public liability inspection of the car parks and completed any work identified.

The Member will be aware that the new councils will have received budget transfers from DFP for the car parks, which included an element of funding for maintenance. His own Mid Ulster District Council took possession of 23 car parks with a net book valuation of £2.5 million, which are expected to make a profit of some £216,000. Any future maintenance of the car parks that have transferred is now the responsibility of the respective councils.

**Mr Milne:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as an fhreagra a thug sé. I thank the Minister for his detailed answer. How many councils accepted or declined the car park handover, or were even undecided?

**Mr Kennedy:** I thank the Member for his supplementary question. All councils accepted the transfer. They also accepted that the arrangements for enforcement will continue until at least next year, when the current contract

operated by the Department expires. There are policy aspects, however. I think that two councils opted not to continue to provide the special rate of five hours' parking for £1, which has been so successful in other places. That is a matter entirely for those councils.

**Mr Campbell:** The Minister will be aware of the particular skills that were deployed by personnel in car parking under the prior arrangement. Is he aware of councils having requested similar training arrangements to ensure that that is replicated in the new system as the councils take control?

**Mr Kennedy:** I thank the Member for his supplementary question. Wherever the Department can assist by using its experience to benefit the new operators, we will continue to do that. As I said in my earlier answer, all councils agreed to use the enforcement officials and personnel in that method at least until the contract runs out next year. We stand open to assist wherever we can, given that the responsibility ultimately now lies with the new councils.

**Mr Cree:** The Minister will know that the vast majority of the car parks came from the councils after the last reorganisation. Minister, can you explain why the Department of Finance and Personnel top-sliced the income surplus?

**Mr Kennedy:** I am grateful to the Member for his supplementary question. I can say that DFP did not withhold any income, but it did offset the surplus from car parking against the budgets for other functions that were transferring. DFP, as the funding Department for central and local government, decided on how the transfer of budgets was to be handled. It did not rest with my Department.

**Mr McGlone:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Will the Minister agree that, in some of these instances, the new councils in effect bought a pig in a poke when the powers were transferred, in so far as, undoubtedly, there will be additional costs to them? Indeed, can the Minister advise us on what compensatory measures were provided to them for the enhancement of those car parking facilities in the amounts of money that were provided to them?

**Mr Kennedy:** I am grateful to the Member for his supplementary question. I do not subscribe to his "pig in a poke" comment. Earlier, I quoted figures in respect of Mid Ulster Council, where 23, I think, car parks were transferred, with potential income of £200,000. I think that that is not to be sneezed at or sneered at. I trust local government to look after and to continue to maintain these assets, and I think that it will do that. I do not envisage the problems that perhaps the Member does. Work was carried out as necessary to various car parks just before transfer took place, but I have to say that, based on the record of claims against the Department for defective surfaces, I am satisfied that car parks were transferred in more-than-acceptable condition.

### Places of Worship: Signage

5. **Mr McCausland** asked the Minister for Regional Development to outline the criteria for the erection of a direction sign to a place of public worship. (AQO 7993/11-15)

**Mr Kennedy:** I can advise that direction signs are generally only used where they will benefit road users as an aid

to navigation, or for road safety or traffic management reasons. The main purpose of a direction sign is to guide road users to their desired destinations via the most appropriate route at the latter stages of their journey, particularly where destinations may be difficult to find.

Direction signing is therefore not normally permitted to places of public worship that are located on main urban routes or on rural A- and B-class roads. However, a place of public worship may be signed when there is a clear road safety need for doing so or all of the following criteria are met: first, that it has a seating capacity in excess of 100 and is open for worship at least once a week throughout the year; and, secondly, that my Department is satisfied that there is obvious difficulty in locating the church building due to its location or remoteness from the main road network or where there are a number of churches in the general vicinity, particularly with similar names. In such cases, the applicant is expected to pay in advance the full cost of any signing provided, which will become the property of the Department.

**Mr McCausland:** I thank the Minister for his answer. In rural areas, there are a number of mission halls and gospel halls that fall slightly under the 100-seat capacity; they tend to have seating for around 80. Will the Minister consider reviewing the minimum seating capacity?

**Mr Kennedy:** I am grateful to the Member for his supplementary question. I do not know why I am smiling. There is a distinction between the number of people attending and the number of seats that are available. I think that the Member gets that. I do not know whether there is any creativity. Sometimes, it is difficult to ask churches to pursue creativity. It is something that I am prepared to look at, and I will write to the Member after due reflection. It may not be immediate; there are other pressing issues that he is aware of.

### Millennium Way, Lurgan

6. **Mr Gardiner** asked the Minister for Regional Development for an update on Millennium Way, Lurgan. (AQO 7994/11-15)

**Mr Kennedy:** I am pleased to confirm that the notice of making of the vesting order for the extension to Millennium Way was published in the week commencing 23 March 2015. The vesting order will become operative on 28 April 2015. The scheme involves the construction of 430 metres of new road between Malcolm Road and Gilford Road and the upgrading of the existing junctions between Millennium Way/Malcolm Road and Gilford Road/Banbridge Road. The new road, which also accommodates cyclists and pedestrians, will reduce congestion in the area and traffic flows through residential areas. It is important to point out that construction of the proposal remains subject to the project continuing to have a satisfactory economic appraisal and funding being made available in future budget settlements.

**Mr Gardiner:** I thank the Minister very much for that report, and I am warmly encouraged to hear that the residents will be compensated. Have you any idea what the figure is likely to be, Minister?

**Mr Kennedy:** I am grateful to the Member, who has been a persistent advocate, along with his party colleague Jo-Anne Dobson, in giving representation for this scheme. In

particular, he has promoted it and pressed me to continue to make progress on it. Part of the vesting process system is to work through the issues with the current occupants of residential and business premises that are due to be vested in order to secure vacant possession. My Department plans to continue with that work. Six houses and a complex containing six commercial manufacturing businesses will need to be demolished. All those properties, except for one dwelling, are, I understand, owned by the same landowner, with the majority currently tenanted. When possible, officials will continue to liaise with utility companies to complete preliminary works in advance of the main contract. In particular, some advance work by BT is likely to commence shortly and will take a number of months to complete.

**Mr Moutray:** I am rather disappointed but not surprised that the Minister gave a very party political answer. He will know that I and many others, as well as Mr Gardiner and Mrs Dobson, have lobbied, had meetings and raised questions about this issue. The scheme will cost about £7 million. When will it be delivered? It has been on the books for approximately 40 years.

**Mr Kennedy:** I am grateful to the Member for his supplementary question and accept that there have been widespread political representations. He asked when construction will start. Obviously, we have to get through the processes from 28 April through to the deadline. The construction of the scheme remains subject to the proposal continuing to have a satisfactory economic appraisal and availability in future budget settlements. If funding is available, it is expected that construction could commence in spring 2016 and would take approximately six months to complete. I very much hope that we will continue to work successfully to provide the scheme as quickly as possible. I am aware of the long-standing arguments over 40 years. The late Harold McCusker was advocating for it when he was the Member of Parliament for the whole of County Armagh. I am aware that there is widespread public and political support for it.

## A5: Update

7. **Lord Morrow** asked the Minister for Regional Development for an update on the A5 scheme. (AQO 7995/11-15)

**Mr Kennedy:** Following on from the legal challenge in 2013 to the A5 western transport corridor, four draft reports have been developed to assess any impacts on all the designated environmentally sensitive sites in the vicinity of the scheme, of which there were nine in total, and, when appropriate, mitigation measures are proposed. Public consultation on those reports concluded at the end of November 2014, and responses received will be taken into account as the scheme development progresses. The next step is the publication of the draft vesting orders and draft direction order. A new environmental statement for the scheme will be published at the same time as those draft orders. Publication of the draft orders and environmental statement will be followed by a six-week public consultation period. This is likely to lead to the need for a second public inquiry on the scheme, and I can advise that it is my intention to circulate a paper on the scheme to Executive colleagues in the coming weeks.

## 3.15 pm

**Mr Principal Deputy Speaker:** That ends the period for listed questions. We now move to topical questions.

## Roads: South Armagh

T1. **Ms Fearon** asked the Minister for Regional Development, given the success of the Gullion tourism project and the Giant's Lair at Slieve Gullion Forest Park, what he plans to do to improve the roads in south Armagh, which are extremely dangerous to drive on and are unfit for the growing number of visitors. (AQT 2391/11-15)

**Mr Kennedy:** I am grateful to the Member for her topical question. I am aware that Slieve Gullion has become increasingly popular as a venue for tourists and for local people to enjoy their leisure. It is important that access roads to the area be properly maintained. She will know that my resource budget is under considerable pressure. We seek to maintain the network as best we can, not just in Slieve Gullion, not just in south Armagh, not just in Newry and Armagh, but all over Northern Ireland.

**Ms Fearon:** Go raibh maith agat. I thank the Minister for his answer. I recognise that budgets are under pressure, but budgets need to be used wisely and in the interests of the public. The Minister needs to look at a strategic plan to upgrade roads across south Armagh because, if they are neglected much longer, repairs will cost much more and public safety will be at risk.

**Mr Kennedy:** I am grateful to the Member. I accept some of the points that she made, but the state of the network that I inherited as a legacy from her party colleague and, indeed, her immediate predecessor, was not ideal either. Roads and the maintenance of roads have been an issue for many years, and not just during an election campaign.

## Flood Alleviation Scheme: Ballymena

T2. **Mr Swann** asked the Minister for Regional Development for an update on the proposed flood alleviation scheme for Queen Street, Toome Road and Wakehurst Park in Ballymena. (AQT 2392/11-15)

**Mr Kennedy:** I am grateful to the Member. The investigatory report was presented to the flood investment planning group on 23 March 2015. The report identified a number of options to reduce the flood risk in the Toome Road and Queen Street area of Ballymena. It has been agreed that the preferred option outlined in the report should be taken through detailed design to delivery. This will now be progressed as a joint NI Water and Transport NI project and will include improvements to the storm drainage system from the Wakehurst estate, increasing the capacity of the Northern Ireland Water combined sewerage system and separation of road drainage from NI Water's combined sewer. In addition, options to introduce improvements through a sustainable drainage system will be further investigated.

**Mr Swann:** I thank the Minister for his update. As he well knows, this problem has been ongoing for quite some time. Does he envisage a time frame for completion of these works?

**Mr Kennedy:** I am grateful to the Member for his interest. This will be a significant project with a preliminary cost estimate of £1.5 million. It is estimated that the project

could be ready to commence in 12 months, with a further 12 months required for construction. This outline time frame will be subject to any statutory approvals, land purchase and the availability of funding. However, given the potential for further flooding at this location, the scheme will be prioritised accordingly.

**Mr Principal Deputy Speaker:** The Member listed for question 3 has withdrawn his name; I call Mr Alastair Ross.

### Community Transport: Cuts

T4. **Mr Ross** asked the Minister for Regional Development, with the belief that Ms Sugden's earlier question on community transport was not adequately answered, whether cuts to community transport have been applied proportionately across all providers in Northern Ireland. (AQT 2394/11-15)

**Mr Kennedy:** I am grateful to the Member for his question. Of course, we will always seek to apply efficiencies and cost savings evenly across the board. Sometimes it is dependent on the level of service in an area, and we have to be mindful of that. Generally, however, we seek to do so.

**Mr Ross:** I take it that that rather long answer is a longer way of saying, "No, they have not been applied proportionally across Northern Ireland". Given that that is the case, will the Minister perhaps outline the disparity between the lowest price per trip and the highest price per trip across Northern Ireland and across the providers?

**Mr Kennedy:** The Member will know that there are variations in all these things. I am not in a position to outline that to you in detail. If you write to me, I will happily provide a more detailed answer.

There is a significant challenge. My officials will work through that challenge to address it, and they will work with groups and users to minimise the impact on front-line services. I realise the importance of those services to a great many people in rural and urban areas.

### Grass-cutting Schedule: Carnmoney

T5. **Mrs Cameron** asked the Minister for Regional Development for an update on the grass-cutting schedule for the Carnmoney area of Newtownabbey. (AQT 2395/11-15)

**Mr Kennedy:** I am grateful to the Member for her topical question. The Member will know that, as a result of budgetary pressures, the resource budget is under severe pressure. At the moment, we simply carry out work that is absolutely necessary. That is likely to cause problems, but it is done under my instruction that we will continue to do that at least until we see the outcome of the June monitoring situation. I am conscious that any impact will be on front-line services.

Maintenance issues cannot simply be wished away. Grass cutting, gully emptying and street lighting are all day-to-day services that the public expect and need. We need to provide those services, but we need to be adequately funded for them.

**Mrs Cameron:** I thank the Minister for his answer thus far. Given that the grass along the Fairview Road in Newtownabbey was cut only once last year and has not yet been cut this year, does he agree that the reduction in grass cutting will have a detrimental effect on the area for residents and on their enjoyment of their locality?

**Mr Kennedy:** I accept the Member's point. Where possible, we seek to make at least two cuts a year in rural areas and five cuts a year in urban areas. With the budgetary position at the moment, it is not possible to do that. Those issues are well known and have been debated not only in the Chamber but around the Executive table. Indeed, the Committee for Regional Development is also aware of the pressures. I need the support of colleagues in the House to ensure that adequate funding is provided to the resource budget of DRD so that these services, which are much needed and are important, can continue in the fashion that people have come to expect.

### Parking Regulations: Fair and Equitable Enforcement

T6. **Lord Morrow** asked the Minister for Regional Development for an assurance that there is fair and equitable enforcement of parking regulations across our towns, cities and villages in Northern Ireland. (AQT 2396/11-15)

**Mr Kennedy:** I am happy to confirm my belief that enforcement is fair and transparent and that the system is not politically or socially blind in any sense.

**Lord Morrow:** I thank the Minister for his answer. Will he then explain why it appears that there is no enforcement and no parking tickets are ever issued in towns that have twice the population and are twice the size of others? Indeed, in one town, Fivemiletown, four parking attendants were operating on one day.

**Mr Kennedy:** I am grateful to the Member for his supplementary. He is on public record and has submitted questions for written answer and questions for oral answer on enforcement in Coalisland and other areas.

Two traffic attendants are employed by NSL to patrol streets in Fivemiletown for enforcement reasons two or three times a week. The Member suggests that at one point there were four. If he wants me to investigate that incident, assuming it was an isolated one, I am happy to do so. Let me state absolutely that enforcement, when it takes place, is done on an even, fair and transparent basis. I can think of a great many towns other than Coalisland where there are few or no incidents or enforcement cases, and much of that is down to the good sense of people in those areas obeying the various restrictions.

### Yorkgate Interchange: Update

T7. **Mr Clarke** asked the Minister for Regional Development for an update on the Yorkgate interchange. (AQT 2397/11-15)

**Mr Kennedy:** I am grateful to the Member for his question and his interest. He will know that I recently announced my intention to hold a public inquiry into the proposals for the York Street interchange. The scheme is expected to cost in the region of £125 million and £165 million. The public inquiry is likely to be scheduled for late autumn 2015. The proposed construction project is expected to take up to three years to complete. I know that Members of the House, members of the Committee for Regional Development and members of the Executive are keen to see whether we can make progress, because it is one of the keys to unlocking some of the congestion around Belfast.

**Mr Clarke:** I thank the Minister for his answer. I agree that many of us would like to see changes at Yorkgate. However, he is aware that someone has made a presentation to his former special adviser about an alternative to the scheme — it is encouraging for Northern Ireland in terms of entrepreneurship — that would save in excess of £100 million. When will the Department take that suggestion seriously and sit down and work out the methodology behind the proposal? Given that the theme today has been the Department's budget, we have an opportunity to save in excess of £100 million.

**Mr Kennedy:** I am grateful to the Member for his question. By way of clarification, the Department has sought details of Mr Paschal Lynch's proposals on several occasions so that they can be assessed. However, we have been unable to review Mr Lynch's proposals as he has yet to provide those details. In order to move things on, I have agreed to have a qualitative assessment of the proposals conducted. That will be undertaken by an experienced traffic engineer with knowledge of the area to ascertain whether there would be value in progressing them. I have also taken the precaution — the Member will appreciate this — that the assessment will be managed by a different section engineer from the one who brought forward the proposals, so that we can independently assess and weigh up Mr Lynch's proposals.

**Mr Principal Deputy Speaker:** Before I call Sandra Overend for her topical question, I remind her that, as the Minister's Assembly Private Secretary and in line with the protocol, her question should relate specifically to a constituency matter in which she is directly involved.

## A6: Update

T8. **Mrs Overend** asked the Minister for Regional Development for an update on the A6, given its importance to her constituency, businesses and commuters who travel to Belfast. (AQT 2398/11-15)

**Mr Kennedy:** I am grateful to the Member for her question. I can confirm that consultants were commissioned in July 2003 to examine the route between Randalstown and Castledawson and to develop a preferred line for a new dual carriageway.

### 3.30 pm

In February 2012, the inspector recommended that a junction located east of Bellshill Road would be a more acceptable alternative. My officials have subsequently developed that. A planning application to construct that junction was granted on 3 December 2014. A vesting order for the east of the Bellshill Road junction proposal was published on 9 February 2015, and the closing date for objections was 20 March 2015. A number of objections have been received and are being assessed. The notice of intention to proceed and direction order for the scheme as a whole were published in March 2011. Vesting orders to compulsorily acquire the land required to build the dual carriageway scheme will remain in draft and will be made only when funding for the scheme has been confirmed.

That is the up-to-date position.

**Mr Principal Deputy Speaker:** Time is up. Members may wish to take their ease while we change the top Table.

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

## Private Members' Business

### Water Rates

*Debate resumed on amendment to motion:*

*That this Assembly reaffirms its rejection of the imposition of water rates on the people of Northern Ireland; recognises that, were they to be introduced, households would face an additional cost of at least £400 per year; and calls on the Minister for Regional Development to prioritise within his budget to ensure sufficient investment is in place to maintain properly the local water infrastructure. — [Mr Clarke.]*

*Which amendment was:*

*Leave out all after "year;" and insert*

*"notes that it is an Executive priority to ensure that there are no additional water charges; and calls on the Minister for Regional Development to work with his Executive colleagues to ensure sufficient resources are made available to his Department to maintain properly the local water infrastructure." — [Mr Cree.]*

### **Mr Kennedy (The Minister for Regional Development):**

There is clearly no rest for the wicked. I welcomed and carefully noted the concerns and representations that Members expressed in the early part of the debate. I particularly welcome the opportunity to debate the future funding of water and sewerage services in Northern Ireland. I also welcome that the Ulster Unionist Party amendment has been accepted by, I hope, a majority of Members who spoke and, indeed, a majority of the parties in the Assembly. I think that that underlines that the funding of water and sewerage services is a cross-cutting strategic issue with significant public expenditure implications. The Executive have given a commitment that, for households, they will ensure no additional water charges during this Programme for Government.

That commitment means that my Department provides over 75% of NI Water's revenue through the payment of subsidy from the public expenditure system; 20% comes from the non-domestic sector, that is, businesses, industry and so on; and DRD pays the remaining 5% for roads drainage works that NI Water carries out. The most recent published figures are for the year 2013-14, when NI Water was paid £275.4 million in the absence of domestic water charging. In addition, £2.2 million was paid for the septic tank emptying subsidy, which is unregulated.

In giving a commitment that there will be no additional water charges for households, the Executive must also accept the consequences of that decision. NI Water's non-departmental public body (NDPB) status means that it does not have the freedoms and flexibilities normally available to a company. It cannot use reserves to deal with unexpected costs, it cannot raise its own capital and it has no end-year flexibility, so it must manage its capital and resource budgets to ensure no overspend and minimum underspend. That is inefficient and leads to stop/start contracting. The Executive must in turn provide NI Water with adequate resources to meet its future funding requirements.

As a result of increased investment since 2000, levels of service have improved significantly across nearly all service areas. Customer service levels have improved dramatically in the last decade, but that means that NI Water has a growing asset base that has to be maintained. We therefore cannot rest on our laurels.

In November 2012, I brought a paper to the Executive that set out issues and risks associated with the governance and funding of water and sewerage services. The Executive decided to remit those issues to the Budget review group for consideration. My officials subsequently prepared a detailed briefing for the Budget review group that set out a number of options for future funding arrangements, together with more detail about the risks involved in continuing with the current system. The paper highlighted some of the continuing difficulties with the current funding arrangements and the emerging pressure on NI Water's capital expenditure budget. The Budget review group's consideration of these complex issues is ongoing.

In the meantime, the legislation that permits the Executive to provide subsidy for water and sewerage services in lieu of funding by charging expires in 2016. I instructed my officials to bring forward legislation to extend my Department's power to provide a subsidy on behalf of the Executive to NI Water until 2017, and to take the power to extend this further by subordinate legislation. This enabling power does not prejudice the Executive's consideration of the funding of NI Water in that period, but will ensure that there is certainty about funding for NI Water's operating expenditure while the Executive consider those future funding arrangements. By taking these actions, I have sought to ensure that the Executive's policy of not introducing domestic charges can continue.

The motion calls on me, as Minister, to prioritise within my budget to ensure that sufficient investment is in place to maintain properly the local water infrastructure. I remind Members that NI Water operates within an independent regulatory system where its targets and investment priorities are set by the Utility Regulator and agreed as part of the price control process. The Utility Regulator benchmarks NI Water against the water and sewerage companies in England and Wales and builds in an efficiency challenge for operating costs in order to ensure value for money for customers. NI Water and the Utility Regulator agree how much revenue NI Water requires to carry out its operations in order to achieve required outputs and investment for the best value for customers.

The Utility Regulator published its price control determination for NI Water for the period 2015-2021 on 12 December 2014. The determination is the regulator's assessment of NI Water's revenue requirements over the six-year period in the context of meeting targets that are contained within my Department's social and environmental guidance, as approved by the Executive. The ministerial social and environmental guidance sets out the key social and environmental policies for water and sewerage services for the period 2015-2021. The key priorities that are set out in the guidance are to maintain and improve our high standards of water and sewerage services; to continue to comply with our environmental obligations; to develop sustainable solutions to the challenges that lie ahead, like climate change and flooding; and to enable economic growth.

The regulator has told NI Water to reduce its total revenue requirement by £89.3 million from its business plan figure of £2.43 billion for PC15, resulting in a requirement for £2.34 billion during the period. The final determination also provided for £1 billion in capital investment, which is a constrained budget based on the figures that are included in the social and economic guidance. Of this figure, £556 million has been allocated to the repair and replacement of assets, while £446 million has been allocated to deliver new and upgraded treatment works and other outputs that are prioritised with stakeholders to enhance services.

The regulator has determined that NI Water requires £155 million for 2015-16, but the constraints that are placed upon my Department mean that only £140 million can be made available to fund the company for year 1 of the PC15 period.

Turning to the resource position at the draft Budget stage, the proposed allocation was some £15 million short against the regulator's assessment. That was mainly due to a massive increase in the company's rates bill as a result of the recent non-domestic rates revaluation. NI Water has to certify to the regulator that it has sufficient funding to carry out its regulated activities. The draft Budget allocation would have made it virtually impossible for the company to comply with its legal duties and obligations under the licence. To enable NI Water to meet its legal obligations, I have significantly addressed the shortfall through the allocation of a further £10 million, bringing its resource allocation to £109.2 million for 2015-16, thus reducing the shortfall to some £5 million. I anticipate the additional resource funding going a long way towards enabling Northern Ireland Water to mitigate any significant deterioration in water quality or waste water compliance, which appeared to be inevitable at the draft Budget stage.

A significant risk remains. Northern Ireland Water is still £5 million short of the budget cover that the Utility Regulator recommended, and it will need to absorb that shortfall. There is no funding to cover unforeseen events. I remind Members that the current funding issues relate solely to the 2015-16 budget, while the current price control covers the period from April 2015 to March 2021. A long-term funding solution therefore needs to be agreed if NI Water is to be provided with the assurance that it needs to plan for the future. My Department will make robust bids to the Executive for funding throughout the 2015-16 monitoring rounds to mitigate potential negative impacts on customer service, such as incidence of low pressure, supply interruptions, pollution incidents and out-of-sewer flooding. Given the level of funding, Northern Ireland Water and the Utility Regulator are still seeking to review the required output targets in the PC15 business plan.

Having explained how NI Water's targets and funding requirements are independently developed through the regulatory process, I now want to address the issue of prioritising my Department's budget to ensure that sufficient investment takes place. On 3 March, I made a statement on the implications of the 2015-16 Budget allocation for my Department. Members will be aware that I am facing £60 million of pressures for next year, and the scale of reduction required to meet that cannot be delivered without there being an impact on core services. I have been working intensively with officials to determine how best to allocate the limited resources that are available to me. My Department delivers key water,



transport and road services. The population relies on our services 24 hours a day. I have sought to protect, as far as possible, NI Water and Translink from the worst impact of the reduced budget. I have had no choice but to move money from roads to NI Water, because otherwise the company would have been unable to meet its basic legal obligations. NI Water may still not be able to meet all the public's expectations of it with the remaining shortfall in its budget. That has come about as a result of the massive rates revaluation, so there is no link to the levels of services provided by the company.

I continue to welcome Members' suggestions on how we can continue to fund water and sewerage services to the same level in the face of constrained public expenditure. It is ultimately a matter for the Executive to decide the future funding and governance arrangements for NI Water. Therefore, I ask that the House reach a consensus to ensure that NI Water is adequately funded to meet its future funding requirements.

I will now deal with contributions made during the debate. Mr Clarke, speaking as a Member from the Democratic Unionist Party, acknowledged that he and his party would be supporting the Ulster Unionist Party's amendment. It is fair to say that there was a bit of action in the exchanges between Mr Clarke in particular and Members from the Alliance Party. It is the season in which we expect that.

Mr Cree proposed what is in my view a very sensible and appropriate amendment. He made the point that the deferment of household water charges is a good example of devolution working, and I very much subscribe to that view.

I am sorry that Mr Lynch is not in the Chamber. He indicated that he will support the motion. I am not clear what Sinn Féin's view on the amendment is, but no doubt that will transpire.

Mr Dallat confirmed that the SDLP is against water charging. He referred to the "wasted years".

I detected in Mr Lyttle's contribution something of a political retreat in Alliance Party policy. There was certainly movement in the air. Whilst that is welcome, it is interesting, and the timing of it is perhaps not lost either.

Mr Byrne indicated that he did not —

### 3.45 pm

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

**Mr Kennedy:** No, I am making progress.

Mr Byrne confirmed the situation in relation to his party's position. He also aired his concern about water metering. He will know that I have indicated that, as part of the new water Bill proposals, it is my intention to be allowed the power to stop the installation of metering where there is no need for it. That is my intention and, hopefully, it will come before the House.

Mr McCallister, who is in his place, had a good go at everybody; he blamed the Assembly, the Executive and every political party that he could think of or name. It appears that everybody is out of step except our John. Interesting though it was, it was a little bit light in detail about the current situation that we find ourselves in.

I respectfully ask the House to support the amendment.

**Mr Swann:** I thank the Minister for his response to the debate on the motion and the amendment. The motions calls on the Assembly to reaffirm:

*"its rejection of the imposition of water rates on the people of Northern Ireland".*

We have no problem with doing that; we have made commitments to that effect many times. We questioned the timing of the debate, but I was glad that Trevor Clarke, in his opening comments, made clear that it was not to score points against the Minister. Unfortunately, the Alliance Party could not say the same.

The Minister has made a continuing commitment to ensure that the people of Northern Ireland are not hit with an extra bill for implementing domestic water charges through the ongoing subsidy that his Department pays to Northern Ireland Water in lieu of charges. We sought to amend the motion because other parties at the Executive table seem content to claim the victory for deferring water charges but want none of the responsibility for ensuring that the responsible Department is adequately resourced to maintain the water infrastructure. We welcome the cross-party support that we have received today.

The Minister, in his response, highlighted how his Department will face £60 million of pressures next year. Recently, he has warned of the consequences that that would have for core services, but he faces continued criticism from all parties for doing so. The Ulster Unionist Party has continually opposed introducing domestic water charges. As was reiterated by my party colleague Leslie Cree, we do not believe that it would be fair to lump another bill on our society when many are finding themselves stretched almost to breaking point. Our amendment is reasonable; if the Executive agree to defer something that has implications for public spend, it should be fairly straightforward that they work with the Minister responsible to ensure that that commitment is taken into account and an adequate allocation is made to that Department.

In response to a comment from, I think, Mr Lyttle, Danny Kennedy has, during his time as Minister for Regional Development, sought to create space to allow for constructive conversations and debate to take place about the future governance of water in Northern Ireland. Most Members who spoke reiterated the point that our water infrastructure has been the victim of underinvestment; something that has been the case for decades. While Danny Kennedy has committed to paying the subsidy to Northern Ireland Water, it is important that it does not become complacent. Like us all, it should always be striving to do better, maintaining high levels of water quality, improving customer service and ensuring that our environment is protected through adequate waste water treatment.

I want to respond to some comments that were made during the debate. Mr Lyttle challenged the DUP about the deliberate misrepresentation that he thought was being levelled at the Alliance Party. Stewart Dickson made an intervention in regard to the Ulster Unionist Party's position when my party colleague Leslie Cree was making his contribution. We should be careful about making accusations about deliberate misrepresentation. John Dallat from the SDLP said that people should not pay twice for water and that we should avoid making the debate

party political. On a positive note, he highlighted the faults of the previous Sinn Féin Minister and how he had spent £1 million on the installation of water meters, so he kept party politics out of the process altogether.

John McCallister spoke about being exhausted. As the Minister highlighted, we are all pretty exhausted with what seems to be John's single transferable speech on nearly any subject that is brought before the House.

I am glad that most parties have indicated their support for our amendment.

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

**Mr Swann:** No, I am finished.

**Mr Bell:** This has been a very healthy debate on a matter that is of very real importance to householders out there. What all of us in the House want to do is to make sure that money is retained in families as far as possible. Nobody should underestimate the pressures that are on many family budgets at this time. It was right to table the motion on water rates and to let people know the position, because there has been some confusion. People say, "You are being political", but it is a political matter and a political decision. How we pay is a political choice. When an element of confusion has been created, it is only right that we reaffirm the actual position. I am confident that the Assembly will today reaffirm its rejection of the imposition of water charges on the people of Northern Ireland.

We should also be aware of the fear in many households out there that, were they to be charged for water separately, that could be an additional cost of at least £400 a year, which is not a small amount by any stretch of the imagination. Today, the Assembly, acting collectively, can reaffirm its position. It is an Executive responsibility: there is no problem with that. For my part, the motion was never designed to say anything other than that the Assembly reaffirms its rejection of water charges and wants the Executive to work with the Minister to ensure that resources are available and that we have a proper infrastructure.

We have seen major problems with sewerage and flooding, and we have a very challenging role to play. What I can say to Members is that, when we as an Executive look collectively at this, we know that we cannot spend the same pound twice. We will have to prioritise. When you decide to prioritise, by very definition, you will put more pressure elsewhere in the budget, but that is our job. We were elected to make good decisions and give good stewardship of taxpayers' money. Let us try to do that with some sense of collective responsibility.

I get concerned when we agree priorities. In the Stormont House Agreement, for example, we sat down and agreed budgets with the Government. We then brought them back, and, in the period after that, there were different votes, squabbles and point scoring. The people of Northern Ireland are looking to us to be on the side of the householder, to try to retain as much money as there is in a household, and to scotch the fear of families having to find £400 if there were to be an additional water charge.

Trevor Clarke's contribution was very strong. We look towards not only efficiencies but affordability. We want to support where we can, and we want to protect where we can. We also want to move forward in a range of other areas of government to ensure that the burden comes off

the family. We want to use measures to help families to bring in more income for themselves. The importance of water as a collective right, or variations on that theme, was brought out by Seán Lynch and John Dallat. The cost and how we would cover it was brought out by Lord Morrow.

I want to be fair on this: I think that Chris Lyttle clarified the position when he said that the Alliance Party was not bringing water charges forward at this time. That may be where the confusion arose, if I am genuine, because the issue seemed to be that there would not be charges. Then, I think, there was some discussion in the Alliance Party about revenue raising, and, possibly because of an election, the situation seems to be, "We'll not charge you there, but we'll charge you here". That is not revenue raising; that is revenue-neutral. If it was revenue raising, it was revenue raising. However, the important thing is that today the Assembly, collectively, can tell people that we reaffirm our rejection of the imposition of water charges on the people of Northern Ireland. That rejection was reaffirmed by Mr Byrne.

We had a colourful contribution from Mr McCallister, who said that he would not give a penny more. Anybody who makes that type of statement is so far out of touch. I talk to the hospitals across Northern Ireland, and I have family members working in them; I look at the schools across Northern Ireland; I look at the investment that we need in childcare; and I look at how much more we can do on top of what we already do to attract foreign direct investment. I do not think that anybody can reasonably say, when we face a budget cut of the magnitude of £1.5 billion —

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

**Mr Bell:** I have listened to your contribution; perhaps you will listen to mine. I do not think that anybody —

**Mr McCallister:** It made sense

**Mr Bell:** Maybe to you. I do not think that anybody having a budget cut of £1.5 billion could say that to our schools, hospitals, nursery schools, roads, street lighting and other areas. Today, the Health Minister hears from a fellow Member from South Down that he would not give one penny more. Frankly, that ranks as a political naivety if not, in political terms, a political stupidity.

We can all rant at the difficulties that there have been in the Executive. What the Member failed to acknowledge was that the Executive have brought more foreign direct investment to this part of the United Kingdom. Until August 2014, we boasted, rightly, that we brought more foreign direct investment per head of population than any other part of the United Kingdom. Until that point, it was with the exception of the greater London area. Now we can supersede that with the knowledge that we are, per head of population, attracting more foreign direct investment to Northern Ireland than is going to any other part of the United Kingdom.

In the rant against the Executive, the Member failed to mention falling unemployment and the 27 months in which, month after month, unemployment has fallen. I think that it stands at 27 months of falling unemployment. He failed to mention the investment in childcare and helping people to get back into work. Additionally, he failed to realise that the Executive work hard to ensure that every household in Northern Ireland has the lowest household charge in the UK. We are not saying that everything is perfect. We have

major issues and major difficulties, but we want to look to where we can alleviate those burdens.

The Minister, in a comprehensive and detailed reply, set out the needs that are there. Anybody would think that we were in a pact; well, he is. The case for a new and upgraded series of pieces of work has been well made. The attention being focused specifically on sewerage and flooding is well directed and has been well prioritised.

#### 4.00 pm

The Northern Ireland Assembly is saying, "We will, as far as we can, keep money in the purses and wallets of households. We will not put an additional charge of £400 onto households. We understand the pain across all our constituencies that households face in making ends meet, and we commit ourselves to working collectively, as an Executive, to ensure that we have the necessary water service that the people of Northern Ireland deserve".

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

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

*Resolved:*

*That this Assembly reaffirms its rejection of the imposition of water rates on the people of Northern Ireland; recognises that, were they to be introduced, households would face an additional cost of at least £400 per year; notes that it is an Executive priority to ensure that there are no additional water charges; and calls on the Minister for Regional Development to work with his Executive colleagues to ensure sufficient resources are made available to his Department to maintain properly the local water infrastructure.*

*Motion made:*

*That the Assembly do now adjourn. —  
[Mr Deputy Speaker (Mr Beggs).]*

## Adjournment

### Causeway Hospital

**Mr Deputy Speaker (Mr Beggs):** The proposer of the topic will have 15 minutes, and all other Members will have approximately five minutes.

**Mr Dallat:** It is my privilege and honour to lead on the debate on services at the Causeway Hospital, Coleraine, and to avail myself of the opportunity to comment on Sir Liam Donaldson's report. It is also an opportunity for me, on behalf of the people whom I serve, to pay tribute to the doctors, nurses and all the staff, past and present, who have dedicated their life to striving to bring about and maintain a level of health care at the Causeway Hospital that has the capacity to be second to none and unequalled anywhere in the health service.

Last weekend, a visitor to our home took ill suddenly and had to be rushed by ambulance to the Causeway Hospital, where he received a level of care in A&E and subsequently in medical ward 2 of the hospital that is, I believe, unequalled anywhere in the world. No words could ever describe the life-saving medical treatment and care that our visitor received. During those anxious hours in A&E, while a dedicated team of doctors and nurses worked with our visitor to stabilise him, took X-rays and carried out complex tests, I had the opportunity to see the drama, certainly in my eyes, of the working of a fully functional emergency department. I was amazed at what I saw and came to the conclusion that we must redouble our efforts to ensure that this wonderful facility, which people turn to in times of crisis, is secure for future generations. There is no time to dwell, but I want every man, woman and child to know that, on their doorstep, there are the most wonderful people who are driven not by money or reward but by a vocation unique to the health service.

I also acknowledge recent decisions by the Northern Trust to make significant appointments at the Causeway Hospital that have helped to reduce anxiety about its future. I just hope and pray that the Minister does not accept the one-size-fits-all approach that is based on a cost-cutting agenda and is perhaps more relevant to the health-care problems of large English cities. My arguments are in no small way based on the work of the Causeway Hospital campaign group, which is made up of some of the most dedicated, skilled and experienced people associated with community issues and, in particular, health care.

The Donaldson report, which I referred to in my introduction, acknowledges that we are dealing with an ever-increasing ageing population, but it must be said that it has serious inconsistencies and contradictions that, I feel sure, the Minister must be and needs to be aware of. Perhaps the worst of these is that Donaldson supports all acute services being provided by centrally located hospitals. Only 10% to 15% of acute admissions require rapid or planned transfer to regional units, and there is universal agreement here that patients who need regionally based specialist services should be transferred, as they currently are, using the existing clinical networks,

joint protocols and guidelines. In that, there is no problem, disagreement or challenge and certainly no need to propose huge hikes in the salaries of senior and middle management, as suggested in the Donaldson report. In the real-life case involving my visitor, I could see that clearly, as A&E handed over the patient to another team of specialists who followed through the care that was needed to ensure a short stay in the hospital. This is the only sensible way to ensure that A&E is a seamless part of the hospital function. The 85% to 90% who do not require transfer to specialist hospitals should be treated locally, and it is here that we must ensure that the Causeway Hospital remains an acute centre of medical excellence for the vast majority of patients who have no need to be transferred to other hospitals or undertake long journeys, adding to stress, inconvenience and the cost of travelling to Belfast through a heavily congested city with poor public transport and parking.

There is much more to the fatally flawed report by Donaldson, and a lot of it is already obvious. The potential swamping of centre facilities that should be kept for their speciality role must be avoided, but it is already happening with headline news all too often. The unnecessary and intolerable strain placed on the Ambulance Service is already well established, with 96% of paramedic staff reporting stress and other health problems relating to work.

In the case of the Causeway Hospital, if such a daft proposal were to be followed through, it would mean the deskilling and erosion of the confidence of local medical and nursing staff, and that would be a tragedy because I know of no staff more dedicated, more committed and more representative of a health service that puts patients at the centre of its work.

I plead with the Minister not to accept the recommendations of consultants hook, line and sinker, particularly when those recommendations are plucked out of another area which is quite unlike and unrepresentative of our own. Remember, this is the man — I am talking about Donaldson — who was called on to resign by the British Medical Association when he was Chief Medical Officer in England after producing a highly controversial report on modernising medical careers. His record is not without blemish. In our case, he has produced a one-dimensional, management-centred, financially driven report that completely ignores patient-centred local factors.

The Assembly had a difficult birth and its adolescence has not been without trouble, but surely the one thing that we must agree on is our ability to make decisions that suit our people present and future, particularly when there is universal agreement on what should happen for the best reasons.

The arguments for ensuring that the Causeway Hospital remains an acute hospital have been well made by people locally who have worked in the service and dedicated their life to it and by those who have experienced the highest standards of care while they have been patients in that hospital. We all know that nothing remains the same and that change is inevitable, but change must be for the better and must be based on sound judgement and not on the back of a report from an author who does not share the experience of those who have worked in the hospital for a lifetime and know much better what works and what would be a disaster not just for the Causeway Hospital but for the health service as a whole.

In bringing about change, I welcome the increased collaboration between the Causeway Hospital and Altnagelvin Area Hospital. It is something that the previous Minister of Health, Edwin Poots, advocated, and I was pleased to see the current Minister, Jim Wells, in Altnagelvin this week. This is not a one-way street but a genuine exercise in sending patients in both directions to bring about higher levels of specialisation not just for the Causeway Hospital but for the Derry-based hospital, which has important links with Letterkenny General Hospital. Surely, that is good practice that protects the accident and emergency service. We must not allow our accident and emergency service to become simply a shopfront for patients who would be transferred to Belfast hospitals.

Time and again, we are told about problems with the recruitment of senior and middle-grade medical staff over the last five years. That could be corrected by clear investment in the future. Recent appointments and the apparent drive to create new partnerships can remove the uncertainty and will, with little doubt, stimulate interest in applying for posts in the Causeway Hospital and in Altnagelvin. I saw evidence of that at first hand when people from different parts of the world worked in harmony as a team to deliver a health service that is, without doubt, fit for purpose.

It is interesting to note that, since its official opening in 2001, the Causeway Hospital has had no capital investment, while Antrim has had very heavy investment. It is now time to reassess that strategy and to recognise that previous attempts to centralise services 30 miles away were flawed. Perhaps the recent appointments that I referred to are the first visible signs of intent to reverse that policy. I hope so. That needs to be underlined.

In accepting it is time for change, let us make sure that we put the present and the future needs of the community that the Causeway Hospital serves at the top of our agenda. In doing so, let us remember that easy and rapid access to local hospital services is essential, providing as a minimum the services that currently exist at that hospital. That is key.

Let us be reminded that Transforming Your Care has emphasised the need for closer working cooperation between hospitals and community services, with more care to be delivered outside the hospital. The Causeway is ideally suited to develop that concept in view of the already effective links, with GP practices and specialist nurses crossing the hospital/community interface and with the presence of two GP-run community hospitals. Let us learn from the blunders made in other areas, such as Mid Staffordshire, where the disintegration of the health service led to a renewed focus on the basics of general medical and nursing care. The recent report 'Future Hospital' emphasises the need for generalists, rather than super-specialists, to take responsibility for inpatient care and to respond in particular to the increasing prevalence of elderly patients with multi-morbidity. The Causeway is well placed to respond to that.

I emphasised the need for partnership and integration with other providers, but that must be on the basis that the Causeway is not in any way diminished in its core values as an acute hospital not only in name but in practice. The Causeway serves a population of at least 150,000, rising intermittently to 200,000, and caters for a mobile student population. I suggest that it would be utter madness to

allow a situation to develop where people would have to travel 40 miles to Antrim or a similar distance to Altnagelvin, leaving a huge area isolated. In that respect, we must use our influence as a local Assembly to rise above those consultants' reports and to do what is best for our people. We should not leave it to a future generation to undo the harm that would be done if a report such as Donaldson's were implemented in its entirety. We need to question those reports and ask who is writing them and what superior knowledge they have over local medical doctors who have spent their entire lifetime working in this area.

Please do not let the hospitals become another railway story. Do not let Donaldson become like the Beeching blunder of the 60s, when thousands of miles of railways were closed down on the back of an ill-informed report that almost destroyed the railway system. Indeed, since that, many of those railways have had to be reopened.

We need to go for it and tackle all the factors that made the Causeway less attractive for recruitment and training. I mentioned collaboration with other hospitals, but in-house training is also vital and demands immediate plans to gain recognition and re-accreditation for a wonderful hospital that deserves to be the flagship of health care covering the entire north-west and beyond.

The Causeway can and will move with the times. It has already demonstrated that it can deliver acute hospital services that are safe, of high quality, sustainable and effective. The challenge to the Assembly and to our Minister of Health, Social Services and Public Safety is this: will you rise above Donaldson? Will you back a winner and give direction to those who are responsible for the long-term planning of health care in the Causeway area? Will you tell them that you believe passionately in the people who make the Causeway the hospital what it is and can be in the future? Will you ensure that there is capital investment and local leadership in planning the future? Will you avoid the blunders of past consultants who had no mandate and little knowledge of the areas that they reported on? Will you prevent them causing a future train wreck of a different type, involving the health and well-being of our people?

In drawing to a conclusion, I know that there are many issues that I have not dealt with, such as the ongoing management of palliative care, midwifery and the relationship with the Ulster University. Hopefully, others will pick up on those and other important issues. I look forward to other MLAs' contributions, because this is a task that we must do together. I particularly want to hear the Minister's response, whom I have confidence in, to the most important issues facing the people whom I and others represent now and in the future.

The Causeway Hospital has not let us down, the people who serve in it have not let us down, and God forbid that the Assembly lets the Causeway down.

#### 4.15 pm

**Mr Campbell:** I join in acknowledging Mr Dallat's getting the Adjournment debate on the Causeway Hospital and his concluding remarks about the need for a consensus in dealing with this issue, which has been the case ever since the Causeway Hospital opened. I am quite certain that it will continue to be the case as we move on.

There were a number of us who, before the present Minister became the Minister of Health, had either the foresight or the advanced knowledge that he would become the Minister of Health. We invited him to the Causeway Hospital anyway, to ensure that he would see at first hand the great facilities that there were and that he would be able to speak to the staff and the officials there and indicate his support not just for its retention but its development as a first-class facility. I think that it was a good move to get the Minister-to-be to come to the hospital and to get him signed up to the future of the Causeway Hospital. We are glad that he was able to do that.

Mr Dallat referred to a number of issues, and I may refer to one or two of them along with other issues. One of the things that sets the Causeway Hospital apart from other acute hospitals is the fact that, between now and September, the catchment population for the Causeway Hospital increases by about 70%, which is not applicable to any of the other acute hospitals across Northern Ireland. Of course, that is because of the coastal resorts, the thousands upon thousands of caravans that are located on the Causeway Coast and the holiday homes and the second homes that are based on the coast. It has the capacity to deal with many, many more minor injuries, and it has to do that over a five-month period that other hospitals do not have to deal with.

There has been a continuing concern, since within two or three years of the Causeway Hospital opening, about its future. About four or five years ago, for a prolonged period of time, possibly about 12 months, there was a concern that the hospital's future as an acute hospital at all was in considerable doubt. Campaigns were launched to ensure the retention of the hospital, and, of course, that moment passed. After that, again for a prolonged period, there was a concern and a fear in the locality that, while the hospital's future was secure, the A&E in the hospital also might be under threat. Over a period of time, thankfully, with work done on that, that concern has receded, although not disappeared entirely. I know that a number of us have been in regular contact with the trust and the Health Minister to try to ensure that this hospital is not just retained in the services that it currently provides but builds for the future.

On this occasion, I concur again with Mr Dallat — I will make sure that this will not be a repeated offence in that I will concur all the time with Mr Dallat — about the need to build the relationship between Altnagelvin and Causeway. So much can be done about that, whether it is maternity services or other services that I know they are looking to develop between the two sites. This is good and is positive for the future. The staff at the hospital are magnificent, as they are in each and every unit across Northern Ireland, and we need to offer them our unstinting support. I look forward to hearing from the Minister what his reaction and response is to the debate and to keep repeating the assurances of the commitment to the site and to develop it. Of course, as health provision changes into the future, the hospital's staff, the Department, the current Minister and subsequent Ministers will have to adapt to the changing needs.

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

**Mr Campbell:** I recommend the Adjournment debate to the Minister, and hopefully he will be able to respond positively to it.

**Mr Ó hOisín:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Member who secured today's Adjournment debate. It is a very important topic.

I visited the Causeway Hospital last Friday, where I met senior clinicians and staff about their concerns, as I have done many times before. Many of those concerns remain the same today as they were previously; namely, the apparent lack of security of tenure, morale issues, and the perception that the Causeway Hospital has not been developed and resourced in the manner in which it should. The Causeway Hospital is an excellent hospital with outstanding staff, but it could be better utilised, funded and equipped. Indeed, for my part, coming from an area that is equidistant between Coleraine and Derry — that is, the Limavady and Dungiven area — I can say that Altnagelvin is better equipped and more easily accessed due to the better roads infrastructure. The Causeway Hospital remains the choice of many for access and treatment due to the positive experience of the patients there. Those people have voted with their feet, and that is why they are acknowledged by the clinicians and staff there.

A wide range of services and departments is available, including an emergency department; a children's ward; a day procedure unit; dermatology services; a fracture and pain clinic; gynaecology services; a minor injury unit; three outpatient departments; an X-ray department; an ICU; a maternity unit; medical photography; two medical wards; two surgical wards; a rehabilitation ward; theatres; and the Ross Thompson psychiatry unit. That is a fairly extensive guide to the services provided at the Causeway, but if we drill down into the form and nature of the service provision, we will see a different story. One of the clinicians I was talking to last Friday was Mr Barry Marshall, who is one of the chief obstetricians there. He told me that, even in the maternity unit, staff are not able to take expectant mothers for the birth of their babies if they are, for example, diabetic or have an above-average body mass index, even though they would be well capable of delivering the babies in the unit in such cases. The mothers have to go elsewhere — to Antrim or Altnagelvin. Those are not isolated circumstances. A less-than-holistic delivery service is available at the Causeway, and that is very much to be regretted.

Those matters have led to a degree of frustration among staff there. There is more than a perception that it has led to difficulties in recruiting and attracting staff to the Causeway. I am not sure what can be done to address that inability directly, but we must look at the underlying issues. The location of the Causeway Hospital is also critical, owing to its essential place in the delivery of health provision, both geographically and physically. For example, the glens of Antrim are a large and isolated area served by the Causeway. Furthermore, the entire Causeway Coast attracts hundreds and thousands of visitors during the summer months. That alone would justify the provision of adequate services at the hospital.

Historically, it might have been better to have had an acute hospital somewhere halfway between the two current hospitals at the Causeway and in Antrim, but we are where we are, so we must address the issue. I was recently informed that the urology department is to be moved, and that too is to be regretted.

I fully support fully the Causeway Hospital, the retention and expansion of its services, and the adequate and proper resourcing of those services.

**Mr Swann:** I start by congratulating Mr Dallat on securing this Adjournment debate, because it was near enough three years ago to the day — 29 May 2012 — that he brought the same topic to the House. Having reflected on the contributions in Hansard from then, I can say that progress is being made at the Causeway Hospital. At that time, the tenor of the debate was very much around the future of accident and emergency services.

As has already been referred to, it is the large geographical area and the populace that the Causeway Hospital services that makes it unique among our hospitals, as well as the fact that the new council area — Causeway Coast and Glens Borough Council — has one of the highest levels of elderly and retired people living in it. Mr Campbell referred to the 70% increase in people to be serviced by the hospital as a result of the influx during the summer months. As Mr McQuillan said in the debate two years ago, that hospital is vital for the sustainability of the air show and the North West 200, two highly dangerous sporting events, which could be put in jeopardy should that level of service and support not be there. That is seasonal, but it is not as if everybody disappears during the winter months because that is when the large student population comes into the area, and they need looking after as well.

The basis for Mr Dallat bringing this Adjournment debate are the concerns that are being raised locally by staff, hospital users and the general populous. What is coming down the road, and what is the future of the Causeway Hospital through Transforming Your Care or the Donaldson report? That is what is adding to the local disquiet. Encapsulated in that is the Northern Trust's model of service, which seems to be based on an acute service in Coleraine, with A&E solely facilitated there, and the threat that would pose to the Causeway.

I welcome the recent appointments of senior clinicians to the Causeway, which have started to give a little bit of reassurance and security to the rest of the staff. I would like reassurance from the Minister that that is a continual path of development, involving the retention and expansion of the services that are already there. We see a contradiction in some of the Northern Trust's policies, which is why we are looking for that reassurance. Dalriada Hospital, which is used as a step-down facility to the Causeway, being under threat adds to the general unease in the local area. We really need that reassurance.

I have heard Members comment on the great service we get from the staff but, from the user's point of view, there still seem to be increasing pressures on A&E at times, when it has to close and patients are diverted. So, I would really like reassurance from the Minister that there can be some kind of review of provision to make sure that A&E is adequately provided for, as well as other departments in the hospital. What the Causeway needs at this time is certainty, and it is the Minister who can provide that certainty and give the staff of the Causeway, people who use it and the general populous around area that reassurance. I hope the Minister can provide that certainty in his summing up today.

**Mr Storey:** I welcome this opportunity to discuss again what I believe is, as other Members have said, a vital service in our local community. I speak on a personal basis, given that my father has had to avail himself of the services of the Causeway Hospital for the last three

weeks, following a small heart attack. I know that I speak with my father's endorsement when I say that the care that he has received, not only in the Causeway, but in Altnagelvin for a short time — Mr Dallat made reference to the working relationship between the two hospitals — was exemplary. Certainly, on a personal basis, as a family, we have nothing but the highest praise for the provision in the Causeway Hospital.

Comment has been made about where we were and concerns and fears. Let us be quite blunt and honest: some of those concerns were hyped up by politicians, who, for their own ends, wanted to use an issue such as the Causeway Hospital for cheap political point scoring. I am glad that what we have heard so far has been not been in that vein, having heard scare stories in the past that the hospital was closing and coming to an end.

Let us remember that I come from a town that knows what it is like to lose a hospital. The Causeway Hospital came into existence as a result of the closure of the Route. It took a long time for the people in my part of the North Antrim constituency to become accustomed to the fact that the new hospital was down the road in Coleraine, but they now look upon it as their local hospital and have bought into it. Just the other day, I called into see Dr John Robb, someone we all have known for many years. He expressed his appreciation of the fact that, after all the years of transition from the Route to the Causeway, people have bought into the Causeway Hospital as their local service. We need to give Fred Mullan and his staff credit; some comments were made about the staff. Fred Mullan has done an exceptional job since taking up his post and needs to be given all possible support.

#### 4.30 pm

The Minister will probably have something to say about this, but let us remember that Simon Stevens, who took up the position of chief executive of the NHS in England in April, said that small hospitals were vital in meeting the needs of an ageing population and would provide focus for the community services that have become "too complicated and too fragmented". In many respects, that is a reflection of what we see being provided at the Causeway.

The trust has a responsibility to ensure that its sets out its vision for services in the entire area. Despite all that we can say that is positive — there is a lot to be said that is positive — there is still a concern about what happens between the Causeway and the Antrim Area Hospital sites. There is a tension there, and you only have to speak to staff to realise that there is sometimes that concern.

I look forward to the trust setting out its vision in what I trust will be a very short time. Politicians can then collectively give their support to ensuring that we continue to see the provision of services such as A&E. I have been lobbying the trust for some time to provide dialysis services in the Causeway, and I welcome the fact that it is now considering the provision of those services very seriously. That will bring its own challenges and opportunities. We have to look a bit wider at what a service can bring to an area and the implications that it could have, and I am well aware that the provision of dialysis services would raise concerns about the number of medical beds.

I had a very productive meeting with Dr Tony Stevens and with Valerie Watts. We need to keep our focus very clearly on the provision of services. At the heart of it is the community that the hospital serves.

I commend the Member for securing the debate. Let us collectively, as politicians, work with the Minister, the trust and the board to ensure that the Causeway Hospital continues to provide for our community in the way that it has done.

**Mr G Robinson:** I am pleased to speak in the Adjournment debate, and I congratulate the SDLP Member Mr Dallat for securing it. I congratulate all the staff at the Causeway Hospital, who have proven that they are professional, friendly and caring. I have heard those words used many times by patients and relatives alike. I also want to be positive in my contribution, as recruitment and the hospital's future are being positively addressed.

I have spoken to representatives of the Northern Trust and have learned that five consultants have been appointed in surgery, gastroenterology, respiratory medicine, obstetrics/gynaecology and internal medicine. I have also learned that a consultant cardiologist is being recruited for a joint post between the Causeway and Altnagelvin hospitals. Specialist doctors in general surgery, obstetrics and anaesthetics have also been appointed. That is fantastic news and will ensure continuing and permanent services at the Causeway Hospital.

I want to outline my support for the Causeway Hospital and express my relief that the chief executive has stated his commitment to it. That has been reflected in the appointments that have been made, which will, hopefully, ensure that the other posts are filled soon. All those positive changes add great confidence and boost morale among the Causeway Hospital's staff and, indeed, the wider community in the causeway area. The list of appointments does not show a hospital that is earmarked for closure. Indeed, I welcome the fact that those new appointments will secure the Causeway Hospital in line with the commitments from the trust's chief executive, Dr Stevens, Dr Fred Mullan and others.

At some stage, a great boost to the hospital and staff would be a programme of separation and independence for the Causeway and Antrim hospitals. I also welcome the trust's developing a service for elective surgery that will further secure the future of the Causeway Hospital and the vital role that it plays for the local community and visitors to the area.

Indeed, the tourist sector benefits greatly from the presence of the Causeway Hospital. The North West 200, the air show and Portrush raft race are just some of the major attractions that we look forward to in the north-west. We may have the Open golf tournament, perhaps as early as 2019, when the Causeway Hospital will play a vital role for dozens of tourists and visitors to our beautiful north coast as well as our student population.

There is also a close working relationship between the trust, the unions and the voluntary and community sectors that, I hope, can be extended in future to serve the entire population of the Causeway area. Despite scaremongering from some quarters, I have always believed that the Causeway Hospital can be maintained as a viable facility, and I have not changed my belief. The most important

people of all in achieving this are the staff, who form a remarkable unit of professionalism.

In conclusion, I quote the Northern Trust:

*“The Northern Trust is well placed to deliver real and effective integration of hospital, community and social care services. In the Causeway and Glens area, this would be based around an acute hospital in Coleraine with an emergency department and supporting clinical services.”*

Those words bring me reassurance, as I hope they do to all the staff and residents of the area. The Causeway Hospital has a positive and important future in health provision for the north-west of Northern Ireland. I and my colleagues, including the Health Minister, will always be available to support the chief executive, staff and others in their endeavours to keep a world-class health facility at the Causeway Hospital.

**Mr McQuillan:** As a Member for East Londonderry, I welcome the debate on the future of the Causeway Hospital, and I want to make it clear at the outset that I fully support its retention as an acute hospital and nothing less.

There has been much speculation about the future of the Causeway Hospital over the last number of years that has caused fear and distress among all in the area and for staff and users of the facility. There is no denying that that scaremongering added to the difficulty of recruiting and retaining clinical staff, which itself added to the question of the hospital's future. However, the recent filling of a number of permanent consultant posts, with more in progress, has given the hospital the much needed morale boost that it has been longing for.

There is no doubt that there is a need for a hospital; otherwise such appointments would not have been made. The hospital is a key asset in delivering integrated services to a very large catchment area. Let us not forget that the population rises on the north coast over the holiday period at times of significant sporting and leisure events, such as the North West 200, which attracts over 100,000 visitors, and the air show, which, last year, attracted around 200,000 visitors to the area. There are many more that I could add.

A large proportion of the East Londonderry constituency is rural and isolated, and for constituents in those areas it is vital that acute services and a 24-hour emergency department remain fully functioning. The hospital has borne the brunt of some seriously negative press in the last year, but there have also been some very positive aspects that did not attract as much media attention. It has had excellent results in achieving improved waiting times through initiatives such as changes to work patterns for senior medical, nursing, allied health and managerial staff and the introduction of the community rapid response service. The staff must be commended for this because they worked extremely hard at all levels to achieve that improvement when many other hospitals were experiencing an increase in their waiting times.

The Causeway Hospital continues to provide a significant range of services, including an accident and emergency department. I believe that morale at the hospital will continue to improve with the Minister's reassurance of his commitment to retaining these services in future. That can only add to the continuing improvement of the services

received by and care provided to this extensive area, including the north coast and further afield.

We are all very aware of the hard times facing all Departments. However, I am sure that the Minister will continue to support the retention of the Causeway Hospital and will make his spending cuts in other areas with less impact on front-line services to the area. I also urge the Minister and the Causeway Hospital management to continue to be proactive in advising and informing staff, users and campaigners at the hospital to reduce the risk of any further rumours escalating and to keep morale up in all areas of service from front-line services such as domestic and caring staff up to consultant and senior management level. Historically, mistrust between senior management and staff has added to the low morale. Thankfully, the new chief executive has so far demonstrated a very hands-on approach and worked closely with staff and elected representatives to build relationships, which can only be welcome.

The Minister has also been very proactive in his involvement with staff and user groups, which is reassuring to them and the wider public. I have always been vocal in pledging my support for the retention of the Causeway Hospital. I have no fear and continue to state my categorical support for the hospital and its services. I will continue to support the staff, users and campaigners in the best way I can to ensure that those services and that hospital have a future for many years to come.

**Mr Allister:** I commend Mr Dallat for securing the debate and join in the warm tribute that he paid to the staff and personnel of the Causeway Hospital, which provides that vital service not just to East Londonderry but to much of North Antrim. I welcome the fact that there is, at present, the appearance of more stability attached to the future of the Causeway Hospital. I am a little surprised by the attack by Mr Storey on his colleague the outgoing MP for North Antrim, who spoke about the threat of closure to the Causeway Hospital, but I welcome the fact that, with recent appointments etc, it looks a little more stable.

I want to draw the Minister's attention to one particular issue, because it is important that we nail down some matters in the debate. The Minister said in a recent answer to me — he may well have said it to others — that he is:

*“committed to retaining Causeway Hospital as a small acute hospital. The model for services ... will be based around an acute hospital in Coleraine with an emergency department and supporting clinical services”.*

The same Minister — here is the area that I seek clarification on — has embraced with great enthusiasm the Donaldson report, which sets its face against small acute hospitals. It sets its face in favour of centralising acute services. Indeed, it is so audacious in its first recommendation, which the Minister has, it seems, accepted, that there should be an international panel and that we should all blindfold ourselves in advance and commit to accepting the outcome. I certainly will not do that, and I trust that the Minister will not do so.

I would like the Minister to explain where the future lies between his commitment to the retention of Causeway and his embracing of Donaldson, with his agenda against such hospitals. I do not think that you could read the Donaldson



report and conclude otherwise than that the Causeway would be one of the hospitals within his target range for the closure or reduction of acute services. The Minister needs to be very emphatic and very clear with the House tonight about what he means. What will he emphatically stand by in regard to the retention of the Causeway as an acute hospital, or does the equivocation that might arise rest in the use of the word "small"? Is he in fact trying to marry the audacious attempts of Donaldson and his commitment to the Causeway Hospital with some sort of agenda to diminish facilities? Will the Minister be absolutely clear? How does he square his embracing of the anti-small acute hospital agenda of Donaldson with his embracing, which is welcome, of sustaining the small acute services such as we have? I trust that that will be faced up to and made very clear.

Will the Minister also be clear to the House about what he sees as the future of the maternity unit in the Causeway? That is the other area of considerable concern that the Minister needs to address. He needs to put the matter beyond doubt so that the outgoing MP for North Antrim might not again be concerned about the potential closure of the Causeway Hospital. *[Interruption.]*

4.45 pm

**Mr Deputy Speaker (Mr Beggs):** Order. I remind Members not to make remarks from a sedentary position.

**Ms Sugden:** Like other Members who have contributed so far, I thank my constituency colleague Mr Dallat for tabling the Adjournment debate. Whether it is unfounded or not, there remains significant concern about the future of Causeway Hospital in its entirety or in the services it provides. I also welcome the positive contributions by Members in the House thus far, particularly by the Minister's party colleagues, because they are in a really unique position to encourage and ensure the future of the Causeway Hospital. I hope that they will continue to support it in the way in which they have shown today.

I suppose that I want to follow on from Mr Allister's point about the Donaldson report, because it is one of the points that makes me understand the uncertainty around Causeway. Yes, the Minister has shown his commitment to Causeway being an acute hospital with an A&E supporting clinical services. That is fantastic, but the devil is always in the detail. I would like the Minister to give more information about the way in which it will move forward as an acute hospital. Will it have a 24-hour A&E service, and what clinical services will it provide? To be fair to the Minister; up until now, the problem with the uncertainty about Causeway has been the investment it has had. Until recently, there have not been any clinical appointments or capital investment. There has been no development. Is that part of the Minister's future plans to ensure that Causeway will remain part of all this?

To come back to the Donaldson report; it is not a terrible report. I take issue with parts of it. At the end of the day, we are not England; we are Northern Ireland. We do not have the same infrastructure. We are a rural constituency. Perhaps, if the Minister's Executive colleague had seen fit to extend the A26 through to Coleraine, there might be more of an argument to reduce the services at Causeway, but he did not do so. Right now, in the position in which we find ourselves, the Donaldson report is not quite applicable to Northern Ireland.

I agree with Mr Allister that the Minister, up to this point, seems quite enthusiastic about it. That does give me concern for Causeway, particularly when the Minister was asked about Causeway and his response was that, with a population of 1.8 million, 10 hospitals was not appropriate for Northern Ireland. That was in response to a question about Causeway, so that makes me think that forefront in the Minister's mind is that the Causeway Hospital is one too many for Northern Ireland. I hope that the Minister does follow through on his commitment and is not paying lip service to the people in the Public Gallery and to the fact that we have an election in a few weeks' time. I hope that he really does put substance behind the fact —

**Mr Campbell:** I thank the Member for giving way. I understand what she is referring to. However, with regard to certainty or uncertainty about the future of the hospital, would she agree that the recent very welcome clinical appointments to the hospital — and, as I understand it, further appointments to be made in the forthcoming weeks and months — are hardly an indication of a lack of commitment to the hospital, but rather the reverse?

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

**Ms Sugden:** Thank you. I thank the Member for that question. Yes, Mr Campbell, I agree that that does perhaps suggest that there is some sort of investment in Causeway, but that investment is a long time coming. We need to ensure that it remains in Causeway. I understand that these appointments, whilst they are at the Causeway Hospital, are within the Northern Trust. That means that they can be shifted about to other hospitals. I hope that the Minister will give his commitment in other ways as well the recent appointments, but I do take that fair point.

To conclude my contribution to the debate, I ask the Minister to clarify and, again, to reiterate his commitment to the Causeway Hospital with a wee bit more detail. Will the A&E be open 24 hours or will it be part time? That was referred to me earlier and I think it is cause for concern.

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

**Ms Sugden:** Yes. Please, go ahead.

**Mr Dallat:** Is the Member aware that the A&E department in Coleraine hospital is, on many occasions, much busier during the night than during the daytime?

**Ms Sugden:** Yes. I thank the Member for that. I am aware of that, but other Members in the House have also brought up the fact that our population increases significantly in the summer holidays, which would also need to be taken into account during the daytime. I am somewhat sceptical about making it a part-time A&E service, but if this debate comes down to that, and if that is what Causeway is going to be, I would rather we get it out now so that we can start preparing for it and so that the people in the Public Gallery can find out what is going on beyond the simple commitment to Causeway Hospital and its A&E.

**Mr Wells (The Minister of Health, Social Services and Public Safety):** First of all, I thank Mr Dallat for his patience. This debate was due to have been held last week, but because I was witnessing first-rate care in the Royal for my wife, I simply could not make it. I am glad that the Assembly Business Office and, indeed, the Business Committee were able to facilitate his request to have the debate moved on a week.

As the Member for East Londonderry Mr Campbell said, I visited the Causeway Hospital at his request. I have to say that that was in my capacity as Deputy Chairman of the Health Committee. I was impressed by the large number of staff who arrived at the door to meet me and by the very detailed tour of the hospital that I had. I was due to go back to the Causeway quite recently, but, again, because of the problems with my wife's health, I was not able to make it. However, I commit to visiting the Causeway as soon as possible and to discuss some of the issues raised.

I know Fred Mullan very well. He went to Queen's with me many years ago, and I have kept in touch with him about this issue. I have found his input and that of all the Northern Trust's senior staff very helpful. I thank Mr Dallat for raising the issue, and I take this opportunity to thank all the staff at the Causeway Hospital for their service to the local community and for their commitment to deliver high-quality health services. I think that every Member who rose to speak during the debate made exactly the same point, which is that there is absolutely no problem with the standard of service that the people of the north coast are getting from that team.

The hospital is in one of the most beautiful scenic areas of Northern Ireland. In fact, it is almost as scenic as south Down. That was a joke, by the way, in case 'The Coleraine Chronicle' should happen to raise it in next week's edition. The hospital provides services to the local population and the many visitors who come to enjoy the north coast's beaches, attractions and, of course, its world-class golf courses. Such an area needs a vibrant hospital, and I am, therefore, committed to retaining the Causeway Hospital as a local acute hospital. I hope that that allays Mr Allister's fears.

The model for services in the Causeway and the glens area will be based around an acute hospital in Coleraine, with an emergency Department, supporting clinical services, a well-developed intermediate care service and community teams evenly distributed across the area. Of course, it is a very wide area. Perhaps one of the most fortuitous aspects of local government reorganisation is that the new council area more or less fits very neatly the area the Causeway Hospital covers, going right out to Limavady at one extreme and right over to Moyle in the other.

**Mr Allister:** I am obliged to the Minister. Can I take it, then, that the Minister is repudiating the Donaldson philosophy in the case of the Causeway Hospital? Is the Causeway proofed against the Donaldson philosophy? Is the Minister prepared to say that to the House?

**Mr Wells:** It is worth saying that Donaldson did not make any reference whatsoever to the Causeway Hospital.

**Mr Allister:** He said 10 were too many.

**Mr Wells:** Yes. He made a statement. I am going to come back to it, because the Member raised a very crucial point about recommendation 1 of Donaldson. I wish to deal with that, because several Members, including Claire Sugden, raised it, and I want to deal with it.

What I can say to you is that that is our position on the Causeway Hospital. Donaldson is out to consultation, which ends on 22 May. I am not going to pre-empt the public response to Donaldson on a whole range of issues. Let me remind you that there was more than one recommendation in the Donaldson report. Everybody has

homed in on recommendation 1, to some extent ignoring the other nine recommendations, which are equally important. I will come back to that, and I am sure that the Member will remind me if I do not.

There are partnership arrangements for the community and voluntary sector within the Causeway area. That supports the integrated model of service. The commitment to maintain acute services at the Causeway Hospital was clearly demonstrated in January this year, when the Northern Trust made new clinical appointments to the hospital. Many people raised that issue. Those are permanent appointments.

I want to come back to the concern about the lack of continuity of tenure. I do not know where that is coming from; these are permanent salaried posts in the Causeway Hospital, including consultants in surgery, respiratory, obstetrics and gynaecology and a consultant physician in internal medicine. They have been appointed and funded, and they are there on a permanent basis.

**Ms Sugden:** Will the Member give way?

**Mr Wells:** Certainly.

**Ms Sugden:** Although those appointments are currently based in Causeway, they are trust appointments as opposed to Causeway Hospital appointments. The Northern Trust also encompasses Antrim hospital and others, so could it, in the future, be that those appointments are moved elsewhere?

**Mr Wells:** All appointments made in Northern Ireland are made to a trust rather than a specific hospital. These posts were advertised, and it was made very clear to the applicants that they were for the Causeway. They were in response to demands from many MLAs and the MP for the area for new permanent staff. It is a huge commitment by the board and the trust to the Causeway that those have been made. We are also making a joint appointment to a post with Altnagelvin hospital for a consultant cardiologist; that person is in the process of being recruited. That gives us an indication. On top of that, as Mr Campbell said, the trust is recruiting three further posts: a consultant in emergency medicine, a consultant physician in general medicine and care of the elderly and a consultant physician with an interest in respiratory medicine. Those are very highly qualified and highly paid clinicians. If you add up all those appointments, it is a very significant revenue investment in the future of the Causeway Hospital.

I have to be honest — many people have mentioned this — that there were difficulties and uncertainty about the future of the Causeway Hospital, and it was difficult to recruit consultants as a result of that. As a result of the new management team that we have in the Northern Trust, there is a much brighter future and a certainty. There is a commitment from the chief executive to the Causeway that has encouraged senior clinicians to apply for positions in the Causeway. Much of the praise for the turnaround in that situation has to go to the new chief executive and his team, who have done a lot of work to transform the future of the Northern Trust from one that was shrouded in doubt to one where there is a very bright future. That augurs very well for the future of the Northern Trust. Equally, public representatives tell me that there is an open-door policy; Members of the Assembly and MPs who have problems and difficulties are getting their voices heard by the new management team. That has to be a good thing.

Causeway Hospital, like several other smaller acute hospitals across Northern Ireland, has, in the past, experienced difficulties. However, these appointments are good news for the people who use the Causeway Hospital. It is expected that these permanent — I emphasise that word — postings will enhance the continuity and quality of care for patients. I do not know where the problem that Oisín — sorry, I will say “Oisín” because I cannot pronounce his second name — identified about the lack of continuity is coming from.

**Mr Ó hOisín:** Will the Minister give way?

**Mr Wells:** I certainly will.

**Mr Ó hOisín:** I accept that the Minister has confirmed the degree of permanence of a number of the positions, but the issue about continuity is referenced in the service provision itself, as well as by some of the individuals. As I said, I believe that the urology department is moving to Altnagelvin as of now. That is where the uncertainty comes from.

**Mr Wells:** That is a valid point. Urology is a particularly difficult area throughout Northern Ireland. Every trust is finding it difficult to recruit consultants in that field. Indeed, yesterday, in response to a question about cancer waiting lists, I quoted urology as causing 35% of the delays. However, that is a specific issue that is related not so much to the Causeway but to that specialism, where we really cannot appoint people at all when vacancies arise. I would like to think that all the other issues that I have quoted indicate that there is a commitment to the Causeway.

In capital investment, remember that the Causeway opened only in 2001. I very clearly remember it being built. A friend of mine designed the roundabout at the hospital; I remember chatting to him about it. It is a very modern hospital. You would not expect a huge degree of capital investment in a hospital of that age because it is still relatively modern. That having been said, we spent £2.3 million and £1 million in the last two years, so there is £3.3 million that has been invested in that hospital.

That is entirely normal. Current projects under consideration for the Causeway Hospital include the installation of a wind turbine generator at an estimated cost of £1.2 million. There is already one at the Ulster University and one at Antrim Area Hospital. Again, the fact that we are prepared to spend such a large amount of money on renewable energy indicates a commitment to the site and to hospital. As Members will be aware, Transforming Your Care recommended three options for the future management of the Causeway Hospital. *[Interruption.]*

**Mr Deputy Speaker (Mr Beggs):** Order, Members.

#### 5.00 pm

**Mr Wells:** My predecessor indicated that an appraisal of the future management options for the Causeway Hospital should be informed by the work of the turnaround and support team that was appointed to the Northern Trust in 2013. A key element of that team's work was a series of service reviews, including the networking of clinical services and the development of a new model for medical leadership and management.

I remind Members that I was up in Londonderry last week, where I inspected the new cath labs that have been installed. They are absolutely state of the art — the most modern on the island of Ireland and in the United

Kingdom. The people of the Causeway area have access to those. Indeed, while I was there, there was a patient from Coleraine and a patient from Castlerock, both in the Northern Trust area, being treated by that outstanding technology. That shows the advantage of sharing services with Altnagelvin. In both cases, within the hour, the patient had been transported from the scene of their cardiac arrest to the cath labs and treated in a very effective way. That shows that the new links with Altnagelvin are bearing fruit. Now, it would not be possible to have a cath lab at the Causeway in Coleraine or, indeed, at any smaller hospital in Northern Ireland, but it is good that we have hypothecated that service for not only the Western Trust but a very large section of the Northern Trust.

It is important that the work of the turnaround and support team be substantially implemented before further work is carried out on the options appraisal on future management arrangements. When the recommendations from the team have been implemented, the focus can once again turn to the appraisal of the management options recommended by Transforming Your Care.

Donaldson is out for consultation. The points that have been made today should be made to Donaldson. Mr Storey has just made a point of handing me ‘Causeway's Future: Proposals for the Way Forward for Causeway Hospital’, which was prepared by the Causeway Hospital Campaign group. Those are all the sorts of points that the Donaldson review wants to hear. We are not wedded to any particular recommendation of Donaldson, but I was enthusiastic, because Donaldson has caused us to stop and think on many issues about where we are going in Northern Ireland and how, in many ways, we can configure our services. It has prompted the debate that we need to have. There are MLAs and MPs who see a very bright future for the Causeway Hospital through documents such as this. It is important that the review team has that information and can take it on board.

People who might cast aspersions on Liam Donaldson's track record have to remember that we are talking about the Sir Alex Ferguson of health. This is an individual who was the Chief Medical Officer for England and has vast experience and an impeccable track record in this field. When he makes recommendations, we should sit up and take note. That does not mean that we slavishly follow everything that he says, but we have to give it due and careful consideration. I think that Mr Allister is slightly wrong to say that —

**Mr Campbell:** Slightly?

**Mr Wells:** He is entirely wrong to suggest that we should bin the Donaldson review or not take it into account.

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

**Mr Wells:** Yes.

**Mr Allister:** I do not think that I said to bin the Donaldson review. I invited the Minister to square the circle between Donaldson, which states that 10 hospitals is too many and therefore — *[Interruption.]* This may be a matter of disinterest to Mr Storey, but it is a matter of great interest to his constituents. Donaldson said that we should bin the 10 acute hospitals and centralise resources: you cannot do that and allow the Causeway Hospital to escape. Therefore, I ask the Minister to reject any Donaldson

consequential as far as it affects the Causeway and to make that abundantly clear.

**Mr Deputy Speaker (Mr Beggs):** I invite the Minister to draw his remarks to a close.

**Mr Wells:** All that I can say in reply is that there is not much sense in me calling a consultation on Donaldson and then issuing an edict as to what I think it should agree. When the consultation is closed, we will have a chance to sit down and analyse what has been said alongside documents such as this and the Hansard report of this debate. We can then have an intelligent debate on the best way in which to configure hospital services in Northern Ireland.

That is as far as I am prepared to go at this stage, but I hope that the huge investment we are making in the Causeway Hospital in staffing at the moment indicates how important a role we see it having in the north coast area.

*Adjourned at 5.05 pm.*

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# Northern Ireland Assembly

Monday 27 April 2015

*The Assembly met at 12.00 noon (Mr Speaker in the Chair).*

*Members observed two minutes' silence.*

## Assembly Business

**Mr Dickson:** On a point of order, Mr Speaker. Can you advise the House who the Minister of Health is today, given the statement that the Minister's resignation will not take place until 11 May and that another Minister will take joint responsibility for some of the tasks?

**Mr Speaker:** My office and I have received no notification, so, until I receive such notification, the Minister of Health is Mr Jim Wells.

## Public Petition: Sixmilewater — Reconsideration of Belmont Road Development

**Mr Speaker:** Mr Danny Kinahan has sought leave to deliver a public petition in accordance with Standing Order 22. The Member will have up to three minutes to speak.

**Mr Kinahan:** I am really pleased to present this petition, which calls for the reconsideration of the proposed development of the Belmont Road on a site alongside the banks of the Sixmilewater river. The petition contains 1,047 signatures today and is, I am told, still live and now has 1,182 signatures. I thank Stevie Munn, a game angling consultant, and the Six Mile Water Trust and its colleagues, who pulled the petition together. They highlighted the key issues, and I have enjoyed working with them since I entered politics. Sadly, this matter has arisen at election time, and I hope that it can be resolved by all the politicians in the area working together into the future.

The valley and the river are just on the outskirts of Antrim, and a wonderful council-planned mill race trail runs along the riverbanks and is incredibly popular with locals as an area of natural beauty, for angling, for countryside walks and for nature. It really should be protected and preserved. It should be part of a tourist trail and a tourism strategy — if we had one — in Northern Ireland that promotes our country sports and countryside. We should keep in mind that, in Ireland, angling alone contributes €755 million to the economy.

We all know that the Sixmilewater has often been appallingly badly polluted, and, indeed, in 2008, there was great flooding after heavy rainfall. The blockages around the bridges and other pinch points led to appalling flooding in people's houses. We still have ongoing insurance problems. We should keep that in mind when we look at the petition and the plan.

The present plan is to develop 400 houses beside the river, with a 10-metre buffer — that is all — with no recognition of the needs of the wildlife, including the otters, the dippers, the dollaghan and many others. That all needs to be studied properly and accurately in an environmental statement. That should be carried out so that we know all the issues.

The application was validated just after the new super-councils began, so it should be subject to the new local area plan when it is created and should take into account all the community's views before any decision is made. I hope that the Minister will confirm that that is the case and that previous area plans are now redundant. I also

hope that DRD and DARD will look into the issues that are relevant to them. The development should either not happen at all or should be completely rethought. It is the test on the whole of our new planning system. Thank you.

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

**Mr Speaker:** I will forward the petition to the Minister of the Environment and send a copy to the Committee.

## Executive Committee Business

### Social Security Benefits Up-rating Order (Northern Ireland) 2015

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

*That the Social Security Benefits Up-rating Order (Northern Ireland) 2015 be approved.*

The uprating order is an annual order that sets out the rates of contributory and non-contributory benefits, together with the various allowances and premiums, that make up income-related benefits. Generally, the annual amounts from April each year are based on the increases in the general level of prices over the 12 months ending the previous September, measured using the consumer prices index (CPI), which is the measure of price inflation the Westminster Government consider most appropriate for this purpose.

At the end of September 2014, the CPI showed an increase of 1.2%. According to the latest data published by the Office for National Statistics (ONS), by February this year, that figure had fallen to zero and again remained at zero last month.

There has been some debate in the past about whether the CPI or the retail prices index (RPI) should be used as the measure; some people argue that using CPI will cost less. It is clear that there is no perfect measure of inflation, but uprating by CPI ensures that, at the very least, benefit levels maintain their value against inflation. In addition, some commentators consider that it better reflects the inflation experience of pensioners and benefit recipients.

In 2013, because of the national economic situation pertaining at that time, the Westminster Government brought forward the Welfare Benefits Up-rating Act 2013, which limits the increase in the majority of working-age benefits and statutory payments in Great Britain for 2014-15 and 2015-16 to 1%. Whenever the Secretary of State for Work and Pensions makes an uprating order under section 150 or 150A of the Social Security Administration Act 1992 or an order under the 2013 Act, my Department is empowered to make a corresponding order. There is no power to increase benefits by a different or greater percentage to that provided for in the orders made by the Secretary of State for Work and Pensions.

Basic state pension is increased by 2.5% to £115.95, which is an increase of £2.85 a week, and the minimum guarantee in state pension credit is increased by the same amount, taking a single person's weekly income to £151.20. For couples, the increase is £4.35, taking their new total to £230.85 a week. Those facing additional costs because of a disability or those who may have less opportunity to increase their income through paid employment have seen their benefits rise by the increase in CPI. Therefore, disability living allowance, attendance allowance, carer's allowance and the main rate of incapacity benefit have all risen by 1.2%, as did the employment and support allowance support group component and those disability-related premiums that are paid with pension credit and working-age benefits.

Other benefits have been increased by 1%. As a result of the uprating order, we will be spending an additional £94 million on social security in 2015-16 — money that will go into the

local community and the local economy. I appreciate that many of us would like to do more, but, as I already stated, my Department is empowered to increase the rates of benefits only to the same extent as those payable in Great Britain.

I am sure that all Members will wish to ensure that people in Northern Ireland, including some of the most vulnerable in our society, can continue to receive the new increased rates of benefit. Therefore, I ask them to join me in supporting the order.

**Mr Maskey (The Chairperson of the Committee for Social Development):** Go raibh maith agat, a Cheann Comhairle. I thank the Minister for bringing forward the statutory rule and for outlining the purpose behind it.

The Committee for Social Development first considered the proposal on 5 February 2014 and was content for the order to be made. We formally considered it on 12 March, and the Committee was again content to recommend that the Assembly affirm the statutory rule. As the Minister indicated, the order is already in operation, and today we are simply being asked to affirm it.

The order, as we just heard from the Minister, is one of a series of statutory rules relating to the annual uprating for rates of social security benefits, pensions and allowances. The implementation of the uprating proposals is expected to increase the Department's annually managed expenditure by approximately £94 million. The uprating order also includes provision to increase the weekly rate of ordinary and additional statutory paternity pay and statutory adoption pay, the responsibility for which lies with the Department for Employment and Learning. DSD informed the Committee that it consulted with that Department and that DEL is content with the proposals.

The Minister already referred to this, but the only issue of contention for the Committee, which I feel it is important to put on the record again, is that the increase in the uprating is linked to CPI. Others have contested that that is less advantageous. Nevertheless, that is the position that we are in. The Minister outlined the reasons for the uplift and the limitations on the Committee and the Assembly to do anything about it at this point.

On behalf of the Social Development Committee, I recommend that the order be affirmed by the Assembly.

**Mr Storey:** I thank the Chair of the Social Development Committee and its members for the consideration that they gave to the matter and for the positive way in which they dealt with the order. As on previous occasions, I have taken note of why RPI is no longer used and why we now use CPI. I have no doubt that it is an issue that will continue to be raised in the future, but, as the Member knows, the outgoing coalition Government's view is that the consumer price index is the most appropriate measure for price inflation for this purpose. Therefore, it remains an issue that is in the domain of the national Government at Westminster.

I am certain that there will be a general welcome for the increases in the rates of benefits provided for by the uprating order, and I commend the motion to the House.

*Question put and agreed to.*

*Resolved:*

*That the Social Security Benefits Up-rating Order (Northern Ireland) 2015 be approved.*

## Committee Business

### **Ombudsman and Commissioner for Complaints (Amendment) Bill: First Stage**

**Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister):**

I beg to introduce the Ombudsman and Commissioner for Complaints (Amendment) Bill [NIA 48/11-16], which is a Bill to extend the maximum period for which an acting Assembly Ombudsman for Northern Ireland and an acting Northern Ireland Commissioner for Complaints may hold office.

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

## Northern Ireland Act 1998: Report on the Operation of the Provisions of Parts 3 and 4

**Mr Speaker:** The Business Committee has agreed to allow up to one hour and 30 minutes for the debate. The proposer will have 10 minutes in which to propose the motion and 10 minutes in which to make a winding-up speech. All other Members who are called to speak will have five minutes.

12.15 pm

**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 the Operation of the Provisions of Parts 3 and 4 of the Northern Ireland Act 1998 [NIA 242/11-16], made under Section 29A(3) of that Act.*

The context to this report is that the Northern Ireland Act 2006 inserted section 29A into the Northern Ireland Act 1998, which provided for the establishment and function of the Assembly and Executive Review Committee. Section 29A(3) of the Northern Ireland Act 1998 provides that the Assembly and Executive Review Committee:

*“shall, by no later than 1 May 2015, make a report on the operation of the provisions of Parts 3 and 4 of this Act —*

*(a) to the Secretary of State;*

*(b) to the Assembly; and*

*(c) to the Executive Committee.”*

Since its establishment in May 2007, the AERC has reviewed and produced 10 reports, all of which are outlined in this report. In its approach to each of the reviews, the Committee has sought and considered the views of political parties in identifying what issues to review. Among those that it was asked to consider were the size of the Assembly; the number of Departments; the appointment of the Minister of Justice; the petition of concern mechanism; a review of d'Hondt and the introduction of an official opposition; and gender equality. All those issues were covered in the reports produced by the Committee. There were a number of additional issues that the Committee was asked to consider but they did not fall under its remit and were, therefore, not selected for review.

While the Committee did not always reach consensus on the issues considered in the 10 reports, it did set out in detail options for how they could be taken forward, with individual party positions on each issue. The outcomes from these reports recently proved useful in the negotiations leading to the Stormont House Agreement. For example, the Committee's views on how the number of Northern Ireland Departments could be reduced have been broadly reflected in the nine future Departments as announced by OFMDFM in March. Similarly, the extensive consultation and analysis undertaken as part of the Committee's reviews of d'Hondt, community designation, provisions for opposition and petitions of concern provided a useful foundation for the corresponding provisions in the Stormont House Agreement.

Preparing this report was an opportunity to reflect on the number of issues the Assembly and Executive Review

Committee took forward. However, it is equally important to recognise the complexity and depth of some of those reviews — such as policing and justice — including reviewing the arrangements for the appointment of a Justice Minister, the establishment of an opposition, a review of the petition of concern mechanism and the reduction in the number of Departments and Members of this Assembly.

It is worth noting that the Committee commissioned 53 Assembly research papers as part of its inquiries. That was testimony to the extensive scrutiny that the Committee undertook to ensure that the parties represented on it were fully informed of the complexities of implementing institutional reform in Northern Ireland and were aware of models of best practice nationally and internationally.

The Assembly and Executive Review Committee requests that the Assembly notes its report on the operation of the provisions of Parts 3 and 4 of the 1998 Act to the Secretary of State, the Assembly and the Executive Committee.

**Mr McCartney:** Go raibh maith agat, a Cheann Comhairle. I welcome the report. Indeed, I thank the Chair for his work over the last number of years, particularly on the reports that have been carried out recently. I am the only person who has remained on the Committee since its inception in 2007. I do not know what that says about the Committee or me, but I have been there from the beginning.

There have been 10 reports carried out, and the Chair outlined a number of them. For me, some of the reports were very informative, and the witnesses who came to the Committee and the number of research papers — as the Chair outlined, there were 53 — provided a lot of information and insight into how the Assembly could work better. I do not think that any of us is naive enough to not know that some of the discussions we took part in would need some sort of political leadership as well. So, as we take things forward, we know that.

The first two reports that the Committee carried out were into the transfer of policing and justice powers. I was on the Assembly and Executive Review Committee and then sat on the Justice Committee when it was established, which no doubt provided an excellent insight into the many agencies and the many different aspects of the Justice Department that were coming here for the first time.

The last report of the Committee was on women and politics, which perhaps was not strictly within the confines of Parts 3 and 4 of the Act. Again, as we go forward, that will be seen as the basis for more discussion. Everybody in the Committee accepted that the Assembly — indeed, politics in general, not just here — could do more to encourage and make provision for more women in politics. That report will be seen in that context.

I commend the Chair and, on behalf of Sinn Féin, thank the Committee staff and the researchers for the valuable work they have carried out over a long number of years. Go raibh míle maith agat, a Cheann Comhairle.

**Mr Rogers:** These reports are the product of a number of years' work and research, and I place on record my thanks and the SDLP's thanks to the Committee's Clerks and staff for their tremendous work.

As the previous Member said, the Committee's work involved working through the detail of the operational needs of Parts 3 and 4 of the Northern Ireland Act. Two reviews



that I was recently involved with and would highlight were on petitions of concern and women in politics.

Voter disillusionment with Stormont, and with politics more generally, has been highlighted to me, and many in this House I am sure, in the past few weeks as we have been canvassing. Those two reviews, in particular, could help to lay the foundations for voters to start becoming more engaged with our politics.

Petitions of concern were designed to protect the equality and human rights of vulnerable groups. It is clear that the use of petitions of concern has evolved over the life of the Assembly, and they are being abused in a capricious manner. I am sure the discussions between the parties on petitions of concern will be aided and informed by the review so that we can ensure that petitions are employed in accordance with their originally intended purpose. The SDLP believes that any change in the use of petitions must be reflected in standing orders and be adjudicated upon.

The debate on the review into women in politics and in the Assembly nicely coincided with the celebrations for International Women's Day. It was heartening to hear cross-party recognition and support for the need for more women to enter politics. However, most people want to know what we are going to do about it. It is important that we implement the recommendations of the review and help to encourage and support more women to run for election in Northern Ireland at all levels.

I am confident that the vast work undertaken by this Committee will prove to be beneficial to the House and the Secretary of State. Thank you, Mr Speaker; that was short and sweet.

**Mr Swann:** I just heard Mr Rogers say, "Short and sweet." Hopefully, he was referring to his contribution rather than me. *[Laughter.]* We note the publication of this report from the Assembly and Executive Review Committee. As the report outlines, a number of the elements of the provisions in Parts 3 and 4 of the Northern Ireland Act 1998 are subject to discussion following the Stormont House Agreement. The report concludes that the Committee will revisit a number of the issues following the publication of the its report and points to the fact that other aspects were subject to discussions flowing from the Stormont House Agreement.

One of the areas that the Committee will revisit is the method of election of the First Minister and deputy First Minister. It is no secret that the Ulster Unionist Party would like to see a return to the joint election of that office. The Stormont House Agreement contained a reduction in the number of Executive Departments. Ultimately, it is the Ulster Unionist Party's view that we could have seen a more ambitious reduction in the number of Executive Departments. Nevertheless, we welcome the small number arrived at.

While the detail has still to be worked out, we hope that the reallocations of functions and services will see an Executive that greater serves the people of Northern Ireland.

Breaches of the ministerial code have been raised more than once during this mandate, and we believe that this is an area that needs looked at as well. As Mr Rogers also referred to, petition of concern is an area that is obviously in need of serious reform. However, this is one of the areas

that is currently being reviewed as part of the Stormont House Agreement, so I await the outcome of that.

We note that the conclusions in this report point to the work that has already been carried out in relation to a number of provisions of Parts 3 and 4 of the Northern Ireland Act 1998 and the work that is still to be completed following the Stormont House Agreement as well as by the independent financial review panel. We will no doubt come back to many of these topics in the future, either to welcome work completed or to investigate what more is needed to be done, but we note the contents of this report today.

**Mr Lunn:** The Chair laid out in his introduction why we were required to make this report. At the time, it seemed to come out of the blue and was a bit of a surprise. I would not say that we nearly overlooked it, but we did not have an awful lot of time to deal with the issue, not that that should be much of a handicap in the case of this Committee because, frankly, we never spend much time on anything.

I want to pay tribute to the staff, two of whom are here, Claire McCanny and Kate McCullough, and Jim Nulty. They have dealt with this as best they can, producing mountains of information for us. The Committee, once it got into its deliberations, met three times. I fancy that we may have spent between an hour and a half and two hours in total on this supposedly very important review, and here we are today. I suppose that we could say that we have fulfilled the obligation under the original Act to review the operation of Parts 3 and 4. We have done that, but, beyond that, there is not an awful lot to say about this.

The Chair, in his introduction, said that these reports provide a lot of valuable input for future deliberation, such as the Stormont House Agreement. I will go through some of the paragraphs in the report. Paragraph 31 notes the point that parties were asked to identify if there were any further provisions that they wanted to have included in the report. I think that that was the third time that they had been asked, and nobody ever came up with any suggestions. Paragraph 49 is on the operations of 16A and 16C of the Act. The Committee acknowledged that a consensus could not be reached. Paragraph 60 of the report states that, on the initial ministerial provision in relation to the Department of Justice, there was no broad consensus. Paragraph 67 states that the Committee could not reach consensus on the size of the Assembly. Paragraph 82 states that the Committee concluded that there was no consensus at that time on d'Hondt. Paragraph 90 refers to the Committee's report on petitions of concern and states that the Committee did not achieve consensus for most of its conclusions.

Mr Speaker, I do not want to query the clock, but was my time perhaps added to that of the Member who spoke previously? I do not think that I have been going for four and a half minutes. If I have, my time is nearly up. That will be a relief to some people.

Finally, Mr Swann referred to paragraph 102. It states:

*"The Committee agreed that it would return to consider issues relating to the nomenclature and the method of election of the First Minister and deputy First Minister ... the Ministerial Code" —*

**Mr Speaker:** You have an extra minute. There was a difficulty with the clock. I will keep you right.

**Mr Lunn:** Thank you. Paragraph 102 continues:

*“and Strategies relating to Irish language and Ulster Scots ... following the publication of the Committee Report”.*

I respectfully suggest that the best thing that this Committee could do is to conduct a review of its own operations. It is a farce, and it really needs to be beefed up and tidied up. We continually do not reach consensus on virtually anything. I will leave it at that, but I will support the report.

**Mr Campbell:** I am little bit confused by Mr Lunn's concluding remarks in that he almost excoriated the report and welcomed it at the same time, but such is the Alliance Party.

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

**Mr Campbell:** No, I think that we have had enough.

I welcome the report, such as it is. A series of issues have been at the heart of matters since 1998, through the St Andrews Agreement and the Stormont House Agreement, about the size of the Assembly and the number of Departments. Those issues concentrate the minds not just of the Assembly and Executive Review Committee but of the wider public. In all seriousness, I share some of Mr Lunn's concerns, because, at times, the Committee goes over ground that we all know that we will not reach consensus on. Some critics need to make up their minds — I am not referring to Mr Lunn — in that, if we do not agree, they criticise the politicians and members of the Assembly and Executive Review Committee, and, if we do agree, they criticise us for agreeing. They cannot have it both ways.

**12.30 pm**

*(Mr Principal Deputy Speaker [Mr Newton] in the Chair)*

There is no doubt that there is a gulf of difference between some of the parties, not least between Sinn Féin and us. The Committee went through the motions to arrive at the conclusion that that gulf exists. I do not see that there is a problem with admitting that to be the case. However, the Stormont House Agreement — AERC investigated some of the issues therein — addressed some of those matters, and we are very slowly, at a snail's pace, doing likewise. I do not accept the pace, and many people outside do not accept it either. I want us to make much more significant progress. What people want to say to us, and what I say today, is that we need to get on, address the matters, get the size of the Assembly down, get the number of Departments down and let us see a fully functioning, effective Government in place.

**Mr Allister:** Here we are again: another non-report from what is, effectively, a non-committee. Indeed, things are so bad this time that the report is reduced simply to reciting its previous ineffective non-reports. I say “non-committee”, because the truth is that this Committee is either not permitted or is incapable of original thought. It can act only when it gets the nod from the politburo to agree something. Otherwise, its sole function is to meet occasionally, just long enough to drink the free coffee, take the free scones, dip into the free fruit platter, and, after 25 minutes, the meeting is over. That is the essence of the Committee.

**Mr Lunn:** I thank the Member for giving way. We do not get free scones any more.

**Mr Allister:** Any more? Good.

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

**Mr Allister:** So this Committee made a decision, Mr Lunn says, that, such was the level of embarrassment over its inactivity, it would no longer have free coffee, free scones and free fruit. Well done, this Committee. Is that the product of all this? Yes, sadly, it is.

The Chairman, of course, who obviously has much more important things to do than even to be here for the debate — after his three-minute speech, he disappeared from the Chamber — told us that the Committee had had 53 research papers. It has had 53 fig leaves, because it has done nothing with any of them.

The real significance of today is that, after eight years, we reach the point at which the DUP promise of 2007 stands naked and exposed. The 2007 promise, after St Andrews, was: this was for the gullible, of whom there were many, and you will have to swallow mandatory coalition for eight years, but we have got it into the Act. We have amended section 29, and, in 2015, at the end of eight years — two terms — there will be a review to end mandatory coalition. What a con. Yet Members like the Chairman, who is on record as saying that he would rather go back to his shop than go into government with Sinn Féin, were gullible enough to swallow it, to peddle it and to pretend about it. Today he is probably out canvassing for a candidate who in 2005 took David Trimble's seat on the basis of a manifesto saying that mandatory coalition with Sinn Féin was out of the question. Ever since, he has spent his time propping it up, as has the Chairman.

The great promise for the gullible was this: at the end of eight years, there would be this mighty review. We were not tied into mandatory coalition in perpetuity; it would be magicked away by this review. That was the disingenuous nonsense that was peddled and that many of the gullible fell for, while some who wanted to fall for it grasped it with both hands. That is the truth and the reality of what happened in that party. Today, the truth and the reality of this fatuous, vacuous report is that it does not even amount to a row of beans — fitting, perhaps, given the disingenuous nature of the false promise so grandly made.

**Mr B McCrea:** Mr Allister referred to some people as “gullible”. I may be one of those gullible people, because I voted yes for the Good Friday Agreement, and I would vote yes again for the Good Friday Agreement.

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

**Mr B McCrea:** Yes.

**Mr Allister:** The gullible I was referring to were those who voted no to the Good Friday Agreement, who pretended that they were still against the Good Friday Agreement and who were then so gullible to believe that they could endorse the Good Friday Agreement and, through this review mechanism, nonetheless get it changed. They were the gullible I was referring to; not you, Mr McCrea — you were always gullible. *[Laughter.]*

**Mr Principal Deputy Speaker:** Mr McCrea has an extra minute.

**Mr B McCrea:** I am trying to work out whether it is better to be wrong or gullible. I am grateful for the clarification, because the challenge I put out then, and the challenge I put out now, is this: give me an alternative. Give me something else that you can do that will get agreement. What the Member just outlined is that we have a stalemate. We cannot get any form of agreement; there will be no change. The reason why this is a complete waste of time is because there is no agreement.

I can accept some of the arguments that the honourable Member put forward about what he would like to see achieved, but the truth of the matter is that he will not see them achieved. The most serious issue that we have had — I think it is at paragraph 102 — is what to call the First Minister and deputy First Minister. That is what pervades every single political thought in this place and in this country; it does not matter what your policies are on anything. It all comes down to this: “Let’s keep the Shinnars out” or “Let’s try and get the Shinnars in”. All other policy debates are reduced to nothing.

I checked to see what this Committee does, and I noticed that paragraph 12 on page 4 says that it agreed to write to all the independents and the party leaders on 27 January —

**Mrs D Kelly:** Will the Member give way?

**Mr B McCrea:** Yes.

**Mrs D Kelly:** This is on a slightly different point, but does the Member not agree that neither Sinn Féin nor the DUP has fulfilled the promises of the Good Friday Agreement, which many people voted for because it was a better way forward, and that a sectarian headcount suits both parties?

**Mr B McCrea:** I am happy to develop that point. That is what was promised in 1998. We were going to try to put the past behind us and move forward. We were going to try to work our way through things. The history of this place has proven that it has not been possible to do that. Of course, people go through a few sham fights; they pretend that they are having disagreements, and then they go off and talk to their core electorate. Meanwhile, nothing, nothing, nothing gets done. This Committee will not produce any reports because this Committee cannot produce any reports.

At the risk of stating the obvious, we are getting to a stage where you find that the contempt in which the political process is held in this part of the world is palpable when you talk to people on the street. If we do not deal with that, we will not get people buying in to a political process, a peace process or any other process.

We have far more important things to deal with, whether they be youth unemployment, trying to get the economy going or trying to sort out our stance on gay marriage or any of the other issues that affect us. Let us have proper debate. But, do you know what? We cannot. Everything comes back to whether we will have Marty as First Minister or whether we will ensure that he is not.

Mr Principal Deputy Speaker, the clock is not working, so I do not know where I am with time.

**Mr Principal Deputy Speaker:** The clock is accurate.

**Mr B McCrea:** Sorry. I beg your pardon.

The key question that I want to ask is this: why can we not have some proper debate? I heard Mr Campbell say that

we should reduce the number of MLAs. Fair enough, let us reduce the number of MLAs, but maybe we should look at changing the boundaries. Why do we have to follow the 18 parliamentary constituencies? That is the debate, and I am happy that some discussion may happen on that. We certainly need to get a more effective form of government.

People will know that I have long-held reservations about petitions of concern. We get into situations from time to time when both the main parties have said, “Do you know what? We really cannot see this passed”. I want to see a more effective mechanism, whether it be some form of weighted mechanism, some sort of review or something else. We cannot get to a situation in which it does not matter what we say or speak on because a petition of concern will be tabled. As a result, this place will not change.

The issue that many people find strange is that the Assembly has little power on matters. Most issues — most difficult issues — are resolved at Executive level or behind closed doors. That is not what democracy is based on. We should be having the debate and come out and say what we want to see done better.

On Mrs Kelly’s point, the disappointment that the people of our country feel is palpable. We need to do better, so we ought to have an official review. The AERC is the Committee that should be doing that. It is failing in its job, and collectively we need to do better.

**Mr Sheehan (The Deputy Chairperson of the Assembly and Executive Review Committee):** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. As Deputy Chair of the Assembly and Executive Review Committee, I will make the closing remarks in the debate on the Assembly and Executive Review Committee’s Report on the operation of the provisions of Parts 3 and 4 of the NI Act 1998. I do not propose to summarise Members’ contributions. They speak for themselves and will be available in Hansard.

I commend the Assembly and Executive Review Committee on the work that has been undertaken over the past eight years. At times, that work has been complex and sensitive when it came to considering the views of the political parties and individual Members of the House. I further stress that those same parties and individual Members were given the opportunity to contribute to the topics that were to be considered by the Committee.

The reports produced by the Assembly and Executive Review Committee over those past eight years have contributed to a number of key matters that have been taken forward by the Assembly, such as policing and justice, the procedures for the appointment of the First Minister and the deputy First Minister, and women in politics.

I also agree with the Chair that, when we reviewed not only the reports but the mechanisms that we used to carry out the reviews, I was struck by the wealth of information and research that was commissioned on behalf of the Committee to reach the conclusions and recommendations in every report. In addition to the extensive number of research papers that were produced, the Committee engaged with a wide range of stakeholders as part of each review, from political parties to leading academics here and in the UK, as well as councils, think tanks and voluntary and community groups. The Committee also engaged with the British Secretary of State, the Northern Ireland Office, Executive Departments and non-departmental public bodies.

I emphasise to the House that the reports of the Assembly and Executive Review Committee have provided valuable information to the Assembly that have allowed it to consider ways of moving forward reform of the institution.

I conclude by thanking the Committee officials for the sterling work that they have done over the past eight years.

*Question put and agreed to.*

*Resolved:*

*That this Assembly notes the report of the Assembly and Executive Review Committee on the Operation of the Provisions of Parts 3 and 4 of the Northern Ireland Act 1998 [NIA 242/11-16], made under Section 29A(3) of that Act.*

12.45 pm

## Private Members' Business

### Marriage Equality

**Mr Principal Deputy Speaker:** The Business Committee has agreed to allow up to one hour and 30 minutes for this debate. The proposer of the motion will have 10 minutes to propose and 10 minutes to make a winding-up speech. All other contributors will have five minutes. As a valid petition of concern was presented on Friday 24 April in relation to the motion, the vote will be on a cross-community basis.

*(Mr Speaker in the Chair)*

**Ms Ruane:** I beg to move

*That this Assembly welcomes the marriage equality referendum in the South of Ireland; notes that a growing number of Parliaments across the world have embraced, and legislated for, marriage equality; respects the rights of the religious institutions to define, observe and practise marriage within their beliefs; and calls on the Executive to legislate for marriage equality for same-sex couples so that all citizens will have the same legal entitlement to the protections, responsibilities, rights, obligations and benefits afforded by the legal institution of marriage.*

Go raibh maith agat, a Cheann Comhairle. Agus molann Sinn Féin an ceart um chomhionannas sóisialta, gnéis agus cultúrtha. I welcome the referendum for marriage equality in the South of Ireland. I will be voting yes — tá — on 22 May. I was part of the Sinn Féin team at the constitutional convention, and I was very proud that all our representatives voted in favour of marriage equality. If we vote yes, and I hope we do, we will be a step closer to cherishing all the children of the nation equally.

Sinn Féin wants to see this island part of a progressive world where all citizens can be married, regardless of their sexual orientation. We want to join the nations that have supported marriage equality: Argentina, Brazil, Canada, Denmark, France, Iceland, Luxembourg, the Netherlands, New Zealand, Norway, Portugal, South Africa, Spain, Sweden, England, Scotland, Wales and Uruguay. This is the fourth time that Sinn Féin has brought this motion forward, and I have no doubt that there will be some among you who will be critical of that. We make no apology for that, because until all our citizens have equality we will continue to bring motions in relation to equality. Sin é; it is as simple as that.

I sympathise with Jim Wells in relation to his wife Grace, and I am genuinely sorry that they are going through such difficult and traumatic times; I mean that very sincerely. However, no matter how much pressure someone is under, there is no excuse for the comments that were made. What made the comments even worse was that they were made by the Health Minister, who has taken a pledge of office and who is responsible for safeguarding children. Jim Wells violated that pledge of office, and I believe —

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

**Ms Ruane:** No, I will not give way.

I believe that he made the right decision. The only part of the decision that I think is wrong is that he should have

resigned from now and not from 11 May. Peter Robinson, the leader of the DUP, now has a decision to make. The public needs to be reassured that the new Health Minister will fulfil her or his duties in the Department, whether it is in relation to adoption, blood donation or child protection. We cannot continue to have policy made based on personal religious belief and then pretending that there is research to back it up. We have seen that with the last two Health Ministers. It is insulting to the community at large, particularly to the LBG community. Indeed, his comments were very insulting to lone parents.

I note that all of the parties have criticised his comments, and I welcome that, but now the proof of the pudding is in the eating. Parties like the SDLP and Alliance say that their policy is to support marriage equality, and their members say they support their party policy. But then, some of them do not turn up for debates, and we hear the most ridiculous excuses. So, I genuinely hope that there is a full SDLP team and a full Alliance team here today.

Ulster Unionist Party Members have a free vote — sitting on the fence as usual. I believe that the leader of the UUP has questions to answer. He is not here, unfortunately. He sits on the Committee with responsibility for equality, but he has questions to answer. His party has election pacts with a party that does not support equality. Then, he is on the radio making nonsensical arguments that the marriage equality debate is not about equality and that that is why he supports equality for LGBT people but not in relation to marriage. It is nonsensical. He should be here and he should clarify his position.

This is an equality issue. I can marry my husband. I can show the world that I have married him and that I love him, but my gay and lesbian friends who have been in relationships for longer than I have — I have been in it for only 22 or 23 years — cannot do the same, and that is not fair. It is not legally right and it is not fair.

Jim Wells is not alone in the DUP to have made such homophobic comments. The list is long — Sammy Wilson, Ian Paisley junior, Iris Robinson, Edwin Poots. We had Paul Givan trying to bring in a Bill, but, thankfully, Sinn Féin, with the Greens and Basil McCrea, are blocking that discriminatory private Member's Bill dressed up as a so-called conscience Bill.

To the DUP, I say that I hope that none of your children; grandchildren; nieces; nephews; brothers; sisters; aunts; uncles; cousins; neighbours; friends, or constituents are gay. The reason that I hope they are not is because they will be living in fear and getting very dangerous messages. They will be living in a culture of silence and rejection. There is a good chance that your policies and utterances are hurting them, and hurting them so deeply that they fear coming out. As Justin McAleese so eloquently put it in his article, when he heard Ian Paisley junior's remarks, it stopped him coming out for another while and left him suffering in silence. It is wrong, and things need to change in this part of the world. You are condemning them to silence and fear.

What are the arguments that we are going to hear today? That it threatens family values — yeah, yeah, yeah. We have heard it before. I will tell you when we heard it. We heard it when it was used to justify laundries, when women were hidden away to protect family values while they were pregnant and had their children. Children were sent to far-

flung parts of the globe to protect family values. We do not want to protect those types of family values. We will hear that the institution of marriage is threatened. Where did we hear that before? It was in apartheid South Africa, to justify why black and white could not marry — because it would threaten the institution of marriage.

The other argument we will hear today is about religious belief. In case there is any ambiguity about it, the motion supports freedom of religion by allowing religious institutions to define, observe and practise marriage according to their beliefs. However, as legislators, we are not here to legislate according to our personal beliefs; we are here to legislate on the basis of equality, and that is what we will do. We will join the rest of the world in equality for all of our citizens.

My concluding message is to the LBG community. Sinn Féin believes that you have rights. We will support those rights. We will take on discrimination and homophobia using all the tools at our disposal, but the biggest message that I want to send to drown out the negative, hateful bile that is coming out of some people is: we love our gay aunts and uncles; we love our lesbian children and gay grandchildren. We applaud your courage and bravery and the bravery of organisations that work with you. Together, we will build a society that includes and embraces.

I urge politicians to be very careful when they are speaking. A gay couple knows only too well how scary it is, in the dark of night, when a brick might come through the window. It takes courage to come out, because hate crime is on the rise. Those politicians who incite hatred, do not wring your hands, cite your conscience or say that you are against violence, if your words — your words — are the words ringing in the ears of the person who throws the brick through the window. Shame on you. Shame on you.

Today, what we need is this House to support the motion.

**Mr Weir:** I am speaking on behalf of the DUP. My party will oppose the motion for a number of reasons. First of all, the proposer of the motion mentioned that it is the fourth occasion on which it has been brought to the House this mandate. The make-up of the House has altered very little during that period. Clearly, this is an attempt at an electoral stunt. This is not a serious debate. Indeed, that was indicated by the previous Member who spoke when she made the offensive remarks effectively comparing those who oppose same-sex marriage or a redefinition of marriage to those who took a particular view in apartheid South Africa. I find that deeply offensive.

I think that the game was given away by the proposer of the motion when she referred to the SDLP, Alliance Party and Ulster Unionist Party. Clearly, this is an attempt to try to exploit differences in those parties for pure electoral gain. It is disappointing that there will not be a serious debate on that basis.

At the outset, I want to say that the position with regard to the definition of marriage in the Republic of Ireland — although it is only obliquely referred to in the motion — is a matter entirely for them. I take no position at all on the referendum. It is not my place to try to interfere in the internal affairs of another sovereign country. However, I hope that such a referendum never takes place in this jurisdiction.

It is not about a rights agenda. When civil partnerships were brought in, that conferred a range of rights. That was meant to sort out the rights issues. It dealt with that. The motion is clearly an attack on the symbolism and institution of marriage and is an attempt to redefine marriage. My party believes, as do I from my personal beliefs and convictions, that marriage is between one man and one woman. Once you redefine that, you lose the essence of marriage itself. I have no doubt that some proponents of this will say that that definition is not inclusive. I freely accept that it is not an inclusive definition because marriage, by its nature, is not inclusive: it makes a range of boundaries and restrictions. There are restrictions on the age at which people can be married and the nature of the blood relationship between those who would potentially get married. Similarly, it is restricted to two people; one man and one woman. Marriage, by its nature, then, has a special place in society.

Perhaps the most serious thing is the impact that it would have on Churches and faith organisations. There was an attempt to sugar the pill in relation to that. We have supposedly, in the motion, the provision to try to protect those Churches. I ask what level of worth that has and whether we are faced today with a motion that is really the endgame. If we see a situation in which the definition of marriage is redefined in this nature and various Churches resist that, as they would, how long will it be before pressure comes on them and there is some of court challenge or indeed pressure is put on them with regard to the funding that would go to them? For those who see that as fanciful, we have seen recently in the Ashers case that there are to be no exemptions or exceptions for the exercise of conscience.

1.00 pm

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

**Mr Weir:** No, I want to get through this.

Similarly, if we are looking at the endgame, we should remember that when the then Prime Minister, Tony Blair, brought in civil partnerships, we were told that this was meant to clear up all the issues: civil partnerships were the complete solution, and marriage itself was not being tampered with. Yet we see, 10 years down the line, an attempt to redefine secular marriage. How much assurance can we have that, further down the line, there will not be an attempt at redefining the religious sacrament of marriage?

I have to say that, if you are a supporter of pure equality in marriage, this motion does not cut it for you because, essentially, it says that you can have marriage on certain grounds but there will be exclusions. As anyone who has campaigned for equality on any issue will tell you, it will, therefore, be simply a staging post. If the motion is passed and the Executive take action, the very same supporters of the motion will come back to take further action to remove any exemption for the Churches. There is no doubt about that. At best, today's motion represents — there has been an attempt to disguise this — a temporary reprieve for the Churches and those of faith.

For all those reasons, I urge the House to reject the motion.

**Mr Eastwood:** We are having this debate at a time of great concern for the many in our community who have not been treated as full and valued members of it by people

in positions of authority. In the last few days, members of our community have been demeaned and their value and worth attacked. I am glad to see that we are now at a stage at which people own up to their mistakes, take it on the chin and resign. We do not have much of a culture of that here yet. I think that Mr Wells has done the right thing by resigning, and I wish him all the best in dealing with his personal difficulties.

As an Assembly, and as people in positions of power and responsibility, we need to be seen to embrace all members of our community — all members. The motion and the idea of equal marriage are about ensuring that people in our community can access the full services of the state and be seen as and respected as full citizens in our society. There is no reason whatsoever why the North of Ireland should be the only place in these islands that does not have marriage available to same-sex couples. That is the position that we will be in very shortly, because I believe strongly that people in the South will vote yes in the marriage equality referendum, and I hope that they do. We will be the only place on these islands that does not have that same equality for members of our community.

I fully respect people's views on this issue. I understand that people have deeply held religious views. People in our party have deeply held religious views about this issue. The SDLP's policy is clear, however: we support equal marriage. I know that that is our policy because I proposed it at our party conference, and it was passed by a majority. That is how we do things. We are very clear that that is our position, but we also recognise that we have to protect the Churches and religious organisations that do not want to take part in equal marriage. This is about changing civil marriage, not about changing anybody's religious interpretation of what marriage is. Marriage has changed and evolved over the centuries. This is about the access to civil marriage. In the event that the motion passes and we finally get to a position of equality with people in Britain, the Churches will be protected.

I fully respect people's right to oppose equal marriage, but people need to understand that we need to be seen to support members of our community who have been getting all the wrong kinds of messages from this place, whether telling people that their blood is not good enough to save lives or that they cannot adopt children, when children are crying out for loving fathers.

Mr Wells has done the right thing, but I call on the DUP to go further. One of the DUP's MPs has said that gay people harm society. That kind of bigotry is what harms society. That kind of bigotry is what got us into a lot of difficulties over the years in this place. I call on the First Minister to disassociate himself from Ian Paisley's remarks and to ask him to withdraw them, in the same way that Mr Wells did. Hopefully, the DUP will move to a much more tolerant place in society. If it does not, I do not see how any potential British Prime Minister could do a deal with a party that thinks that homosexuals harm society. We need to see a complete change in the attitude of that party, and I hope that, today, it takes the opportunity to begin that process.

**Mr Kinahan:** I rise saddened that the Chamber is being used by Sinn Féin to play party politics but, as ever, hopeful that somewhere in the words and minds of all those here is a genuine intention to do good. I will not be taking any interventions.

At school and in the army, I believed and, I am ashamed to say, joked, carried by the flow, that gay, lesbian and such matters were wrong and could be laughed at. I had never really sat down and thought about it. In the 1980s, when you were due for promotion from captain to major, you were vetted; every aspect of your life was questioned so that it could be judged whether you were suitable to take on higher levels of responsibility, such as receiving or giving orders, doing your duty and making decisions under pressure that would risk soldier or civilian lives. One of my great friends, an excellent soldier in another regiment, left the army, and it was only much later that I discovered why: he failed vetting because he was gay. That opened my eyes as to how wrong society could be. When serving and knowing the risks of doing so, you recognise the importance of absolute trust in your comrades. When on active service, you do not care about the religion, colour or sexuality of the man beside you, and, when injured, you most certainly never ask who donated the blood that saved your life.

A society that is great, whether British, Irish or Northern Irish, is a society where no one is discriminated against and where everyone is allowed to practise their religious beliefs freely and without fear. I want a society here in Northern Ireland where no one is made to feel like a second-class citizen to any extent, and certainly not due to sexual definition. I want no discrimination whatsoever on account of religious belief or sexual orientation.

I had a gentleman visit one of my constituency offices last week who proceeded to berate a young man working there about my stance on certain issues. It left him very shaken. That is totally unacceptable. Debate, yes; discuss, certainly; but bully, never. I want a society where no one feels that their religious belief is necessarily superior to others. I so want to see more Christian forgiveness, tolerance and understanding.

I am proud of the Ulster Unionist Party for making this a free vote, in which everyone can vote in accordance with their religious beliefs, values and conscience. That is how this debate should be for everyone. I suspect that some in the Chamber are not voting as they would really wish. That, on a matter of conscience or religion, is wrong — very, very wrong.

Serving in the forces or working in a job in trying and testing conditions can create great pressure. Even under pressure, you must always be able to debate or argue, accept each other's differences and, afterwards, sit down together and carry on amicably. That is being professional. That is how it should be in the Chamber. For those who cannot do that, that will always be their limitation.

I support the motion because it combines marriage equality and the respect for the rights of the religious institutions to define and practise marriage within their beliefs. Marriage is not just a Christian institution but one that crosses all religions and is also secular. Using a definition such as civic union can make that institution seem second class or second rate to some, especially when legislating for their protections, responsibilities, rights, obligations and the benefits of marriage. It is that strong perception of a second-class citizen that needs to be changed, which is why I support the motion.

**Mr Lyttle:** I welcome the opportunity to speak to the motion, not least because it allows me to clarify and respond to the DUP Westminster candidate in East Belfast,

who has quite underhandedly attempted to claim that my colleagues and I have been pressurised on the issue. Given that he has close knowledge of how intimidation, threat and attack, inflamed by the DUP, has not pressurised me or my colleagues one iota, I find it strange that he purports to believe that party process would have achieved otherwise. The only pressure that I put on myself on the issue is my own belief and standards to live up to my vocation. I will speak on behalf of the Alliance Party in supporting the motion.

The Alliance Party is committed to delivering a shared society for everyone based on religious and civil liberty and equality for all, regardless of age, gender, disability, race, ethnicity or sexual orientation, and to standing against discrimination or stigmatisation of any kind. The Alliance Party believes that state-provided services should be available to all citizens. Civil marriage is a state-provided service. It is differentiated from religious marriage in the Marriage (Northern Ireland) Order 2003 and required by that law to be secular in nature: that is, to have no religious or spiritual basis. The Alliance Party, therefore, supports the extension of state-provided civil marriage to same-sex couples, provided robust legislative protection can uphold the religious freedom of faith groups to define and practise religious marriage as they determine.

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

**Mr Lyttle:** Yes, I give way.

**Mr Dickson:** Will the Member join me in expressing disappointment at the deployment of a petition of concern today, particularly given the recent comments by the First Minister that he feels that freer thought should be allowed on some of these issues?

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

**Mr Lyttle:** Yes, I agree. That point is well made. We recognise, of course, that there is a wide range of sincerely and strongly held views on the issue. There are people who oppose the proposal because they believe that it contravenes their faith. There are people who oppose it because they believe that equality is afforded to same-sex couples via civil partnerships. There are, however, many people who support it because they believe that it is the duty of the state to treat all citizens equally.

I am a Christian. I cherish the freedom of religion that I have in a democracy to practise and communicate my Christian faith and my belief that marriage is the voluntary lifelong union of one man and one woman to the exclusion of all others under God. I recognise that I do not always live up to that faith and that many people do not agree with my personal belief. That, however, is who I am. I believe, therefore, that the religious freedom of people and groups of faith to define and observe their understanding of religious marriage should be upheld.

I believe in the kingdom of God on earth as it is in heaven, but I believe that the principles of freedom of religion, freedom from religion and equality for all citizens that democracy affords provide the best framework in which to build a safe, fair, shared and prosperous society under government by the people. I also believe that freedom of religion relies on freedom from religion. There is stark and brutal historical and present-day evidence of how a lack of freedom from religion has allowed the perversion of religion to justify terror and totalitarian rule against people

of all backgrounds, including Christians. I believe that the application of these principles and a reading of the law on the matter, in particular the Marriage (Northern Ireland) Order 2003, support the extension of state-provided civil marriage, regardless of sexual orientation and, therefore, to same-sex couples.

### 1.15 pm

As I mentioned, the Marriage (Northern Ireland) Order 2003 makes a distinction between religious and civil marriage. It is an explicit requirement of civil marriage that it be conducted in a secular manner. The proposal is that civil marriage be extended to all citizens, regardless of sexual orientation; it is not the redefinition of religious marriage.

Whilst I have my own faith and belief about marriage, I find it reasonable that a person of same-sex orientation, which is a legal sexual orientation in Northern Ireland, expects, under the principles of democracy, equal access to state-provided civil marriage. I also believe that, if the faith groups' ability to define and observe religious marriage as they determine is upheld and shown to be a positive experience of marriage, the aspects of that marriage that they hold dear can survive and thrive. My aim has always been to contribute to respectful and accurate dialogue on this issue. I hope that my contribution has reflected that aim and the Alliance Party commitment to equality and to building a shared society for everyone in Northern Ireland.

In my remaining minute, may I extend my sincere thoughts and prayers to Jim Wells and his wife for the health challenges that they are facing? However, on behalf of the Alliance Party, may I also make it clear that the comments by the Health Minister, Jim Wells, in this recent week were completely unacceptable, unsubstantiated and, unfortunately, part of a wider pattern of DUP hostility to equality for all citizens here in Northern Ireland? The DUP leadership needs to make it clear where it stands on these important matters. The Ulster Unionist Party leadership and supporters who will be voting for DUP candidates in the Westminster election need also to reflect on the credibility of their support for that DUP approach to equality.

I support the motion.

**Mr McCausland:** Mr Speaker, this is the fourth time that what is sometimes referred to as "same-sex marriage" has been debated here in the Northern Ireland Assembly. All the issues were analysed and debated at length during those previous three debates, and, on each and every occasion, the Assembly voted to retain the traditional definition of marriage.

This is not an equality issue, although some people try to present it in that way. Neither is it a human rights issue, although some people attempt to present it in that way. The European Convention on Human Rights does not recognise what is called "same-sex marriage" as a right, and member states have the right and, indeed, the freedom not to redefine marriage in that way. It is really about the nature, understanding and purpose of marriage. It is an attempt to change the definition of marriage, change the understanding of marriage, abandon the traditional view of marriage and introduce a new one.

I believe that the traditional understanding of marriage, which is also the biblical understanding, is the right one. A marriage is a loving union between a man and a woman,

and it is foundational in the sense that so much else in society depends upon it. It is also universal in that it has existed throughout history, across human cultures, across religions and around the world. Marriage is also beneficial to individuals and society, and it is beneficial to wider society in a variety of ways.

In this debate, and in the wider public discourse, we should, to borrow a biblical phrase, speak the truth in love. I speak, I believe, in love, but I also want to speak the truth. Whatever we say on either side of the debate should be spoken in love, and no one on either side should be subjected to harassment or mistreatment. Whenever we uphold the traditional and biblical definition of marriage in our society, we do so out of a genuine belief that traditional marriage is important, that marriage is good and that it is beneficial to society.

The campaign to redefine marriage is an attempt to change one of the fundamental institutions in our society, and to change it for ever. We have been told that there could be protection for Churches that might refuse to perform same-sex ceremonies, but that is only one point, as this is a much wider issue. Consider the impact on Churches in Northern Ireland: Protestant Churches and the Roman Catholic Church have reaffirmed their commitment to traditional marriage. Apart from a tiny handful of exceptions, that is the position across not only Christian Churches but other religious faiths as well. Across the religious spectrum, there is a consensus that marriage is the union of a man and woman. Yes, there are promises of protection, but, so often, such assurances seem to evaporate over time. If our society alters the meaning of marriage, that is what will happen.

Consider the impact, too, on those who work in registry offices and that on many other businesses. That issue has been highlighted in recent days. Consider the wider impact on society. This is an attempt to change for ever the legal definition of marriage for all of society: for not just those who believe in the introduction of same-sex marriage but all of us. Of course, some people argue that we are out of step with the rest of the United Kingdom and that what has happened in Great Britain should also happen here. However, there are times when it is right to be different.

For all those reasons, I oppose the motion. I support the retention of the traditional understanding and definition of marriage and the current legal understanding of marriage here in Northern Ireland.

**Ms Fearon:** Go raibh maith agat, a Cheann Comhairle. It is a genuine honour for me today to be able to speak in favour of extending the right of civil marriage to those who are LGBT. I express at the outset my solidarity with my comrades across the Twenty-six Counties who are fighting for a "Yes" vote in the upcoming marriage referendum, although I do not believe that we should be having to vote in the first place, because, quite frankly, it should not be an issue in 2015. We must make sure that the referendum is won, because it is the right thing. This is, first and foremost, about love, and love alone. I cannot begin to imagine the elation of a young LGBT person waking up on the morning after a "Yes" vote. I hope that, some day, we can do that for all the people across this island.

I will briefly comment on the recent controversy around Jim Wells. I will not say much, mostly because I do not want to give more attention to his, in my opinion, disgusting views.



The mask slipped, but it is important to remember that he is not the only one wearing one. I take no confidence at all from the DUP statement that there will be any attempt to address the wider party prejudice. I think that that is a real shame. We do not just need a change of Minister but a change of mindset, and we need there to be respect.

Of course, today we will hear the DUP and others talk up the benefit of a civil partnership and how that is more than enough. As I have said before, you cannot be a bit equal to someone: that is not how it works. Civil partnerships are not enough. If we were being really honest here today, I would say that it is not that you think that civil partnerships are enough but that you think that they are already a step too far.

The motion respects the right of religious institutions to define and practise marriage within their beliefs. I understand and respect the fact that some people hold sincere religious beliefs that mean a lot to them, but those beliefs should not impact on a law that affects everyone. Since when does religious freedom mean that you can blatantly discriminate against fellow citizens? The very concept of personal freedom means that, if we do not all have it, none of us does.

Just the other day, I was speaking about the issue with an elderly gentleman from my area who would describe himself as a committed Christian. He said to me, "Megan, the way I see it is that, if you are using the Bible to hate people, you are using it wrong". I thought that that was quite a profound statement for him to make.

The motion is about civil marriage, and it is sad that I already know that there will be all sorts of ridiculous arguments made as a distraction from that throughout the debate. I think that people should be careful with their words, because what happens in here has a direct impact on people's lives out there. This is about dignity and human rights. Gay and lesbian people do not want special treatment. They do not want different rights from those that straight people already have. They just want equality under the law.

Adoption rights are another element of the wider debate. The narrative that a child needs a man and a woman in order to be raised properly is completely false. In reality, all that a child needs is a loving home and environment in which to grow up. My mum is from a single-parent family, and I think that it is insulting to single-parent families everywhere to say that a child needs a mother and a father. In fact, it is insulting to all families to say that.

The sad reality is that, because of the intimidation that they would face, there are people out there who would rather not live than be openly themselves, and that is an indictment of our entire society. We cannot stop until we have achieved full legislative equality that extends the same rights, privileges and protection to all. None of us can judge or quantify true love. Sexuality is not a choice and neither are the people that we love. We should let people who love each other be together in the way that other couples are able to: people such as my friends, some of whom are here today.

Despite another abuse of the petition of concern from the DUP, I encourage all progressively minded people to do the right thing today, and support the motion. Of course, we have to recognise that marriage is just one of the many battles that need to be fought in the overall fight for LGBT equality. We have seen blatant, often DUP-led

discrimination against the LGBT community in recent times, whether it is the blood ban, adoption rights or the so-called conscience clause. There is a long battle ahead of us, and the reality is that those who will vote against this today will be on the wrong side of history. In years to come, when I am asked where I was during the fight for equal rights, I will be more than proud to say that I was there.

**Mrs Foster:** I oppose the motion brought by Sinn Féin not out of love and respect for the homosexual community in Northern Ireland but for its own cynical party political posturing. Comments from Chris Lytle are, of course, also disgraceful, but some would say that that is more about his party's desperation in East Belfast than the debate in the House today.

The motion is couched in the usual Sinn Féin-speak of equality. The call for equality suggests that there are not equal rights for gay people in relationships, and that is, of course, factually wrong. We have civil partnerships in Northern Ireland, which allow persons of the same sex to acknowledge their commitment to each other in relationships. Civil partners in Northern Ireland enjoy the same rights as couples in a same-sex marriage in England.

We should remember that Sinn Féin's equality agenda is not all that it would seem. It is a twisted logic brought forward to demonise those who disagree with it. Any motion from Sinn Féin on equality has to be put in the context of their party president, Gerry Adams, in Enniskillen a couple of months ago. I apologise to the House for the use of foul language, but, referring to this party, Mr Adams said that equality is being used as a "Trojan Horse" to "break these bastards". When it tried to murder and bomb us into submission, the IRA did not break this community, and it will not succeed in its false equality agenda either. For that is what it is: false.

To the gay community, I say: "I respect you. In many individual cases, you are my friends and I enjoy social fellowship, but don't allow Sinn Féin to suck you into their agenda. Remember it is themselves alone. As apologists for some of the most heinous crimes in Northern Ireland, they have zero credibility to campaign on any issue of equality."

I know that many gay people have been subject to homophobic attacks because they are in a minority. I know what it is like to live as part of a minority community. I know what it is like to be forced from my home because we did not agree with the mainstream view in our neighbourhood. I empathise with those victims of homophobic attacks. Those are wrong on every level, just as my forced exodus from my home at the age of eight was wrong. However, you will not hear Sinn Féin campaigning for me and others like me, because it sponsored such actions.

This is the fourth time that this motion has come to the Assembly, and it causes distress every time. It causes distress to those who support the institution of marriage. Many have phoned, emailed or called with me, absolutely distressed at the prospect of redefinition. Frankly, it also causes distress to the LGBT community, as it raises unrealistic expectations every time the motion comes back to the House. Of course, Sinn Féin does not care that it causes widespread distress; in fact, that adds to its day.

Finally, those who support marriage and oppose its redefinition have been labelled "homophobic" by those in

the House and outside it. Such an expression is, of course, lazy politics and lazy journalism. Indeed, it is dangerous politics and dangerous journalism. Unlike the party opposite, I have a consistent record on opposing violence against anyone, regardless of their sexuality, their race, or their religious or political opinion. If respect and tolerance are to be the order of the day, it is a two-way street. To be clear, I and my party are willing to play our part, and I hope that there are those in the LGBT community who are willing to display respect and tolerance for those of us who believe in marriage.

### 1.30 pm

**Mr Hazzard:** Go raibh maith agat, a Cheann Comhairle. I welcome and support the motion.

Our society in the North has undoubtedly been rocked over the weekend as a result of the actions and words of the outgoing Health Minister, Jim Wells; but let me put on record my genuine hope that Jim and his family take the time over the next number of weeks to move on to a better place for him and for the health of his wife.

We now need to hear from the DUP that it has not just heard the huge backlash from local people but has listened as well. The days of vilifying and attacking our LGBT brothers and sisters are over. As communities across the world modernise and look to sweep away any vestiges of archaic discrimination and inequality, we, too, must look to show leadership and legislate for equality on all issues across all parts of society.

When I was graduating from university, the keynote speaker told us to go forth and change society, that oppositional voices would be strong but that the insatiable desire for progress would ultimately win the day. He was 100% right. We will see marriage equality across this island for our gay and lesbian brothers and sisters. There is no doubt about that. It will not be today, and it will not happen if we sit back and do nothing. It is why we continue to champion the rights of our LGBT community and why we continue to bring this motion to the Floor time and time again. We will do so until we are blue in the face and until it is successful.

Danny Kinahan belittled the motion as party politics but went on to say that he had not really taken the time to think about the issues before. That shows exactly why it is important to bring the motion: it makes people have a think. I also suggest that Danny talks to his party colleague Harold McKee in south Down because Harold certainly needs to take the time to think as well. That is why these motions are very important. It is also why the marriage referendum in the South is very important. It is another welcome stage on the road to equality across this island, and I look forward to being able to campaign with my comrades in the South once the Westminster campaign is over in a couple of weeks.

Nelson McCausland said that he is wedded to the traditional and original concept of marriage, but even a cursory glance at the evolution of the definition of marriage will show that it has changed throughout the ages. I know that Nelson is not the biggest fan of evolution, but surely, if we keep bringing this message back, the progressive voices in the party will come to the fore; people like Pam Cameron, who stood up and realised that Jim Wells was wrong and distanced herself from those comments. We

need to see more progressive voices from the DUP to stand up for our brothers and sisters.

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

**Mr Hazzard:** Yes, I will give way. Go ahead.

**Mr Allister:** I have listened with interest to the Member. Does that mean that, by the same token, he condemns and rejects that which the archbishop of the Catholic Church, Archbishop Eamon Martin, wrote to Assembly Members in respect of this debate? He very carefully points out that the motion on same-sex marriage undermines a key foundation of the common good. He says:

*"We say this both as a matter of human reason and of religious conviction. We believe that the union of a 'man and a woman' in marriage open to the procreation of children is a gift from God who created us male and female".*

**Mr Speaker:** Order.

**Mr Allister:** He goes on to say that —

**Mr Speaker:** Order.

**Mr Allister:** — it is an abuse of equality law to talk in equal terms.

**Mr Speaker:** Order. Interventions should be short. You know that.

**Mr Allister:** Does he also repudiate the archbishop?

**Mr Speaker:** Order.

**Mr Hazzard:** I thank the Member for his intervention. I tend not to reply to statements, but it is a welcome development to see the Member sticking up for the rights of the Catholic Church and being so interested in its press releases. The bishop has every right to comment on this. I do not agree with what the bishop said on the matter. We are dealing today specifically with civil marriage. A number of people have touched on that. I am not saying that the bishop was doing this, but various parties in this Chamber tend to resort to weaponising scripture when it comes to these debates. I think that it is a retreat into the world of scripture. I do not think that it does anything to help them. They know that there is no empirical evidence to back up their case so they resort back to text that is thousands of years old, they distort the meaning of it in various ways, and they saturate society with twisted logic that does nothing but hold us back.

Finally, I want to touch on the issue of how this would redefine marriage. It is a complete fallacy. The suffragettes did not redefine voting practices. You only have to look around this Building to see that there are still not enough women in politics. The black Americans did not redefine how we eat out; they only wanted a seat at the table, and our lesbian, gay and bisexual community only want a seat at the table of marriage. They do not want to redefine it; they simply want a piece of the cake.

**Mr Kennedy:** At the outset, I want to make it plain that I oppose the motion. This is yet another debate — the fourth — on this issue in a very short time. It is very clear to everyone today that the decision of this House will not change, not least as a consequence of the petition of concern tabled. I say to the sponsors of the motion that they are guilty of engaging in a highly cynical political exercise and, undoubtedly, an electoral exercise that

will be of absolutely no benefit to any section of our community, least of all the LGBT community, which is being deliberately used by Sinn Féin for perceived political advantage.

I choose to speak not as a Minister or, indeed, on behalf of the Ulster Unionist Party. The House will know that my party believes that issues of this nature are matters of personal conscience. Therefore, although called as an Ulster Unionist, I speak in a personal capacity, and it is a matter of regret that Members from all political parties are not allowed the liberty to speak freely according to their conscience on this issue.

In previous debates on this matter, I made clear my opposition to any change in the current legislation in order to allow for same-sex marriage. That remains my position. It is a position based on my religious beliefs and is consistent with the teaching of my Church — the Presbyterian Church — and also the publicly expressed views of other Churches, including, as we have heard, the Roman Catholic Church and the Church of Ireland. Finally, it is a position that I believe is fundamentally consistent with the teaching of holy scripture. What is of importance to me in this debate is not the teaching of any Church but the teaching of scripture itself. It is clear to me and my understanding of scripture that there should be no change in the current situation.

In past debates on this subject, I have highlighted my clear view on the clear differences that exist in the teachings of the Church and the law of the land as both define marriage. The separation of church and state, therefore, becomes of extreme importance. The state has no right to dictate the terms of religious marriage to the Church. The state has created the mechanisms under which same-sex civil partnerships can be enacted with protections under the law which, in most cases, are equivalent to the responsibilities, rights, obligations and benefits enjoyed by married heterosexual couples. In my view, it is neither sensible nor desirable to allow the state to interfere in the religious institution of marriage simply for political convenience.

Redefining marriage would have far-reaching consequences for our entire society. Furthermore, I do not believe that there is widespread public support in Northern Ireland for such a proposal. In holding my view, I do not believe that I should be regarded as homophobic, and, indeed, any suggestion would offend and abhor me. I do not disparage people in the LGBT community, many of whom I count as personal friends, nor is it my role or practice to be judgemental, but for the reasons that I have set out, which are personal and deeply held convictions that I cannot and will not set aside, I remain opposed to this proposal.

**Mr Attwood:** Save for Jim Wells's colleagues in the DUP, I am probably one of those who has known him, in the political world, for longest because we were at college in Queen's together 35 years ago. My sense of the man is that, just as he carried his responsibilities as Health Minister heavily, I think that, in the last couple of days, he has probably carried the issue that has arisen heavily. For those reasons, whilst I think that the decision is the right one, I convey to him and his family my personal good wishes.

I will make a number of points about this issue. If there is one thing that we should draw from the last two or three days, the last two or three months or the last two or three

years and decades, it is this: if our society is not based on respectful relationships, we end up in a situation of not just disrespect but of division and denial. If this debate is meant to mean anything, in the context of the last number of days and in the context of all our learning over the last number of decades, it shows that, if the issue and all the other issues that crowd in on our society are not based on respectful relationships, we end up ill-serving our community and our society. You can see that across the full range of political and policy issues that we face at the moment and that we will face after the election, not least in the resolution of the parades disputes. The one thing that we have to conclude from all of this is that all these debates have to be informed by an approach that is about respectful relationships. Otherwise, difference is forced to the point of division, and people's rights are forced to the point of denial.

A number of years ago, I read a book that argued that the future of Ireland had to move away from what it referred to as:

*"the bloodlines of ethnicity to the lifelines of human rights".*

I do not completely agree with that analysis because I believe that our different backgrounds are part of the richness and diversity of this island, but I agree with the argument that the society that we have to create here and elsewhere has to be based around the "lifelines of human rights". That is the approach that the SDLP takes to this issue. Articles 12 and 14 of the European Convention on Human Rights have been interpreted judicially in relation to equal marriage, so they should be the template and the standard that we uphold. However, in so doing, I confirm the words of my colleague from Derry Mr Eastwood that recognising equal marriage can be accommodated in a way that also recognises moral tenets and the theological and faith views of many in our community. I say to the DUP that, in making those arguments, this is not a temporary response; it is a permanent guarantee going forward.

I express some regret about the contribution made by the proposer of the motion. We are a party that comes from the tradition of democratic dissent: it is at the heart of what was created through democratic struggle in this part of the island of Ireland after all the years of inequality. Dissent is part of our creed, and we welcome and encourage it, unlike her party. That dissent on issues of freedom of conscience means that our party allows people not to vote in favour of equal marriage. Our party upholds the right of dissent on an issue of conscience.

**1.45 pm**

Finally, to be talked to in this Chamber about the denial of rights of others, when people in our society were denied rights because of the uniform they wore —

**Mr Speaker:** Order. The Member's time is up. I am sorry.

**Mr Attwood:** — their religion or their politics —

**Mr Speaker:** The Member's time is up, please. I am on my feet.

**Mr Attwood:** — is utter hypocrisy.

**Mr Speaker:** I call the Minister. We just have time before Question Time, if that would help.

**Mr Hamilton (The Minister of Finance and Personnel):**

Thank you, Mr Speaker. I join with the many contributors who wished Jim Wells and his wife well at this difficult time for them and their wider family. I would, however, go further than many and condemn the vile personal abuse and threats that he and his family have received, particularly on social media, in the last number of days.

The baseball commentator Yogi Berra once famously said:

*"It's like déjà vu all over again."*

I know how he felt. This is the fourth time this subject has been debated in this Assembly term, and it is déjà vu all over again. Effectively, it is the same motion, tabled by the same people, with the same MLAs speaking, saying the same things, with most probably the same outcome.

I note that the call to action in the motion is directed at the Executive as a whole. However, as the subject falls within the remit of my Department, I agreed to respond. In saying that I believe that this motion will suffer the same fate as the three previous motions, I am not seeking to be curt or dismissive. I am merely recognising the fact that most Members have voted, and will continue to vote, according to their conscience, no matter how much pressure is brought to bear.

There would appear to be a view that claims of inequality, if repeated often enough, will inevitably succeed. When the last motion was debated, on 29 April 2014, there was talk of second-class citizens, marginalisation and discrimination. The reality is, I am happy to say, somewhat different from the rhetoric. Same-sex couples in Northern Ireland are not denied the opportunity to live in a loving, secure, stable and permanent relationship with all the protections and benefits that such a relationship can bring. They can do just that by entering into a civil partnership, and many have.

If you choose to focus on negative concepts, such as marginalisation and discrimination, you will inevitably lower self-esteem and create unnecessary divisions. Different approaches are not lesser or discriminatory, and it is wrong to imply that a civil partnership is an inferior status. Our marriage law recognises the unique relationship between a man and a woman, just as our law on civil partnerships recognises the unique relationship between two people of the same sex.

Those who criticise civil partnerships are quick to suggest that other jurisdictions have a greater respect for diversity because they have introduced same-sex marriage. However, such suggestions should not be taken at face value as same-sex marriage in some jurisdictions has not resulted in certain restrictions being lifted for same-sex couples. Such restrictions are not, of course, highlighted because they undermine the arguments that some prefer to present.

Critics are also quick to suggest that Northern Ireland must introduce same-sex marriage because the other constituent jurisdictions of the United Kingdom have done so. However, the position in the UK is by no means unique, and other jurisdictions, such as the United States, New Zealand and the Netherlands, have territories that have not introduced same-sex marriage. Furthermore, Northern Ireland is not alone in the world in not having legislated for same-sex marriage. There are close to 200 countries in the world; only 17 allow same-sex marriage. A further 30, of which we are one, have civil partnerships with similar

protections. Notable countries that have not approved same-sex marriage include Australia, Germany and Italy, and it is the same in one third of the states in the US. The list of countries that have not introduced same-sex marriage is much longer than the list that have.

Some states now provide for same-sex marriage following a democratic vote or judicial ruling, and I respect the position in those states. Next month, the Republic of Ireland will decide whether it wants to amend its constitution to allow for same-sex marriage. Again, I will respect the outcome in that jurisdiction. However, comparisons with other jurisdictions are, ultimately, of limited value. This Assembly does not, and should not, simply align itself with other legislatures. It has a duty to question, challenge, probe and produce laws that take account of the needs and interests of all our citizens. A major reason why we have devolution is so that we can have different laws from other parts of the United Kingdom to suit the views of the people of Northern Ireland and our circumstances.

The argument for the motion and a redefinition of marriage is, again, grounded in equality. This, however, is not an equality issue. People in Northern Ireland have an equal opportunity to enter into a committed relationship with all the benefits that that entails. Opposite-sex couples can do that through marriage, and same-sex couples can do it through civil partnerships. It has been acknowledged that a same-sex marriage in England and Wales confers the same — not different, not more, but the same — benefits as a same-sex civil partnership. Equality, therefore, is not the issue.

Article 16 of the United Nations Universal Declaration of Human Rights, as upheld by the UN Human Rights Committee, defends a traditional view of marriage. In European law, article 12 of the European Convention on Human Rights also upholds that definition, and the European Court of Human Rights has deemed the definition of marriage to be not a matter of equality but a matter for individual state law. The Northern Ireland Human Rights Commission highlighted that the international treaties protect the right to marry but has conceded:

*"The restriction of marriage to opposite-sex couples does not violate the international standards and this is clear from both the International treaties and the jurisprudence of the European Court of Human Rights and the United Nations Human Rights Committee."*

It is clear, therefore, that the United Nations, Europe and our own Human Rights Commission all agree that this is not an issue of equality.

The motion uses the language of religious tolerance, and it suggests that suitable protections can be afforded to people of faith. However, the proposed protections relate only to the clergy and religious organisations. There is no offer to protect the religious beliefs of others, such as teachers or registrars.

There is a tendency to portray opposition to same-sex marriage as evidence of an underlying animus toward the lesbian and gay community, and that is wholly unjust. As I have said in the House, opposition to same-sex marriage is not grounded on opposition to any particular type of relationship but on support for the traditional, long-standing, centuries-old definition of marriage and a genuine belief that our current legislative framework achieves a fair balance between the competing interests.

In all the correspondence that I received in advance of this debate from those opposing a redefinition of marriage, which far outweighed any correspondence in favour, none of the language used by good people from across this country has been nasty, bitter or aimed personally at members of the gay and lesbian community. However, those people are often painted and portrayed as bigots by those who, ironically, want to redefine marriage on the basis of tolerance. I have said this before in the House, but it is worth repeating: I was always taught that tolerance was when you disagreed with people but respected their right to have a different position to you. Today, unfortunately, it seems that, for some, when you fail to fall in line with their thinking, you are the intolerant one.

Opposing a redefinition of marriage is not bigotry, narrow-mindedness or even intolerance. It is a view held by many — quite possibly, the majority — in Northern Ireland. Those people are members of the Presbyterian Church, the Catholic Church and no Church at all. They are Members on all sides and in all corners of the House. As we debate the issue in this place and outside, whether for or against, the true meaning of tolerance should be at the forefront of our minds and reflected in the language that we use. I oppose the motion.

**Mr Allister:** On a point of order, Mr Speaker. Can the House have an explanation as to why it appears that the 90 minutes allocated for this debate will not be utilised? Why, in the calling of Members, if my mathematics is correct, were twice as many people called to speak in favour of the motion as to oppose it?

**Mr Speaker:** There are two points. The Minister was called when there were barely the 15 minutes left that he was entitled to respond to the debate. In the debate, there were contributions from people speaking against the motion and from those speaking for the motion. To that extent, it was a balanced discussion.

The House will now take its ease until after Question Time. The first person to speak after Question Time will be Daithí McKay to make a winding-up speech on the debate.

**Mr B McCrea:** On a point of order, Mr Speaker, under Standing Order 17. I understand that this is a cross-community debate and that the vote will be taken on that basis. I respectfully draw your attention to the fact that only one unionist spoke in favour of the motion and quite a few spoke against it. I would have preferred to have had the opportunity to add to the balance of the debate.

**Mr Speaker:** I have considerable sympathy for the position. Indeed, there are a few Members who had their name down for the debate whom I would love to have had the time to bring in, because I think that they would have added to the value of the debate. However, I have to work with the Business Committee's decision. It allocated 90 minutes and allowed 15 minutes for a response from the Minister. It allowed 10 minutes to propose and 10 minutes to make a winding-up speech, and every other Member called to speak was given a five-minute slot, which included interventions. Some Members did not use the entire five minutes, and some abused the privilege and spoke for longer than the five minutes, despite my efforts to move them along because I was anxious to include those who had taken the time to put their names on the list. I have to apologise that that was not possible in the debate.

*The debate stood suspended.*

2.00 pm

## Oral Answers to Questions

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

#### Racial Equality Strategy

1. **Mr Swann** asked the First Minister and deputy First Minister what steps are being taken to bring forward a racial equality strategy. (AQO 8004/11-15)

**Mr P Robinson (The First Minister):** Mr Speaker, with your permission, I will ask junior Minister Jonathan Bell to answer the question.

**Mr Bell (Junior Minister, Office of the First Minister and deputy First Minister):** Racial equality and good race relations remain key goals for the Department. Recent race hate attacks are a brutal reminder that we need to strive to achieve those goals and not to take them for granted. Attacks, whilst relatively few in number, cause fear, alarm and despondency among our minority communities. They shame all of us, yet they reinforce our determination to create a society that allows people of all backgrounds to live here in peace and to be treated with respect and dignity.

We are working on a strategy that will genuinely tackle the barriers that stand in the way of people feeling that they belong here. We received a large number of responses to last year's 16-week public consultation. We had 97 written responses from groups and individuals and 303 requests for consideration of specific strategies for Roma and for Traveller people. Forty-nine online questionnaires were completed, and we had feedback from six public meetings and other meetings with academics, trade unions and other key stakeholders. The analysis of all of that is being finalised, and officials have met a large number of representatives of the sector to hear further reflection and input and to clarify what the key issues are. That engagement, along with the analysis of the consultation responses, will inform the final strategy. In conclusion, we want to produce a strategy that embodies both the aspirations and the everyday needs of the families and individuals who have come to live here and who have contributed so much to our community.

**Mr Swann:** I thank the Minister for his response and agree with him that we should all be ashamed of attacks where they happen in our community. Does he agree that the absence of such a strategy is a hindrance to the efforts to combat this type of intolerance? Can he update the House on when, he thinks, a strategy will be published?

**Mr Bell:** There are pieces of work under way with the sector. I am not sure that the people perpetrating the attacks are necessarily looking to a strategy for the reason why they behave in such an abhorrent way. We have sought to meet the groups concerned. We have listened carefully to their needs and aspirations. There is tremendous local work going on across Northern Ireland, specifically in our communities, to make this a welcoming place. It is vital that all those voices are brought together to

deliver a strategy that delivers most for those for whom it is intended. We will not be found wanting in producing that.

**Mr Spratt:** I thank the Minister for his answer. He will be aware that South Belfast has some good examples of community engagement on race issues. What work is being done to improve and increase engagement throughout communities on race issues?

**Mr Bell:** The Member is correct: there is some tremendous work being done right across Belfast, specifically in the South Belfast area.

I look to the Belfast Mela as a key example of how the Indian community has led the way in bringing in the many other cultures that represent so much, have contributed so much, have put so much into the economy and have made a net gain contribution from the minority ethnic sector to our economy and our society. It has made us the diverse and rich society that we are. When I first went to the Belfast Mela in, I think, August 2011, I was overwhelmed by the numbers present. Yet, year on year, the numbers are getting bigger, and the involvement by the whole community, from right across Belfast, is now so strong that you have to queue for a long time to get in. That is the work the community sector is doing on integration, celebrating diversity and enjoying the society that we are today in Northern Ireland, which is enriched by the diversity. We hope that our strategy and the minority ethnic development fund, which we kept at its current level despite all the financial crises and pressure, will be our commitment to the minority ethnic sector and to the community sector to continue to build on those good race relations.

**Mr Lynch:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire don fhreagra sin. I thank the Minister for his answer. I think that we all agree that political leadership is needed at the highest level to tackle the growing problem of racism. Does the Minister agree that his party's failure to distance itself from racist views and, indeed, previous comments by his party leader fuel intolerance, racism and disrespect towards other cultures and races?

**Mr Bell:** It is difficult for those of us who have come through it all. We do not want to look back to the past, but I look at the number of people murdered or maimed by the republican movement, which went across Europe shooting people, shooting children and everything else. If the Member wants to look back, he has enough significant material in the abuse of people that his republican movement was involved in without pointing the finger at anybody else.

From the First Minister down in our party, we have completely condemned all recent racist and hate incidents. When I am with the First Minister with the Islamic community, with the Indian community or wherever we are, we give a consistent and strong message. I do not know where he gets those messages from, because they are not being given to me by the minority ethnic development community. When we have seen a problem, the First Minister, along with us and our officials, has worked with the minority ethnic sector. We recently convened a special sitting of the good relations board at which we looked at what immediate action all of us in OFMDFM could take to tackle race hate. That programme board has met on a number of occasions, and it will do so again, because we want to work together to show that that minority of cases

where there are race hate attacks — they are a minority — do not represent us or any party in the House. Frankly, silly slurs like that do not help anybody.

**Ms Lo:** The ethnic minority fund for 2013-15 ended on 31 March, and it is not known to the organisations when the new round of funding will finish. Obviously, the two- or three-month gap in funding will negatively impact on the ability of ethnic minority organisations to help finalise the racial equality strategy. Will the Minister consider extending funding to all the organisations that have received funding for the previous two years until the outcome of the funding round is known?

**Mr Bell:** First, I offer a sincere word of thanks to Anna Lo. She has been of tremendous assistance to us in the office and has met us regularly. She has real credibility and can help us understand the voice of many in the minority ethnic development sector. I want to record my thanks for all her assistance.

The direct answer to the question is that the invitation for new applications opened on 27 March, and the closing date was today. As I said earlier, we are pleased to confirm that, despite all the financial pressures, the minority ethnic development fund is £1.1 million for the 2015-16 financial year. On top of that, we have put together a crisis fund of £100,000 to help those most in need or crisis. We did that, as well as holding a number of drop-in workshops in Belfast, Londonderry and Craigavon to help the groups with the application process. We hope to let the applicants know the outcome of their applications by the middle of next month.

As the Member said, a number of requests were made, mostly from those who had been in receipt of minority ethnic development funding, to argue for the funding to simply be extended for a further period. The Member will also be aware that other organisations supported the opening of a new call for applications to those who had not been successful previously or who were involved in work in that area but had not been funded. Some of the organisations were new and some were not so new, and we wanted to see which of them could potentially serve their community and broader society well with the help of funding. We felt that it was fairer to allow everyone to apply and have the same opportunity. Options were put to us, such as the one that the Member suggested of just continuing —

**Mr Speaker:** I advise the Minister that his two minutes are up.

**Mr Bell:** — for a further period. We took the decision that, on balance, it was appropriate to open it to all the organisations.

## Childcare

2. **Mr McGlone** asked the First Minister and deputy First Minister what more their Department can do to introduce affordable and flexible childcare. (AQO 8005/11-15)

**Mr P Robinson:** I would like to begin by giving an overview of what we have already done to introduce affordable and flexible childcare. As you know, the first phase of the Executive's childcare strategy was launched back in September 2013. It included a number of key first actions to address the main childcare needs that had been identified through research and consultation.

School-age childcare was the greatest area of need identified. The school-age childcare grant scheme, which we launched just over a year ago, was developed to create new high-quality school-age childcare places and sustain the places we already have. To date, the grant scheme has allocated £2 million to 50 successful school-age childcare projects. Those projects will sustain or create approximately 1,500 low-cost quality childcare places.

We expect to grant aid further school-age childcare projects before the summer and launch a third call for applications to the grant scheme in the autumn. This will result in further low-cost childcare places being created or sustained. In parallel to that, work to develop the full childcare strategy has been taken forward on a co-design basis, with close engagement between officials, the childcare sector and childcare stakeholders. We aim to put the full strategy and its actions out to public consultation in the coming weeks and launch it in the autumn. Again, we expect that those additional actions will further increase the supply of low-cost childcare services, including flexible childcare services to meet the needs of parents who work unconventional hours.

**Mr McGlone:** Go raibh maith agat, a Cheann Comhairle. Agus mo bhuíochas leis an Aire chomh maith. My thanks to the Minister. Has the Office of the First Minister and deputy First Minister raised the plan to cut preschool funding with the Minister of Education? That has caused great concerns for parents and employees in the childcare sector, including the Early Years organisation. Would his Department be prepared to support a bid for extra funding for that sector in the June monitoring round?

**Mr P Robinson:** I share the Member's concerns and have met the stakeholders involved. The Education Minister is also aware of the issue, and we have discussed it at an Executive meeting.

The Finance Minister will undoubtedly take on board any bids that he receives in monitoring rounds, but we need to be careful. I see it in the work, or art if you like, of some Government Ministers to hold back issues from their spending plans that they feel the Executive would not want to see dropped, in the hope that they can pull in additional resources to their budget for that purpose. The Finance Minister will want to be satisfied that the Department cannot fund that priority and will determine what other priorities the Department has that perhaps might be less important than the one he has mentioned.

**Mrs Hale:** I thank the First Minister for his answers so far. First Minister, you talked about how childcare places should be flexible and suit working parents. How many childcare places do you hope to create under the framework?

## 2.15 pm

**Mr P Robinson:** In my initial response, I indicated that we had already identified projects for 1,500 places. When the various actions have been completed, we hope to create in the region of 8,000 places in the overall schemes. That would turn out to be a lower number per head of population than in some other parts of the United Kingdom, but research also shows that there is a much higher level of home support, through grandparents and so forth, in Northern Ireland than there is in other parts of the United Kingdom.

**Mrs Overend:** What exactly is the role for private-sector childcare providers, and how do they qualify for funding?

**Mr P Robinson:** The main objective of the Bright Start key first actions was to support affordable models of childcare. Private childcare providers aim to make a profit, which is either reinvested in the building that they are using or given for staff wage increases or to supplement directors' remuneration. Therefore, they were not viewed as suitable for the first key actions. However, we have committed to looking at ways of supporting small private providers in the substantive childcare strategy, providing they fulfil our aim of affordability for parents.

**Ms Sugden:** Why has the First Minister's Department failed to spend £8 million of the £12 million that was allocated for childcare?

**Mr P Robinson:** Much of the application comes to us, so it is based on the applications that we receive. The deputy First Minister and I were somewhat disappointed that some other Departments had either not made applications at all or did not make sufficient applications to use up that funding. However, the strategy is very clear; we are now basing it on the principle that we want to provide the best and most affordable low-cost childcare to parents. The Member will be aware of other schemes that move away from the voucher scheme to a tax-based support system. That, again, will considerably help parents in Northern Ireland in the uptake of schemes.

## Summer Camps

3. **Mr Newton** asked the First Minister and deputy First Minister for an update on the Together: Building a United Community signature projects, including the number of summer camps that will be rolled out this year. (AQO 8006/11-15)

**Mr P Robinson:** Work is progressing across the seven headline actions arising from the Together: Building a United Community (T:BUC) strategy. Following a second call for applications to the shared education campuses programme, six proposals are currently being assessed, covering more than 20 schools, with decisions due in June 2015. Progress on the United Youth programme has seen 50 organisations proceed to a further development stage, following which, 10 pilot schemes will progress to delivery later in 2015.

A total of five urban village locations have now been announced. There has been considerable stakeholder engagement in relation to the lower Newtownards Road urban village scheme, which the Member may take a particular interest in. The first social housing development under the shared neighbourhoods programme at Ravenhill Road has opened and a community cohesion plan is being developed. It is envisaged that nine out of 10 of the remaining sites will be under construction during this financial year.

Work to date has reduced the number of interface barriers from 59 to 52, and engagement is ongoing in 40 of the 52 remaining areas. The summer camps pilot programme opened for applications on 15 April 2015 with a closing date of 8 May 2015. We are on target to meet our commitment to deliver 100 summer camp pilots in 2015. A 12-week pilot project for the cross-community youth sports programme ended on 31 March. The programme seeks to use sport in a central role to break down divisions in society and to deliver a good relations programme to young people drawn from all sections of our community.

An evaluation of the pilot will help to inform the further roll-out of the programme.

**Mr Newton:** I thank the First Minister for that very detailed outline. Will he tell the House how much money will be spent on addressing sectarianism, particularly around the signature projects in the T:BUC strategy?

**Mr P Robinson:** My colleague the junior Minister spoke earlier of the concerns and issues arising from racial tensions and hatred. It is right that we speak out on all of those issues. It is equally right that we look at the sectarianism in our society, no matter where it is displayed or what its source may be. It is right, therefore, that we were able to garner an additional £10 million of funds for T:BUC and, indeed, a further £3 million on top of that from the change fund. All that we do within that scope is related to improving relations in every part of our society. I personally take the view that the best way to deal with sectarianism and start getting reconciliation is to concentrate on the youngest so that they might grow up not looking across a fence at somebody who is different from them but at somebody who can be a friend.

**Mr Lyttle:** Two years on, what progress has been made on the T:BUC commitment to roll out a buddy scheme in publicly run nursery and primary schools in Northern Ireland?

**Mr P Robinson:** The buddy scheme is not a signature project under T:BUC, but it is an action. However, the Department of Education is in the lead on that and has the responsibility for it, so the question could be more properly put to the Education Minister.

**Mr Kinahan:** It is good to hear about the summer camps, but will the First Minister confirm that the 100 camps that he is talking about are all new? Will the camps be spread throughout the summer holidays so that they are not all jammed in at the beginning or the end?

**Mr P Robinson:** I could not possibly know the answer to his question yet because it is out for application, and we are waiting for the projects to be fully identified. If it is helpful to the Member, as soon as we have identified those projects, I will make sure that he gets a copy, and he can make his own judgement on how new or how widely spread they are.

## Sexual Orientation Strategy

4. **Mr McMullan** asked the First Minister and deputy First Minister what assurances they can give that a sexual orientation strategy will be completed and implemented without delay. (AQO 8007/11-15)

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

**Mr Bell:** We have regularly stated our commitment to producing a sexual orientation strategy in the Assembly and in the text of the good relations strategy, 'Together: Building a United Community'. To achieve that commitment, we asked officials to commence a public consultation process. The first phase of that process ended in June last year. The analysis of responses to that 12-week consultation has been completed, and the results are being used to inform the content of a draft sexual orientation strategy. It is our intention to develop the strategy using the outcomes-based approach. That

view was shared at the most recent meeting of the sexual orientation project team on 15 April 2015.

Work will continue over the coming weeks to develop outcomes and subsequent indicators with the project team. Once the draft strategy is finalised, it will be referred to the Committee for the Office of the First Minister and deputy First Minister for consideration, before seeking Executive agreement. A further 12-week period of consultation will then take place, and I anticipate that the sexual orientation strategy will be published after that final phase of consultation.

**Mr McMullan:** Go raibh maith agat, a Cheann Comhairle. I thank the junior Minister for his answer so far. Given recent events, will the junior Minister confirm that we need a sexual orientation strategy urgently, and will he distance himself from the views expressed by his party colleague Jim Wells?

**Mr Bell:** I will answer the questions in reverse order. Jim Wells has made it clear that his comments on child abuse were inaccurate and wrong. It is not a DUP view or policy. We immediately publicly indicated that it was not the DUP view now, nor will it be.

Anyone who says that it is because they want to use it for some form of electioneering or whatever can take that wherever they want to go, but it is not helpful to people who are looking towards the strategy, particularly given the levels of mental ill health that the sector has come and spoken to me about. Young people are experiencing not only mental health issues but suicidal ideation. Those are issues that the trans community has spoken to me about in particular. The strategy will be there to try to give best practice to all our people. Let me make it clear that we value the innate human dignity and worth of every one of our people, regardless of their background, the colour of their skin or their sexual orientation.

**Mr Nesbitt:** Does the junior Minister agree with me and indeed with very solid research from institutions such as the University of Cambridge that, when it comes to a child thriving at home, it is all about the degree of engagement and quality of support that the child gets, not about whether there is a single parent, mother and father or two parents of the same sex?

**Mr Bell:** There is a lot of research on child development. What we know is that children thrive best where there is stability, security and love. In fact, the greatest gift that we can give all our children is the gift of time to make sure that they grow up nurtured in a secure environment where they can develop and fulfil their potential. We should always look towards best practice in child development.

**Mr Lunn:** Does the junior Minister agree with others within his party and perhaps without that homosexuality is a lifestyle choice?

**Mr Bell:** This issue has been raised on a number of occasions. It is not for me to determine what a person's sexual orientation is or how they arrived at it. It is for me, as an MLA and Minister, to recognise the innate dignity and human worth of all people. Regardless of a person's colour, religious belief, political opinion or sexual orientation, I will always advocate and stand for the human rights of that individual. In public policy, that is the stance that we will always take.



## Constituency Consultation

5. **Ms Sugden** asked the First Minister and deputy First Minister how they ensure their Department undertakes appropriate consultation with relevant stakeholders concerning specific constituency matters. (AQO 8008/11-15)

**Mr P Robinson:** Unfortunately, it is difficult to ascertain from the question what is really being asked. However, consultation takes place every year on a wide range of issues, some affecting all the people of Northern Ireland and others relating to the needs of particular geographic areas, which is what I take the Member to mean by her reference to specific constituency matters.

As the Member implies, it is important that the method and scale of consultation is appropriate to the issue. A variety of methods have been increasingly used to maximise the participation of stakeholders in the consultation process. There is also an increasing emphasis on ongoing active engagement between Government and citizens in the development of policy from the earliest stages and a move away from relying exclusively on set-piece formal consultations. Consultation can therefore range from the traditional method of publishing a consultation document to, for example, roadshows, the facilitation of focus groups and of course direct engagement with local community interests.

To stimulate interest and awareness, consultation documents and details of formal consultation events will also be published through local media as well as online at Northern Ireland Direct and departmental websites.

**Mr Speaker:** I call Ms Sugden for a quick supplementary question.

**Ms Sugden:** Thank you, Mr Speaker. I thank the First Minister for his answer. I have a situation in Portrush where we have a cross-departmental programme on an initiative. I have had a lot of representations from constituents who are concerned about the lack of consultation with them. I want to know what influence, if any, the First Minister and his deputy have in respect of influencing Departments to actually seek the views of the people who matter.

**Mr P Robinson:** I do not know the particular case that the Member referred to. If she would like to write to me or even to bring a delegation to see the deputy First Minister and me, we are both always willing to meet people and hear their views on issues that affect our Department. If it is cross-departmental, it may involve another Minister. If the Member wants to speak to me afterwards, I am happy to see if we can assist her in making sure that people's views are heard. The deputy First Minister and I are always willing, when possible, to take those on board.

**Mr Speaker:** That ends the period for listed questions, and we move on to 15 minutes of topical questions.

2.30 pm

## Homophobic Remarks: DUP

T1. **Mr Boylan** asked the First Minister and the deputy First Minister, given their responsibility for equality, how the First Minister proposes to address the litany of homophobic remarks made by DUP representatives in the last number of years. (AQT 2401/11-15)

**Mr P Robinson:** I recall how, on many occasions, my predecessor used to tell party colleagues to remember that we are a political party and not a Church. It is the role of Churches and faith groups, not political parties, to direct people's moral positions. However, it is necessary and, at times, unavoidable for parties to take a position on public policy matters as they relate to some of these issues.

One of the three core principles of my party is that everyone is equal under the law and equally subject to it. This party will defend the legal rights of everyone in our community and promote equality of opportunity. My party opposes any form of discrimination, whether it relates to sexual orientation or any other issue. In articulating public policy, we are mindful — I trust that every section of the House will be mindful — of the need for it to be conducted respectfully on all sides. We are dealing with public policy issues that relate to changing the definition of marriage to include same-sex couples. As the law stands, people have the choice of entering into a civil partnership if they are a same-sex couple, or engaging in the ordinance of marriage if they are heterosexual. My party sees no justification for change.

**Mr Boylan:** I thank the Minister for his answer, but I do not think that he has actually answered my question. Let me put it this way: will the Minister outline how such expressed views will not lead to policies that will lead to discrimination? I think that recent views will lead to policies that will discriminate against people. Go raibh míle maith agat.

**Mr P Robinson:** With these issues, we need to be very careful to be proportionate in how we react to comments. The comment was made by a Minister who, for a considerable number of months, carried on his work during the day and sat beside his wife throughout the night as she has undergone operations and been fighting for her life. Immediately that the Minister made the comments, he recognised that they were inaccurate. He sought and got the attention of the chair of the meeting to make a clarification. After the meeting, he gave a fulsome apology, something that we have not had from others for the crimes that they have committed in this society. On foot of that, he recognised that the burden that he carries at present is so great that he needs to take a break from front-line public life. That being the case, I ask people not to take on the characteristics of a lynch mob in these matters. The Minister has apologised and indicated that the facts, as he related them, were inaccurate. I immediately indicated that they were not the views of the party now and nor would they ever be. That is the clearest direction of all that I can give: no policy will be based on information that the person who made the comment has already indicated that he regards as inaccurate.

## Sexual Orientation Strategy: Dragged Out

T2. **Ms McCorley** asked the First Minister and the deputy First Minister whether the First Minister's party will commit to signing up to a sexual orientation strategy that tackles prejudice, given that it is clear from Jonathan Bell's earlier remarks that there is an attempt to drag out this issue. (AQT 2402/11-15)

**Mr P Robinson:** The Member must have been listening to a different Jonathan Bell than I was. Nothing he said indicated that there was an intention to drag this issue out. The strategy undergoing consultation and being prepared

in the office will come to the Executive as a whole for approval. I imagine that that will take its own pace as it goes through the issues. I can think of a number of issues that are being delayed at an Executive level that the Member is not enthusiastic to have pushed through but that would have a very profound impact on the future of the Assembly and Northern Ireland.

**Ms McCorley:** Go raibh maith agat. Does the Minister agree that there is a serious issue of public confidence here and that his party needs to restore that? Does he also accept that, given that one of his Ministers has had to resign, there are issues of human rights? Does the LGBT community not have the human right to be able to get married?

**Mr P Robinson:** Again, we come back to the definition of marriage. I suspect that the Assembly discussed that for some considerable time before Question Time began. The definition of marriage that many of us recognise is that it is an ordinance handed down by God for the procreation of children to ensure that a man and a woman can get married. If there is a same-sex relationship, that is catered for — if I can use the term — within the scope of the existing law by way of a civil partnership. I cannot understand why we have to redefine the God-given term of marriage to ensure that it covers something that already exists under the law by way of a civil partnership.

### Stormont House Agreement: Update

T3. **Mrs Hale** asked the First Minister and the deputy First Minister for an update on the implementation of the Stormont House Agreement. (AQT 2403/11-15)

**Mr P Robinson:** On a weekly basis, the leaders of the parties have been meeting together with officials, including the head of the Civil Service, to take forward the issues that some, if not all, agreed at Stormont House and Stormont Castle. Progress has been made on a number of those matters. Indeed, at a recent meeting the Executive dealt with some of the issues relating to the number of Departments, which was part of the Stormont House Agreement. Decisions have been taken on other parts, but it is agreed that they will not be actioned until welfare has been dealt with. I think that it is probably fruitless for us to attempt to resolve that before or on foot of a general election, but I hope that there will be concentration immediately the election is out of the way to get that matter resolved because it is stopping the flow of the overall issues of Stormont House.

**Mrs Hale:** I thank the First Minister for his answer. He talked about the election. Do you, First Minister, believe that the outcome of the general election will have any implications for the resolution of welfare reform?

**Mr P Robinson:** If I knew the outcome of the election, there will be issues, I suspect, that will be not substantial in terms of the Labour Party, which might change some aspects of it. The Labour Party is on record as indicating that it would do away with the bedroom tax. I think that everybody in the House knows, although some try to say otherwise, that the deputy First Minister and I agreed that the bedroom tax would not apply in Northern Ireland. So, it is part of our proposals already to do away with the bedroom tax. Therefore, if the rest of the United Kingdom came up to scratch, as we have, on that, it would mean that we would get the Barnett consequentials, which would

probably give us an extra £20 million or £23 million a year that could be used otherwise.

I do not think that anybody is quite clear on the Conservative Party's full intentions, or, at least, the detail of its intentions, on further welfare changes. I think that it is reluctant to give details, at least before 7 May, on what those may be. It could well be that they will have further implications for Northern Ireland. Where the present set of proposals is concerned, the only change that I can see is if the new House of Commons was to vote against having a bedroom tax. That would save us some money that could be applied elsewhere.

### Programme for Government: Westminster Election Impact

T4. **Lord Morrow** asked the First Minister and the deputy First Minister whether the First Minister believes that the outcome of the Westminster election will have any implications for the Executive's Programme for Government. (AQT 2404/11-15)

**Mr P Robinson:** The Executive are first going to update their Programme for Government, because, after the original Programme for Government was published, a decision was taken to extend the term of the Assembly from four to five years. My understanding is that that is moving forward. Members will be able to make their comments on that in, I hope, a matter of weeks.

On the future Programme for Government, we obviously have to have some knowledge of the comprehensive spending review that a new Government will bring forward in order to know what funds will be available for us to be able to action our Programme for Government. Some of the elements of our Programme for Government might be improved if there were a statistical advantage gained by the presence of Northern Ireland Members of Parliament. I hope that they would use that not for any selfish party interest but in the interests of Northern Ireland as a whole. In those circumstances, there could be real benefits in a new Parliament.

**Lord Morrow:** I thank the First Minister for his fairly comprehensive and detailed response. On the next Programme for Government, does the First Minister believe that there is the potential to create more wealth and prosperity for the people of Northern Ireland?

**Mr P Robinson:** Any time that I get a question like that, I respond first by pointing out just what we have succeeded in doing, because we have a very negative media in Northern Ireland that are happy to tell us all the things that we are not doing or are doing wrong but slow to tell us that there is more foreign direct investment per head of population coming to Northern Ireland than anywhere else in the United Kingdom, including London and the prosperous south-east. The media do not tell you that Northern Ireland has had more investment than at any time in its history, even against the backcloth of a global recession. Nor do they tell you that we have the lowest taxes in the whole of the United Kingdom. Nor do they tell you that we have had more infrastructure build in Northern Ireland than at other times in our history.

We have done a great deal — so much, in fact, that Invest Northern Ireland has exceeded its targets, even though we set targets that were very demanding of it. In that context,

what the Executive need to do is to continue on the path that they have been on, which is getting growth into our economy, particularly growth that is export-led. All of that is important and requires us, as an Executive, to be investing in the drivers of growth, which include innovation, skills and training, infrastructure in certain areas, and trying to drive up productivity. That is what provides real stimulus to the economy, meaning more jobs. From a Treasury point of view, it means that there is more income tax. It means that there is more being spent in shops. People's earnings go up. Increasing growth is the way to prosperity.

**Mr Speaker:** I call Mr William Humphrey. Mr Humphrey, there may not be time for you to ask a supplementary question, so you may want to swap.

### Economy: Sustained Recovery

T5. **Mr Humphrey** asked the First Minister and the deputy First Minister whether the First Minister believes that the Northern Ireland economy has turned the corner and, if so, whether that recovery can be sustained. (AQT 2405/11-15)

**Mr P Robinson:** After 27 consecutive months of the claimant count reducing, it is clear that we are more than turning the corner. Based on the labour force survey, we have an unemployment level of 6%. It indicates that more jobs are being created in Northern Ireland.

I go back to the fact that Invest Northern Ireland had committed to create 25,000 jobs, and we ended up with, I think, over 37,000 jobs being created. That is a massive increase on the number that was set out in our Programme for Government. That is equally true for investment over that period, which was targeted to be £1 billion over the period and turned out to be £2.5 billion. So we are exceeding targets, we are on the road to recovery, and I believe that it can be sustained.

2.45 pm

**Mr Speaker:** That ends the period for topical questions. I ask the House to take its ease for a moment while we change the top Table and the Minister's table.

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

## Social Development

### Welfare Reform: Sinn Féin Meetings

1. **Mr Nesbitt** asked the Minister for Social Development on what dates, since 23 December 2014, did he or his officials meet with representatives of Sinn Féin to discuss welfare reform or any associated element relating to the Stormont House Agreement. (AQO 8018/11-15)

**Mr Storey (The Minister for Social Development):** In the weeks immediately following the Stormont Castle agreement on welfare reform on 19 December 2014, the focus of my work and that of my officials was on the development of an Executive paper which set out the main terms of the agreement and the associated costs. Sinn Féin representatives were consulted on the content of the draft Executive paper as part of the normal consultation process. That paper was subsequently agreed at the Executive meeting on 22 January 2015.

The Stormont Castle agreement committed the Executive parties to a package of support measures, including the development of a number of agreed schemes. The schemes were intended to provide the details of how the different measures would be implemented by the Social Security Agency. Preparatory work started in January 2015, and my officials started to share the detail on the schemes with Sinn Féin representatives from early February.

From the beginning of March 2015, the level of engagement with Sinn Féin representatives increased from weekly meetings to a period during that month when discussions on welfare reform were taking place on a daily basis. I was involved in a large number of those discussions, along with my officials, who have been providing technical support to the First Minister and deputy First Minister in seeking to identify solutions with regard to the supplementary payment scheme. Whilst discussions have continued during April, the level of engagement between myself and my officials and Sinn Féin representatives has reduced significantly.

**Mr Nesbitt:** I thank the Minister for his very explicit answer, which has made clear that there were daily meetings between his Department and Sinn Féin. He will be aware that the Ulster Unionist Party did not endorse the Stormont House Agreement. One of the reasons for that was our suspicion from past experience that there might have been a dual process and discussions not involving all five parties. Does the Minister think that it is in any way acceptable that the first time three of the five parties who sat at the Stormont House Agreement talks found out about this raft of private papers was when Sinn Féin published them?

**Mr Storey:** I thank the Member for his supplementary question. Of course, the Member should not fall into a trap when considering the document that was produced by Sinn Féin, which, ironically, is called 'Welfare: The Facts'. Careful reading of some of the content and innuendo in that document will clearly indicate that it is nothing near the facts. I advise the leader of the Ulster Unionist Party to be very careful about believing everything he reads that comes from that particular organisation.

Mechanisms already exist through the normal consultation process by which any proposals which are to be put before the Executive will be consulted upon with the other Executive parties. It has also been argued and agreed that any proposed changes to the Stormont Castle agreement would have to be agreed at the five party leaders' forum, of which, I understand and know, the Member is a part. Sinn Féin had particular concerns about the detail of the supplementary payment scheme. The discussions that were taking place were to identify whether there were solutions within the parameters of the Stormont Castle agreement that could address its issues.

As someone who has been involved in this process since we had what we believed was an agreement, it is extremely frustrating to be treated in the way that the House, and, more importantly, the people of Northern Ireland, have been treated by those parties, namely Sinn Féin, on this issue. The way in which they have treated their own community and the rest of Northern Ireland is shameful and needs to be highlighted on a day and daily basis. Northern Ireland is losing out, and that is because there was no agreement by one party to the Stormont Castle agreement and the Stormont House Agreement.

**Mr Maskey:** Go raibh maith agat, a LeasCheann Comhairle. I ask the Minister to note that it is very interesting that Mr Nesbitt is saying that his party did not agree with the Stormont House Agreement, yet he sat around the table on the day it was agreed and said that it represented significant advances and that he would recommend it to his party executive and give it a fair wind.

**Mr Deputy Speaker (Mr Dallat):** Order, please. I need a question.

**Mr Nesbitt:** That is not what happened.

**Mr Maskey:** I will leave that to one side. Will the Minister confirm that he will continue to meet our party and, indeed, any other party that is interested in resolving the outstanding matters on the Welfare Reform Bill?

**Mr Storey:** The Member knows, as I trust that Members of this House know, that I will expend whatever time and effort that can be used in order to get an agreement on this issue. I am open to having discussions on this matter on a daily basis. However, I think that we need to face up to reality. As the First Minister indicated earlier, it is highly unlikely that we will get any further meaningful discussion on welfare until we have elections to the national Parliament on 7 May and have the formation of a Government at Westminster on which we are totally dependent.

I remind all Members, whether they would like to accept the fact or not, that it will only be through the formation of a Government at Westminster that we will have any finance to be able to run any Department in Northern Ireland, because we are totally dependent on the block grant and the money that comes from Her Majesty's Treasury in London.

**Mrs D Kelly:** What information did Sinn Féin seek about future claimants; what type of benefits did that include; and can the Minister share any information that he provided to that party with the other parties in the House?

**Mr Storey:** The Member knows that I am more than happy to meet her party and representatives to discuss any of the issues that have been discussed to date. If that is what she is asking for, I will be more than happy to facilitate that. That discussion would be meaningful and beneficial. Whatever details may emerge will be dependent on who forms the Government after 7 May. However, having had discussions with the Labour Party just last week when some of its representatives were in Northern Ireland, I do not get the sense that there would be a huge difference from the current construct of welfare reform.

The First Minister highlighted the bedroom tax issue: in terms of other elements of mitigation that we in Northern Ireland would put in place or propose to put in place, some of them would be reflected in a national programme on welfare if a Labour Government or coalition were to be enacted in Westminster. I am more than happy to meet the Member and discuss the issues with her party.

**Mr Lyttle:** I welcome the Minister's commitment to adequately resource the advice sector in response to welfare reform. Given that the deadlock on welfare reform is costing the Northern Irish taxpayer around £2 million a week, what discussions are currently taking place to make progress? Can the Minister assure the public that this issue has not been parked during the election campaign?

**Mr Storey:** I assure the Member that the issue has not been parked. I pay tribute to my officials, who have worked

tirelessly during the lead up to the Stormont House Agreement over Christmas, and subsequently, in providing technical support, help and information to the First Minister and the deputy First Minister. A huge amount of work has been done.

Amidst all that is taking place at the moment, with the focus on the election on 7 May, the voters of Northern Ireland need to keep in mind that there was one party that pulled the rug from under all our feet and left us in the situation whereby Northern Ireland is losing £2 million a week from the block grant.

That has to be set in the context of the stated aims and objectives of the party opposite that it is about protecting the vulnerable, those who are in need. If those are the actions of a party that wants to be seen to be protecting the vulnerable, they need to be judged against the reality for many organisations that are now feeling the pinch of decisions that cannot be made because the money is not there.

**Mr Allister:** With £564 million already supposedly to be siphoned off the block grant over future years, does the Minister have any sense that it is at all possible to find any further money without doing irreparable damage to basic services by further undermining the block grant? Can he make clear his position on that?

**Mr Storey:** I assume that the Member refers to the overall package that was agreed. Let us remember that, at Stormont Castle and in the Stormont House Agreement, a financial package was agreed. The First Minister has made it clear that the amount of money has been agreed. The implementation has become the difficulty. In our work with Sinn Féin and other parties, we will continue to see how we can get a resolution of that.

The Member makes a point about the overall amount of money that will be needed. There is no bottomless pit. There is no tree somewhere that magically produces a huge amount of money to feed every political aspiration and wish list presented to satisfy a particular party. We have made it clear that the financial arrangements in the agreement that we all entered into are as they are. We have been working on their implementation. Were we to get an agreement, subject to the creation of a new Government at Westminster, and bedroom tax was not to be implemented, the only additional money that would be available at the minute would be the £20 million that we have already set aside in Northern Ireland to mitigate that measure.

**Mr Deputy Speaker (Mr Dallat):** Will Members please note that questions 5 and 12 have been withdrawn?

## Housing: Enniskillen

2. **Mr Lynch** asked the Minister for Social Development how many social housing units will have been completed within the new Enniskillen district electoral area during this mandate. (AQO 8019/11-15)

**Mr Storey:** The number of social housing units completed in the new Fermanagh and Omagh District Council area during this mandate from 2010-11 to 2014-15 is 139 units. The Housing Executive is responsible for assessing the level of social housing need, determining the need for schemes in specific areas and formulating the social housing programme. The Housing Executive also carries out an annual housing needs assessment of all district councils to examine the supply and demand of new social

housing. This assessment is then used to determine the Housing Executive's unmet housing needs prospectus, which identifies locations where there is general unmet housing need beyond the schemes included in the social housing development programme and where it has not been possible to secure new-build sites.

Housing need is identified by the number deemed to be in housing stress. This is where applicants have 30 points or more on the Housing Executive's housing selection scheme. Housing need in Northern Ireland is addressed through the social housing development programme in a fair and equitable way. Much has been achieved in addressing housing need, and there is no doubt that the serious financial challenges we face moving forward will make this an increasingly difficult task. However, the delivery of social housing will remain a priority for me, my Department and the Housing Executive.

**Mr Lynch:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a fhreagra. I thank the Minister for his answer and welcome the units that he mentioned. However, Minister, there are over 600 on the waiting list in Enniskillen and another 400 throughout the rest of the county. How do you plan to alleviate that long list?

**Mr Storey:** I thank the Member for his supplementary question and inform him that, after Question Time, I will meet Fermanagh and Omagh District Council to discuss, no doubt, elements of this but also its budget and other issues that it wants to bring to our attention.

The Housing Executive is working to address housing stress levels in the Fermanagh and Omagh District Council area in a number of ways. For example, housing stress is addressed most notably through the re-letting of existing stock, the refurbishment of void properties and the allocation of new-build schemes. The number of new social homes required is based on the annual housing need assessment, which examines the supply and demand, highlights any areas where there are gaps and predicts what will be required over a five-year period to develop the social housing development programme. If there are other specific areas that the Member wants to raise with us, I am more than happy to give him more detail.

### 3.00 pm

**Mr Elliott:** I thank the Minister for that update. Has the number of people in housing stress in the Fermanagh area generally increased or decreased over the last few years?

**Mr Storey:** For the Member's information, I have the current waiting lists in that area. At December 2014, there were 1,400 applicants on the waiting list for the Fermanagh and Omagh District Council area, 774 of whom were in the Fermanagh area, with 626 in the Omagh area. A total of 488 applicants on the waiting list are deemed to be in housing stress, of whom 307 are in the Fermanagh area and 181 are in the Omagh area. I do not know how that compares with the previous year. However, I am more than happy to provide that information to the Member.

**Mr Lyttle:** Does the Minister know when the Housing Executive maintenance programme to install cavity wall insulation in homes in the Braniel estate in east Belfast, which was scheduled for October 2013, will be delivered?

**Mr Deputy Speaker (Mr Dallat):** I do not think that that question relates to the main one. The Minister has a choice.

**Mr Storey:** I appreciate that the Member is seeking to be inventive. However, going from Fermanagh to Braniel is pretty inventive. Even for the Alliance Party, that stretches the definition of being inventive. I am happy to get a written answer to the Member. It will probably be after 7 May.

### Voluntary and Community Sector: Cuts

3. **Ms McCorley** asked the Minister for Social Development what discussions he has had with ministerial colleagues to ensure there is a strategic focus on how departmental cuts are impacting on services provided by the voluntary and community sector. (AQO 8020/11-15)

**Mr Storey:** As with all Executive Departments, my Department is required to implement efficiencies in 2015-16, including in services provided by the voluntary and community sector. I undertook a series of formal and informal discussions with ministerial colleagues and MLAs on the proposed allocations to particular funding streams. A transparent, robust approach was undertaken aimed at maximising the delivery of high-quality services to the most disadvantaged and to ensure that available funding was prioritised against the highest-quality projects, where successful outcomes could make a difference to people's lives.

**Ms McCorley:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as an fhreagra sin. I thank the Minister for that answer. Does the Minister agree that the nature of the community and voluntary sector is such that it relies on a cocktail of funding from various sources and that, because of that, there are very often adverse impacts on its services and programmes when one gets cut, because they depend on one another? In that context, does the Minister agree that there is a need for a clear strategic approach?

**Mr Storey:** I thank the Member for her supplementary. One element of the considerable work done by my officials was to ensure that we cross-referenced between the offices in the Department, from the north-west office right through to the Belfast offices, to ensure that we were not in any way treating any group or organisation differently because of its geographical position. It is not often that we get praise in west Belfast in the 'Andersonstown News' from the SDLP and Sinn Féin, but there was recognition from west Belfast's political representatives that, while there was some bad news for community organisations from the Department for Social Development, the cuts have not been as bad as was originally feared. The article goes on to highlight a number of issues, and the Member knows that I met her and colleagues in relation to specific issues.

It places a responsibility on Departments to ensure that, collectively — I know that the issue has been raised by NICVA with the First Minister and deputy First Minister — there is a cross-departmental approach that has a positive outcome for the voluntary and community sector as opposed to one Department doing one thing and another Department doing something else. We have seen that particularly in relation to a question raised earlier about early years. The Department of Education cut £1.7 million out of its budget, which has had a clear impact on community organisations, some of which are in West Belfast and other constituencies across Northern Ireland.

**Mr Ramsey:** I acknowledge the immense contribution that the community and voluntary sector makes across

Northern Ireland, particularly on welfare rights. Is there any evidence or indication of collaboration between organisations delivering projects through DSD in the community and voluntary sector?

**Mr Storey:** I thank the Member for the work that he does on the issue. Many examples are used, and the Member who spoke previously referred to a cocktail of funding. It requires organisations in the voluntary and community sector to be innovative in a way that ensures the best possible financial arrangements to deliver the particular project. When you see a project delivered in a way that has brought about collaboration, you see that it enhances the project. It also brings a particular challenge, which is that, as we have seen to date in some areas, when one element of the funding arrangement is not in place or is removed, it could have a long-term effect on whether that project survives.

I referred to preschool places. Some preschools in my constituency now face a very bleak situation, not because money was not available from other elements of government but because the money that had been removed from the Department of Education probably was a cornerstone to that money being used for that organisation. If it is not there, the viability of those organisations becomes untenable, and, ultimately, some projects would close as a result.

**Mr Swann:** The Minister referred to having conversations with other Ministers: did he have any conversations with the Employment and Learning Minister in regard to the European social fund and how some in the voluntary and community sector, such as the women's sector and young people not in employment, education or training, will lose out on funding?

**Mr Storey:** I thank the Member. As Chair of the Committee, he will be well aware that this has become a particular problem. We had discussions with some of the organisations that came to see us in the lead-up to us making a decision on the budget. I should have said earlier that I am sorry that it took so long for us to get to the point where we made the announcement, but that came about as a result of a variety of discussions that we had with organisations to give some sense of where they would be post the announcement that we would make. I can confirm that we had consultation and discussion with the Minister on the elements of ESF that have ultimately resulted in some organisations having severe difficulties and severe financial problems.

**Mr Middleton:** Can the Minister tell us if the budget for Supporting People will be affected?

**Mr Storey:** I thank the Member and welcome him to Question Time. I look forward to working with him. I know that he will continue to do a good job for the people he represents, as he has done as an elected representative on the council in Londonderry. I look forward to working with him in the weeks and months ahead.

It is clear that we endeavoured to do all that we could to protect the Supporting People programme. The funds of a number of community sector organisations providing housing support services to very vulnerable people in our society are supported through the Supporting People programme. I have protected, as far as possible, the Supporting People budget for 2015-16, which will secure the delivery of those housing support services by the voluntary and community sector.

Indeed, on the day that I was appointed Minister for Social Development, 24 September, Members will recall that a lobby group came to the Assembly and, as dutiful MLAs, we all got our photograph taken to ensure that we supported that campaign, but that is not the reason why I was keen to ensure that the Supporting People programme was protected. Little did I know that, that afternoon, I would be responsible for that budgetary head. Maybe the lesson to be learned from that experience is always to be careful of the photographs that you get yourself into.

I believe that the Supporting People programme plays a vital role in ensuring that people have floating services and that the 80% of the money that goes towards the housing element of the scheme is invaluable, and I want to protect it going into the future. I trust that we can build on the success of the Supporting People programme.

## Housing: Conservative Party Proposals

4. **Mr Brady** asked the Minister for Social Development if he will oppose the local introduction of the sell-off of housing, including housing association properties, proposed by the Conservative Party. (AQO 8021/11-15)

**Mr Storey:** I am sure that the Member is aware or should be aware that a system of selling social houses to existing tenants is in place in Northern Ireland in the form of the house sales scheme. The house sales scheme gives eligible tenants of the Northern Ireland Housing Executive or registered housing associations the right to buy their property from their landlord at a discounted rate to the normal market value. The initial discount for the house sales scheme is set at present at 20% of the market value, increasing by 2% for each additional completed year of tenancy to a maximum of 60% or £24,000, whichever is lower.

**Mr Brady:** I thank the Minister for his answer. What consideration has he given to stopping the ongoing sell-off of publicly owned housing?

**Mr Storey:** The Member's colleague, who is sitting beside him, commented on concerns about the Housing Executive that a plan would be afoot that, at some stage, I would put the Housing Executive into a new arrangement that would take it outside public ownership. Since I have come into post, I have endeavoured to build a working relationship with the Housing Executive. I am very cognisant of the fact that it has done a very good job in the past. Like any organisation, it has had its difficulties and challenges. However, I want to ensure that we have good homes in Northern Ireland, and I do not believe that that will be provided for through a one-size-fits-all approach.

As was highlighted by the Member's colleague, a request has come to me via the Housing Executive board that it be given additional powers to borrow money and, therefore, be in a better place to do a better job. I will endeavour to work with the Housing Executive. We are seriously considering those issues at the moment. I trust that, with the help of the Assembly, I will very soon be in a position to give an assurance to the Housing Executive, to its tenants and to the people of Northern Ireland that we are not in the business of selling off but that we are in the business of ensuring that we get the best possible outcome for our tenants to deliver the best possible homes for the people of Northern Ireland.

**Mr Wilson:** Does the Minister agree that, first, the purchase of homes by tenants is popular; secondly, it releases capital that is tied up in houses that are not available for public dispersal at present; and, thirdly, will he reject the left-wing state-controlled ideology of Sinn Féin that wants people to be dependent on the public sector rather than have the freedom to own property if they so wish?

**Mr Storey:** As always, you can depend on the Member for East Antrim to set an issue in context. I agree with him. We must have a mix of provision that does not restrict the people who want to advance and own their own home. Equally, when there is not the opportunity for people to do that, we must have a system whereby people still have access to good homes.

### 3.15 pm

I trust that the public and parties in the House will eventually take this up, but we often refer here to building houses, when, as I have said in the House before, it should be about building homes. I have seen communities with a mixture of provision, whether it is private, social or co-ownership. However, whatever the provision and whoever the provider, the one thing we need to ensure is that they are quality homes that are fit for purpose.

I will shortly be bringing to the Social Development Committee and the House the outcome of the Savills investigation. The sad reality is that when we see the detail of that report, we will find that it will clearly indicate that a huge amount of work and money will be needed to bring the existing Housing Executive stock up to a level that any of us would be happy with in this modern day and age.

**Mr Deputy Speaker (Mr Dallat):** That ends the period for listed questions. Topical question 6 has been withdrawn.

### Housing Executive: Pay Increment Delay

T1. **Mr Boylan** asked the Minister for Social Development why there has been such a delay in dealing with Housing Executive workers' pay increment. (AQT 2411/11-15)

**Mr Storey:** That is obviously an issue for ourselves and the board, and I hope to be in a position to have it resolved within a matter of weeks.

**Mr Boylan:** I thank the Minister for his answer. Will you outline what engagement you have had with DFP on this matter, and can you outline a timeline for its resolution? Go raibh míle maith agat.

**Mr Storey:** As in all these things, this remains a matter on which we have to engage with DFP and the processes that we have. I will write to the Member with an answer about the timeline.

### Housing: Empty Homes Strategy

T2. **Mr F McCann** asked the Minister for Social Development for an update on the empty homes strategy, including private and social housing, and to explain what is being done to bring these houses into use to deal with the lengthy waiting lists. (AQT 2412/11-15)

**Mr Storey:** I thank the Member. When it comes to housing issues, the Member is someone who always endeavours to keep a watching brief. I am concerned about the ongoing work that needs to be done with the Housing Executive and other organisations.

This goes back to the point that I made about how we engage with those organisations to ensure that they do not suddenly come to a point where they believe that they are involved in some meaningless process, when actually there is a focus on them to ensure that they deliver for their tenants. My Department continues to work with the executive and other organisations to ensure that, whether the issue is empty homes or maintenance, they are well aware of their requirements to do what they can within the budgetary envelope that was given to them to deliver those services.

**Mr F McCann:** I thank the Minister for his response. World Homeless Day was the week before last, and several events were held throughout the city of Belfast and a number of organisations marched to City Hall. Yet only yards from where that march took place, there are hundreds of apartments that have been lying empty for quite a number of years that could, if brought in to use, help to deal with some of the serious homelessness problems.

Many people who have —

**Mr Deputy Speaker (Mr Dallat):** I really need a question shortly.

**Mr F McCann:** I am asking the Minister this: how can you deal with landlords who have hundreds of homes or apartments lying there that could be brought back into use to deal with homelessness?

**Mr Storey:** I think that it is true to say that the Housing Executive and housing associations remain committed to moving tenants into available homes as quickly as possible. The standard tool of measurement for the process is the proportion of empty stock, or voids, at any given time. Quickly moving people from the waiting list into homes once they become available is reflected in a lower proportion of empty homes. The target for void management of social housing is 4%, as it is for overall Northern Ireland void management of relevant social housing providers.

I agree with the Member that we need to do all that we can. I heard some comments that made the assertion that somehow we were not taking the issue seriously. I take very seriously ensuring that we are doing all that we can, whether for people who are deemed to be homeless, people who are in housing stress or people in particular areas where there are certain challenges to getting a better return from the overall waiting list. I give the Member that assurance, because there is a responsibility for landlords — the Member is absolutely right — but it is a collective responsibility on our part to do all that we can to encourage and facilitate a resolution to the issue.

### Urban Regeneration Cuts: Mid Ulster

T3. **Mr Milne** asked the Minister for Social Development to outline the criteria that were used to determine the reduction in DSD funding for urban regeneration, which resulted in Mid Ulster being the hardest hit, with a reduction of 25.24%. (AQT 2413/11-15)

**Mr Storey:** I thank the Member for his question. I go back to the comments that I made earlier about the amount of money given to us. He has to appreciate that what we had given to us was a reduction in the overall amount that we had previously and that that was going to have a particular impact on the roll-out of neighbourhood renewal. Indeed, if we had had agreement from his party to having the issue

rolled out on 1 April, it would have been local councils dealing with it, as opposed to my Department. However, failure to get agreement on that and his party not trusting its own councillors to administer it are issues that Sinn Féin has to explain to its elected representatives.

The rationale that we used was to look at areas that were outside the scope of neighbourhood renewal, at whether the process had given value for money and at the way in which the project might have been time-bound. As a result, some projects did not continue, because the funding allocation was coming to an end.

**Mr Milne:** Go raibh maith agat, a LeasCheann Comhairle. Mo bhuíochas leis an Aire go dtí seo. I thank the Minister for his answer. Given that he has stated that the regeneration of Magherafelt town centre is an ongoing commitment of his Department, can he outline what impact the substantial cut will have on future progress in that regard?

**Mr Storey:** I thank the Member for his question. I have met representatives from the Magherafelt area and from the new council, and I do not believe that we will see any long-term disadvantage to the amount of money being allocated, because I think that the new council will endeavour to ensure that the money is spent in a way that gives us a good outcome in Magherafelt, and in other areas within the new council boundaries.

### Belfast Pride: DSD Grant

T4. **Mr Allister** asked the Minister for Social Development whether his Department plans, again this year, to provide a grant to Belfast Pride. (AQT 2414/11-15)

**Mr Storey:** I approved the continuation of the Belfast city centre community activity grant for the financial year 2015-16. My Department has allocated a budget of £220,000 from the Belfast city centre events and community activity grants for the financial year 2015-16. That represents a reduction of some £80,000 in the amount that has been available in recent years.

The grant schemes were previously known as the "Laganside events grant" and the "Laganside community activity grant". However, in April 2013, the applicable boundary was extended to take in the city centre, and, as a result, the grant schemes were renamed the "Belfast city centre events grant" and the "Belfast city centre community activity grant".

A call for applications for the Belfast city centre event grant scheme was made on 9 April 2015, with a closing date of 23 April of this year. The Department received 34 applications, and the applications will be assessed over the coming weeks, with the decision on funding being issued in due course. Included in those applications, as it has been in previous years, is Orangefest.

**Mr Allister:** Is Belfast Pride included in those applications, and does the Minister anticipate again giving funding? Does he think that it is a prudent use of £250,000 in these times of austerity to sustain events such as this?

**Mr Storey:** I have not had personal sight of the applications, and that process will be carried by the Belfast city centre events grant scheme. It is the administrator for the scheme, and it is up to it to decide in relation to the process that will be used and the allocations that will be made.

**Mr Deputy Speaker (Mr Dallat):** Mrs Karen McKeivitt is not in her place. Question 6, remember, was withdrawn.

### Benefit Uptake Programme

T7. **Mr McQuillan** asked the Minister for Social Development how much the benefit uptake programme generated last year. (AQT 2417/11-15)

**Mr Storey:** I thank the Member for the question. I am committed to promoting the uptake of benefits in an effort to tackle poverty and improve life for those who are most vulnerable. In 2013-14, over 4,000 people, many of them older people, gained £14.2 million in new and additional benefits. In fact, since 2005, benefit uptake work has generated over £81 million in additional income for people in Northern Ireland. This is additional income for people in Northern Ireland, and I think that that proves the worth of the programme. I am committed to ensuring that it is continued in the future.

**Mr McQuillan:** I thank the Minister for his answer, and I think that £81 million over five years is a big turnaround. Minister, how does your Department promote the uptake of benefits?

**Mr Storey:** I thank the Member for his supplementary question. My Department has four separate but complementary strands of activity to generate additional benefits for harder-to-reach groups of people. They include writing to over 25,000 individuals identified from benefit data sets, encouraging them to have a full benefit entitlement check and to ensure that they are not missing out on any benefit supports or services to which they may be entitled. Make the Call is the regional advertising and promotion campaign and is endorsed by the Commissioner for Older People. Community outreach officers based throughout Northern Ireland deliver benefit uptake activity by visiting vulnerable claimants in their own home, carrying out benefit entitlement checks and assisting with claims and form-filling. They also provide a valuable service to communities by delivering community promotional events and clinics, providing redundancy support to business and individuals and taking referrals from a wider range of partners. There is also the innovation fund and partnership working with Atlantic Philanthropies, and my Department funded community-based organisations to trial new innovative approaches to improving benefit uptake. Full evaluation of this approach will also be available in the summer of 2015. I trust that that gives the Member some overview of the ways in which we endeavour to promote the uptake of benefits via writing to people, Make the Call and community outreach officers.

### Social Need Financial Package: Councils

T8. **Mr Ó hOisín** asked the Minister for Social Development what protections are in place to ensure that new councils will not be able to use the financial package provided to deal with social need for other purposes. (AQT 2418/11-15)

**Mr Storey:** I thank the Member: he raises a valid point. The answer may lie with his colleagues on the Social Development Committee, who are currently looking at the Regeneration Bill. I await the outcome of the deliberations of the Committee. I have listened to some comments that have already been made to me about the definition or lack of definition of social need, and I think that we need



to ensure that the title of the Bill is reflected in the activity of the council. The Bill is currently called and remains the Regeneration Bill, and there needs to be a focus on the aspects of regeneration that benefit society and community.

**3.30 pm**

**Mr Ó hOisín:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as an fhreagra sin. I thank the Minister for his answer. Can he tell us how, in the Regeneration Bill, he could best ring-fence funding for social need?

**Mr Storey:** It could be done by setting down certain criteria and giving guidelines in the Bill or guidelines following as a result of the progress of the Bill. That would be the template that councils would be asked to use to ensure that the specific purpose for which money is given is the purpose for which it is used.

**Mr Deputy Speaker (Mr Dallat):** Order. Time is up. Members will wish to take their ease —

**Mr Nesbitt:** On a point of order.

**Mr Deputy Speaker (Mr Dallat):** Can I finish first, please? Members will take their ease while we change the Table. I will take the point of order.

**Mr Nesbitt:** I am very grateful to you. I would be grateful if you would review Hansard for the remarks by Mr Maskey in which, if I heard him correctly, he implied that at the Stormont House talks I said I would take the agreement and recommend it to my party executive. That is not true, and he knows it is not true. I am sure you would agree that we should use the Chamber respectfully and not as the set of 'Jackanory'.

**Mr Deputy Speaker (Mr Dallat):** It seems the Member has clarified the point. Of course we can view Hansard; sometimes, though, it would be useful if Members who are not speaking would remain silent and then, perhaps, the person in the Chair might hear better what is going on.

*(Mr Speaker in the Chair)*

## Private Members' Business

### Marriage Equality

*Debate resumed on motion:*

*That this Assembly welcomes the marriage equality referendum in the South of Ireland; notes that a growing number of Parliaments across the world have embraced, and legislated for, marriage equality; respects the rights of the religious institutions to define, observe and practise marriage within their beliefs; and calls on the Executive to legislate for marriage equality for same-sex couples so that all citizens will have the same legal entitlement to the protections, responsibilities, rights, obligations and benefits afforded by the legal institution of marriage.*

**Mr McKay:** Go raibh maith agat, a Cheann Comhairle. I support the motion. It has been a worthwhile debate. Some Members referred to the fact that we have been here before, and I am sure we will be here again until the issue is dealt with, as it is being dealt with elsewhere on this island and on the island opposite.

Justin McAleese gave an interview to a newspaper recently. He referred to the MP for North Antrim, the effect that comments made by the MP had on his personal life and the struggle he had, not to come to terms with his sexuality but with the fact that much of society was opposed to his sexuality, to him as a person and to what he was. An interesting quote from Justin was:

*"Language matters, words matter, marriage matters".*

That is something that many Members opposite in the DUP need to reflect on. Language and words have a deeply damaging effect on people, on members of the LGBT community.

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

**Mr McKay:** I will not give way, sorry.

The response from Mr Paisley, which is in the 'The Irish Times' today, is that he thinks Mr McAleese and others should "get over" themselves. That was the response that the MP for North Antrim made. He said:

*"all of this stuff where people are self absorbed about their own gender and how everything is about them ... Get over it. Get over yourself."*

That is not a mature response for an MP, an MLA, an MEP or any elected representative on this island.

Churches, of course, have different views on marriage equality. Political parties have different views on it as well. Danny Kinahan made an important point when he said that marriage was not just a religious institution. We have civil marriage and we have marriage in many of our Churches. The language used by the DUP as a party and by many of its leading members is despicable, dangerous and wrong. This is a party that talks about itself as a party of the economy, but this is embarrassing on an international stage, where we are trying to secure jobs and foreign direct investment. A lot of these comments put people and companies off. There will be different views on marriage

equality, but the language, more than anything, that is used by the Democratic Unionist Party makes some of these stories go round the world faster.

Marriage has not been the same institution for thousands of years. It has changed many times and taken many forms. What we are talking about for the LGBT community is civil marriage, not marriage in a church. Civil marriage was introduced in the 1800s; it does not go back centuries. Civil marriage has been subject to many changes in recent times. It is not something that goes back thousands of years. Marriage has changed over time and needs to continue to change for the better.

This highlights the need for church and state to be separate. We have to accommodate everyone who lives in our society, and we have to accommodate people of all backgrounds. Some Churches do not advocate divorce. Government offers people the choice of divorce, but they do not have to avail themselves of it. Some Churches oppose contraception, and the state allows people the freedom to make up their own mind on that. Some Churches oppose marriage for same-sex couples, and government should ensure that same-sex couples have the ability to decide for themselves. No one who does not believe in same-sex marriage — no one who does not believe in marriage, for that matter — has to enter into one if they do not want to.

Of course, sometimes this debate sets church and religion against the rest of society, but, as we know, there are many strands in Christianity, as well as in Judaism and other religions, that have no issue with marriage between people of the same gender. I know many people in the North — members of the Presbyterian Church and of the Catholic Church — who have no problem with equal marriage.

The resignation of the Health Minister is hugely significant. This is the first time that a politician has been forced to resign in the North because of the strength of public opinion against homophobic remarks. That is a big change for us as a society in the North of this island. I believe that the public recognise that it is simply wrong to speak about gay people in that way.

Nelson McCausland spoke about the need to protect traditional marriage and about the wider impact on society, but he did not give any evidence to back any of that up. Marriage equality has been introduced in a number of countries, and the sky has not fallen in. It has been brought in in Scotland. Has society been irreversibly damaged in Scotland? No, it has not. Most people now look on Scotland as somewhere that, thanks to a lot of political debate over the past couple of years, has become a better society. I believe that this society will follow in its footsteps.

The Member for Fermanagh and South Tyrone said that she was sympathetic to victims of homophobic attacks, but she failed to make the link between those attacks and the prejudice that leads to them in the first place. I come back to what I said at the start: Members of the House need to be especially conscious of their comments. I recognise that there are those on the unionist Benches who approach the issue with the sensitivity required, but there are many who do not and fail to recognise the impact of their comments.

Danny Kennedy said that we had tabled the motion for electoral purposes: that is nonsense.

This is not about getting more votes. We may get more votes in certain areas because we have a line on equal marriage, but I know people who previously voted for us but who will not vote for this party because of the equal marriage issue. The reason why we brought the motion to the Floor is that it is the right thing to do.

Caitríona Ruane rightly referred to the fact that the issue could affect Members' children and grandchildren, and it could have consequences in our families that Members may not yet be aware of. I am sure that, given the comments made in the past number of days, children of gay members of our community will go, and have gone, to their parents, knowing that they are gay, and asked what Jim Wells was talking about. It is wrong that people have been put in that position.

Of course, many gay people and their children also face the brunt of homophobia and the roll-out from those comments in our schoolyards. Danny Kinahan referred to his experience in the British Army, and we will all know that, growing up, there was rampant homophobia in schoolyards and playgrounds. When my generation was growing up, that, given the number of comments made, was certainly the case. Children did not know what they were saying, but it was rampant throughout our playgrounds. I am sure that that still goes on to a very high degree — I know that it does. That has a big impact on depression, anxiety and suicide, so it needs to be a priority for the Executive — for Education, Health and all the relevant Departments.

In the closing seconds of my contribution, I would like to pay tribute to everyone in the LGBT community who has campaigned, and will continue to campaign, on the issue until they succeed. I have no doubt that the momentum is firmly with them. Every Sinn Féin MLA will vote for same-sex marriage today, and I urge other progressive parties to ensure that a full complement of their Members do the same.

**Mr Speaker:** I remind Members that the vote on the motion will be on a cross-community basis.

*Question put.*

*The Assembly divided:*

*Ayes 47; Noes 49.*

## **AYES**

### **Nationalist**

*Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Durkan, Mr Eastwood, Ms Fearon, Mr Flanagan, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Dr McDonnell, Mr McElduff, Ms McGahan, Mr McGlone, Mr M McGuinness, Mr McKay, Mr McKinney, Ms Maeve McLaughlin, Mr McMullan, Mr Maskey, Mr Milne, Ms Ni Chuilín, Mr Ó hOisín, Mr Ó Muilleoir, Mr O'Dowd, Mrs O'Neill, Mr Ramsey, Ms Ruane, Mr Sheehan.*

### **Unionist**

*Mr Kinahan, Mr McCallister, Mr B McCrea, Ms Sugden.*

### **Other**

*Mr Agnew, Mr Dickson, Dr Farry, Mr Ford, Ms Lo, Mr Lyttle.*

*Tellers for the Ayes: Ms Fearon and Ms Ruane.*

**NOES****Unionist**

*Mr Allister, Mr Anderson, Mr Beggs, Mr Bell, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Campbell, Mr Clarke, Mr Craig, Mr Cree, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr Kennedy, Mr McCausland, Mr I McCrea, Mr McGimpsey, Mr D McIlveen, Miss M McIlveen, Mr McNarry, Mr McQuillan, Mr Middleton, Lord Morrow, Mr Moutray, Mr Nesbitt, Mrs Overend, Mr Poots, 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 McQuillan and Mr G Robinson.*

<i>Total Votes</i>	<i>96</i>	<i>Total Ayes</i>	<i>47</i>	<i>[49.0%]</i>
<i>Nationalist Votes</i>	<i>37</i>	<i>Nationalist Ayes</i>	<i>37</i>	<i>[100.0%]</i>
<i>Unionist Votes</i>	<i>53</i>	<i>Unionist Ayes</i>	<i>4</i>	<i>[7.5%]</i>
<i>Other Votes</i>	<i>6</i>	<i>Other Ayes</i>	<i>6</i>	<i>[100.0%]</i>

*The following Members voted in both Lobbies and are therefore not counted in the result: Mrs Cochrane, Mr Lunn, Mr McCarthy.*

*Question accordingly negatived (cross-community vote).*

**Mr Campbell:** On a point of order, Mr Speaker. I wish to raise a matter of security. In this debate, which has lasted an hour and a half, nine Members spoke from the Benches of Sinn Féin, the SDLP, the UUP and Alliance. On all sides, there was mention and criticism of my colleague the honourable Member for South Down Jim Wells. That Member has been subjected to the most severe online intimidation and harassment since the events of the past four days. Not a single Member mentioned or condemned that harassment and vile abuse that he has received not just for himself but for his family, and some of it used his seriously ill wife's name as well. I hope that you will agree, Mr Speaker, that it is a shame and disgrace on every Member who spoke but did not refer to it, let alone condemn it.

**Ms Ruane:** Further to that point of order, I was here for the entire debate. I heard every single Member who spoke sympathise with Mr Jim Wells. Just in case there is any ambiguity about this: every single person who spoke here sympathised with Mr Wells. I am sure that I speak for everyone in the House when I condemn any abuse towards anyone, including Mr Wells. *[Interruption.]*

**Mr Speaker:** Order. I listened very carefully to what Mr Campbell said, and he isolated and mentioned the fact that there was no reference made to the abuse. Whilst that was outwith the Assembly, I have no reason to doubt that Mr Wells and his family were subjected to it, and I think it reprehensible if it were the case. However, I do not think that the fact that that was not mentioned is a point of order on the debate that we had. It is a sin of omission from your perspective, Mr Campbell, but of course on all sides of the Chamber, there was equal opportunity for people to raise that particular aspect, so it is a matter of the record of the debate, and, on that basis, I do not accept your point of order.

*Adjourned at 4.00 pm.*



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# Northern Ireland Assembly

Tuesday 28 April 2015

*The Assembly met at 10.30 am (Mr Speaker in the Chair).*

*Members observed two minutes' silence.*

## Executive Committee Business

### Reservoirs Bill: Consideration Stage

**Mr Speaker:** I call the Minister of Agriculture and Rural Development, Mrs Michelle O'Neill, to move the Consideration Stage of the Reservoirs Bill.

*Moved.* — [Mrs O'Neill (The Minister of Agriculture and Rural Development).]

**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. There are five groups of amendments, and we will debate the amendments in each group in turn.

The first debate will be on group 1, which contains 120 amendments and deals with risk designation. The second debate will be on group 2, which contains 54 amendments and deals with duties on Departments and appeal arrangements. The third debate will be on group 3, which contains six amendments and deals with frequency of visits. The fourth debate will be on group 4, which contains six amendments and deals with phased commencement. The final debate will be on group 5, which contains 28 amendments and deals with sensitive information and technical amendments.

I remind Members intending to speak that, during the debates on the five groups of amendments, they should address all the amendments in each group on which they wish to comment. 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 all of that is clear, we shall proceed.

#### **Clause 1 (Controlled reservoirs)**

**Mr Speaker:** We now come to the first group of amendments for debate, which contains 120 amendments. The amendments deal with risk designation. I will call Mr Trevor Clarke to move amendment No 1 and address the other amendments in the group. Amendment Nos 2, 100, 101 and 102 are consequential to amendment No 1. Amendment No 45 is consequential to amendment No 44.

**Mr Clarke:** I beg to move amendment No 1: In page 1, line 6, leave out "10,000" and insert "25,000".

*The following amendments stood on the Marshalled List:*

No 2: In clause 2, page 2, line 2, leave out "10,000" and insert "25,000".— [Mr Clarke.]

No 3: In clause 3, page 2, line 35, leave out "risk" and insert "reservoir".— [Mrs O'Neill (The Minister of Agriculture and Rural Development).]

No 4: In clause 3, page 2, line 36, leave out "matters" and insert "issues".— [Mrs O'Neill (The Minister of Agriculture and Rural Development).]

No 5: In clause 3, page 2, line 37, leave out "(ii)".— [Mrs O'Neill (The Minister of Agriculture and Rural Development).]

No 6: In clause 3, page 2, line 37, after "the" insert "potential adverse consequences or".— [Mrs O'Neill (The Minister of Agriculture and Rural Development).]

No 7: In clause 3, page 2, line 39, leave out "matters" and insert "issues".— [Mrs O'Neill (The Minister of Agriculture and Rural Development).]

No 8: In clause 3, page 2, line 39, after "22(3)" insert "and in regulations under section 22A".— [Mrs O'Neill (The Minister of Agriculture and Rural Development).]

No 9: In clause 3, page 2, line 39, leave out "risk" and insert "reservoir".— [Mrs O'Neill (The Minister of Agriculture and Rural Development).]

No 10: In clause 3, page 2, line 40, leave out from ", or" to "section," on line 41 and insert "of section 22(3)".— [Mrs O'Neill (The Minister of Agriculture and Rural Development).]

No 11: In clause 8, page 5, line 31, leave out "risk" and insert "consequence".— [Mrs O'Neill (The Minister of Agriculture and Rural Development).]

No 12: In clause 16, page 8, line 24, leave out "risk" and insert "consequence".— [Mrs O'Neill (The Minister of Agriculture and Rural Development).]

No 13: In clause 17, page 8, line 41, leave out "risk" and insert "reservoir".— [Mrs O'Neill (The Minister of Agriculture and Rural Development).]

No 14: In clause 17, page 9, line 1, leave out "risk" and insert "reservoir".— [Mrs O'Neill (The Minister of Agriculture and Rural Development).]

No 15: In clause 17, page 9, line 3, leave out "risk" and insert "consequence".— [Mrs O'Neill (The Minister of Agriculture and Rural Development).]

No 16: In clause 17, page 9, line 4, leave out “risk” and insert “consequence”.— [Mrs O’Neill (*The Minister of Agriculture and Rural Development*)]

No 17: In clause 17, page 9, line 5, leave out “risk” and insert “consequence”.— [Mrs O’Neill (*The Minister of Agriculture and Rural Development*)]

No 18: In clause 17, page 9, line 6, leave out “risk” and insert “reservoir”.— [Mrs O’Neill (*The Minister of Agriculture and Rural Development*)]

No 19: In clause 17, page 9, line 9, leave out “risk” and insert “reservoir”.— [Mrs O’Neill (*The Minister of Agriculture and Rural Development*)]

No 20: In clause 17, page 9, line 11, leave out “risk” and insert “reservoir”.— [Mrs O’Neill (*The Minister of Agriculture and Rural Development*)]

No 21: In clause 17, page 9, line 17, leave out “risk” and insert “reservoir”.— [Mrs O’Neill (*The Minister of Agriculture and Rural Development*)]

No 22: In clause 18, page 9, line 20, leave out “risk” and insert “reservoir”.— [Mrs O’Neill (*The Minister of Agriculture and Rural Development*)]

No 23: In clause 18, page 9, line 22, leave out “risk” and insert “reservoir”.— [Mrs O’Neill (*The Minister of Agriculture and Rural Development*)]

No 24: In clause 18, page 9, line 26, leave out “risk” and insert “reservoir”.— [Mrs O’Neill (*The Minister of Agriculture and Rural Development*)]

No 25: In clause 18, page 9, line 29, leave out “risk” and insert “reservoir”.— [Mrs O’Neill (*The Minister of Agriculture and Rural Development*)]

No 26: In clause 18, page 10, line 12, leave out “risk” and insert “reservoir”.— [Mrs O’Neill (*The Minister of Agriculture and Rural Development*)]

No 27: In clause 19, page 10, line 16, leave out “risk” and insert “reservoir”.— [Mrs O’Neill (*The Minister of Agriculture and Rural Development*)]

No 28: In clause 19, page 10, line 23, leave out “risk” and insert “reservoir”.— [Mrs O’Neill (*The Minister of Agriculture and Rural Development*)]

No 29: In clause 19, page 10, line 27, leave out “risk” and insert “reservoir”.— [Mrs O’Neill (*The Minister of Agriculture and Rural Development*)]

No 30: In clause 20, page 10, line 39, leave out “risk” and insert “reservoir”.— [Mrs O’Neill (*The Minister of Agriculture and Rural Development*)]

No 31: In clause 20, page 11, line 9, leave out “risk” and insert “reservoir”.— [Mrs O’Neill (*The Minister of Agriculture and Rural Development*)]

No 33: In clause 21, page 11, line 41, leave out “risk” and insert “reservoir”.— [Mrs O’Neill (*The Minister of Agriculture and Rural Development*)]

No 34: In clause 21, page 12, line 7, leave out “risk” and insert “reservoir”.— [Mrs O’Neill (*The Minister of Agriculture and Rural Development*)]

No 35: In clause 21, page 12, line 16, leave out “risk” and insert “reservoir”.— [Mrs O’Neill (*The Minister of Agriculture and Rural Development*)]

No 37: In clause 22, page 12, line 35, leave out

“For the purposes of subsection (1)(a),” and insert “The”.— [Mrs O’Neill (*The Minister of Agriculture and Rural Development*)]

No 38: In clause 22, page 12, line 35, after “consequences” insert “of an uncontrolled release of water from a controlled reservoir”.— [Mrs O’Neill (*The Minister of Agriculture and Rural Development*)]

No 39: In clause 22, page 13, line 2, leave out “The matters which” and insert “Issues that”.— [Mrs O’Neill (*The Minister of Agriculture and Rural Development*)]

No 40: In clause 22, page 13, line 3, leave out “(b)”.— [Mrs O’Neill (*The Minister of Agriculture and Rural Development*)]

No 41: In clause 22, page 13, line 3, after “the” insert “potential adverse consequences or”.— [Mrs O’Neill (*The Minister of Agriculture and Rural Development*)]

No 42: In clause 22, page 13, line 9, leave out “matters” and insert “issues”.— [Mrs O’Neill (*The Minister of Agriculture and Rural Development*)]

No 43: In clause 22, page 13, line 9, leave out “may by regulations specify” and insert “considers relevant”.— [Mrs O’Neill (*The Minister of Agriculture and Rural Development*)]

No 44: In clause 22, page 13, line 10, leave out subsection (4).— [Mrs O’Neill (*The Minister of Agriculture and Rural Development*)]

No 45: After clause 22 insert

“Matters to be taken into account under sections 17(3), 18(2), 20(3)(b)(ii) and 21(5)(a): further provision

22A.—(1) *The Department may by regulations make further provision about the matters that are to be taken into account under sections 17(3), 18(2), 20(3)(b)(ii) and 21(5)(a).*

(2) *Without prejudice to the generality of subsection (1), the regulations may—*

(a) *make further provision in relation to the matters in section 22(1),*

(b) *in particular, when the Department is satisfied that an appropriate methodology exists for assessing the probability of an uncontrolled release of water from a controlled reservoir, include provision as regards the methodology that is to be taken into account in assessing such probability,*

(c) *amend references in this Act to ‘reservoir designation’, ‘high-consequence reservoir’, ‘medium-consequence reservoir’ and ‘low-consequence reservoir’ in pursuance of the regulations,*

(d) *include adaptations for the purposes of section 3(3).*

(3) *Before making regulations under subsection (1), the Department must consult the Institution of Civil Engineers and such other organisations or persons as it considers appropriate.”— [Mrs O’Neill (*The Minister of Agriculture and Rural Development*)]*

No 46: In clause 23, page 13, line 16, leave out first “risk” and insert “consequence”.— [Mrs O’Neill (*The Minister of Agriculture and Rural Development*)]



No 95: In clause 36, page 24, line 18, leave out second "risk" and insert "consequence".— *[Mrs O'Neill (The Minister of Agriculture and Rural Development).]*

No 96: In clause 36, page 24, line 36, leave out "risk" and insert "consequence".— *[Mrs O'Neill (The Minister of Agriculture and Rural Development).]*

No 97: In clause 36, page 24, line 39, leave out "risk" and insert "consequence".— *[Mrs O'Neill (The Minister of Agriculture and Rural Development).]*

No 100: In clause 38, page 25, line 23, leave out "10,000" and insert "25,000".— *[Mr Clarke.]*

No 101: In clause 38, page 25, line 35, leave out "10,000" and insert "25,000".— *[Mr Clarke.]*

No 102: In clause 42, page 28, line 7, leave out "10,000" and insert "25,000".— *[Mr Clarke.]*

No 103: In clause 46, page 29, line 40, leave out first "risk" and insert "consequence".— *[Mrs O'Neill (The Minister of Agriculture and Rural Development).]*

No 104: In clause 46, page 29, line 40, leave out second "risk" and insert "consequence".— *[Mrs O'Neill (The Minister of Agriculture and Rural Development).]*

No 105: In clause 46, page 30, line 1, leave out first "risk" and insert "consequence".— *[Mrs O'Neill (The Minister of Agriculture and Rural Development).]*

No 106: In clause 46, page 30, line 1, leave out second "risk" and insert "consequence".— *[Mrs O'Neill (The Minister of Agriculture and Rural Development).]*

No 109: In clause 49, page 31, line 35, leave out "risk" and insert "consequence".— *[Mrs O'Neill (The Minister of Agriculture and Rural Development).]*

No 112: In clause 52, page 33, line 28, leave out "risk" and insert "consequence".— *[Mrs O'Neill (The Minister of Agriculture and Rural Development).]*

No 121: In clause 53, page 35, line 20, leave out "risk" and insert "consequence".— *[Mrs O'Neill (The Minister of Agriculture and Rural Development).]*

No 130: In clause 54, page 36, line 6, leave out first "risk" and insert "consequence".— *[Mrs O'Neill (The Minister of Agriculture and Rural Development).]*

No 131: In clause 54, page 36, line 6, leave out second "risk" and insert "consequence".— *[Mrs O'Neill (The Minister of Agriculture and Rural Development).]*

No 132: In clause 54, page 36, line 7, leave out "risk" and insert "consequence".— *[Mrs O'Neill (The Minister of Agriculture and Rural Development).]*

No 133: In clause 55, page 36, line 35, leave out first "risk" and insert "consequence".— *[Mrs O'Neill (The Minister of Agriculture and Rural Development).]*

No 134: In clause 55, page 36, line 35, leave out second "risk" and insert "consequence".— *[Mrs O'Neill (The Minister of Agriculture and Rural Development).]*

No 141: In clause 56, page 37, line 18, leave out "risk" and insert "consequence".— *[Mrs O'Neill (The Minister of Agriculture and Rural Development).]*

No 160: In clause 77, page 49, line 37, leave out "risk" and insert "consequence".— *[Mrs O'Neill (The Minister of Agriculture and Rural Development).]*

No 175: In clause 88, page 58, line 5, leave out "risk" and insert "reservoir".— *[Mrs O'Neill (The Minister of Agriculture and Rural Development).]*

No 176: In clause 88, page 58, line 6, leave out "risk" and insert "reservoir".— *[Mrs O'Neill (The Minister of Agriculture and Rural Development).]*

No 177: In clause 91, page 60, line 2, leave out "risk" and insert "consequence".— *[Mrs O'Neill (The Minister of Agriculture and Rural Development).]*

No 180: In clause 93, page 61, line 17, leave out first "risk" and insert "consequence".— *[Mrs O'Neill (The Minister of Agriculture and Rural Development).]*

No 181: In clause 93, page 61, line 17, leave out second "risk" and insert "consequence".— *[Mrs O'Neill (The Minister of Agriculture and Rural Development).]*

No 182: In clause 95, page 62, line 19, leave out "risk" and insert "consequence".— *[Mrs O'Neill (The Minister of Agriculture and Rural Development).]*

No 192: In clause 107, page 66, line 27, leave out "risk" and insert "consequence".— *[Mrs O'Neill (The Minister of Agriculture and Rural Development).]*

No 193: In clause 117, page 70, line 12, at end insert "(iia) section 22A(1) (further provision about matters that are to be taken into account under sections 17(3), 18(2), 20(3)(b)(ii) and 21(5)(a)).".— *[Mrs O'Neill (The Minister of Agriculture and Rural Development).]*

No 202: In schedule 1, page 72, line 5, leave out first "risk" and insert "consequence".— *[Mrs O'Neill (The Minister of Agriculture and Rural Development).]*

No 203: In schedule 1, page 72, line 5, leave out second "risk" and insert "consequence".— *[Mrs O'Neill (The Minister of Agriculture and Rural Development).]*

No 204: In schedule 1, page 72, line 27, leave out first "risk" and insert "consequence".— *[Mrs O'Neill (The Minister of Agriculture and Rural Development).]*

No 205: In schedule 1, page 72, line 27, leave out second "risk" and insert "consequence".— *[Mrs O'Neill (The Minister of Agriculture and Rural Development).]*

No 206: In schedule 2, page 73, line 24, leave out "risk" and insert "consequence".— *[Mrs O'Neill (The Minister of Agriculture and Rural Development).]*

No 207: In schedule 2, page 73, line 31, leave out "risk" and insert "consequence".— *[Mrs O'Neill (The Minister of Agriculture and Rural Development).]*

No 208: In schedule 2, page 73, line 32, leave out "risk" and insert "consequence".— *[Mrs O'Neill (The Minister of Agriculture and Rural Development).]*

No 209: In schedule 2, page 73, line 37, leave out "risk" and insert "reservoir".— *[Mrs O'Neill (The Minister of Agriculture and Rural Development).]*

No 210: In schedule 2, page 73, line 47, leave out "risk" and insert "reservoir".— *[Mrs O'Neill (The Minister of Agriculture and Rural Development).]*



No 213: In schedule 3, page 74, line 23, leave out "risk" and insert "reservoir".— *[Mrs O'Neill (The Minister of Agriculture and Rural Development).]*

**Mr Clarke:** I have thought long and hard about this debate. I was on the Agriculture Committee when the Bill was first mooted. I had reservations then and I have reservations now, in relation to the real impetus as to why it has been brought forward. Given the scope that I had, the least I could do is increase the limits.

As you have said in your opening remarks, this is the risk associated with this particular part of the Bill. Departmental officials are present, including one of those who first came to the Committee. One of the things that confuses me is that England has much larger reservoirs, but no one has sought to bring in such regulations there. Look at the topography of England: there are mountain sets and higher landscapes, if we want to talk about risk. I think it is important that we consider the risk to properties and people in vulnerable areas. It would be remiss of me not to acknowledge that there are such individuals. However, look at that on a greater scale. Those residing across the water are in much greater risk than we have in Northern Ireland.

Another thing that I consider, in moving this amendment, is that I have spoken to some of my colleagues and others, who have suggested to me that there was a case where a reservoir in Northern Ireland nearly breached. We have to take that into consideration. It is interesting to note that that particular one was in public ownership. That says more about the public authority and how it looked after that reservoir in Camlough and left people in Bessbrook and Newry at risk.

This is what worries me about this particular Bill, and hence I have proposed the amendment to move from 10,000 to 25,000 cubic metres. Let me take two examples in my constituency. The first, off the Arlone Road, is a fairly small reservoir which comes within the scope of what is proposed today. Within the last 10 years, the person who owned that reservoir inherited it from his father. It is something that has been handed down, so the owner has now been handed down a liability because of how the Department is treating the Reservoirs Bill.

However, the thing that intrigues me most about this example is that, a number of years ago, a planning application was made to the DOE for land just downstream from this reservoir. One of the consultees on that application was, of course, the Department of Agriculture and Rural Development, through the Rivers Agency. Not one application, not two but possibly three in that one location were approved. What Rivers Agency said at that particular time was that there was no risk from that reservoir, so that those people could go ahead. What that has actually done, by letting those people go ahead and build downstream, is now, as a consequence of this Bill, leaving that landowner suggesting that his reservoir is a risk to their properties. However, those properties were built many years after the reservoir.

Another one in my constituency is the well-known Craigmore Fishery. It is also a large reservoir which will be within the scope of this Bill. Many people go there at this time of the year for long evenings to fish. It is a man-made reservoir, which I clearly remember visiting a number of years ago — probably in excess of 25 years ago — when

I worked in a garage locally in Randalstown. When it was being excavated, there was not one house near the reservoir; now, there is not one house but eight, all of which had to go through the statutory process of being considered for planning permission. All of them will have gone to Rivers Agency for consultation, and, in every case, the Rivers Agency deemed that the reservoir was of no risk, significance or threat to those properties.

Now what have we? There is a young family which invested, a number of years ago, to buy the reservoir from the original owner and which, I am sure, will be in considerable debt for a number of years to pay off its investment. That family will have been looking forward to running a small business, but as a consequence of this Bill there is every possibility that those people will be left out of a home.

That is because of the bureaucracy within the Bill, of course, but also the incompetence of some officials within the Rivers Agency of this Minister's Department. When they were consulted, they said, "This reservoir is of no risk. Yes, you can build." Some of those said properties are about 20 metres to 30 metres away from a 13-foot clay bank.

I have spoken privately to the Chairman of the Committee, who has given me an assurance that, if the Bill comes in as it stands, there is an opportunity that £2,500 will go to every reservoir owner to have a report done. I am sorry, but I come from the car trade, and I am not as used to exorbitant salaries as some of our civil engineers are. Maybe Mr Porter from the Department would know more about that, given his background in civil engineering. Maybe the man who created the Bill is trying to create some sort of capacity for some within the civil engineering business. It says to me that they are giving out an olive branch to our Committee members to suggest that we will give £2,500 for a report to be done. I do not know who they are selling that to, but, in my mind, £2,500 would not go very far for tests on those reservoirs to see whether that would go ahead.

**Mr McMullan:** I thank the Member for giving way. Do you agree that there is a safety net within the Bill for those who may have problems with paying, as you mentioned, or with the costs? Do you agree that provision is built in to the Bill to take care of that for anybody who will have difficulty paying?

**Mr Speaker:** Before you respond, you referred to an official. It is not approved practice for us to name an official in that way or to impute that there was an ulterior motivation for bringing forward legislation. Officials act under the Minister's direction, and the Minister is accountable to the Assembly. I am not making an issue of it, but I am not certain where that line of discussion is going to take us or return us to. Let us avoid implying any motivations of the officials, other than that they are simply carrying out their actions and duties as defined by their Minister.

**Mr Clarke:** I accept your guidance on that. I am not sure whether I named the official, but I accept your guidance on it. I am sorry if I did. If I did, I apologise to Mr Porter. *[Laughter.]*

**Mr Speaker:** You named him again.

**Mr Clarke:** Sorry, did I?

I will come on to the Member's intervention in a moment, but I want to go back to the £2,500. Rivers Agency should have been aware of the £2,500 on the timing for those

planning applications, particularly in my area. I have concerns for other areas as well.

I will move on now to the other olive branch that has been suggested. I would go so far as to say that the Committee has been sold a pup. There is an olive branch in the legislation by way of a provision that means that they could get compensation to allow them to do works. I chose my words carefully; I said “could”. It would have to be enacted. So, it is not by consequence of the Bill that the money would follow. If Mr McMullan wants to make an intervention again, I am happy to give way. If he wants to tell me that his Minister has privately given him an assurance that there are millions upon millions of pounds to be spent to bring the private owners’ reservoirs in particular up to a standard, given that it was her Department who left those who own those reservoirs at risk now, I am happy to give way. It is because of the Bill that those individuals are facing the financial consequences that they are and that they are going to be out of pocket. I am happy to sit down if the Member wants to intervene. If he has an assurance from the Minister that she is going to pick up the tab in all the cases where her departmental officials made mistakes, I am happy to give way.

**Mr McMullan:** I will intervene on a different matter, but I am sure the Minister will answer that for you. You talked about the floodplains being so close to houses etc. That is a planning issue for the Department of the Environment. As you know, PPS 15 is out for consultation. Do you not agree that you are straying into planning law and FLD 5? Where does that sit with what you are saying?

**Mr Clarke:** I have to say that I am very surprised that a man who was involved in local government for so many years, particularly a man from the glens, does not understand how planning works. There are statutory consultees. I remind you that, in some cases, one of those consultees is the Rivers Agency.

#### 10.45 am

So, where there is a reservoir, the consultee will be the Rivers Agency. Where someone wants to build a house within 30 metres of a reservoir, the Rivers Agency should be consulted, and I am sure that it would have been consulted because, on many occasions, the DOE is very zealous, probably overly so, in how it consults. However, I am sure that in cases where there is a large reservoir, it does consult. What confuses me is how the Minister’s departmental officials saw fit to approve planning permission for properties close to reservoirs.

The interesting thing about all of this is the categories. Again, in speaking to some Members, the low-risk reservoirs that none of us is really worried about are those where properties are not at risk. The only reason why some of those in my constituency are at risk is because of the actions of the Minister’s Department in agreeing to planning permission. Had the Minister’s Department been doing the right thing, she should have refused those on the grounds that it was unsafe and that there was risk of the neighbouring reservoir breaking its banks.

When you talk about risk, one of the interesting things for me, as made in my opening point, is that England has much greater reservoirs, but limits such as those proposed in the Bill are not being brought in there. That is the reason why I propose that we change it to 25,000 cubic metres,

to at least give some of our private owners an opportunity. That is because another thing about the funding is that all reservoirs that are owned by the public sector will enjoy taxpayers’ money being spent to fund and repair them. That is a luxury that I do not think that the Minister has been explicit about, but I look forward to her contribution later. Maybe she will be explicit today and go on record to say that all reservoirs now in private ownership — by consequence, default and fault of her Department — will be funded by her Department to bring them up to an acceptable standard as required in the Bill. To make that somewhat easier, I propose, in this group of amendments, to increase the provision to 25,000 cubic metres as opposed to 10,000 cubic metres.

**Mr Irwin (The Chairperson of the Committee for Agriculture and Rural Development):** It is my pleasure to speak as Chairperson of the Committee. Before I move to presenting the Committee position on this group of amendments, I will take the opportunity in my opening speech to outline the work that the Committee did in its scrutiny of the Bill. I will also highlight some of the issues that came out of that scrutiny. I thank Committee members and the previous Chairperson Paul Frew for all the work that they did on the Bill. Considerable hours of Committee time, dedication and lots of energy went into the scrutiny of the Bill, and into finding and suggesting solutions to the issues that arose. I thank the Committee Clerk and Committee staff for all their hard work and dedication.

The Reservoirs Bill was referred to the Committee on completion of its Second Stage on 4 February 2014. The stated purpose of the Bill is to introduce a legal and administrative framework for regulating reservoir safety in order to reduce the risk of flooding as a result of dam failure in the Northern Ireland. The legislation aims to provide assurance that people, the environment, cultural heritage and economic activity are better protected from the potential risks of flooding from reservoirs. A total of 17 organisations responded to the request for written evidence and the public advertisement, and a copy of the submissions received are included in the report.

The Committee noted immediately that there was a lack of submissions from one particular group, namely private sector reservoir owners. We also heard from Rivers Agency officials that this group had proved difficult to engage with during the consultation on the policy of the Bill. As a result, the Committee organised an event specifically for private reservoir owners, which was useful in enabling us to get an understanding of their concerns. We began to realise that it had come as a big surprise to many to hear that the body of water they had on their land was a reservoir. It had been there longer than living memory and was assumed to be a natural feature and part of the land. For many of the private sector owners, the fact that the structure had been standing for hundreds of years with no trouble or problems meant that they had real difficulty getting their head around why this new and burdensome system of inspections, supervision and maintenance was required. Many were worried about the cost implications of compliance. The lack of information on that increased those concerns and caused real anxiety and distress.

The Committee also took oral evidence from Northern Ireland Water, which is the single largest owner of reservoirs in Northern Ireland. Northern Ireland Water

owns 48 of the 75 reservoirs in the public sector. We also heard from the Northern Ireland Environment Agency (NIEA) on aspects around decommissioning or draining reservoirs. We are concerned about that happening as a result of the Bill.

We heard from local government, namely Belfast City Council, Craigavon Borough Council and Newry and Mourne District Council. Local government owns a considerable number of reservoirs and considers many more in their area to be essential assets for community and social use. The evidence that we got from the councils, particularly from Newry and Mourne regarding Camlough reservoir, helped to shape our thinking and opinions on the Bill.

A small number of reservoirs are owned by the third sector. Most of those owners are community based, and many operate on a shoestring budget. The third sector groups were extremely vocal and gave us interesting examples of the potential negative impacts that the regulations proposed in the Bill could have on them. Their main concern, like the private sector owners, was the cost of implementing the regulations arising from the Bill. There was a fear that they could be put out of business because of the Bill.

The Bill proposes that reservoirs be subject to a system of regular inspections and supervision visits by qualified engineers who are experts on reservoirs. Therefore, we also spoke to the Institution of Civil Engineers. We questioned its representatives for some time on a range of issues in connection with the frequency of visits, the cost of such visits, fees, the cost of capital works etc. While we were impressed with the professionalism of those engineers, the evidence collected perhaps raised more questions than it answered.

The Committee carried out its clause-by-clause scrutiny of the Bill and printed its report prior to the summer recess of 2014. However, at that time, there was one area that the Committee was still unhappy with and on which it was unable to agree the amendment suggested by the Department. That area was the frequency of visits by engineers. As a result, during its clause-by-clause scrutiny, the Committee recorded that it was not content with the relevant clauses. In November 2014, the Department and the Committee returned to that issue and eventually agreed a series of amendments. Those amendments will be debated later, but, to be clear on its revised position, the Committee produced an addendum to its original report. That report was printed and distributed to Members shortly after the Easter recess. There are, therefore, two Committee reports.

Let me be clear that the Committee has no concerns with the principle of the Bill regarding the protection of people, the environment and economic and cultural assets from the consequences of a dam failure and a reservoir flooding. We are firmly in agreement on that. The Committee believes that the thousands of people in Northern Ireland who live in the flood path of a reservoir need protection, and we are aware that the reservoir owners are currently liable under common law for any flooding that might occur. However, the Committee had a number of concerns on how the Bill proposes to offer that protection. We had major concerns about the lack of information on the condition of reservoirs and the cost to bring them up to scratch. The risk designation process

and the lack of clarity around financial implications also created difficulties for the Committee. We also felt that there were insufficient checks and balances on reservoir engineers and that the Department appeared unwilling to accept an oversight role. However, I am pleased to say that we eventually managed to get amendments from the Department to address those concerns, thus the large number of amendments in front of us today.

Overall, I think that I can be frank and say that the Committee did not like the Bill. The reason for that dislike was the feeling that the Bill was a sledgehammer to crack a nut. In other words, it was introducing for a small number of reservoirs a potentially burdensome system that was not needed. After all, only 137 reservoirs will fall under the Bill, and, of those, 75 are in the public sector. Most of those 75 are maintained to the spirit of the legislation already. So, essentially, the Bill is about imposing a new regime on 50 private-sector and nine third-sector reservoirs. That is 59 reservoirs and 120 clauses. That is a sledgehammer approach, and, really, there has not been a problem with flooding from reservoirs in Northern Ireland. We remain to be convinced that, if there were problems, the Bill would be the right approach to dealing with that issue.

The Committee has sought and gained changes to the Bill that, in our opinion, make it better. We have also sought and gained changes that are outside the Bill, such as the small initial grant aid to enable the audit of reservoirs and the new, more detailed flood maps. Even with the amendments and the other commitments, the Bill is not ideal or even perfect.

Before I conclude my introductory remarks, I want to say a few words about areas of the Bill that we explored and agreed, for a variety of different reasons, to not seek amendments on.

The Bill has a clause to allow for grant aid in the future. The Committee recognised that the need for grant aid was essential for many community-based organisations and private owners who would not have the necessary finance to enable reservoir repairs and could, as a result of the Bill, incur a significant financial burden. The Committee therefore had no concerns with clause 105 on grant aid. We only wished that the Department could have been more specific on the amount of money available for grant aid, the rates of that aid etc.

The Committee heard that a number of reservoir owners were considering decommissioning their reservoirs before the Bill became law, as there were deep concerns about the impact that the requirements the Bill would have on them. What soon became apparent was that there was a misconception around what decommissioning meant. The Committee heard that a reservoir often acts as a collection point for large volumes of water, and if it was not there, that water would flow elsewhere, potentially causing flooding. Therefore, permissions would be needed around decommissioning to prevent such flooding.

**Mr Clarke:** I thank the Member for giving way. Decommissioning is something that I meant to expand on in my contribution. If we go back to the example of private owners, and I am directing this more at the Minister, would consideration be given to an exemption of the proper regulations for those reservoirs in private ownership? There are cases where people cannot afford to do the work to bring them to the standard that is required now

but was not required previously. There would be an opportunity for those individuals to drain those reservoirs, but there is a consequence in that the planning authorities may see a change of landscape. Will the Committee ask the Minister to support an exemption for those individuals so that they can drain their reservoirs to decommission them entirely?

**Mr Irwin:** I thank the Member for his intervention. The issue that you raise needs further consideration.

The Committee heard from the Northern Ireland Environment Agency (NIEA) that draining water from a reservoir could lead to a breach of environmental legislation due to the potential for pollution, flooding, fish kill etc. The Committee also considered the environmental, social and recreational impacts of reservoirs and that those would be lost to an area on decommissioning.

The Committee also heard that if a reservoir is decommissioned and the water level is drained below the 10,000-cubic-metre limit, because it still has the capacity to hold that amount of water, the reservoir would still fall under the remit of the Bill. The Bill provides that any actions to discontinue or abandon a reservoir have to be supervised by a construction engineer and that various consents and approvals are required before that can happen. Therefore, the Committee considered but took no position on that aspect. That concludes my introductory remarks on the Bill.

I will now discuss group 1, which deals with a series of amendments on the risk designation process, including amendments put forward by the Minister and those in the name of Trevor Clarke and Paul Girvan concerning capacity.

#### 11.00 am

I will discuss the ministerial amendments first. The Bill outlines a risk-designation process at clauses 17 to 23. This section of the Bill, as it stands, outlines the requirement for the Department to give every controlled reservoir manager a risk designation of high, medium or low. This is to be done as soon as reasonably practical after the reservoirs are registered. The Bill also outlines how a review and an appeal of the risk designation would happen and what matters would be taken into account in giving the risk designation. Each risk designation of high, medium or low would bring with it different operating requirements. The risk designation given to each reservoir would therefore create a system of inspections and supervised visits leading to a repair and maintenance programme that the reservoir manager must adhere to. That operating regime varies according to whether the reservoir is designated as high, medium or low. This also includes enforcement procedures, offences and penalties for non-compliance. The Committee considered that the risk-designation process was, therefore, at the heart of the Bill.

The Committee noted, however, that there is a light touch for low-risk or low-consequence reservoirs and was content with that aspect. When giving a risk designation, the Department must take into account the matters mentioned in clause 22. Clause 22 refers to the adverse consequences of an uncontrolled release of water from a reservoir and the probability of such a release. However, it soon became clear that the risk designation will not take

account of the probability or likelihood of the reservoir failing, despite being specified in the Bill.

The risk-designation process will only, at this point in time and for the foreseeable future, take adverse consequences or impact into account. Clause 22(2) is at page 12 of the Bill, and I will not repeat it here. The clause takes a number of things into account, including human life or human health, the environment, economic activity and cultural heritage. Of those criteria, the most important one is loss of life, and no one would argue with that. Where a reservoir breach could endanger one or more life, it will be assessed as high impact. So, if there are any houses in the flood path of a reservoir, the reservoir will be given a high-risk designation. No account would be taken of the speed and depth of water. So, a long, slow and low seep of water resulting in flooding of one inch in an inhabited house would be classified as high risk. The Committee indicated that it agreed with the importance placed on human life but that account needed to be taken of the type of flooding likely. The Committee expressed concern that the risk-classification methodology proposed in the Bill was based on impact with no weighting given to likelihood or, indeed, speed and depth of flood water.

As it stands, no consideration would be given to any remedial works that a reservoir manager may carry out. In other words, no matter how safe the reservoir is or is made to be, it will continue to be ranked as high risk unless all risk to human life — the consequence — is removed from its flood path. Members in Committee often referred to that as the Hoover dam scenario. You could have the safest, best built, most highly maintained dam in the world, but, because one person lived downstream, it could be deemed as high risk. The risk assessment was not based on the likelihood of failure, just the consequence.

The Institution of Civil Engineers and the Department stated that the problem with the risk-based approach was that, at the moment, there is no universally accepted standard to assess the likelihood of a dam failing, nor is there likely to be any universally accepted standard in the near or long-term future. The Committee had difficulties with that. Why put something in the Bill that was not going to be used now or in the future? That was just misleading and, therefore, unacceptable.

The Committee discussed other concerns it had with the risk-assessment process in considerable detail over a number of meetings. It would appear that, short of the removal of the threat to life, by, for example, the removal of habitable dwellings, nothing could be done by the reservoir manager to change their designation. This was a second and more fundamental issue. It could create what could be perceived as an inherent unfairness to the reservoir manager. No amount of investment by the reservoir manager or compliance with the operating regime and undertaking of safety measures would enable the risk designation to change over time.

A third concern was shared with some who gave evidence to the Committee, such as the Ligoniel Improvement Association and the Belfast Hills Partnership. A representative from the latter stated on 25 March 2014:

*“You could, for instance, have two high-risk reservoirs in an area — one that needed urgent attention and one that did not — but would they both be called high risk? We see that as a problem.”*

In other words, the risk assessment approach did not make reference to the urgency of repairs or maintenance, and that appeared to the Committee to be counterproductive. The Committee therefore voted during its formal clause-by-clause consideration on 3 June 2014 that it was not content with the risk designation clauses and would reserve the right at Consideration Stage to recommend to the Assembly that those clauses not stand part of the Bill.

The Committee took that position on the clear and firm understanding that, if the Assembly agreed the clauses, it would be creating major difficulties for the practical implementation of the Bill. Those difficulties would affect not only the Department but reservoir owners and managers. The Department responded by proposing amendments to address the Committee's concerns.

It may appear on the surface and to the casual reader that the amendments are only terminology amendments; that is, that "risk designation" be replaced by "reservoir designation" throughout the Bill. However, that is not the case. Those amendments in the round, along with other amendments and practical undertakings, correct a fundamental unfairness in the Bill.

It is not just the terminology amendments. The Department proposes to address the concern of the Committee on changing risk designation by amending clause 22 to provide that issues such as those in paragraphs (a) to (e) of clause 22(3) — for example, how a reservoir is maintained — may be considered for consequences and probability of an uncontrolled release of water.

In the Department's opinion, that opens up the potential for a reservoir designation of high consequence to be changed to medium consequence where a reservoir manager has completed all the works in the interests of safety and those works have been certified by the inspecting engineer. We shall hold the Department to that by recommending that any future Committee assess whether that happened in practice.

The amendments were tabled at the Committee meeting of 10 June 2014. The Committee considered them and noted that it had not been given sufficient time to consider the policy implications and potential impacts of the proposed amendments. It had concerns that the operating regime in the new proposal did not show sufficient change and, in fact, might make the situation worse for the reservoir manager.

The Committee deferred making a decision on its formal view of the amendments until 17 June, when it took further oral evidence on the issue. The Department explained that, in recognition of the fact that it was speed and depth of water, as well as volume, that created the risk to human life, and in response to Committee concerns, it was in the process of procuring new flood maps. The maps would allow velocity and depth of floodwater from a reservoir to be mapped, as well as volume. That would provide a more detailed analysis of the consequence of a flood and therefore allow for a more accurate designation. It was also pointed out that the amendment would create greater flexibility in the Bill to allow for change in designation through, for example, the ability to carry out works that would divert floodwater or change its speed and/or depth. On 17 June, the Committee considered the information provided and voted that it was content with the amendments.

In summary, the Committee was not content with the policy content of the Bill as it related to the risk assessment

process. The fact that, after a long and protracted process, it accepted the second set of amendments proposed by the Department was based much on the fact that the Department was doing further practical work on risk designation. That practical work, namely the flood inundation maps, was the additional reassurance that the Committee needed to approve these amendments. The two go hand in hand.

At further briefings, when the Committee checked up on the flood maps, departmental officials were able to assure us that the use of such flood maps had enabled a much more detailed and effective risk assessment process. As a result, we have seen a change in the numbers of reservoirs, with an initial designation of 151 being brought down to 137. That means that the insistence of the Committee on the issue has taken 14 reservoirs out of the equation. The Department is continuing with that work and hopes to take at least another six to 10 out of the equation.

Let me also assure the Assembly that there is crossover between those amendments and the amendment on the frequency of visits by supervising engineers. Together, those amendments mean that there is a possibility that the reservoir manager, if he does everything that is required of him, can change and downgrade the risk designation. In many ways, that was an inherent unfairness that the Committee was not happy with. Those amendments, plus other amendments and the practical work that has been undertaken by the Department, have made this part of the Bill fairer.

Therefore, on behalf of the Committee, I indicate that the Committee is content with the amendments in group 1 that have been tabled in the name of the Minister. I will now say a few words on the issue of the capacity of controlled reservoirs and the amendments tabled in the name of Trevor Clarke and Paul Girvan.

The Committee considered the definition of a controlled reservoir within the Bill at clause 1. It was defined as a structure or area capable of holding 10,000 cubic metres or more of water above the natural level of the surrounding land. The Committee considered whether there would be any positive impact if the level was changed to 25,000 cubic metres. Based on the initial figure of 151 reservoirs, information from the Department showed that, whilst the proposal would remove 31 reservoirs from the remit of the Bill, only three of the reservoirs would be classed as a high or medium risk, and it would have no impact on third-sector owners.

It should be noted that, if the threshold is moved to the higher capacity, the three high- or medium-risk reservoirs will not be able to apply for initial grant aid, and maintenance and repairs costs will have to be met from their own finances. We felt that that might be a disadvantage to those three owners, but we have no idea of who they are or what they might think of that. It is just a guess. As far as the Committee could see, the impact of changing the capacity would be to mostly remove private sector low-consequence reservoirs and no reservoirs from the third sector. As such low-consequence reservoirs will be subject to light touch regulation, and the Committee had no concerns on that.

That is the Committee position on the issue. I am going to say a few words in my capacity as DUP spokesman for agriculture on Mr Clarke and Mr Girvan's amendments.

They take three privately owned reservoirs out of the equation in Northern Ireland. In Scotland, 25,000 cubic metres is the norm. We are told that that is to be reduced to 10,000 cubic metres. If we accept Mr Clarke and Mr Girvan's amendment, we can at some time in the future reassess the situation, and a lower limit can be reintroduced. Mr Clarke's amendments would help those reservoirs in particular.

**Mr McMullan:** Go raibh maith agat, a Cheann Comhairle. I am a member of the Agriculture and Rural Development Committee, which devoted a significant amount of time from February to June last year to scrutinising the Bill. On behalf of my party, I thank the Committee and its other members for working closely together, the Department for giving advice and Stella and her department for their work.

#### 11.15 am

It is fair to say that this presented the Committee with a challenge, given the very technical nature of the primary legislation. It is also fair to say that it was not the most popular piece of legislation that the Committee has been asked to consider. For many members, including me, it is perhaps an engineers' charter. The only people who appear not to benefit are the people who own or manage reservoirs, particularly those in the rural community, many of whom have inherited reservoirs from families. Indeed, many of these people did not until recently even know that they possessed a reservoir and had no idea of the responsibility for managing such structures.

The same applies to fishing clubs, many of which have assumed responsibility for what they thought was a lake or a pond only to find out that it is a reservoir, with all that goes with it. Therefore, I fully understand the intention of the proposed amendment. It is to ensure that only reservoirs that are capable of holding 25,000 cubic metres or more would be regulated, thereby removing such reservoirs from the scope of the Bill and associated management regime.

It has to be said that the Committee devoted a significant amount of time looking at the threshold of 10,000 cubic metres. In fact, this was a major concern for Mr Irwin, who now chairs the Committee, and the rest of the Committee at the time. The Committee considered changing the threshold to 25,000 cubic metres, as the amendment proposes. In fact, it also considered a threshold of 15,000 cubic metres. However, based on the information provided to us by the Department, we decided that there was little or no benefit in making either of these changes. Therefore, we did not seek an amendment on this issue.

Scotland has legislation on the books to reduce the threshold from 25,000 cubic metres to 10,000 cubic metres. Similarly, England and Wales, which have not been mentioned here, have the same legislation to reduce it down to 10,000 cubic metres. However, this should not be about the numbers of reservoirs that can escape being regulated by the Bill. It is about keeping people safe and reducing the chances that dam failure will occur.

I appreciate that it is a long time since significant reservoir failure. It is some 17 years, in fact, since the spillway failed at Tildarg dam and caused the flooding of houses. However, the truth is that many of these reservoirs date from the 19th century and were built to provide a source of water to the linen mills and corn mills that served our

farming community. Also, for many, particularly those in private ownership, the water is held back by clay core dams. These are not concrete structures like Spelga or the Silent Valley. Therefore, if nothing is done, it could only be a matter of time before we get another dam failure.

I fully appreciate that, for many reservoirs owners, the terms of this Bill raise all sorts of concerns. Planning is one, and Mr Clarke did raise that. Under this Bill, if anybody wants to build below a dam, they now have to talk to the manager of the dam. If that manager says no to houses being built, no houses will be built. That safety is in there in the legislation.

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

**Mr McMullan:** Go ahead.

**Mr Clarke:** I appreciate your comments, and I think that, going forward, that is possibly useful. It is not much comfort to those who already own dams. As I indicated earlier, the Rivers Agency allowed a number of houses, particularly in my constituency and I am sure in other areas. Whilst it may be cold comfort going forward, it is not much comfort or solace for those who are now facing difficulty.

**Mr McMullan:** I thank the Member for his intervention, but we must look at where these 20-odd dams are. They are located in sparsely inhabited areas. Indeed, with the property boom that we had in the last few years, we should have seen more building if they were going to be a danger, but we did not. We have not seen that much building in front of these dams, and, in fact, the report says that one of these dams has the sea as the only thing in front of it. I do not think that there is this big problem of building in front of dams because the safety is in there. If a developer has to build below a dam, he has to do his work and cannot do it unless he has permission from the manager of the dam to go onto the land to do his testing. That becomes an agreement between the two parties, but if the manager says no to it, then no it is. The developer cannot override his decision. That is clearly built in there.

I feel for the owners, not least those complying with the cost. It was for that reason that the Committee devoted so much of its time to scrutinising the Bill, time that has resulted in the 200-odd amendments that we are debating today. However, the Assembly has a responsibility to consider the safety of those who live and work below a reservoir and those who use reservoirs for recreation. It also has a responsibility to ensure that such structures are as safe as possible. Going back to some of the reservoirs that are used for recreational purposes: those dams that are owned by, say, Northern Ireland Water still hold a manager in the third-party agreement. Those who are leasing that do not have anything to worry about.

It is generally accepted that a dam breach from a reservoir that holds 10,000 cubic metres or more of water can cause great harm or even death. Therefore, that should be our starting point and the minimum level at which we regulate reservoirs. To set the level any higher than that would place the lives of our people at risk. It is a risk that the Assembly need not and should not take. Safety for everybody is paramount. It is for that reason that I do not support the proposed amendment and I encourage the House to vote against it.

**Mr Byrne:** I am glad to speak on the Consideration Stage of the Reservoirs Bill. A massive 214 amendments

have been tabled to the Bill, mainly by the Minister for Agriculture and Rural Development and, obviously, by the Rivers Agency. I will be speaking on risk designation and the amendments that have been tabled by Mr Clarke and Mr Girvan. I thank the Minister for taking into account the concerns of the Committee during the previous stage of the Bill and commend her for bringing forward many amendments at the behest of the Committee. I would also like to thank and commend my colleagues on the Committee for Agriculture and Rural Development for the massive undertaking of work that was completed. It was due to the scrutiny of the Committee that we have managed to make the Bill, hopefully, fit for purpose.

The Reservoirs Bill has arisen as a result of a requirement from the European Union floods directive. In Northern Ireland, we have a range of impounded water structures, be these local lakes or dammed-up reservoirs, like those in the Mourne or the Sperrins. For example, the Spelga dam or Silent Valley. The Reservoirs Bill is intended to categorise these water impoundments or reservoirs so that ongoing periodic structural examinations are carried out in order that risk to public safety, in relation to possible reservoir dam failure and consequent flooding, is minimised.

The Committee has been considering the Bill for nearly two years, through many meetings and considerable debate within the Committee, as well as between the Committee and Rivers Agency senior staff. After the Bill was presented by DARD, there was intensive and ongoing debate in the Committee Stage of the Bill's scrutiny. From the outset, the Committee was concerned about the Bill on a number of fronts. We heard a range of those concerns earlier. They primarily centred on reservoir categories and risk designation; the role and function of regular engineering reports; and cost factors, including the cost of capital or remedial works and improvements for non-publicly owned reservoirs. At the outset, the Committee would have liked DARD and Rivers Agency to compile an audit report on the state of all the designated reservoirs, so that a proper analysis and assessment could be carried out on the physical and structural state of the reservoirs, many of which are over 100 years old.

Initially, Rivers Agency proposed to designate reservoirs on a risk assessment, based on a probability-of-failure estimate, but that proved to be difficult and unrealistic, and the Committee was unhappy with that proposal. The large majority of the amendments in group 1 speak to the idea of designation of risk.

In the debate at Second Stage, I said that it was important that the Bill protect users of reservoirs without putting unnecessary burdens on private owners. The risk designation process in the legislation does exactly that. The designation of high, medium or low risk, which would be decided by the Department, would mean different operational requirements, enforcement procedures, and offences and penalties for non-compliance. During the Committee Stage, I was concerned that the method of classification proposed was based only on impact and did not take into account the likelihood of renovations or improvements that owners or reservoir managers completed to comply with the engineer's report. This would mean that, no matter how safe the reservoir was made, it would maintain the same designation.

We decided that the use of "risk" in the Bill was misleading. We had concerns about the word "risk" as a designation

when there is absolutely no chance of a reservoir owner or manager being able to change or reduce that. I feel that the term "risk and consequence" would be better, because, at the end of the day, there would be high consequences downstream if there were a breach. I am glad that the Department listened to these concerns and proposes changing "risk" to "consequence".

We were looking for more fairness in the system to encourage an owner or manager to invest in a structure and gain from that investment. They would have the opportunity to change the consequence of the reservoir. The change of the word "risk" to "consequence" accounts for 66 amendments in group 1, and a further 22 amendments change the phrase "risk designation" to "reservoir designation". I am happy to support these amendments, which have been brought forward by the Department to make risk designation more suitable for reservoir owners and managers. I am glad that these amendments take away some unnecessary burden on owners and managers of reservoirs.

One of the main concerns surrounding the Bill is the responsibility placed on the reservoir manager or owner to ensure legal compliance with a series of operating requirements. These requirements, the operating regime, are largely based on directions of and are overseen by various types of reservoir engineers, as appropriate to the task. One of the main concerns centred on the cost of hiring engineers and the frequency of engineering reports relevant to the reservoir category, be it high, medium or low risk.

The Committee was content, eventually, that a risk designation of reservoir category should be determined by reference to the risk and consequence of failure, as measured by possible damage to the number of households and businesses downstream. The estimated flood damage of a reservoir failure is the critical factor in determining reservoir classification. The three categories of a controlled reservoir are high, medium and low. The compliance requirements for each category vary in relation to the periodic inspection by the appropriate engineer and the consequences of acting on the report, if necessary, by the reservoir manager. The reservoir manager, or the owner where the reservoir is privately owned, is legally responsible for compliance and operating within the requirements.

Amendment Nos 1 and 2, proposed by Mr Clarke and Mr Girvan, raise issues related to the damage consequent on a dam failure. Obviously, the higher volume of water that would flow from a damaged reservoir is crucial. I contend that the two critical factors to be considered are, first, the public interest principle and, secondly, the precautionary principle. As a legislative body, we have to concern ourselves primarily with the public interest rather than the individual interest of a particular reservoir owner.

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

**Mr Byrne:** Yes.

**Mr Clarke:** I accept your point and I understand why you would say that the public interest is paramount. However, would you not give any consideration to a situation where it was the Department, by default, that put properties at risk by permitting people to build beside a dam? I know that, as Mr McMullan said earlier, the likely event of that happening in the future is, hopefully, very low. You are right about the risk, but what concerns me is that the Department should, at the very least, foot the bill to make dams safe where

properties are at risk, given that it permitted people to build and live in risk areas.

### 11.30 am

**Mr Byrne:** I thank Mr Clarke for his comments and views. I would contend, however, that, over the last 20 years, housing developments have been passed by the Planning Service that should not have been passed, given the risk of flooding. I can give one example at Beragh, and the Minister is very aware of that. About 20 houses have been built there in the last 10 years that should not have been built, because of the flood risk. It was thought that flooding would not be experienced within the 100-year limit. Unfortunately, it happened within five years of the houses being built.

It is better to be sure than sorry. Given that the change of volume designation from 10,000 cubic metres to 25,000 cubic metres would only pertain to two or three high-risk, privately owned reservoirs, it would seem wiser to stick with the proposed 10,000 cubic metres limit to determine a controlled reservoir of impounded water. Given that the majority of controlled reservoirs are in public ownership, it seems appropriate to stick with the consensus of the Committee on that volume limit.

I want to put my support behind the amendments that have been tabled by the Minister. Those amendments will make the Reservoirs Bill fit for purpose and ensure that owners and managers of reservoirs will be rewarded for making any changes that they are required to make so that reservoirs are of the correct standard.

In conclusion, I want to pay tribute to my fellow colleagues on the Committee and, in particular, the Clerk of the Committee, Stella McArdle, and her staff. There were times when we felt that it was Stella's Bill. I would also like to praise the Rivers Agency staff — the chief executive, David Porter, and senior official Kieran Brazier. They were always constructive and committed. Aoibhinn Treanor was also very good with her advice and guidance in relation to the Assembly procedure for the Bill.

The Committee worked extremely cooperatively and gave sincere scrutiny to the Bill as it went through it clause by clause. It has been a thorough exercise. The Committee demonstrated strong leadership on a number of critical points, and the Department and the Rivers Agency eventually saw fit to accept the need for change to reflect our concerns. There were times when the Committee pulled the handbrake. We were right to do so, because we got the necessary amendments to make the Bill more sensible and realistic. The whole exercise has been a learning experience for us all, and the time has now come to pass the Bill into law.

**Mr Elliott:** The Bill was some way through its Committee Stage when I rejoined the Committee, so I picked it up at a later stage. I appreciate the work that has gone into the Bill by departmental officials, the Clerk of Bills and the Committee staff. The work has been significant and underestimated for the type of Bill.

I have heard a number of terms used during the debate. One of those is that the Bill is a sledgehammer to crack a nut, but you do not have over 200 amendments to a Bill without serious negotiations and discussions. People need to appreciate the work and, indeed, the cooperation that has gone into it. Maybe political parties could learn

something from the resulting discussions between the Rivers Agency staff, the Committee staff and, indeed, the Committee itself.

I understand the rationale for the Department bringing the legislation forward. There is similar legislation in the other parts of the United Kingdom, so I suppose that a next step was obviously to bring it to Northern Ireland. We have heard some Members in the debate describing the Bill as an engineers' charter, and that came up time and again in the Committee. That is the last thing that I want. I do not want it to just be a money-spinning exercise for the engineers and for the private owners of some reservoirs to fall victim to that.

That is the last thing that we want to happen. Dear help us, Mr Speaker, I know how Departments can exaggerate some aspects, put a lot of onus on owners and make it extremely difficult to work with Departments. I do not want that to happen here, and I certainly do not want to put my name to legislation that will make that happen.

That is why there has been huge concern in the Committee in general — it is no different in our party — about the proposals, particularly those in relation to reservoirs in private ownership. That is why I put it on record today that, while I and the Ulster Unionist Party support the amendments, it cannot be taken for granted that we will continue to support the Bill the entire way through it. We will judge it every time it comes forward on its own merits. I have had huge concerns in some of those discussions in Committee.

The Department's amendments in this group, proposed, to be fair, in conjunction with the Committee, are helpful in that the risk designation is much less onerous on owners, especially private owners. I welcome that. I can tell you that, if those amendments had not been tabled, the Ulster Unionist Party would have voted against the Bill. I want to make that clear.

I understand the rationale behind Mr Clarke and Mr Girvan's amendments of increasing the volume designation up to 25,000 cubic metres. I think that is the current position in other parts of the United Kingdom. There are some proposals to bring that down to 10,000 there, but I understand that that will not happen in Wales until the autumn of this year and in Scotland until maybe next year. For England, I do not think there is any suggestion of when it might happen. I understand the rationale, but I am slightly concerned that it does not bring a huge number of privately owned reservoirs out of the equation; there are two in the high-risk category, which is the main category. However, I have to warn that there is a clause that allows the Department to bring any reservoir in, even if it is below 10,000 cubic metres, if it feels that it is a high-risk designation anyway. We need to be mindful of that as well.

In broad terms, I can understand and, indeed, support where the Members are coming from. However, listening to Mr Clarke's opening remarks, I felt that he was almost talking against the Bill as opposed to just talking against the volume in the reservoirs or the amounts that the reservoirs hold. Again, from our perspective, our support for the whole Bill cannot be taken for granted. We will assess the amendments as they come forward. At this stage, the Ulster Unionist Party and I are happy to support Mr Clarke and Mr Girvan's amendments in this group



around increasing the volume, on the basis that the position is similar in other parts of the United Kingdom. I will speak to our amendment, which is in the next group, when it comes up, but it is relevant to this aspect as well. I will leave it at that.

**Mr Lunn:** I rise with some trepidation, not being a member of the Committee and not having known until last week that I was even likely to have to speak on the Bill. Kieran McCarthy is unavoidably absent today, so you will have to put up with me. My remarks will be fairly general for that reason.

Clearly, the Bill has been well scrutinised by the Committee, and there appears to have been a lot of cooperation between the Committee, the Rivers Agency and the Department. We now have what we have. We are talking about safety in this group of amendments, and there is potentially enormous risk with a reservoir. It is clearly in the public interest that they are properly maintained and that the regime is properly regulated. There has been a lot of talk about flood paths and floodplains today. I can think of some reservoirs in my area, such as Stoneyford dam, which towers above the village of Stoneyford. Boomers dam, also in Lisburn, towers above the Pond Park area. Both areas have hundreds of houses. The Church dam in Hillsborough actually suffered a failure some years ago, and that caused a certain amount of damage. The situation was slightly helped by the fact that it is not a particularly big dam.

Until now, it seems that there has been a lack of a formal legal framework for reservoir management. That is now being tidied up by the Bill. We appear not to have been complying with our EU obligations to identify, assess and manage potential flood risks.

We support the Bill. A huge number of amendments have been proposed by the Department, which is maybe surprising at this stage, but, when you look at them, you see that they involve changing “risk” to “reservoir”, “risk” to “consequence” or “matters” to “issues” — I love that one. That takes care of so many of the amendments, although I am sure that they are all absolutely necessary and have been well discussed.

Again, we are talking about safety. I agree with other Members who said that “better safe than sorry” had to be the maxim here. It is a question of public interest and public safety. To me, it does not really matter who owns the reservoir or dam: if it is a question of safety, ownership does not come into it.

**Mr Elliott:** I thank the Member for giving way. On that very point, I think that it matters to the owners if it costs £1 million to upgrade a dam. If it is in public ownership, the taxpayer or the ratepayer pays for it, whereas, if it is in private ownership, it is up to the private owner to pay for it.

**Mr Lunn:** Yes. I will try to rephrase what I said, although I think that it was fairly obvious that I was talking about public safety. The matter of who owns the dam is not of consequence. Public safety has to be the priority at all times. I have heard quite a bit of discussion about private ownership here, and I am sure that, if I were to delve more deeply into the nuts and bolts of it, I might have quite a bit of sympathy with private owners, particularly some who have inherited the situation and perhaps do not even want the reservoir. I heard a suggestion from somebody about draining small dams. I do not know what the Minister’s view is on drainage, but, if emptying a dam in a controlled way is an option to take care of the problem, why not?

As far as the amendments are concerned, we have no issue whatever with the ministerial amendments, but we will not support the DUP amendments, amendment Nos 1, 2, 100, 101 and 102. We are not persuaded by the suggestion that reservoirs of between 10,000 cubic metres and 25,000 cubic metres are safe enough to be largely unregulated. I notice that the explanatory memorandum states:

*“it is generally agreed by reservoir engineers that an uncontrolled release of 10,000 cubic metres ... has the potential to result in loss of life and significant damage to property.”*

I have also heard cynical comments about the Bill being some sort of engineers’ charter. Frankly, I have more confidence in the Institution of Civil Engineers than to make a suggestion like that. I presume that the comments apply to reservoir engineers as well. You have to take account of the views of experts; you cannot just say that they are generating some kind of —

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

**Mr Lunn:** Sure.

**Mr Clarke:** I appreciate what the Member is saying about experts. Did he hold the same view when the experts were consulted on planning to permit people to build beside dams? There are experts in the Rivers Agency, and I am sure that there are some still there who dealt with those applications. Those experts said that it was safe to build houses close to the dam.

**Mr Lunn:** Yes, the question of building at unsatisfactory locations, whether below a reservoir or, as has happened so much in England, on floodplains close to rivers and so on has been much discussed. In England at the moment, we are getting to the point at which houses cannot get insurance any more, or, if they do, they have a flood excess of about £50,000 because they have been built on a floodplain.

#### 11.45 am

As far as DOE planning experts are concerned, I think that if they look at a planning application on the potential flood paths from a reservoir and can be assured that it is safe, properly maintained and properly inspected, while you would not say that that made a case for building houses in those places, it does give them some comfort that there will not be a catastrophic flood. That is what the Bill is actually about. We will oppose the DUP amendments and support all the rest. I do not really have anything more to say on that.

**Mr Allister:** As I said in the Second Reading debate on the Bill, I think that it is excessively burdensome and overreaching in what it seeks to do. I have two reasons for saying that. First of all, in the last 150 years, there have been five dam failures in Northern Ireland — five. There has been no loss of life whatsoever, yet here we have a Bill that will put upon the owners of any areas of impounded water huge burdens and, to private owners, great expense. It is a question of the proportionality of whether the legislation is good and necessary. It seems to me that it overstretches itself to be unduly burdensome on the individuals concerned.

The second reason why I think that the Bill is of that nature is that it is not as though there is no legal protection for

anyone who is unduly affected in the eventuality of a dam failure because, under common law and the previous ruling in the case of *Rylands v Fletcher*, anyone with control over a dangerous item — and, in law, impounded water is treated as a dangerous item — is liable for any damage that is caused by the escape of the impounded water. There is already in law a remedy for anyone who is adversely affected in respect of a dam failure.

**Mr Byrne:** I thank the Member for giving way. I appreciate the point that he is making. However, would he accept that sometimes it is better to try to determine whether there is a likely possibility of dam failure on foot of an examination by an engineer and his report, rather than wait until the calamity happens and then resort to the legal process?

**Mr Allister:** I understand the concept that prevention is better than cure — of course I understand that. However, the prudent owner of an area of impounded water will know of their liability if there is a failure. Therefore, they will already have taken prudent steps, I would have thought, to make sure that there is not a future escape, knowing that they personally could be liable for that. To put on that person the burden and expense, not of such inspections as they might be advised are necessary and have proven sufficient in the past, but of such investigations and technical requirements as someone who is sitting in a Rivers Agency office decides are necessary, is quite a different matter. It is not the official who determines what the obligation will be who has at all to put his hand in his pocket to pay for it: it is the hapless individual who may have inherited the item or whatever of impounded water who will be put to the huge expense and repeat inspections which the Bill introduces. It is in those areas that I believe this Bill is wholly disproportionate to the requirements of the situation.

**Mr McMullan:** I thank the Member for giving way. Does he agree with me that it clearly came out during the consultation we had with some owners who came here that they did not realise that what they had on their property was a reservoir until they were told? This Bill will help them. On the aspect of cost to the pocket, it is clearly stated in the Bill that, in the cases of those who cannot pay, the Department will look at that and may take over the reservoir. That is clearly in the Bill, so we cannot take a broad brush and claim that the whole thing will cost people millions. Do you agree with me that people did not realise what they had on their properties?

**Mr Allister:** If people did not realise that impounded water was what it is, and would be caught by this Bill, frankly, all it takes is an education exercise. We are talking about 50 or 60 reservoirs. All it would take is a visit to those; it does not take a Bill to draw to the owners' attention the obligations that they have. I hear what the Member said: "Oh, there's going to be some sort of safety net to protect people from undue expenditure." Is there? Is it emphatically laid out in the Bill that people will be underwritten in respect of that? I do not think so. There is some generalised indication that help could be available, but there is no meat on those bones whatsoever and there is lots and lots of room to wriggle out of that situation.

From its general principles, this is an unnecessarily oppressive Bill, which goes further than it needs to. That is why Mr Clarke's amendment is sensible. It tries to diminish the number of people unnecessarily caught by the import of the Bill and at least deliver to them the exit route that is

available elsewhere in the United Kingdom. We were told at the start of this debate that this is all necessary under the floods directive of the EU. I have a personal challenge as to whether that is right. Even if it is right, how could it be that you can implement the floods directive in GB with a 25,000 cubic metre threshold, but it takes a 10,000 cubic metre threshold in Northern Ireland? That is gold-plating, and this House should reject it.

**Mrs O'Neill (The Minister of Agriculture and Rural Development):** Go raibh maith agat, a Cheann Comhairle. I will begin by addressing the amendments tabled by Mr Clarke and Mr Girvan because, obviously, they affect the parameters for what we mean by "a controlled reservoir" and are therefore central to defining the reservoirs that will be regulated by the Bill.

The proposed amendments seek to increase the capacity threshold for controlled reservoirs from 10,000 cubic metres to 25,000 cubic metres. I remind Members of the purpose of this legislation, and I know that other Members have referred to it. The premise behind the legislation is to protect the public from the risk of flooding caused by an uncontrolled release of water resulting from the failure of a dam. This Bill is about keeping people safe; that is its primary purpose.

I also want to explain that the 10,000 cubic metre threshold contained in the Bill is not an arbitrary figure and was included following advice from the Institution of Civil Engineers. It is the volume of water at which uncontrolled release has the potential to result in loss of life and significant damage to property. It is not surprising, therefore, that reservoir legislation and statutes in England, Scotland and Wales have also set the threshold at 10,000 cubic metres.

Mr Clarke referred to what actually happens in England. I want to make it very clear that, while 10,000 cubic metres is on the statute book in England, that provision has not yet commenced because the English Tory Minister has a policy of deregulation. That certainly is not the way that I come at this. This is very much about addressing a real risk to the public, and that is the premise of the Bill. When we have the opportunity to set policy and legislation, it is correct that we take the proper advice, which we have done in this case, and determine the proper size and threshold for our own legislation.

During evidence analysis, it was determined that, in practical terms, the change in the capacity threshold to 25,000 cubic metres would remove 18 reservoirs from the scope of the Bill. I imagine that the proposer of the amendment would regard that as a success. However, our primary thoughts need to be about protecting the people who live and work downstream of those reservoirs. I will come back to some of the points that Mr Clarke raised in a few minutes.

Analysis of the 18 reservoirs that would be removed shows that one third have a capacity of just below 25,000 cubic metres. Those reservoirs are close to highly populated areas such as Lisburn, Carrickfergus, Coleraine and Ballyclare, and one other reservoir, with a capacity of just over 17,000 cubic metres, sits above a highly populated area of north Belfast. It is important that those people and their properties are protected from the risk of flooding through reservoir failure. As I said, 10,000 cubic metres is considered to be the volume above which there is

the potential to result in loss of life. The amendment, if accepted, would remove all those reservoirs from the scope of the Bill. Therefore, the safety of the people downstream would be dependent on the goodwill of the people responsible for the reservoirs. That would not be acceptable. Anecdotal evidence indicates that reservoir managers do not fully understand their responsibilities and do not carry out the necessary inspections or routine maintenance of their structures to keep them as safe as possible. I am, therefore, entirely satisfied that setting the threshold at 10,000 cubic metres is the right thing to do. As Members have pointed out, the ARD Committee also considered the issue during its detailed scrutiny of the Bill, and it concluded that it was content with that as a threshold. Furthermore, the introduction of a different threshold would be contrary to one of the principles of the reservoirs safety policy that my Executive colleagues agreed at their meeting on 7 November 2012. For those reasons, I will oppose the proposed change to the threshold. When it comes to voting on the amendments, I urge Members to consider above all else the potential risk to life that those reservoirs pose.

Before I turn to my amendments, I will pick up on a few of the points that were made by Mr Clarke, particularly in relation to previous planning decisions, which, obviously, were outside the remit of my Department. The fact that something was wrong in past and planners got it wrong does not mean that we should not try to fix the problem now. There is a real risk to those people, who were granted planning permission by the planners. The reality is that, whilst we can talk about a problem of the past, it should not impact on what we try to do now.

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

**Mrs O'Neill:** I am happy to give way.

**Mr Clarke:** I note that you are lambasting Planning Service. However, you omitted to suggest that your officials got it wrong in the past. They would have been consulted on those applications.

**Mrs O'Neill:** Again, you have it slightly wrong: in the past, Rivers Agency was a consultee; it was not a statutory consultee. In the current and the new planning system, it is a statutory consultee. That is right and proper. If something was wrong in the past, that does not mean that we should sit on our hands and do nothing now to protect the people who have been put in danger because of planning decisions that allowed building near reservoirs. The Bill is about trying to protect those people. It is proportionate. It is trying to give them the security and reassurance that they deserve. We need to be correct about what we say. Planning might have got it wrong in the past, but that does not give us a reason to do nothing now.

You asked whether owners could have an exemption if they drew down their reservoirs. Again, planning approval may be required if that is going to be the case. I am content for my officials to work with those reservoir owners on developing a plan, if that is what they choose to do. I am happy for officials to work with them and for that to go through the normal planning process. In this instance, with the new Planning Policy Statement 15, Rivers Agency will be a statutory consultee; it will be part of that conversation. There is a way for us to look at that. As the legislation sets out, there is a phased approach to this. There will be opportunities for the planners, the reservoir owners and

Rivers Agency to work together to find a solution if an individual owner feels that that is what they wish to do.

Mr Clarke sought assurance around money to bring reservoirs up to a certain standard. As I have clearly said — I know that my officials have clearly said this in all the conversations that they have had with the Committee — there are two phases to the Bill. The second phase cannot be commenced until we have a report on the current condition of the reservoirs. When we have that information and a full understanding of the financial implications — we are giving people grant aid to establish that information — I will be happy to take that to the Executive because it is in the public interest. I am happy to take that to the Executive on the basis of the information that we have. We very much have a phased approach to that. I think that I have addressed most of the points that you raised in your amendments.

#### 12.00 noon

I turn now to my amendments in the group, the majority of which arise from the detailed scrutiny of the ARD Committee at Committee Stage. I want to put on record my thanks to the Committee Chair and members and indeed Stella and the other Committee staff for the considerable time and energy that they have devoted to the Bill. I also thank previous members for their input to the process. The Bill has been examined carefully, and quite a number of helpful suggestions have been made on an ongoing basis. I am happy that we are able to take those on board in the amendments proposed today.

As I said, the policy objective of the Bill is to introduce a risk-based approach to the management and regulation of reservoir safety in the North. The Bill provides for my Department to give a designation of high, medium or low to all reservoirs that fall within the scope of the Bill. The designation will be based on the adverse consequences of an uncontrolled release of water from a reservoir as a result of dam failure on people, economic activity, the environment and cultural heritage. In order to be proportionate, the Bill enables the reservoir designation to determine the management and maintenance regime applicable to particular reservoirs.

The Committee raised concerns about the use of the term “risk”, as it suggests something to be avoided or something that is at the point of causing harm. However, reservoirs, if properly maintained, are safe, so I accept that “consequence” is a much better term. I propose that all references in the Bill to “risk designation” are changed to “reservoir designation” and that references to “high-risk”, “medium-risk” and “low-risk” are changed to “high-consequence”, “medium-consequence” and “low-consequence”. Those amendments account for the vast majority of the amendments in the group.

The Committee was also concerned that, as the designation is based solely on the adverse consequences of failure, there is no benefit to a reservoir manager in investing money and undertaking works in the interests of safety, as this would not result in a change to the designation of the reservoir. I, therefore, propose, through amendment Nos 35 to 42, to make it clear that the assessment of the reservoir designation will allow for other issues to be taken into account when considering reservoir designation. Examples of such issues are the purpose for which the reservoir is used, its age, the condition of

the reservoir and how it is maintained. That means that investment in improvement works may enable a lower level of regulation to be achieved for some reservoirs.

These amendments, if accepted, will provide my Department with a degree of flexibility in the designation process and, most importantly, open up the potential for a reservoir designation to be influenced by the actions of the reservoir manager. As a result of these amendments, a number of consequential amendments are required. I, therefore, propose amendment Nos 4, 5, 6, 7, 8 and 10. I also propose amendment No 45, which introduces a new clause to make provision for my Department, by regulation, to amend the matters to be considered when giving a reservoir its designation. In particular, that would allow the Department to include the probability of an uncontrolled release of water when such a methodology is developed. The amendment also allows for the term "risk" to be reintroduced to the Bill if considered appropriate. I am pleased that the Committee has supported all the amendments.

The group also includes amendment No 193, which proposes a change to the procedure for regulations being made on the matters to be taken into account when deciding the reservoir designation. The amendment is in response to a recommendation to the Committee from the Examiner of Statutory Rules and will provide that such regulations cannot be made unless a draft has been laid before and approved by a resolution of the Assembly.

That is my contribution to the debate on the amendments in group 1.

**Mr Girvan:** We are using a sledgehammer to crack a nut to some extent, and I have difficulty with some of this. I will speak to the amendments that Trevor Clarke and I have tabled.

I understand and take on board the commitment made by the Minister that she will make sure that financial help will be given and provision made if this goes through and work needs to be undertaken on some of the reservoirs, dams or ponds, whatever you want to call them.

The rationale for an increase in the volume from 10,000 cubic metres, as proposed by the officials, to 25,000 is helpful, maybe not to everybody but to those whom it removes from what I believe is a draconian system that would give them an awful lot more bureaucracy to have to deal with. Ten will be removed from the low-risk area, and there will be some benefit in that area as a consequence.

I appreciate that one of the two from the high-risk area happens to be in the area that I represent — in Ballyclare. I visited and was involved in a fishery that was running on that dam. I tell you this: if this were to be driven through, we will be looking for people to decommission certain watercourses. Unfortunately, if they do so, they will remove very valuable resources, which are used not just to store water. They have become leisure facilities for many individuals; they have become fisheries; and they have become a recreation opportunity for people.

As we have put forward, I think there is merit in saying that we should help the 12 individuals and private owners who will take advantage of not being included under the legislation. If we can remove any from it, it is better. The large percentage is associated with the public sector. I appreciate that, if there is a necessity for maintenance and there is risk associated with water storage facilities

associated with Northern Ireland Water or any other public body, those will have to be addressed, and money should be put in place to ensure that that happens. That is natural risk assessment that will be undertaken.

I appreciate that any competent landowner or owner of such a facility will ensure that there is not a problem. They do not, wilfully, go out to let things go downhill. They are protected within law, as stated. There is a responsibility on individuals whose land these reservoirs are on to ensure that they are not going to cause a problem. I own a small piece of land, and I ensure that water running from my land is not going to impact on or cause a problem to my neighbour. If it did, I would be happy to try to put it right.

One of the proposals put forward by the Department is that there is a twice-yearly inspection of certain reservoirs. I must congratulate the Committee: I am not on it, but I congratulate it on being able to pull that back and ensure that it will have to come forward to be approved by the Committee. We cannot approve the Bill until all these issues are addressed.

In relation to the amendments tabled by Trevor Clarke and me, I have to agree with what has happened. We are talking about development that has been consulted on. Regardless of whether they are statutory consultees, they are consulted and have been consulted on three applications that I am aware of in the last 10 years. Development was permitted to go ahead, and no associated issue was raised. On that basis, this is something for which responsibility falls on those who responded to the planning department, regardless of whether they are deemed to be statutory consultees. They were still consulted on three fairly major applications in which they allowed development to go ahead, with no concern being raised at that time. However, we find that a number of the dams in private ownership are still included in the medium-risk area. That is by the way.

It is common sense to not just gold-plate, as some people have stated. That is probably what some people wish to do. They wish to include every puddle in the legislation. I do not think that that is totally necessary. I think that 25,000 cubic metres is recognised as a dam. England has accepted it. I appreciate that some people say that they are going to change this in Wales and they are going to change it in Scotland. They have not yet changed it, and England has not changed it. On that basis —

**Mr McMullan:** I thank the Member for giving way. Will he agree with me that the legislation in Scotland is to be changed and that England and Wales will follow? We have to ask ourselves why they are doing that. It is being brought down for safety reasons to 10,000 cubic metres, which is far more than what the Member calls a "puddle".

The Member said that, if he had a dam on his property, he would make sure that it was up to standard. How would you do that? You do not know the state of the dam, so you would need to get an engineer in to do what you said you have a responsibility to do. The Bill helps people do that. They get grant aid to have the first inspection. Everything will come into line. England, Scotland, Wales and here will come into line. You are talking about being only a year out. What price do you put on safety?

**Mr Girvan:** I take safety on board. We had it stated here today that, in the past 150 years, there have been only five

breaches of dams or reservoirs, all of which caused no loss of life.

I do not really agree with what you said. You said that I would agree, but I do not, on the basis that, although Scotland has legislation on the table, that does not mean that it will be passed into law. It could well fall before the next election there and not be taken forward. Many things are put forward, and I am sure that many see plenty of issues in Bills that are waiting to be put through while hoping that they do not have to put them through. They hope that there will be a change in the elected body before that happens, resulting in the proposals falling at the next election and such Bills having to start again. That may well be the case in some instances.

It is wrong to state that England is proposing a change. They have nothing to state that there is any change coming. Scotland and Wales have, but I understand that England has not started anything.

I appreciate that we have a responsibility to ensure that people are safe in their home and that villages and areas are protected. Using the 25,000 cubic metre threshold is a fair compromise when it comes to not having over-regulation as the way forward. We are happy to move the rest of our amendments.

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

**Mr Girvan:** No, I have given way to you already. We will move the amendments, including amendment Nos 100, 101 and 102. We support an increase from 10,000 cubic metres to 25,000 cubic metres.

*Question put, That amendment No 1 be made.*

*The Assembly divided:*

*Ayes 33; Noes 39.*

#### **AYES**

*Mr Allister, Mr Bell, Ms P Bradley, Mrs Cameron, Mr Campbell, Mr Clarke, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mrs Hale, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr Kennedy, Mr McCallister, Mr I McCrea, Mr McGimpsey, Miss M McIlveen, Mr Middleton, Lord Morrow, Mr Nesbitt, Mr G Robinson, Mr Ross, Mr Spratt, Mr Storey, Ms Sugden, Mr Swann, Mr Weir.*

*Tellers for the Ayes: Mr Clarke and Mr G Robinson.*

#### **NOES**

*Mr Agnew, Mr Boylan, Ms Boyle, Mr Brady, Mr Byrne, Mrs Cochrane, Mr Dickson, Mr Durkan, Dr Farry, Mr Flanagan, Mr G Kelly, Ms Lo, Mr Lunn, Mr Lynch, Mr Lyttle, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Mr B McCrea, Mr McElduff, Ms McGahan, Mr McGlone, Mr McKay, Mrs McKeivitt, Mr McKinney, Ms Maeve McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Milne, Ms Ní Chuilín, Mr Ó hOisín, Mr Ó Muilleoir, Mr O'Dowd, Mrs O'Neill, Ms Ruane, Mr Sheehan.*

*Tellers for the Noes: Mr McAleer and Mr Milne.*

*Question accordingly negatived.*

*Clause 1 ordered to stand part of the Bill.*

#### **Clause 2 (Structure or area which is to be treated as a controlled reservoir)**

**Mr Speaker:** I will not call amendment No 2, as it is consequential to amendment No 1, which has not been made.

*Clause 2 ordered to stand part of the Bill.*

**Mr Speaker:** The Business Committee has arranged to meet immediately after the lunchtime suspension today. 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 debate stood suspended.*

*The sitting was suspended at 12.27 pm.*

*On resuming (Mr Principal Deputy Speaker [Mr Newton] in the Chair) —*

2.00 pm

## Oral Answers to Questions

### Agriculture and Rural Development

**Mr Principal Deputy Speaker:** I inform the House that questions 5, 11 and 13 have been withdrawn. We will start with listed questions.

#### Dog Breeding Establishments: Licensing

1. **Mr McGimpsey** asked the Minister of Agriculture and Rural Development for her assessment of the licensing of dog breeding establishments. (AQO 8033/11-15)

**Mrs O'Neill (The Minister of Agriculture and Rural Development):** Go raibh maith agat, a LeasCheann Comhairle. I have followed the recent reports about dog breeding. I am committed to protecting and safeguarding the welfare of all animals, including dogs and pups.

My Department made the Dog Breeding Establishments Regulations in 2013 to impose new licensing conditions to protect the welfare of all dogs and pups in breeding establishments. A person breeding dogs without a licence or in breach of their licence conditions can be fined up to £5,000 and imprisoned for six months.

When it comes to dog breeding rules, we have the strictest controls across these islands. Councils are responsible for enforcing the controls, and the legislation provides them with strong powers. Legislation alone will not stop illegal puppy farming. That will take a concerted effort by the public, dog buyers, welfare charities and enforcement agencies working together to identify breeders, licensed or unlicensed, who put financial gain before the welfare of their dogs and pups. All evidence of illegal dog breeding should be reported to councils for full investigation.

Those responsible for animals, including dog breeders, must also comply with the Welfare of Animals Act 2011. I strongly believe that anyone found guilty of causing unnecessary suffering to any animal should face the tough penalties set out in the Act, which currently mean up to two years' imprisonment and/or an unlimited fine.

The implementation of the Act is being reviewed, and the interim report on that review is out for public consultation. A copy can be found on my Department's website. As the Dog Breeding Establishments Regulations are made under this Act, their implementation is also being reviewed.

Given recent publicity, I want to provide additional time for people to provide their views on dog breeding. I have, therefore, extended the consultation closing date until 21 May.

**Mr McGimpsey:** I thank the Minister for her answer. The BBC 'Spotlight' programme clearly illustrates that whatever legislative regime we have, it is imperfect. It is not properly working, given the level of greed, exploitation and downright cruelty that we saw. Will the Minister explain

what steps she will now take to put an immediate stop to that type of trade; to prevent it happening now and in future; and to allow dog breeders who rely solely on good practices to continue without unjustified stigma?

**Mrs O'Neill:** You are absolutely right: it is important that we do that. As I said, legislation alone will not drive out puppy farming. We need a concerted effort across all agencies.

We have strong legislation compared with other jurisdictions. However, there is always room for improvement, which is why I set out last year, after a debate in the House, to review that legislation. On the back of the recent attention that this issue got, I extended that consultation. I am of the view, and I have published the report on the website, that I am minded to look towards strengthening the legislation where necessary and making sure that the Department has in place the strongest possible legislation.

The Member is obviously aware that councils enforce the action, and we need robust enforcement on the ground. I believe that this happens. However, in the incidents that we witnessed in the media over the last number of weeks, in which criminality is involved, there also needs to be a full PSNI investigation.

With a concerted effort, we can strive to drive out that illegal activity and create a safe space for those involved in good practice to be able to carry out their normal trading.

**Mr Byrne:** I thank the Minister for her comments and answers so far. Does she accept that not all dog breeding establishments live up to the standards and requirements of the Welfare of Animals Act? What can be done to further reinforce compliance with the legislation and with the remit of district councils?

**Mrs O'Neill:** As the Member is aware, it is the responsibility of councils to enforce dog breeding controls, the Welfare of Animals Act 2011 and the Dog Breeding Establishments Regulations. There are strong controls, and it is up to councils to enforce them on the ground. I know from engaging with councils that their enforcement officers would be more than happy to receive information from the public on concerns about any underhand practices in the industry. Puppy farming is not illegal, but strong protocols need to be in place. When people do not adhere to those protocols, council officers need to take strong action.

**Mr Sheehan:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a freagra. The Minister touched on this issue in her previous two answers, but will she tell us what legal standards and conditions apply here that dog breeders must adhere to?

**Mrs O'Neill:** The 2013 regulations require that all commercial dog breeding establishments be licensed. The regulations provide each council with powers to inspect and grant licences for establishments within their control.

The dog breeding establishment conditions include providing suitable accommodation, welfare facilities and diet; microchipping all dogs within seven days of arrival on the premises if they are not already chipped and pups before they are eight weeks of age; the age at which the bitch can first be bred and the number of litters she can produce in her lifetime; the minimum age a pup can leave a breeder; and maintaining records and having a written

socialisation and enrichment programme for approval by the council. A council may also apply additional conditions in the licence if they feel that that is required.

My Department provided guidance to council enforcement officers on the licence conditions, and, if an operator cannot meet the standards of the legislation, a licence cannot be granted. If a licence has been granted but the establishment is no longer complying with the standards, the licence must be revoked.

**Mr Lyttle:** I welcome the extension of the review of the implementation of the Welfare of Animals Act by the Minister to include consideration of the serious issue of puppy farming. Does she agree that dogs are not a commodity, they should be bought from licensed breeders and, if there are recommendations from the review of animal welfare legislation in Northern Ireland on reform, she will action them without delay?

**Mrs O'Neill:** I can absolutely give that assurance, which is why we embarked on the review process after the debate last year, which the Member contributed to. A number of recommendations have been made, but, in light of recent developments and the attention given to the issue, there may be scope to take a look at strengthening the legislation. I am committed to doing that, which is why I am carrying out the review.

We could bring forward some changes. In the interim report, there was a suggestion on penalties: they could be increased to 12 months' imprisonment on summary conviction and five years' imprisonment and an unlimited fine on conviction on indictment. There is scope to make sure that we do everything we can to create a deterrent for this illegal practice. The message to the public is to be careful about where you buy your pups and your dogs: you should use reputable people and make sure that people have licences and are looking after the animals that you are buying. If people are in any doubt about someone's practices, I encourage them to contact their council enforcement officers to investigate.

**Mr Allister:** The Minister referred to us having very strong legislation. Since the 2011 Act and the 2013 regulations came into effect, how many prosecutions have there been, and how many licences have been revoked?

**Mrs O'Neill:** I do not have the figure for the number of licences that have been revoked. For dog breeding establishments, there has been one conviction, but, under the Welfare of Animals Act 2011, as you will be aware, over the last number of months, there have been high-profile cases, and stringent sentences have been handed down by the courts, which we welcome. That in itself shows an effectiveness. As I said, whilst I believe that we have very strong legislation, there is always room for improvement and that is the process that I have embarked on.

**Mr Principal Deputy Speaker:** Pat Ramsey is not in his place. I call Ms Anna Lo.

## Environmental Engagement

3. **Ms Lo** asked the Minister of Agriculture and Rural Development, given that the new Department of Agriculture, Environment and Rural Affairs will include the Department of the Environment's current environmental functions, what consideration she has given

to engagement with environmental non-governmental organisations that may be relied upon to deliver many of these functions. (AQO 8035/11-15)

**Mrs O'Neill:** I fully endorse the Executive's decision to create a new Department of Agriculture, Environment and Rural Affairs. There will be considerable work to ensure that the new Department is fully operational following the Assembly elections in May 2016.

My Department already engages with environmental and non-governmental organisations (NGOs) on a wide range of issues. I recognise the positive role that NGOs play in policy and delivery across our existing responsibilities. There is engagement, to name just a few examples, on agrienvironment schemes, water quality, the Greenhouse Gas Implementation Partnership, development of the agricultural land use strategy and fisheries issues. We have a constructive relationship on agriculture and the environment, which I look forward to continuing to develop and build on.

These are early days in the creation of the new Department, and a small team is being set up to begin to map out what needs to be done. However, going forward, I see continued engagement with the environmental NGOs as important. I welcome their support as we jointly work to achieve positive environmental outcomes. My permanent secretary will be meeting representatives from the NGOs in the coming weeks, and they will be discussing the implications of the departmental restructuring and the role of the NGOs in the delivery of environmental functions under the remit of the new Department.

**Ms Lo:** I thank the Minister for her response, and I welcome her proactive approach to looking at the two Departments working together.

I am sure that she will agree about the environment sector's important role. Will she give a commitment that, before finalising any details about the group for the two Departments that she talked about, there will be engagement or a public consultation on how the environment function will move forward?

**Mrs O'Neill:** Yes, I can give the Member that assurance. As I said, we will begin that process of engagement with the sector, and we want to continue the strong working relationship that we have. I do not see any reason that that will change in the future. As we shape the new Department, it is key that we use the expertise in the NGO sector and make sure that it feels parts of the process. Obviously, both we in government and NGOs have a key role to play in making sure that we provide what we should be providing on the ground.

**Mr McElduff:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. What existing environmental functions will transfer to the new Department after restructuring?

**Mrs O'Neill:** The environmental aspects of DOE are currently contained in its environment and marine group. The group covers an extensive range of policies and functions. The following functions will transfer to the new Department: environmental protection; drinking water; land and resource management; industrial pollution and radiochemical matters; the marine; and other policies areas, including climate change, air quality, water quality, the habitats directive, environmental noise, invasive species and the carrier-bag levy.

**Mr Dallat:** The Minister will agree that the environment is the most critical aspect of life for us and future generations. Can she give us some indication of what the relationship will be with the Environment Agency? Will it have the independence and the teeth to go after those who pollute our land and our waterways?

**Mrs O'Neill:** Obviously, that will be the intention, but, when we are shaping the new Department, it is very important that we get the balance right. There was always a bit of concern around different policy perspectives from DARD and DOE points of view, so there is a challenge to meet there between environmental issues and what farmers do on the ground. I believe that the two areas of work will complement each other. They will work very well. We have to use the time ahead to make sure that we iron out any of the challenges that are there. If the Environment Agency were within the Department, I would want to make sure that the agency was fit for purpose and able to chase those people who are flouting the law and breaking the rules by damaging the environment. There will be tremendous benefits from bringing all those things together under the umbrella of a new Department.

**Mr Swann:** The Minister will be aware of a perception among farmers, compared with those in other industries, that the Northern Ireland Environment Agency (NIEA) over-regulates, over-inspects and over-persecutes them. If NIEA becomes part of the new Department of Agriculture, will she work to make sure that the inspection agency actually understands the industry that it is inspecting?

**Mrs O'Neill:** Yes, absolutely. The Member will be aware that I said previously that we are looking at the whole inspection regime and at how we can tidy it up, create fewer inspections and perhaps do a number of activities in the one visit. There is the potential to make sure that we do that. All inspectors are well trained. Their job is not to go out to make life difficult for people. Sometimes, that can be the perception in the farming industry. I suppose that it is about how we can work with the industry to help it to be able to flourish, while also protecting the environment. I think that the whole area of work coming under the one umbrella will lead to benefits in the long term not only for the farming community but for the environment.

2.15 pm

## European Maritime and Fisheries Fund

4. **Mr Hazzard** asked the Minister of Agriculture and Rural Development for an update on the roll-out of the new European Maritime and Fisheries Fund. (AQO 8036/11-15)

**Mrs O'Neill:** The European Maritime and Fisheries Fund (EMFF) is the successor to the European Fisheries Fund (EFF), and officials are currently working with colleagues in the Marine Management Organisation and DEFRA to ensure timely implementation of the scheme to support the fishing and aquaculture industries.

The key to the implementation of the new funding programme is the approval of the operational programme, which describes how the money allocated by Europe will be spent. That document is currently being drafted by DEFRA, with input from other fisheries administrations, and is expected to be formally submitted to the European Commission over the next number of weeks — it had been due by the end of April. The Commission then has 6 months

to work with DEFRA to ensure the plan is approved by October 2015. At that stage, the Department can consider opening the programme to applications for funding.

In parallel to that work, the Department is working with the Marine Management Organisation to deliver the operational processes required to administer the programme, which will involve the development of a new IT system to underpin the administrative process. The new IT system will also allow applicants to make their claims online. I am confident that this will ensure an easier application process.

I anticipate that all of the work will be finalised on schedule, and the EMFF will open for applications in autumn 2015. In the meantime my officials will provide updates, including forms and guidance, via the DARD website, which should be available early in the summer.

**Mr Hazzard:** Go raibh maith agat, a Cheann Comhairle. I thank the Minister for her answer, and I am sure the local fishing fleet will be glad to know that the system will be easier. Something else that is bothering the local fishing fleet at the minute, of course, is the incident with the submarine in the Irish Sea only a matter of days ago. I want to thank the Minister for her activity in relation to that, coming down to Ardglass and meeting the crew of the trawler involved. Can I ask for an update on what the Minister has been able to do?

**Mrs O'Neill:** I thank the Member for inviting me to go down and meet with the fishermen. It was very clear and evident that the fishermen are concerned. They are concerned every day that they go out, given the fact that they do not know what has actually happened. I raised the issue with the Ministry of Defence, which needs to be transparent because fishermen, going out every day, are taking their lives in their hands. They do not know if they are going to encounter a similar instance again.

We need answers on this. Fishermen need to know whether it was a submarine and what it was doing in their fishing grounds. I spoke to Theresa Villiers, the Secretary of State, and she assured me that they are not aware of any Navy submarines in or close to the area at that time. That begs the question of who was in the area. There are a number of questions that need to be answered, because the incident very clearly posed a threat to the life of the four people who were on board the ship. The risk of it happening again remains. These people are concerned for their livelihood and their families are concerned for their lives, every day when they go out, until they receive the answer. I will certainly be questioning the Ministry of Defence, the Secretary of State, the Department for Transport and the marine accident investigation branch to get answers for the fishing industry which, as the Member rightly said, deserves the answers.

**Mr Rogers:** I thank the Minister for her answers thus far. I welcome the further funding from Europe for developing our agrifood economy. What grant aid support from Europe will DARD be applying for to assist the fishing ports of Portavogie, Ardglass and Kilkeel? I am thinking specifically of something like the Kilkeel vision 2020 for the new port.

**Mrs O'Neill:** The Member will know that the main aim of the EMFF is to support the delivery of the reformed common fisheries policy in member states. For us that will include the current issues around the landing obligations and the need to minimise levels of by-catch for the fleet.



Therefore, the EMFF, in the first instance, will obviously help with gear trials, research on reducing by-catch, developing the infrastructure for the handling of the by-catch and adapting fishing gear for fishing vessels.

Similarly to the EFF, the EMFF will provide support to the local fishing industry for its ports infrastructure, dealing with the issues you have set out. It will support them in promoting safer fisheries, processing aquaculture operatives and community-led local development. The Department is working with the fishing industry to develop those detailed proposals, and then it plans to work with the fishing communities over the summer to get them into a state of readiness so that, when the programme opens in the autumn, they are ready to bid in. The fishing industry is waiting for the new programme to open. I am keen to work with it to make sure that everybody knows how to avail themselves of the funding and what is eligible under the funding. We will be doing that work over the summer.

### Rural Micro Capital Grant Programme

6. **Ms McGahan** asked the Minister of Agriculture and Rural Development how the new rural micro capital grant programme will benefit rural communities. (AQO 8038/11-15)

**Mrs O'Neill:** I was pleased to announce the opening of my Department's new rural micro capital grant programme earlier this month. The programme will contribute to reducing poverty and social isolation within rural communities through the provision of a micro capital grant to eligible rural community organisations. Financial support of up to £1,500 is available for selected projects. This is intended to encourage rural community and voluntary groups to improve and develop their facilities and assets, which, in turn, will contribute to improved community engagement in the local area.

The programme is designed to be very accessible for applicants and administratively straightforward to deliver. Projects selected for funding must fit with the overall objective of the programme and align to the themes of modernisation of existing premises or assets, ICT, or health and well-being. These have proven to be particularly effective themes in tackling poverty and social isolation and are relevant to all of those living in rural communities, from the very young to the elderly.

The programme aims to engage a geographically broad range of rural groups, including hard-to-reach rural organisations in remote areas. For this reason, the rural support networks that are currently delivering the rural community development support service will promote and deliver the micro grants programme on a subregional basis to ensure as wide a reach and impact as possible.

I anticipate that over 150 rural community organisations will directly benefit from the initial £200,000 set aside in my tackling rural poverty and social isolation budget for this new scheme. If there is sufficient demand, this allocation could be extended. The new programme represents an excellent opportunity for community groups to build on their existing roles of strengthening community engagement and improving the lives of those living in rural areas.

**Ms McGahan:** Go raibh maith agat. I thank the Minister for her response. Will the Minister outline the specific details

of the scheme, such as grant rates, matched funding and project duration?

**Mrs O'Neill:** The rural micro capital grant programme can provide grant aid from a minimum of £200 to a maximum of £1,500 to eligible rural community-led voluntary organisations. Capital grants will be provided at a rate of up to 85% of the total project cost, to a maximum of £1,500. Applicants are expected to provide a minimum of 15% matched funding towards the project in the form of a cash contribution. Applicants must incur the initial cost of approved purchases and then claim the grant back once the project is completed. No advance payments will be provided. To ensure that as many groups as possible benefit from the programme, groups will be allowed only one award each. Applicants must be able to complete their project and claim the grant within four months of the date of the award.

**Mrs McKevitt:** How does DARD propose to deliver the programme to promote smaller rural businesses?

**Mrs O'Neill:** There certainly will be opportunities under the new rural development programme once we have clearance from Europe, and we hope to get a letter of comfort, at least, to get things moving. You will be aware that the local action groups have now been set up and are working on strategic plans for their areas. One of the measures in the programme is designed to support rural business directly, but there is also quite a lot of scope under tourism and the other measures.

The details of this programme are available on the DARD website if the Member wants more detail, but there is a tailored measure to support rural businesses. The current rural development programme served rural business well and created a considerable number of jobs. We look forward to doing even more of that under this programme once we get it up and running. I hope to start delivering funding into areas shortly after we open the programme over the summer months.

**Mr Swann:** I have met the Minister about credit unions in rural communities. Will the micro capital grant programme be open to credit unions? I know that credit unions experienced difficulties in gaining access to the rural development programme.

**Mrs O'Neill:** There were some difficulties. I will have to write to the Member to clarify whether they will be eligible. There are some issues arising from European rules in the case of financial services. Depending on the setting of the credit union and how it is run, there may be opportunities, but I will clarify that for the Member in writing.

**Mr Principal Deputy Speaker:** Mr Moutray is not in his place. I call Mr Patsy McGlone.

### Rural Development Programme

8. **Mr McGlone** asked the Minister of Agriculture and Rural Development to provide an update on the timetable for finalising the rural development programme with the European Commissioner for Agriculture and Rural Development. (AQO 8040/11-15)

**Mrs O'Neill:** The draft rural development programme was formally submitted to the European Commission on 14 October last year. The Commission observation letter on the draft programme was received on 31 March this

year. We look forward to being able to start the formal adoption process, with the aim of having our programme approved as soon as possible, ideally before the summer. However, given the delay in receiving the Commission's observation letter, in the worst case scenario, we would expect to obtain programme approval by September 2015. The Department continues the work to make sure that the necessary business cases are in place and to design the proposed schemes so that they are in a state of readiness to go as soon as we get the green light from Europe. In the last number of days, the Twenty-six Counties have received a letter of comfort from Europe. We expect to receive something similar that would allow us to get the work going and the expenditure on the ground as soon as possible. Ideally, our intention is to have it on the ground before the summer.

**Mr McGlone:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Will the Minister give the House some detail on the delay and what has caused it? Will she also tell us what measures have been put in place to make sure that things eventually speed up?

**Mrs O'Neill:** The delay has occurred because we are waiting for Europe to give us the green light to go ahead. I think that the Commission possibly underestimated the amount of work that was involved in clearing and approving all the operating plans from all the member states. We await the green light to go, but, in the absence of that, as I said, we are developing the business plans and getting the projects on the ground. We have also established our local action groups (LAGs) and have given an indication of the allocation of funding to each LAG. We are in a state of readiness and are good to go as soon as we get the Commission's approval.

So far, the Commission has only approved 27 of the 118 operating plans that are with it. We expect that it will clear somewhere in the region of 30 to 40 this month, and we are obviously pushing to have our plan approved before June. In the absence of full clearance, if we can even obtain a letter of comfort, we can open the programme. As I said, we are ready to open the programme as soon as we have that green light.

**Mr Irwin:** Given the large number of observations from the Commission — I think that there were over 300 — is it not inevitable that it will take longer for the programme to be approved?

**Mrs O'Neill:** There were quite a number of observations. We can accept quite a number of those and can move very quickly to address them. Over the last number of weeks since we received the letter, officials have had a number of teleconferences with officials in Europe, and we are working our way through the observations.

As I said, the Commission has only been able to clear a small number of the 118 papers that went to it. However, it has said that it is working on that backlog and intends to try to turn around a number of the papers very quickly.

A number of issues were raised by the Commission about the environmental and climate change objectives, and it wanted a bit more detail on some other issues. A lot of things were minor, and we will be able to address those. My intention is to keep the pressure on Europe and keep pushing to get the green light so that we can open the programme as soon as possible.

**Mr McAleer:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Will the Minister elaborate on some of the key issues that were raised in the observation letter?

**Mrs O'Neill:** The Commission raised 315 observations, but the majority of those were minor and technical in nature. However, a number of key issues need to be addressed, particularly in relation to areas of natural constraint (ANC). The Commission requested that the method used for the calculation of income forgone and the additional costs for the exclusion of disadvantaged areas are detailed. It also wants a bit more detail on the programme's environmental and climate change objectives and the agrienvironment climate measures. There were also some issues with some of the cross-cutting themes of the programme.

One of the other issues is the fact that we did not include an option of support for the organic farming sector. I have given a commitment to the organic farming sector that I will look at that and see if we can. That was not identified in the consultation as something for which there was major demand. However, farmers who are engaged in organic farming believe that they are entitled to support, and I have given a commitment to look positively at that if a business case can stack up.

**Mr Principal Deputy Speaker:** That ends the period for listed questions. We now move on to topical questions. Mr Pat Ramsey is not in his place.

## Lambs: Labelling

T2. **Mr Rogers** asked the Minister of Agriculture and Rural Development what her Department is doing to address the lamb-labelling issue, given that the good weather has contributed to a great lambing season, with farmers having great crops of lambs, but, just as they are about to bring them to market, there are labelling issues with the Republic, and they are taking a significant reduction in the price of their lamb. (AQT 2422/11-15)

### 2.30 pm

**Mrs O'Neill:** The Member is right: historically, a significant number of our lambs have gone to the Twenty-six Counties for slaughter and then further export into premium markets across Europe. Recently, there was an issue when some processors refused to take lambs in some instances, while others took them but the farmers had to take a reduction in the money they were offered. I am very concerned about this, and I have raised it consistently because it is based around the country-of-origin labelling. I have raised it consistently with Simon Coveney. I chatted with him last night, and I am speaking to him again today.

We have tasked officials with looking at whether we can produce a voluntary label. I have approached Europe, which has an open mind on producing a voluntary label that would serve the industry well across the island and take away any trade barriers that there would be as a result of country-of-origin labelling. The Member will be aware that the European legislation now says that you have to indicate where the animal was born, reared and slaughtered. If it was born in the Six Counties and slaughtered in the Twenty-six Counties, it cannot be sold as Irish lamb in other European markets. I am extremely concerned, because this is the time of year when farmers go to market. I assure the Member that, at a European level and working

with DEFRA and Simon Coveney, we are trying to find a solution through a voluntary labelling process.

**Mr Rogers:** I thank the Minister for her answer. Lambs are the just the same whether they are reared in the Mourne or in Carlingford. Can you put a timeline on the negotiations and discussions? It is important to farmers that they get a reasonable price for their lambs.

**Mrs O'Neill:** All I can say is that I know that it is an immediate problem, and we are working closely on it. As I said, I raised the issue with Simon Coveney again last night, and I expect a phone call from him again today. We have both tasked our permanent secretaries with this, as it is a high-priority issue that needs to be dealt with. They have been working on it for some time in advance of the European rules coming into play. All I can say is that I am aware that it is an immediate issue, and we are trying to find a solution.

### DARD Direct: Strabane

T3. **Ms Boyle** asked the Minister of Agriculture and Rural Development, given her recent visit to Strabane, for an update on the Strabane DARD Direct office. (AQT 2423/11-15)

**Mrs O'Neill:** Things are going ahead smoothly, and we are on target. As I said when we were up there, this is a positive news story. We are creating 30-plus jobs in the DARD Direct office. Things are going well, and I think that we can look forward to having that new office opened on schedule for next year. The beauty of that office is that a number of services will come together there. That, in itself, was very useful and was a very good use of public money, given that a number of Departments were going to locate there together.

**Ms Boyle:** I thank the Minister for her response. Obviously, she will be aware that this is a good news story for Strabane. Is she confident that the planned works will go ahead and that the opening of the DARD Direct office will be next year?

**Mrs O'Neill:** I assure the Member that we are working to that time frame. At this stage, we have no reason to believe that there will be any delay in it. It is full steam ahead for the project. The work is on the ground, and we hope to have all our staff moved into their new premises next year.

### Agrifood Sector: Progress

T4. **Mr Flanagan** asked the Minister of Agriculture and Rural Development for an update on any progress made on increasing trade exports and improving access to new markets for our agrifood sector. (AQT 2424/11-15)

**Mrs O'Neill:** We have made quite a lot of progress, particularly on pork. I am pleased that, last week, one of our processors was inspected by Chinese officials responsible for approving the North and Britain for the export of trotters. That all went well. I am also delighted that we have Chinese inspectors here for the next couple of days to inspect our processors so that we can open up that export market. We are delighted to have made that progress. We have been waiting for the Chinese inspectors to visit for quite a number of months, and it is great that they are here.

I also intend to follow that visit up at the end of the month. I will seek a number of political meetings in China. We will spend four or five days there, and, hopefully, we will be able to get positive news about opening up that market for pork. I am very confident that that will be the case. We have a first-class product and first-class processors with really high standards, and I have no doubt that the Chinese inspectors who are here at the moment will be as impressed as the delegation that was here last week.

**Mr Flanagan:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a freagraí. I could not agree more with the Minister about the standard of our pork products, particularly things like Pat O'Doherty's black bacon in Enniskillen. Given the threat of a European exit and the commitment by some parties here to push for a referendum on leaving Europe, will the Minister outline how important she feels EU membership is for this part of Ireland for trade and other opportunities for the agrifood sector?

**Mrs O'Neill:** Obviously, EU membership opens up opportunities and doors for our exporters. It affords farmers and processors alike significant advantages in trading with the other 27 member states. You can even take it in a purely local context and consider its contribution to the local economy and the farming industry. In 2014, there was £248 million of single farm payments, £23.6 million was distributed through the less-favoured areas compensatory scheme and £20 million was invested through the agrienvironment scheme. Our agricultural and rural communities are so dependent on the subsidy that comes from Europe.

Being part of the EU allows our industry to achieve most value from its worldwide export markets. When you look at the benefits to be achieved, it really calls into question why some parties consider that pulling out of the EU would be beneficial to the local farming industry. I dare say that, if you asked any farmer, any person who lives in a rural community or a rural business that has benefited from the rural development programme, they could certainly tell you the benefits, because they feel them in their income every week. It is madness for anybody to consider that pulling out of the EU would benefit our local industry: clearly, it would not.

**Mr Principal Deputy Speaker:** Question 5 has been withdrawn within the appropriate time. Mr David McNarry is not in his place for question 6. Question 7 has been withdrawn within the appropriate time.

### DARD HQ: Ballykelly Costs

T8. **Ms Lo** asked the Minister of Agriculture and Rural Development, while pleased that she had a question in mind, to outline the cost assumptions for the relocation of DARD headquarters to Ballykelly and whether it would not be better to put aside that money for front-line services. (AQT 2428/11-15)

**Mrs O'Neill:** No. The Executive have a commitment to relocate public sector jobs. There is unfairness, real imbalance and inequity in the distribution of public sector jobs. This will be the first Department to move lock, stock and barrel into a rural area, and it is right and proper that that should be the case. People in rural areas are entitled to have the same public service opportunities as those who live in more urban settings. The benefits for the north-west

are tremendous — the economic benefits, the construction of the building, the ongoing servicing of the building and the fact that people in the public service can get a better work/life balance. For me, it is full steam ahead for the project. There is an Executive commitment. We need to see more Departments doing it. We need to provide equity in access to public sector jobs, so full steam ahead.

**Ms Lo:** Thank you. That was a very clear answer from the Minister. Given my earlier question about a new Department taking in agriculture and the environment, what will happen to DOE's staff and its headquarters?

**Mrs O'Neill:** That will be managed as part of the wider Civil Service rules. You would imagine that the staff who want to do so will transfer with their function, but the group that we have established will manage all of that and make sure, in conjunction with trade unions, that there is a seamless process for staff, because, obviously, they will still be providing a service. That is not going to change. It is just where they provide that service from that may change.

### River Pollution: Angling Club Discussions

T9. **Lord Morrow** asked the Minister of Agriculture and Rural Development what discussions about river pollution she has had this year with angling clubs. (AQT 2429/11-15)

**Mrs O'Neill:** I have not had any discussion with angling clubs in relation to river pollution this year. If the Member wants to raise a particular issue with me, I would be happy to receive that representation.

**Lord Morrow:** I am disappointed that the Minister does not think that angling is important enough for her to have discussions with angling clubs on river pollution. What discussions has she had with the Department of the Environment or DCAL on river pollution?

**Mrs O'Neill:** I have not had any discussions with the Environment Minister either. However, officials at that level in Rivers Agency and DOE engage regularly on all these issues. I am happy to provide that to the Member. He is referring to an issue in very general terms. If he has an issue, he has not raised it with me, but I am happy to receive that representation.

**Mr Principal Deputy Speaker:** Question 10 has been withdrawn within the permitted time. As the next period of questions does not begin until 2.45 pm, I suggest that the House take its ease until then.

2.45 pm

## Culture, Arts and Leisure

**Mr Principal Deputy Speaker:** I inform the House that questions 2, 10 and 13 have been withdrawn. We will start with listed questions.

### Museum Literature: Cultural Balance

1. **Mrs Hale** asked the Minister of Culture, Arts and Leisure whether the range of literature sold through National Museums Northern Ireland outlets is equality proofed and monitored for cultural balance. (AQO 8047/11-15)

**Ms Ní Chuilín (The Minister of Culture, Arts and Leisure):** I thank the Member for her question. Museums

has advised me that the range of literature sold through its outlets is reflective of the collections and exhibitions held each year at the organisation's three sites. The sale of books and other literature is part of Museums' retail operations and is intended to enhance the understanding of its collections and exhibitions, and that also helps to generate income for the organisation. It has also informed me that its retail operations are not of themselves subject to equality proofing and cultural monitoring, because they are aligned to the Museums and Galleries (Northern Ireland) Order 1998 and the museums policy for the North. The Museums and Galleries Order requires the board of trustees and the museums to assist the public to interpret the significance of its collections and exhibitions. Museums policy specifically requires museums here to embrace the principles of equality of opportunity and to develop good relations beyond any legislative requirement to do so. That policy was subject to equality proofing by my Department.

**Mrs Hale:** I thank the Minister for her in-depth answer. As a keen supporter of culture, arts and the Ulster Museum, I was disappointed on Easter Monday when I visited with my daughter and found a distinct bias in the range of books and literature for sale in the shop towards all things of a nationalist and republican nature. British, Ulster-Scots, Orange or even wartime items were practically non-existent, thus providing a biased, one-sided view. I have spoken with the Ulster-Scots Community Network, and it has informed me that neither it nor the Ulster Historical Foundation has ever been contacted by DCAL or the museums about literature sold at the museum. I revisited the museum on Friday, so will the Minister tell me who makes the decision about the choice of literature displayed and sold?

**Mr Principal Deputy Speaker:** I ask the Member to come to her question.

**Mrs Hale:** What steps are being taken to ensure that a balanced view, including the arrival of the Vikings, the Normans and the Plantation, is being exhibited at our museums?

**Ms Ní Chuilín:** I am disappointed that the Member was not happy with her visit or, indeed, with the exhibitions or the literature sold. I am happy to write to the museum to that effect. I am concerned that, given the amount of money that we have put into the ministerial advisory group on the Ulster-Scots Academy (MAGUS) — over £3.5 million — specifically to enhance and enrich the literature, cultural services and facilities to places like the museums, we have all fallen short. I am happy to write to the museums to query this and also the Member's concerns. I will also query what the Ulster-Scots Community Network and the Ulster Historical Foundation have been doing with the money that they received to do exactly that.

**Mr Sheehan:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as ucht a freagra. Will the Minister advise us on other themes that are covered by the literature sold by the museums?

**Ms Ní Chuilín:** I can give you a few examples. I have been informed by the museums, the Ulster Museum in particular, that there is literature on archaeology, art, dinosaurs, prehistoric life, farm life, geology, nature and wildlife. However, I am happy to try to furnish the Member and, indeed, Mrs Hale with a full list of all the exhibits available to be sold in the shop.

**Mrs McKeivitt:** Under the Museums Order 1998, does the Department of Culture, Arts and Leisure have a role to play in the process of how museums display literature and the range of books that is available to buy?

**Ms Ní Chuilín:** In short, no; it does not. That is why the Museums Council is there: to inform Ulster museums about trends, the authenticity of exhibitions and the articles that need to be done. In the past, however, the museums have responded to demands. If anyone has any concerns about what should be there rather than what is not there, I believe that the museums will respond positively. However, it would be wholly inappropriate for me, or any politician for that matter, to interfere by saying what exhibitions should or should not be there. You can certainly have an opinion, but direct interference is nothing short of censorship.

**Ms Lo:** Last year, a number of curator vacancies were not filled. Do we now have enough curators to man all our museums?

**Ms Ní Chuilín:** I prefer the term “to staff our museums”, Anna, but I will let you off with that one.

The short and honest answer is that I am not sure. The curators and specialists we have at our disposal through the three museum sites are second to none. They have a very good reputation locally, nationally and internationally. I am happy to raise the Member’s query with the museums, and I will certainly write to her to give her the details of her query.

### Angling: South Antrim

3. **Mr Clarke** asked the Minister of Culture, Arts and Leisure what plans her Department has to develop the angling sector in South Antrim. (AQO 8049/11-15)

**Ms Ní Chuilín:** I thank the Member for his question. My Department is working closely with Loughs Agency and Inland Fisheries Ireland on jointly developing and promoting the recreational angling product here, including in South Antrim, through participation in key angling shows throughout Ireland, Britain and Europe. DCAL also attends the Irish Game Fair, which is held at Shane’s Castle in Antrim, which is in the Member’s constituency. The event attracts a considerable number of visitors, and DCAL promoted a number of new initiatives to encourage greater interest in angling, particularly among children and young people.

In South Antrim, my Department manages Stoneyford reservoir and the Toome canal, which are very popular waters for anglers in DCAL’s public angling estate. There are also a number of private fisheries in South Antrim, including the Sixmilewater and the lower Bann.

**Mr Clarke:** I appreciate the Minister’s answer. I note that DCAL is fairly active in the area. However, given the direction of your ministerial colleague in DARD, can you give any assurance to those in the fishing sector who have reservoirs — you referred to one — and whose business may now be at risk because of the actions of the Reservoirs Bill? What assurance can you give them that you will help to fund them, given that they may not have the capability to fund themselves?

**Ms Ní Chuilín:** The Member is aware that I am responsible only for the public angling estate. The waters that I mentioned, particularly one, are private concerns. I lease the fishing rights for reservoirs from the owners. The

Member will be much more across the issue than I am, but my understanding is that, when it comes to public safety, particularly around health and safety, there are no regulations in place. That is part of the rationale behind bringing forward the Reservoirs Bill. If the Member has any concern about a particular fishery, whether public or private, I am happy to meet him to hear his concerns. The last thing that I want is for people involved in indigenous work such as fisheries and angling, which goes back generations, to be put out. As I said, I am happy to meet the Member to have those discussions.

**Mrs Overend:** Considering the importance of angling in South Antrim, will the Minister provide an update on the study to establish the baseline of the fish population in Lough Neagh?

**Ms Ní Chuilín:** I am liaising with my colleague Michelle O’Neill on that. I am working with the Lough Neagh Partnership and other concerns, including some of the councils. As the Member will be aware, her constituency borders Lough Neagh, but many others do as well. In the discussions, there is a cigarette paper between everyone. We want to ensure that Lough Neagh is preserved, and we are looking at fishing rights, recreational and leisure opportunities, future leisure opportunities, and leisure and economic regeneration for the area. I will write to the Member with details after I consult my colleague Michelle O’Neill on the question raised.

**Mr Rogers:** There is a great wee niche market in which to develop the tourist potential of angling right across the whole area. What are you, as Minister, doing to promote angling as a sport?

**Ms Ní Chuilín:** Through Sport NI, well before my time and in my time, we have been working very closely with the governing body of angling and some of the angling clubs across the North and across the island. Loughmacrory in my colleague Declan McAleer’s West Tyrone constituency is an example; it held an international junior trout angling competition. There are many other examples across the board of young people getting involved.

The recent review of angling made something like 30 recommendations, and one of them was to help support the sport of angling through not only working with the clubs but encouraging others who have not really found angling yet to try it. Hats off to the angling community; they are doing very well. What has been missing in the past is greater collaboration and cooperation and, indeed, partnership with Government. That report gives us the opportunity to try to bridge some of those gaps and make things better for the angling community across the island.

### Enniskillen Library

4. **Mr Lynch** asked the Minister of Culture, Arts and Leisure whether Libraries NI has presented any plans to relocate Enniskillen library to the old hospital site. (AQO 8050/11-15)

**Ms Ní Chuilín:** I thank the Member for his question. As the Member might be aware, Libraries NI needs to complete a business case aimed at securing the necessary resources for the development of a new and improved library in Enniskillen before it will be in a position to present any plans to me on a suitable location for the facility. Work on this business case is under way, and I expect the exercise

to be completed by November. The possibility of relocating the existing library to the old Erne Hospital site and sharing with other public sector organisations, like South West Regional College, is being actively considered as part of the business case process.

This process also requires that the benefits of any relocation be fully tested and evaluated alongside a range of other potential options. One of the many options is that the library should remain at its current site, which is readily accessible to the centre of Enniskillen and its entire population and where the library has already built up a strong and valued presence in the community.

**Mr Lynch:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as an fhreagra sin. The new Lisnakea library that opened on 8 May is a fantastic facility for the town. I look forward to you coming to open it officially. Does the Minister recognise the importance of Enniskillen library to the county and that there is an urgent need for its improvement?

**Ms Ní Chuilín:** I thank the Member for his kind remarks. Enniskillen library is Fermanagh's main and largest library. I recognise that there is a need to provide the service, particularly given the size of the county. Libraries NI estimated that that library serves a catchment population of around 60,000 people, which is quite a big amount. I am aware that the condition of the building is deteriorating and that useable space in the library is limited. I am concerned about the heritage collections and their need for better storage, and I know that Libraries NI shares those concerns. It is for these reasons that we have encouraged Libraries NI to develop a business case to look at these deficiencies and, as I said in the main answer, to look at the options for relocation or a new library in the future.

**Mr Principal Deputy Speaker:** Before I call the next Member, I remind those who are rising in their seats seeking to ask a supplementary that this question is specific to one site.

**Mr Dunne:** We all recognise the importance of libraries. All libraries, including the libraries in Fermanagh, need books. Can the Minister give us an assurance that, in this financial year, she will endeavour to find funding to provide stock for all libraries across Northern Ireland, including those in Fermanagh and north Down? *[Laughter.]*

**Ms Ní Chuilín:** I congratulate the Member on his ingenuity in weaving Fermanagh and north Down into one breath. The Member will be aware that, within the budget settlement that we received, which fell far short of where it needed to be, I prioritised libraries within the DCAL family at 7.5%, when arts, sports and museums, for example, received a much higher cut to their budget. Within that was the protection of not only stock but the accessibility of computers and broadband through the uplift in the e2 system. I am confident that Libraries NI will ensure that the stock in Fermanagh and your constituency does not drop. Certainly, I will ask Libraries NI specifically about the stock in the two constituencies that you mentioned and write to you with the answer for same.

### 3.00 pm

**Mr Dallat:** The Minister will, of course, know that there is a very long and rich history to the library in Enniskillen and recognise that, historically, people could not afford to buy their own books. Is the Minister committed to that same

principle at the turn of the century? Can she assure us that it will apply across the North?

**Ms Ní Chuilín:** I certainly can give that commitment to the Member, because it is important. Last night, we met a group of kids from north Belfast and the Shankill who went to South Africa. They told us that children cannot access education unless they have a pair of shoes, and the parents cannot afford to buy shoes. We need to make sure that parents who cannot afford to buy books, their family and, indeed, their community, are not disadvantaged. That is why libraries are there. That is at the core of the business of libraries. I want to ensure that if people need books for pleasure or to help them with study, further education or exams, libraries will provide them. Libraries have done a very good job thus far in doing that, and I have no reason to believe that they will not continue to do that.

### Language Academies

5. **Mr Ó hOisín** asked the Minister of Culture, Arts and Leisure to outline her plans to provide physical academies for the Irish language and Ulster Scots. *(AQO 8051/11-15)*

**Ms Ní Chuilín:** I thank the Member for his question. Both academies will have an important role to play in the enhancement and development of their respective languages, culture and, indeed, the development of the academies. In relation to Irish, there is a need for an academy that will address a range of issues and gaps in the teaching, learning, acquisition and use of the Irish language, particularly for adults. The ministerial advisory group on the Ulster-Scots Academy has developed, as part of its remit, options and a preferred proposal for the creation of a physical Ulster-Scots Academy to maximise the social, economic, community and cultural benefits of Ulster Scots.

In order to progress the development of the academies, I plan to conduct separate public consultations to ensure that the public and, indeed, stakeholders have their say in what both academies will seek to achieve.

**Mr Ó hOisín:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as an fhreagra sin. Bhí an grúpa MAGUS bunaithe i Márta 2011. Cad é atá déanta ag an ghrúpa suas go dtí an pointe seo? The ministerial advisory group on the Ulster-Scots Academy (MAGUS) was established in March 2011. What has been achieved by that group since then?

**Ms Ní Chuilín:** The Member probably heard me mention to Mrs Hale the amount of money that has been spent on the ministerial advisory group on Ulster Scots so far. I will correct what I said earlier: it is actually £3.4 million rather than £3.5 million. The Department has provided £3.4 million to the ministerial advisory group over the past four years. That has enabled a wide range of achievements, including the development and research strategy for the Ulster-Scots sector; a comprehensive business case for the options around the physical academy; the new Ulster-Scots hub and Discover Ulster-Scots Centre at the Corn Exchange in the Cathedral Quarter, which I opened in November of last year; and 76 projects which have been funded by the MAG across the three work streams of language and literature; education and research; and history, heritage and culture. I certainly acknowledge the work that has been done so far and that there is still much to be done.

**Mr Humphrey:** I thank the Minister for her answer so far. I note what the Minister has said about her work with the MAGUS. Has she held scheduled minuted meetings with the Ulster-Scots Agency? Have there been action points from those meetings with the Ulster-Scots Agency with outcomes in relation to the establishment of an Ulster-Scots Academy across Northern Ireland and, indeed, the border counties?

**Ms Ní Chuilín:** I have not had any formal meetings with the Ulster-Scots Agency about the MAGUS. At this stage, the ministerial advisory group on Ulster Scots just reports to the Department directly, but I will be involving the Ulster-Scots Agency in the future work of the MAGUS, because I intend to review the MAGUS. Although I extended the ministerial advisory group on Ulster Scots until next year, I intend to shorten that extension to December of this year and, between now and then, conduct a review of the group's functions. I certainly envisage that the Ulster-Scots Agency would have a role in the future of the Ulster-Scots ministerial advisory group.

**Mr McGlone:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Ba mhaith liom cheist a chur ar an Aire. An bhfuil aon bhuiséad leagtha i leataobh i dtaobh bhunú na n-acadamh seo? Has the Minister set aside any particular budget for the establishment of the academies?

**Ms Ní Chuilín:** The short answer is no. We conducted the initial scoping studies from DCAL's budget for the Ulster-Scots Academy and an acadaimh for the Irish language. We now need to go out to full public consultation separately on both, because I believe that many in the sectors have opinions on what the academies should have. I would like to hear from stakeholders, including parents, practitioners in education and, in the case of the Irish language, those responsible for language acquisition. I even want to hear examples of what has happened in the rest of the island and in Europe. Once that happens, I envisage that business cases for both will be brought forward and substantial moneys will be asked for. You are, I imagine, talking about well over £20 million for both.

## Windsor Park

6. **Mr Hilditch** asked the Minister of Culture, Arts and Leisure for an update on the situation at Windsor Park. (AQO 8052/11-15)

7. **Mr Swann** asked the Minister of Culture, Arts and Leisure what discussions her Department has had with the Irish Football Association and Linfield Football Club regarding the situation that has developed with the west stand at Windsor Park. (AQO 8053/11-15)

11. **Mr G Robinson** asked the Minister of Culture, Arts and Leisure what plans her Department has to expedite financial support for any repairs to Windsor Park football ground. (AQO 8057/11-15)

**Ms Ní Chuilín:** A Phríomh-LeasCheann Comhairle, Mr Principal Deputy Speaker, with your permission, I will group questions 6, 7 and 11 and thank the Member for his question.

The Windsor Park project is currently under construction and work is progressing well. Reconstruction of the pitch, which commenced in May 2014, was completed in August last year. Demolition of the south stand is complete, and

construction of the east and south stands has commenced and is, again, progressing well.

On Tuesday 31 March, the Department was informed by the IFA that there was a structural problem with the existing west stand. Since then, DCAL has been in close liaison with the IFA on the matter. On 20 April 2015, the board of the Irish Football Association met to ratify a recommendation from the national football stadium project team that the west stand should be demolished, following recent structural damage. This recommendation came after a series of meetings with all interested parties and following the review of a structural engineer's report. Demolition work will begin immediately.

In addition, the upcoming UEFA Euro 2016 qualifier against Romania, on Saturday 13 June 2015, will be played at Windsor. The project team has produced a plan that should enable the necessary capacity to be met for this game by accelerating works on the project in the east stand, south-east quadrant and south stand. I am glad that every effort is being made to ensure that the international game scheduled for 13 June will take place in Windsor Park as planned.

**Mr Hilditch:** My having declared the relevant interest at question 6, there is a slight concern in the football fraternity in relation to cost, moving forward. If extra money is required for Windsor Park, can the Minister guarantee that the remainder of the regional stadium money is still available and will not be touched?

**Ms Ní Chuilín:** The Member will be aware, because he was at the CAL Committee last week when he or one of his colleagues asked one of my officials who would fund the provision of the west stand, that I understand that that will come from insurance and will not impact on the budget that we have set aside for Windsor Park and the development of the subregional stadia thereafter.

**Mr Swann:** The Minister referred to insurance paying for the stand. If we have to wait for the insurer to pay up, can she give any indication as to when she expects the new-look kop stand to be completed?

**Ms Ní Chuilín:** I do not anticipate that any of us will have the difficulty of waiting to go through the bureaucracy of an insurance claim. There is an acceptance of the issues and, certainly, that structural damage was done to the west stand. The contractor is, coincidentally, the construction firm that is looking at the Olympia and Windsor Park redevelopments. That makes it easier, as there is no contest between one set of contractors and another or one owner and another. Notwithstanding that, I expect to hear this time next week, if not sooner, that not only is it resolved but there is a date, because I understand that demolition work needs to start as soon as possible. That will start, and, thereafter, we will get a timetable for the demolition work, planning permission and the work that is to be completed on the kop stand.

**Mr G Robinson:** Can the Minister confirm whether the stand will be ready for 2016 or even before that?

**Ms Ní Chuilín:** Well, 2016 starts on 1 January 2016, so I assume that the Member is asking whether the west stand will be completed in line with the overall project. It is my anticipation that that will be the case and that, if there is any delay in the overall timeline, it will be very small. I think that everybody in the House accepts that the IFA

and soccer fans in particular were put in a terrible position when they heard what had happened. We are all very thankful that no one was injured or hurt, because, given what happened a few days earlier, we could have been dealing with a worse situation.

I am encouraged by the attitude that everybody has taken. Everybody has taken a can-do attitude. We have a big problem. We all know that we need to fix it, and above all else we need to make sure that people, particularly the IFA and the soccer community, are not penalised as a result of something that happened and that the overall redevelopment of Windsor Park happens without too much delay.

**Ms McCorley:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Mo bhúiochas leis an Aire as a freagraí go dtí seo. Thank you, Mr Principal Deputy Speaker. I thank the Minister for her answers thus far. An dtig leis an Aire a rá cén uair ar tugadh an cás gnó bunaithe chun tosaigh agus an raibh baint ag an ghrúpa teicniúil sábháilteachta leis an togra tosaithe sin do na trí staidiam? Can the Minister outline when the original business case (OBC) was brought forward and whether the safety technical group was involved in the initial proposal for the three stadiums?

**Ms Ní Chuilín:** Sport NI appointed FGS McClure Watters in October 2009 to prepare an outline business case on behalf of the three governing bodies. DCAL submitted the OBC to DFP in October 2010, and DFP approved it on 7 March 2011. That includes the current safety technical arrangements. The groups that are involved in the process now were involved then. Hopefully, that will help.

### Arts Council: Budget Cuts

8. **Mrs Overend** asked the Minister of Culture, Arts and Leisure what discussions her Department has had with the Arts Council to explore ways of minimising the impact of the £1.4 million cut in its budget. (AQO 8054/11-15)

**Ms Ní Chuilín:** I thank the Member for her question. I met the chair of the Arts Council in advance of budget reductions being implemented and asked that, in considering funding applications for 2015-16, it seek to ensure that front-line services are protected. My officials continued to liaise with the Arts Council and affected organisations following the communication of the arts funding decisions for 2015-16 to discuss other potential funding sources or opportunities for collaboration and partnership that would allow programmes to continue to be delivered, albeit in an alternative way. I fully recognise the value that the arts can bring to individuals, communities, the economy and, indeed, wider society. I continue to promote that value, and I am bringing forward an arts and culture strategy that will emphasise the importance of arts and culture in creating a cohesive society, contributing to positive health and well-being, promoting tourism, helping the economy and acting as a driver for the creative industries and, indeed, for artistic excellence.

**Mr Principal Deputy Speaker:** This must be a very quick supplementary, Ms Overend.

**Mrs Overend:** OK, thank you. I thank the Minister. Does the Minister agree, given that the arts sector, including the performing arts, is a major contributor to the health and well-being of our people, that serious efforts need to be made to deliver the finance needed for it?

**Mr Principal Deputy Speaker:** A quick answer.

**Ms Ní Chuilín:** I totally agree. To that end, we are bringing in an overarching strategy in which all the Departments can help to contribute to the arts and the economy.

**Mr Principal Deputy Speaker:** That ends the period for listed questions. We now move on to topical questions.

3.15 pm

### EastSide Arts Festival

T1. **Mr Lyttle** asked the Minister of Culture, Arts and Leisure for her assessment of the contribution of the EastSide Arts Festival to the growth of the arts and the social and economic regeneration in east Belfast and whether her Department has been able to invest in that fantastic festival. (AQT 2431/11-15)

**Ms Ní Chuilín:** I totally agree with everything the Member has said. Indeed, DCAL, through the Arts Council, has contributed to EastSide Arts; it is one of the cultural partners. They have been working together since well before the World Police and Fire Games. Along with other cultural partners, EastSide Arts put on a brilliant exhibition and continues to do excellent work in the east of Belfast.

**Mr Lyttle:** I thank the Minister for her response. Given the significant public support for maintaining the 2014-15 level of public funding for the arts, how does the Minister propose to secure appropriate funding for the arts and creative industries in Northern Ireland?

**Ms Ní Chuilín:** EastSide Arts is one of the groups that was awarded a level of funding that it had never received before. Unfortunately, the situation with other groups that received funding prior to groups like EastSide Arts was that they were unhappy that the new groups received money when their budgets were being reduced, and a small number of groups did not receive any support from the Arts Council. I know that they are extremely disappointed.

It is important that there is overall recognition of the role that arts, culture and the creative industries have to play not only in the sense that they make people feel better about themselves and their communities but in their regeneration contribution to the economy, to education and to further skills. When the overarching strategy is brought to the Executive, I hope that all parties will give it support.

**Mr Principal Deputy Speaker:** Question 2 has been withdrawn. Mr Pat Ramsey is not in his place.

### Cairde Teo, Armagh

T4. **Mr Boylan** asked the Minister of Culture, Arts and Leisure for an update on the Cairde Teo group in Armagh, of which she is well aware, which is trying to provide a cultural hub in the Armagh city area. (AQT 2434/11-15)

**Ms Ní Chuilín:** I thank the Member for his question. Along with others, including An Ciste Infheistíochta, some local councils, the Lottery Fund and other sources of funding, I have had meetings with our officials in DCAL and officials from Armagh council and An Ciste Infheistíochta about looking at Cairde Teo and other cultural hubs. They have a great opportunity to provide a cultural space for people in the community and to act as small and medium-sized enterprises. Everyone is working collectively to have



Cairde Teo achieved not just for the here and now but to make it economically sustainable in the future.

**Mr Boylan:** I thank the Minister for that detailed answer. She recognises the value of the project. Will she keep me updated on the project and consider meeting the group as the project grows in the future? Go raibh míle maith agat.

**Ms Ní Chuilín:** The Member will be aware that I have met groups from his constituency before, so I am happy to meet groups from across the board. I have done that and will continue to do that. I am aware that, in recent days, my officials have been liaising with Cairde Teo and Ard Mhacha, and they will continue to do that. They are working closely together to help the groups meet the deadlines for funding and help them shape up the development and proposal. They are working with other partners, including An Ciste Infheistíochta and, as I mentioned before, Armagh City council. I am happy to meet the Member, the group and others about the development. It is very positive for that area and very positive for culture.

### Gortin Glen: Development Opportunities

T5. **Ms Boyle** asked the Minister of Culture, Arts and Leisure whether she will meet to discuss how to develop the Gortin glen area of west Tyrone, albeit that she may not be familiar with Gortin glen, which is a beautiful part not only of this island but of west Tyrone, with huge potential for facilities for physical and leisure activities, much in the same way as Tollymore forest park. (AQT 2435/11-15)

**Ms Ní Chuilín:** Certainly, I am happy to meet the Member, representatives and groups to discuss the issue. I am not familiar with Gortin glen, although I am aware of the proposal. We have done work on our waterways. In particular, there is the experience of Tollymore, as the Member mentioned, and the angling at Lough Neagh that we discussed earlier. I am happy to use our natural resources to build and develop opportunities around physical and leisure activities, as well as cultural, community and festival opportunities. I would be delighted to meet those people, who, no doubt, will tell me how beautiful Gortin glen is.

**Ms Boyle:** I thank the Minister for that response. I look forward to her visiting Gortin glen sometime in the future. My office will liaise with her private office to agree time and date for that meeting. Go raibh míle maith agat.

**Ms Ní Chuilín:** Thank you very much.

### Boxers: GB/NI Representation

T6. **Mr Allister** asked the Minister of Culture, Arts and Leisure what tangible and actual steps she has taken to enable boxers from Northern Ireland who aspire to compete for Great Britain and Northern Ireland actually to achieve that aspiration. (AQT 2436/11-15)

**Ms Ní Chuilín:** I have encouraged the governing bodies of boxing to talk to each other, and Sport NI has done the same. The Member will be aware of the report of a group that carried out an investigation of allegations of sectarianism in boxing. As the Member is aware, that report made recommendations on how to improve relations, but it certainly did not substantiate some of the allegations. One of the recommendations to come out of the report and, indeed, from other conversations was that children who identify themselves as either Irish or British

should have the opportunity to box for the governing body of their choice, so that is where it rests. Other than ensuring that those conversations happen and trying to facilitate them as much as possible, that is as much as I can do.

**Mr Allister:** Apart from apparently claiming to endorse the aspiration, is it not pretty clear that the Minister has not actually done anything tangible to advance the matter? It is still not advanced, despite it being a need crying to be met for many, many years. The Minister just seems comfortable with that position.

**Ms Ní Chuilín:** Unlike the Member, I do not use the Floor of the Assembly to criticise or make assertions or, indeed, allegations and not substantiate them. I have gone above and beyond — I have used the legislation from the 1998 Good Friday Agreement — to ensure that children, regardless of who they are, how they describe themselves or how they identify themselves, can compete and represent a country or nation of their choice. I do not need to be advised by the Member about what I need to do; I know what my responsibilities are. However, the Member should be aware that the majority — the overwhelming majority — of children and young people who wish to progress their amateur boxing career wish to do so with the Irish Amateur Boxing Association. I believe that it is politically driven adults like him who make it really difficult for children who, perhaps, come from a Protestant/unionist/loyalist area and want to box for Ireland. He should support them and not get political about who they box for or who they represent or compete for. We all need to get behind our athletes, regardless of how they identify themselves. I think that the children and young people have been much more mature in the way in which they approach this than people like you, Mr Allister.

### Sport: Disabled Participation

T7. **Mrs Cameron** asked the Minister of Culture, Arts and Leisure what efforts her Department is making to promote participation in sport for those with physical disabilities. (AQT 2437/11-15)

**Ms Ní Chuilín:** I have had and will continue to have a very good relationship with Disability Sport NI. I know that there were concerns previously about the budget reductions, and I believe that Disability Sport NI and Sport NI are working through those. Indeed, my officials are also working through those, which is vital.

In addition to what Disability Sport NI has done, the three governing bodies — the Ulster Council of the GAA, Ulster Rugby and the Irish Football Association — have done excellent work in including children and young people, and even adults with disabilities, in those sports. We are doing well, but there is always much more that we can do.

**Mrs Cameron:** I thank the Minister for her answer. I recently had the privilege of meeting the Ulster Barbarians, the only club of its type in Northern Ireland. It meets at the Antrim Forum each week to play wheelchair rugby. What can the Minister's Department do to support the good work of clubs such as that and to ensure that more such clubs are set up so that the disabled community has appropriate access to sport?

**Ms Ní Chuilín:** I am aware of the group and the work on disabilities, particularly in the Member's constituency. She

mentioned rugby as an example, but the issue is really about disability and access.

The three governing bodies and Disability Sport NI have done great work in promoting sport and physical activity for people with disabilities. I will continue to ensure that access to sport, arts, culture and creativity, particularly for people with disabilities, is protected as best as possible. The governing bodies, which probably account for 84% of participation in sport across the island, will also continue their good work with groups, particularly for rugby, Gaelic and soccer, working with schools and Disability Sport NI.

### **Acht na Gaeilge: Consultation**

T8. **Mr Ó hOisín** asked the Minister of Culture, Arts and Leisure to ensure that feedback is provided at the earliest opportunity after the responses to the consultation on the draft Acht na Gaeilge have been analysed, given that she will be more than aware that the consultation ends next week and whether she agrees that the work of Conradh na Gaeilge, Glór na Móna agus, i mo cheantar féin, coiste forbartha Carn Toghair, Glór Léim an Mhadaidh, Glór Dhún Geimhin and the many other groups that have worked on this should be put on record. (AQT 2438/11-15)

**Ms Ní Chuilín:** All groups that respond will be given feedback. The consultation closes next Tuesday, 5 May, and I encourage everybody to feed into it. The work of the groups that the Member mentioned — I am sure that there are many others — particularly with children, young people and families, is exemplary. They are exemplars. I have no doubt that they will feed into the consultation. There is still a week left, so it is not too late to respond.

**Mr Ó hOisín:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as ucht an fhreagra sin. Like the Minister, I remind people that there is still time to respond to the consultation. Will she and her Department ensure that detailed feedback on the draft Bill is provided and brought before the Assembly?

**Ms Ní Chuilín:** I am certainly happy to do that. The Member is on the Culture, Arts and Leisure Committee, and he will also get that feedback. It is important that that happens. People feed into consultations and do not know where it goes after that. That is a big criticism across the board, so I understand that. Aontaím leat go hiomlán. I totally agree that we need to ensure not only that there is feedback but that any themes and trends as part of the consultation are shared with the entire community. If people take the trouble to respond to a consultation, particularly if they are positive, they are entitled to hear the responses not only to their points but to others.

### **Festivals: Funding**

T9. **Mr McKinney** asked the Minister of Culture, Arts and Leisure whether she accepts that an unfortunate phrase — “counter-strategic” — has been creeping into Governmentspeak and is effectively allowing Departments and others to say that, although we feel your pain, we have no money; and, if she accepts that, notwithstanding the decision that Queen’s made about the Belfast Festival, does she agree that there is an onus on her and her Department to ensure that festivals that provide great cultural and tourism value succeed and are fully funded. (AQT 2439/11-15)

**Ms Ní Chuilín:** It is not my responsibility to fund the Queen’s festival. The Queen’s festival receives a substantial amount of money from the Arts Council, and that contribution remains. It is regrettable that Queen’s University made its decision.

### **3.30 pm**

I am not being flippant: I do feel the pain of the festival organisers, because the festival is one of the brands that we have had going back decades. There is an onus on the community. I have spoken to people who have gone to the Queen’s festival. They are very resilient and are very adamant and very determined that it continue, albeit in a different form. I am sure that the Member will agree with me that it is important that we give them all our support, but I cannot fund the gap.

**Mr Principal Deputy Speaker:** That concludes Question Time. I invite Members to take their ease while we change the top Table.

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

## Executive Committee Business

### Reservoirs Bill: Consideration Stage

#### **Clause 3 (Matters to be taken into account under section 2(3))**

*Amendment No 3 made:*

In page 2, line 35, leave out “risk” and insert “reservoir”.—  
*[Mrs O’Neill (The Minister of Agriculture and Rural Development).]*

*Amendment No 4 made:*

In page 2, line 36, leave out “matters” and insert “issues”.—  
*[Mrs O’Neill (The Minister of Agriculture and Rural Development).]*

*Amendment No 5 made:*

In page 2, line 37, leave out “(ii)”.—  
*[Mrs O’Neill (The Minister of Agriculture and Rural Development).]*

*Amendment No 6 made:*

In page 2, line 37, after “the” insert “potential adverse consequences or”.—  
*[Mrs O’Neill (The Minister of Agriculture and Rural Development).]*

*Amendment No 7 made:*

In page 2, line 39, leave out “matters” and insert “issues”.—  
*[Mrs O’Neill (The Minister of Agriculture and Rural Development).]*

*Amendment No 8 made:*

In page 2, line 39, after “22(3)” insert  
“and in regulations under section 22A”.—  
*[Mrs O’Neill (The Minister of Agriculture and Rural Development).]*

*Amendment No 9 made:*

In page 2, line 39, leave out “risk” and insert “reservoir”.—  
*[Mrs O’Neill (The Minister of Agriculture and Rural Development).]*

*Amendment No 10 made:*

In page 2, line 40, leave out from “, or” to “section,” on line 41 and insert “of section 22(3)”.—  
*[Mrs O’Neill (The Minister of Agriculture and Rural Development).]*

*Clause 3, as amended, ordered to stand part of the Bill.*

*Clauses 4 to 7 ordered to stand part of the Bill.*

#### **Clause 8 (Duty of multiple reservoir managers to co-operate)**

*Amendment No 11 made:*

In page 5, line 31, leave out “risk” and insert “consequence”.—  
*[Mrs O’Neill (The Minister of Agriculture and Rural Development).]*

*Clause 8, as amended, ordered to stand part of the Bill.*

*Clauses 9 to 15 ordered to stand part of the Bill.*

#### **Clause 16 (Offences: registration)**

*Amendment No 12 made:*

In page 8, line 24, leave out “risk” and insert “consequence”.—  
*[Mrs O’Neill (The Minister of Agriculture and Rural Development).]*

*Clause 16, as amended, ordered to stand part of the Bill.*

#### **Clause 17 (Giving a risk designation)**

*Amendment No 13 made:*

In page 8, line 41, leave out “risk” and insert “reservoir”.—  
*[Mrs O’Neill (The Minister of Agriculture and Rural Development).]*

*Amendment No 14 made:*

In page 9, line 1, leave out “risk” and insert “reservoir”.—  
*[Mrs O’Neill (The Minister of Agriculture and Rural Development).]*

*Amendment No 15 made:*

In page 9, line 3, leave out “risk” and insert “consequence”.—  
*[Mrs O’Neill (The Minister of Agriculture and Rural Development).]*

*Amendment No 16 made:*

In page 9, line 4, leave out “risk” and insert “consequence”.—  
*[Mrs O’Neill (The Minister of Agriculture and Rural Development).]*

*Amendment No 17 made:*

In page 9, line 5, leave out “risk” and insert “consequence”.—  
*[Mrs O’Neill (The Minister of Agriculture and Rural Development).]*

*Amendment No 18 made:*

In page 9, line 6, leave out “risk” and insert “reservoir”.—  
*[Mrs O’Neill (The Minister of Agriculture and Rural Development).]*

*Amendment No 19 made:*

In page 9, line 9, leave out “risk” and insert “reservoir”.—  
*[Mrs O’Neill (The Minister of Agriculture and Rural Development).]*

*Amendment No 20 made:*

In page 9, line 11, leave out “risk” and insert “reservoir”.—  
*[Mrs O’Neill (The Minister of Agriculture and Rural Development).]*

*Amendment No 21 made:*

In page 9, line 17, leave out “risk” and insert “reservoir”.—  
*[Mrs O’Neill (The Minister of Agriculture and Rural Development).]*

*Clause 17, as amended, ordered to stand part of the Bill.*

#### **Clause 18 (Periodic re-assessment of risk designations)**

*Amendment No 22 made:*

In page 9, line 20, leave out “risk” and insert “reservoir”.—  
*[Mrs O’Neill (The Minister of Agriculture and Rural Development).]*

*Amendment No 23 made:*

In page 9, line 22, leave out “risk” and insert “reservoir”.—  
[Mrs O’Neill (The Minister of Agriculture and Rural Development).]

*Amendment No 24 made:*

In page 9, line 26, leave out “risk” and insert “reservoir”.—  
[Mrs O’Neill (The Minister of Agriculture and Rural Development).]

*Amendment No 25 made:*

In page 9, line 29, leave out “risk” and insert “reservoir”.—  
[Mrs O’Neill (The Minister of Agriculture and Rural Development).]

*Amendment No 26 made:*

In page 10, line 12, leave out “risk” and insert “reservoir”.—  
[Mrs O’Neill (The Minister of Agriculture and Rural Development).]

Clause 18, as amended, ordered to stand part of the Bill.

**Clause 19 (Date on which risk designation given under section 17 or given as different designation under section 18 takes effect)**

*Amendment No 27 made:*

In page 10, line 16, leave out “risk” and insert “reservoir”.—  
[Mrs O’Neill (The Minister of Agriculture and Rural Development).]

*Amendment No 28 made:*

In page 10, line 23, leave out “risk” and insert “reservoir”.—  
[Mrs O’Neill (The Minister of Agriculture and Rural Development).]

*Amendment No 29 made:*

In page 10, line 27, leave out “risk” and insert “reservoir”.—  
[Mrs O’Neill (The Minister of Agriculture and Rural Development).]

Clause 19, as amended, ordered to stand part of the Bill.

**Clause 20 (Review by Department of its decision under section 17 or 18)**

*Amendment No 30 made:*

In page 10, line 39, leave out “risk” and insert “reservoir”.—  
[Mrs O’Neill (The Minister of Agriculture and Rural Development).]

*Amendment No 31 made:*

In page 11, line 9, leave out “risk” and insert “reservoir”.—  
[Mrs O’Neill (The Minister of Agriculture and Rural Development).]

Clause 20, as amended, ordered to stand part of the Bill.

**Clause 21 (Appeal against a Department’s decision in a review under section 20)**

**Mr Deputy Speaker (Mr Dallat):** We now come to the second group of amendments for debate, which contains 54 amendments. The amendments deal with the duties of the Department and appeal arrangements. Amendment No 99 is consequential to amendment No 93, amendment No 111 is consequential to amendment No 110 and

amendment Nos 184 and 185 are consequential to amendment No 183. I will call the Minister of Agriculture and Rural Development, Mrs Michelle O’Neill, to move amendment No 32 and to address the other amendments in the group.

**Mrs O’Neill (The Minister of Agriculture and Rural Development):** I beg to move amendment No 32: In page 11, line 33, leave out “for Northern Ireland”.

*The following amendments stood on the Marshalled List:*

No 36: In page 12, line 21, leave out subsection (9).—  
[Mrs O’Neill (The Minister of Agriculture and Rural Development).]

No 93: In clause 36, page 24, line 12, leave out paragraph (f).— [Mrs O’Neill (The Minister of Agriculture and Rural Development).]

No 98: In clause 36, page 24, line 41, leave out subsection (4).— [Mrs O’Neill (The Minister of Agriculture and Rural Development).]

No 99: After clause 36 insert

*“Offence in connection with inspection: failure to secure compliance with safety direction or recommendation*

*36A.—(1) Failure by a reservoir manager of a high-consequence or medium-consequence reservoir without lawful excuse to comply with the requirements of section 34(1) (ensuring compliance with direction in inspection report or pre-commencement safety recommendation as to taking of measure) is an offence.*

*(2) A reservoir manager guilty of an offence under subsection (1)—*

*(a) in relation to a controlled reservoir which is, at the time the offence is committed, a high-consequence reservoir is liable on summary conviction to a fine not exceeding level 5 on the standard scale,*

*(b) in relation to a controlled reservoir which is, at the time the offence is committed, a medium-consequence reservoir is liable on summary conviction to a fine not exceeding level 4 on the standard scale.*

*(3) Section 70 makes provision as to further remedies available on conviction of an offence referred to in subsection (1).”— [Mrs O’Neill (The Minister of Agriculture and Rural Development).]*

No 107: In clause 49, page 31, line 19, leave out from “any” to the end of line 25 and insert

*“the requirements in section 40(2)(a) (commissioning of construction engineer) is an offence.”— [Mrs O’Neill (The Minister of Agriculture and Rural Development).]*

No 108: In clause 49, page 31, line 33, leave out “(a).”—  
[Mrs O’Neill (The Minister of Agriculture and Rural Development).]

No 110: In clause 49, page 31, line 39, leave out subsections (4) and (5).— [Mrs O’Neill (The Minister of Agriculture and Rural Development).]

No 111: After clause 49 insert

*“Offences: failure to comply with safety direction in safety report, preliminary certificate or final certificate*

49A.—(1) Failure by a reservoir manager of a controlled reservoir without lawful excuse to comply with any of the following requirements under this Part is an offence—

(a) the requirements in section 43(1) (ensuring compliance with direction in safety report as to taking of safety measure),

(b) the requirements in section 47 (ensuring compliance with preliminary certificate or final certificate).

(2) A reservoir manager guilty of an offence under subsection (1) is liable—

(a) on conviction on indictment to imprisonment for a term not exceeding 2 years, or to a fine, or to both,

(b) on summary conviction to imprisonment for a term not exceeding 6 months, or to a fine not exceeding the statutory maximum, or to both.

(3) Section 70 makes provision as to further remedies available on conviction of an offence referred to in subsection (1)(a).— [Mrs O'Neill (The Minister of Agriculture and Rural Development).]

No 120: In clause 53, page 35, line 13, after “(n)” insert “and subsection (3A)”.— [Mrs O'Neill (The Minister of Agriculture and Rural Development).]

No 122: In clause 53, page 35, line 24, at end insert

“(3A) Regulations under subsection (1) containing provision entitling the Department to recover costs as referred to in subsection (3)(m) must provide for a right of appeal to the Water Appeals Commission against—

(a) the Department's decision to require the person to pay the costs,

(b) the Department's decision as to the amount of the costs.

(3B) The Commission may confirm, quash or vary the decision.”.— [Mrs O'Neill (The Minister of Agriculture and Rural Development).]

No 142: In clause 65, page 42, line 1, leave out subsection (4) and insert

“(4) If the Department considers it appropriate to do so, it may by notice served on the reservoir manager require the manager to pay the Department such amount of the costs reasonably incurred by it in pursuance of the exercise of its powers under this section as is specified in the notice.

(5) Subject to section 71A, the reservoir manager must pay the amount of any costs so incurred and specified in such notice.”.— [Mrs O'Neill (The Minister of Agriculture and Rural Development).]

No 143: In clause 67, page 42, line 42, leave out subsection (6) and insert

“(6) If the Department considers it appropriate to do so, it may by notice served on the reservoir manager require the manager to pay the Department such amount of the costs reasonably incurred by it in connection with consultation under this section as is specified in the notice.

(7) Subject to section 71A, the reservoir manager must pay the amount of any costs so incurred and

specified in such notice.”.— [Mrs O'Neill (The Minister of Agriculture and Rural Development).]

No 144: In clause 69, page 43, line 27, leave out subsection (6) and insert

“(6) If the Department considers it appropriate to do so, it may by notice served on the reservoir manager require the manager to pay the Department such amount of the costs reasonably incurred by it in making arrangements under this section as is specified in the notice.

(7) Subject to section 71A, the reservoir manager must pay the amount of any costs so incurred and specified in such notice.”.— [Mrs O'Neill (The Minister of Agriculture and Rural Development).]

No 145: In clause 71, page 45, line 1, at beginning insert “Subject to section 71A,”.— [Mrs O'Neill (The Minister of Agriculture and Rural Development).]

No 146: After clause 71 insert

“Recovery of costs under section 65, 67, 69 or 71: appeal

**Recovery of costs under section 65, 67, 69 or 71: appeal**

71A.—(1) A reservoir manager required by virtue of notice served by the Department under section 65(4), 67(6), 69(6) or 71(7) to pay the Department's costs referred to in the section may appeal to the Water Appeals Commission against—

(a) the Department's decision to require the manager to pay the costs,

(b) the Department's decision as to the amount of the costs.

(2) The Commission may confirm, quash or vary the decision.”.— [Mrs O'Neill (The Minister of Agriculture and Rural Development).]

No 147: In clause 73, page 46, line 10, leave out “for Northern Ireland”.— [Mrs O'Neill (The Minister of Agriculture and Rural Development).]

No 148: In clause 73, page 46, line 23, leave out “for Northern Ireland”.— [Mrs O'Neill (The Minister of Agriculture and Rural Development).]

No 149: In clause 73, page 46, line 32, leave out from “include” to “and” on line 33 and insert

“—

(a)”.— [Mrs O'Neill (The Minister of Agriculture and Rural Development).]

No 150: In clause 73, page 46, line 39, at end insert “(b) secure that the Commission may confirm, quash or vary the decision.”.— [Mrs O'Neill (The Minister of Agriculture and Rural Development).]

No 151: In clause 73, page 47, line 2, at end insert “(b) secure that the Commission may confirm or quash the decision.”.— [Mrs O'Neill (The Minister of Agriculture and Rural Development).]

No 152: In clause 73, page 47, line 3, leave out subsection (6).— [Mrs O'Neill (The Minister of Agriculture and Rural Development).]

No 153: In clause 74, page 47, line 17, leave out “for Northern Ireland”.— [Mrs O'Neill (The Minister of Agriculture and Rural Development).]

No 154: In clause 74, page 47, line 18, leave out

*“and provide for the powers of the Commission in an appeal”.*— [Mrs O’Neill (The Minister of Agriculture and Rural Development).]

No 155: In clause 74, page 47, line 21, at end insert “(d) must secure that the Commission may confirm, quash or vary the decision.”.— [Mrs O’Neill (The Minister of Agriculture and Rural Development).]

No 156: In clause 74, page 47, line 22, leave out subsection (2).— [Mrs O’Neill (The Minister of Agriculture and Rural Development).]

No 157: In clause 77, page 49, line 15, leave out “for Northern Ireland”.— [Mrs O’Neill (The Minister of Agriculture and Rural Development).]

No 158: In clause 77, page 49, line 16, leave out

*“and the powers of the Commission in an appeal”.*— [Mrs O’Neill (The Minister of Agriculture and Rural Development).]

No 159: In clause 77, page 49, line 21, at end insert “(ja) for the Commission to have power to confirm or quash the decision.”.— [Mrs O’Neill (The Minister of Agriculture and Rural Development).]

No 161: In clause 77, page 50, line 10, leave out subsection (2).— [Mrs O’Neill (The Minister of Agriculture and Rural Development).]

No 162: In clause 79, page 51, line 16, leave out “for Northern Ireland”.— [Mrs O’Neill (The Minister of Agriculture and Rural Development).]

No 163: In clause 79, page 52, line 9, at end insert “(b) secure that the Commission may confirm or quash the decision.”.— [Mrs O’Neill (The Minister of Agriculture and Rural Development).]

No 164: In clause 79, page 52, line 10, leave out subsection (7).— [Mrs O’Neill (The Minister of Agriculture and Rural Development).]

No 165: In clause 82, page 53, line 38, leave out “for Northern Ireland”.— [Mrs O’Neill (The Minister of Agriculture and Rural Development).]

No 166: In clause 82, page 54, line 37, at end insert “(b) secure that the Commission may confirm or quash the decision.”.— [Mrs O’Neill (The Minister of Agriculture and Rural Development).]

No 167: In clause 82, page 54, line 38, leave out subsection (8).— [Mrs O’Neill (The Minister of Agriculture and Rural Development).]

No 168: In clause 84, page 55, line 36, leave out “for Northern Ireland”.— [Mrs O’Neill (The Minister of Agriculture and Rural Development).]

No 169: In clause 84, page 56, line 10, at end insert “(b) secure that the Commission may confirm or quash the decision.”.— [Mrs O’Neill (The Minister of Agriculture and Rural Development).]

No 170: In clause 84, page 56, line 11, leave out subsection (6).— [Mrs O’Neill (The Minister of Agriculture and Rural Development).]

No 171: In clause 86, page 57, line 5, leave out “for Northern Ireland”.— [Mrs O’Neill (The Minister of Agriculture and Rural Development).]

No 172: In clause 86, page 57, line 6, leave out from “and” to “appeal” on line 7.— [Mrs O’Neill (The Minister of Agriculture and Rural Development).]

No 173: In clause 86, page 57, line 9, at end insert “(b) secure that the Commission may confirm, quash or vary the decision.”.— [Mrs O’Neill (The Minister of Agriculture and Rural Development).]

No 174: In clause 86, page 57, line 10, leave out subsection (4).— [Mrs O’Neill (The Minister of Agriculture and Rural Development).]

No 178: In clause 92, page 60, line 38, leave out from the beginning to “of” and insert

*“If the Department considers it appropriate to do so it may, in the circumstances mentioned in subsection (8A), by notice served on the reservoir manager require the manager to pay the Department such amount of the following as is specified in the notice”.*— [Mrs O’Neill (The Minister of Agriculture and Rural Development).]

No 179: In clause 92, page 61, line 1, at beginning insert

*“(8A) The circumstances are “.*— [Mrs O’Neill (The Minister of Agriculture and Rural Development).]

No 183: Before clause 104 insert

**“Power of Water Appeals Commission to award costs in an appeal**

**103A.**—(1) *The Water Appeals Commission may make an order as to the costs of the parties to an appeal mentioned in subsection (2) and as to the parties by whom the costs are to be paid.*

(2) *The appeals are—*

(a) *an appeal under section 21 (reservoir designation),*

(b) *an appeal by virtue of regulations under section 25A(1) (decision of Department as to whether high-consequence or medium-consequence reservoir is of an acceptable standard as regards how it is being maintained: frequency of visits by supervising engineer),*

(c) *an appeal by virtue of regulations under section 53(1) (cost recovery in relation to flood plan),*

(d) *an appeal under section 71A (cost recovery under section 65, 67, 69 or 71),*

(e) *an appeal by virtue of regulations under section 72(1) (in relation to stop notice),*

(f) *an appeal by virtue of regulations under section 76(1) (in relation to enforcement undertaking),*

(g) *an appeal by virtue of regulations under section 78(1) (imposition of fixed monetary penalty),*

(h) *an appeal by virtue of regulations under section 81(1) (in relation to variable monetary penalty).*

(3) *An order made under this section has effect as if it had been made by the High Court.*

(4) *Without prejudice to the generality of subsection (3), the Master (Taxing Office) has the same powers and duties in relation to an order made under this*

section as the Master has in relation to an order made by the High Court.

(5) Proceedings before the Commission are, for the purposes of the Litigants in Person (Costs and Expenses) Act 1975, to be regarded as proceedings to which section 1(1) of that Act applies.— [Mrs O'Neill (The Minister of Agriculture and Rural Development).]

No 184: Before clause 104 insert

**“Orders as to costs: supplementary**

**103B.**—(1) Subsection (2) applies where all of the following apply—

(a) for the purpose of an appeal referred to in section 103A(2)—

(i) the Water Appeals Commission is required, before a decision is reached, to give any person an opportunity, or ask any person whether the person wishes, to appear before and be heard by it,

(ii) arrangements are made for a hearing to be held,

(b) the hearing does not take place,

(c) if it had taken place, the Commission would have had power to make an order under section 103A(1) requiring any party to pay any costs of any other party.

(2) The power to make such an order may be exercised, in relation to costs incurred for the purposes of the hearing, as if the hearing had taken place.— [Mrs O'Neill (The Minister of Agriculture and Rural Development).]

No 185: Before clause 104 insert

**“Fees in relation to appeals**

**103C.** The Office of the First Minister and deputy First Minister may by regulations specify the fees to be paid to the Water Appeals Commission in connection with appeals referred to in section 103A(2).— [Mrs O'Neill (The Minister of Agriculture and Rural Development).]

No 187: In clause 106, page 65, line 29, after “quality” insert “and content”.— [Mrs O'Neill (The Minister of Agriculture and Rural Development).]

No 188: After clause 106 insert

**“Publication of information as regards ranges of costs of engineers’ services**

**106A.**—(1) The Department may publish information as regards ranges of costs of the provision of relevant services by engineers who are members of panels of reservoir engineers established under section 97.

(2) For the purposes of this section, ‘relevant services’ are services that are provided by such engineers in pursuance of this Act or are available for such provision.— [Mrs O'Neill (The Minister of Agriculture and Rural Development).]

No 201: After clause 120 insert

**“Duty to report on operation of this Act**

**121.**—(1) The Department must, not later than three years after this Act receives Royal Assent, publish a report on the operation of this Act.

(2) The Department must lay the report before the Assembly.— [Mr Elliott.]

No 211: In schedule 2, page 74, line 9, at end insert

the Water Appeals Commission	section 118(1)
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“.— [Mrs O'Neill (The Minister of Agriculture and Rural Development).]

No 212: In schedule 3, page 74, line 15, leave out “for Northern Ireland”.— [Mrs O'Neill (The Minister of Agriculture and Rural Development).]

No 214: In schedule 3, page 74, line 24, at end insert “(aa) an appeal (made by virtue of regulations made under section 25A(1) of that Act) against a decision as to whether a high-consequence or medium-consequence reservoir is of an acceptable standard as regards how it is being maintained: frequency of visits by supervising engineer,

(ab) an appeal (made by virtue of regulations made under section 53(1) of that Act) against a decision as to recovery of costs in relation to a flood plan,

(ac) an appeal (under section 71A of that Act) against a decision as to recovery of costs under section 65, 67, 69 or 71 of that Act.”.— [Mrs O'Neill (The Minister of Agriculture and Rural Development).]

**Mrs O'Neill:** The amendments in this group relate to four main issues and aim to provide greater clarification and transparency for reservoir managers. The issues are: the recovery of costs incurred by the Department on works that it undertakes on a reservoir, and the related appeals procedure; the Department’s approach to offences by reservoir managers who fail to comply with provisions in the Bill because, in doing so, they would be at risk of breaching other legislation; the assessment by the Department of the content of the reservoir engineer’s reports; and making provision for the Department to publish information on the range of costs charged by reservoir engineers.

For each issue, I will explain the proposed amendments separately. First, the proposed amendments on the recovery of costs by the Department and related appeals arise from questions raised by the Agriculture and Rural Development Committee during its scrutiny of the Bill. They also take full account of recommendations received from the Examiner of Statutory Rules in response to the Committee’s request to scrutinise the delegated powers in the Bill.

I again want to again thank all Committee members who were involved in the scrutiny of the Bill and who made comments on how it might be improved.

The Bill provides my Department with powers to recover reasonably incurred costs from a reservoir manager, where the Department has undertaken emergency works on a reservoir or where the Department has incurred costs to keep a reservoir safe where a reservoir manager has failed to comply with his or her duties under the Bill. As drafted, the Bill, in all but one of the relevant clauses states:

“the reservoir manager must pay the Department the amount of any costs reasonably incurred by it in pursuance of the exercise of its powers”.

In contrast to that, clause 71, which makes provision for the Department to undertake emergency works, provides

some discretion for the Department in relation to cost recovery, as it states:

*“If the Department considers it appropriate to do so, it may by notice served on the reservoir manager require the manager to pay ... such amount of the costs reasonably incurred”.*

In its scrutiny of the Bill, the Committee felt that the approach adopted in clause 71 provided the Department with discretion to cost recovery and wished that to be applied in all cases throughout the Bill.

My Department is required to operate full cost recovery when carrying out its duties. However, in cases in which full cost recovery is unlikely to be achievable, the normal process would be to seek the approval of the Department of Finance and Personnel not to recover full costs. I recognise the inconsistency in cost recovery in the Bill, and therefore, to address that, I tabled amendment Nos 142, 143, 144, 145, 164, 167, 178 and 179, which will provide my Department with discretion to decide when costs should be recovered and the amount of such costs.

In anticipation of those amendments being accepted, I tabled amendment Nos 120, 122 and 146, which will provide a reservoir manager with the right of appeal to the Water Appeals Commission (WAC) against a decision made by my Department to require a reservoir manager to pay the costs and the Department’s decision on the amount to be recovered. As a consequence, amendment Nos 150, 151, 155, 159, 163, 166, 169 and 173 are required to provide the Water Appeals Commission with the power to confirm, quash or vary the Department’s decision in any appeals that it hears under the Bill.

Amendment Nos 149, 154, 158 and 172 have been tabled as drafting refinements to set out clearly the powers of the Water Appeals Commission. The consequential amendment No 214 is also required to amend schedule 3, which includes references to all appeals that the Water Appeals Commission will hear under the Bill, including reference to a new clause proposed in the third group of amendments, which is still to be debated.

The Examiner of Statutory Rules, who scrutinised the Bill on behalf of the Committee, raised a concern about a regulation-making power conferred on the Department. The Bill as drafted already makes provision for a reservoir manager to lodge an appeal with the Water Appeals Commission. The Bill also gives the Department the power, by regulation, to make provision for the Water Appeals Commission to charge a fee in connection with any appeals that it hears under the Bill, and to award costs to the parties involved in an appeal.

The Examiner of Statutory Rules suggested that the regulation-making power should be conferred on OFMDFM, rather than my Department, as it would remove any possible conflict of interest and would be consistent with similar functions under other legislation. I thank the Committee for drawing this to the Department’s attention and I also thank the Examiner of Statutory Rules for his constructive suggestion, which I and the First Minister and deputy First Minister are happy to accept. Therefore, I propose amendment Nos 36, 152, 156, 161, 170 and 174, which will remove all reference to my Department making regulations that would enable the Water Appeals Commission to determine a fee, charge a fee, and

award costs in respect of appeals that it hears under this legislation.

I also propose to introduce new clauses through amendment Nos 183 to 185 that will provide the Office of the First and deputy First Minister with the power, by regulation, to specify the fees to be paid to the Water Appeals Commission in connection with any appeals that it hears under the Bill. The amendments also provide the Water Appeals Commission with the power to award costs for all appeals that it hears under the Bill. The new clause proposed through amendment No 183 includes a reference to an appeal to the Water Appeals Commission in respect of a new clause being proposed in the third group of amendments, which is still to be debated. Amendment Nos 32, 147, 148, 153, 157, 162, 165, 168, 171 and 212 are proposed to give a shorthand name to the Water Appeals Commission. Amendment No 205 makes reference to the Water Appeals Commission in schedule 2. I am pleased that the Committee welcomed the proposed amendments on this issue and are content for them to be made.

Secondly, my proposed amendments in this group provide clarification on the Department’s approach to reservoir managers who do not comply with a direction in an inspection or safety report or requirements in a preliminary or final certificate because they are seeking to ensure that they would not be in breach of other legislation.

The Reservoirs Bill as drafted makes it an offence for a reservoir manager not to comply with a direction in an inspection or safety report, or a requirement in a preliminary or final certificate. However, I now recognise that there may be certain situations where a reservoir manager needs consent, under other legislation, prior to fulfilling a direction or requirement. An example might be a direction to lower water levels in a reservoir situated in an area of special scientific interest and designated under the Environment Order 2002. In such circumstances, environmental consent would be required prior to the water levels being lowered. Although it is highly unlikely that my officials would consider enforcement action in such circumstances, for the avoidance of any doubt I am proposing amendment Nos 99 and 111. These amendments introduce new clauses and qualify these particular offences by clarifying that failure of a reservoir manager to comply with a direction or requirement would be regarded as an offence only if it was “without lawful excuse”.

Amendment Nos 93, 98, 107, 108, and 110 are required to amend the clauses that currently include offences to which the proposed new clauses now relate. They are purely consequential to the main amendment. Amendment No 199, which is included in the fourth group of amendments relating to phased commencement, has yet to be debated. It contains provisions relating to these proposed amendments. I am pleased to report that the Committee was content with the proposed amendments.

The third issue to which my proposed amendments in this group relate is the assessment of the content of a reservoir engineer’s report. Amendment No 187 addresses a concern raised by the Committee for Agriculture and Rural Development in relation to the potential for engineers to over-specify works, resulting in unnecessary additional costs for reservoir managers. The Committee considered this to be a particular concern for private-sector reservoir managers as they typically own only one structure and are



therefore less likely to have the skills to understand the remedial works required.

In proposing this amendment, I fully recognise that reservoir engineers are highly skilled and specialised in reservoir engineering. They have achieved a level of competence and experience to satisfy the Institution of Civil Engineers that they should be appointed to the list of panel engineers to undertake the roles required by the Reservoirs Bill. These engineers will also be bound by their professional code of conduct. Therefore, it is extremely unlikely that they would risk their professional integrity by over-specifying the works required to a reservoir.

As drafted, the Reservoirs Bill includes a dispute referral process where a reservoir manager can challenge a recommendation or direction by a reservoir engineer and arrange for a second opinion from a different reservoir engineer.

However, I recognise that this process would involve extra costs and that reservoir managers, particularly those in the private and third sectors, may therefore be reluctant to make use of it. I am, therefore, addressing the Committee's concern by proposing amendment No 187 to clause 106.

### 3.45 pm

As drafted, clause 106 provides a power for my Department, by regulation, to assess the quality of an engineer's reports, statements and certificates. Importantly, the proposed amendment to clause 106 empowers my Department to assess the content of reports, statements and certificates. If accepted, it will enable officials from my Department to consider concerns raised by reservoir managers, assess relevant recommendations or directions made by a reservoir engineer and discuss these with the engineer with a view to reaching an amicable agreement. All of this would be at no cost to the reservoir manager. My officials shared this proposed amendment with the Committee during Committee Stage, and I am pleased to note that the Committee recorded that it is content with this approach in its report to the Assembly on the Bill.

My final proposed amendment in this group, amendment No 188, seeks to introduce a new clause providing a power for my Department to publish information on the range of costs for the provision of services by reservoir panel engineers. This amendment addresses a concern raised by the Committee on the lack of transparency about the likely costs associated with the services of reservoir panel engineers under the Bill. Publication of this information will provide reservoir managers with an indication of expected costs for the relevant services of reservoir engineers and should help them to make informed decisions about the costs of managing their reservoir. I am pleased to note that the Committee has welcomed this proposed amendment and is, therefore, content with all my proposed amendments in this group.

I now turn to amendment No 201, tabled by Tom Elliott and Robin Swann, which proposes a new clause requiring my Department to publish a report on the operation of the Bill within three years of its receiving Royal Assent and to lay the report before the Assembly. I welcome this proposal, as it will provide both my Department and the Assembly with an opportunity to review and evaluate the

effectiveness of this legislation on reservoir safety at a relatively early juncture.

Mr Speaker, these are the amendments in group 2.

**Mr Irwin (The Chairperson of the Committee for Agriculture and Rural Development):** There are a number of issues and associated amendments grouped here, and I will try to deal with them separately, but there is considerable overlap, so I ask Members to bear with me if they think that I am repeating myself. As Chairperson of the Committee, I will deal primarily with the ministerial amendments.

In the Committee's deliberations, one of our priorities was to ensure adequate protection for reservoir owners throughout the Bill. This led us to seek a number of amendments to the Bill, which the Department has provided. Most of these amendments either place a new duty on the Department or substantially amend an existing duty. These amendments may seem minor on the surface, but we believe that their overall impact will be vital.

I will deal with the series of amendments on the issue of cost recovery first. The Bill, as drafted, provides that if a reservoir owner or manager fails for any reason to comply with certain requirements the Department can meet those requirements and fully recover any associated costs. The Bill allows the Department to step in and take specified actions, including works, when a reservoir manager does not comply with the requirements of the Bill. In such cases, the Department would be obliged to seek to recover the full costs of such actions or works. For example, at clause 69, if the reservoir owner or manager fails to take a safety measure, the Department can step in and arrange for the measure to be taken.

At clause 69(6) there is provision that the reservoir owner or manager must pay the Department the costs incurred. While the Committee was of the opinion that those who could afford to pay should do so, it also recognised that some reservoir managers, particularly in the third sector, may be in this position because they are financially unable to comply with clause 69 in the first instance. In response to the concerns of the Committee, the Department proposed amendments to allow discretion whether or not to seek to recover costs. That discretion would also cover how much of the costs should be recovered. However, the Department wished still to have the authority to request full cost recovery, if it felt that was reasonable, to close any loophole allowing people or organisations not to pay just because they did not want to. The Committee was content with this. There was agreement that those who could afford to pay should. There would therefore be no easy way out for, for example, private-sector companies and businesses that own reservoirs.

Following agreement of the proposed amendments on cost recovery, there was a requirement to add an appeals system and to allow the Water Appeals Commission to deal with such appeals. The appeals system at new clause 71A provides the right of appeal on the decision to recover costs and the amount of cost to be recovered.

We will not know what the costs for repair and maintenance of reservoirs are likely to be until after the audit has been completed. It may be that most reservoir owners and managers in the private and third sectors will be able to afford them, but we are sure that most of the third sector, some of the smaller farmers and some elderly

people could have been facing possible bankruptcy if we had left that aspect unchallenged.

I will now talk about a further set of amendments that deal with the appeals system. The appeals mechanism was further examined during the Committee's evidence sessions, and the Committee requested the Examiner of Statutory Rules to consider the delegated powers within the Bill. The outcome of that was that the Committee sought amendments to the appeals mechanism. The proposed clause 21(9) provided the Department with the power to make regulations in relation to appeals to the Water Appeals Commission on the charging of fees and the awarding of costs. The Committee felt that there would be a potential for a conflict of interest if the Department was to be a party of the appeal. Therefore, it was suggested that the power should rest with the Office of the First Minister and deputy First Minister, which has similar appeal functions as the Water Appeals Commission for Northern Ireland and the Planning Appeals Commission for Northern Ireland. The Department tabled an amendment to that effect, which the Committee agreed. The proposed amendment will also introduce three new clauses — clauses 103(A), 103(B) and 103(C) — and a consequential amendment to schedule 3 to refer to the appeals system.

I will now move on to the next set of amendments in this group. I have referred to the issue of costs of compliance and cost recovery, and the cost of complying with the requirements of the Bill was a major issue at Second Stage and Committee Stage. The costs of complying with the Bill could include the cost of commissioning a supervising engineer, who may decide that multiple visits to the reservoir are required depending on the condition of the reservoir. It could also include the costs to commission an inspecting engineer, the costs to commission a construction engineer, the costs of complying with safety recommendations and the costs associated with appeals and disputes. The list goes on.

Members are aware that there is little public information on the financial aspects of complying with the Bill. As with the information on the condition of the 137 controlled reservoirs in Northern Ireland, it is the Committee's opinion that there is an information gap on the costs that reservoir manager can expect to meet to comply with the Bill. Despite the fact that legislation of a similar nature has been operational in England, Scotland and Wales for decades, the Committee could find no public information on the financial cost of compliance. The engineers also did not appear to any such information at hand regarding costs, which, of course, surprised us.

What little information was available appeared to suggest that capital costs could often be extremely high, and that has caused concern and, indeed, distress for some of the private- and third-sector owners, who worry about their ability to meet such costs. For example, Newry and Mourne District Council raised concerns with Members regarding the estimated costs of over £2 million for the remedial and capital works for Camlough lake. We have been told that Camlough lake is an extraordinary case with extreme costs associated with it and that those costs are unlikely to be repeated for any other reservoir.

When we spoke to the Institution of Civil Engineers about the potential costs, they stated that the big issue was the capital cost of repairing dams and bringing them up

to the standard of public reservoirs. They also advised that funding for inspections and repairs is a serious issue in the UK. In addition, the Committee discovered that some reservoir owners or managers in the private and third sectors did not realise that the body of water on their land was a reservoir. Many had assumed it was a natural structure and were unaware of the potential for and consequences of dam failure due to the fact that flood maps had never been issued to advise of the risk.

Most were also unaware that, under common law, they would be responsible for any failure of the reservoir. An amendment at the request of the Committee will see that the Department will collect and publish information on actual costs incurred by reservoir owners and managers in Northern Ireland. While this will not be helpful in the short term, it should help to address another information gap around the Bill in the longer term. It will also allow reservoir owners to compare and contrast costs with other reservoirs and help to assure them that they are getting value for money. The Committee, therefore, welcomes the new clause 106A that proposes that the Department:

*“may publish information as regards ranges of costs of the provision of relevant services by engineers who are members of panels of reservoir engineers”.*

The final amendment I will mention in this group concerns clause 106. The Committee had concerns that the Bill could be viewed as — and some of those who spoke to the Committee called the Bill — an “engineers’ charter”. The Committee considered that this may be a particular concern for the private-sector and third-sector reservoir managers who are lay people and are, perhaps, less able to understand and challenge recommendations that reservoir engineers may make regarding the number of supervising visits and/or the repair, capital and remedial works that may be required for a reservoir, or other similar such requirements.

We were very concerned that the Bill lacked sufficient checks and balances on the engineers particularly, but not exclusively, around costs and charges and prevention of requirement of works above what would be necessary for minimum safety standards. Many who spoke to the Committee indicated concerns that an engineer would over-specify works on the precautionary principle, ie, that works would be over-engineered on a risk-averse principle. Part of this concern arises from what the Committee considers is an information vacuum around the types of works and associated charges made by the various reservoir engineers. In general, lay people do not understand the engineering associated with reservoirs and lack the knowledge and confidence to challenge reservoir engineers.

The Committee therefore welcomed proposals, sought by the Committee and brought by the Department, to amend clause 106 to allow the Department to scrutinise the contents of reservoir engineers’ reports. When presenting this amendment, the Department noted that instead of there just being reference to the “quality” of the reports, it has added the words “and content”. The word “quality” could relate to just format and type, and whether it is in the right paragraphs or covers roughly the right issues. The amendment goes further and allows the Department to consider what the report actually says.

Where a reservoir manager is concerned about over-engineering, the Department will have an interest in that as the reservoir authority. While the Department stayed away from the term “over-engineering”, that is the Committee’s understanding of what this amendment means. It is the Committee’s understanding that the amendment will allow the Department to address reservoir managers’ concerns about over-engineering. The Committee indicated that it welcomed and was content with the amendment to clause 106.

As the DUP spokesperson for agriculture, I welcome the amendment put forward by Tom Elliott and Robin Swann. It is a good idea and we have absolutely no problems with it and welcome it.

**Mr McMullan:** Go raibh maith agat. The cost recovery aspects of the Bill caused the Committee some concern. In its deliberations, the Committee noted that where a reservoir manager fails to comply with certain regulations in the Bill, the Department provides itself with powers to meet those requirements. This will require the recovery of the full cost of an engineer carrying out safety works etc. In most instances, it could lead to individuals, such as people with small farms and the like, with a large bill. If the reservoir manager fails to comply with the regulations in the Bill, the Department would have those powers to act.

However, the new clauses, such as clause 71A, brought in to cover that were agreed by the Committee and give discretion.

#### 4.00 pm

The Committee understood that some reservoir managers may refuse to comply with the operating regime, but, in many cases, that could be because a reservoir manager is simply financially unable to comply. The Committee started to look at how to get over that. It did not want the Department having to pursue a community-based club, or, as I said, even a small farm. The Committee understood and tabled amendments to cover that, so the safeguards are there now. There is discretion now on cost recovery on the basis of who can afford it. Those who can afford to pay will pay and cannot use any legal loophole so that they do not have to pay, or, as it says in the report, give the Department the runaround.

My party is quite happy with and recommends the amendments and new clauses.

**Mr Elliott:** I support the principles of the amendments. Clearly, we have the Department and the Committee working together to try to make the Bill better and, I suppose, softer, especially for private owners. It could be a huge, onerous financial burden on those in the private sector.

I want to speak briefly about the amendment tabled in my name and that of Robin Swann, amendment No 201, which is in this group. When I spoke on the earlier group, I indicated that it was important that the Bill was controlled to some degree, in the sense that, if we feel that it is not working in an appropriate manner for reservoir owners in the private sector, we may need to make adjustments. That is why we thought it appropriate to table an amendment that provides a reporting mechanism. This means that the Minister and the Department must bring a report to the Assembly within a three-year period. I am pleased that it appears that the House generally, and particularly the

Minister and the Department, will support and welcome that reporting process.

We may need to follow that up with more progress. The ideals of a Bill should not just stop when it goes through the House or gets Royal Assent. There should be a follow-up mechanism to see whether the Bill could be improved at a later stage. We may need to look at what will happen when that report comes forward after three years. It is not a debate for today, but I just put on record that we need to be able to take forward what comes out of that report at a later stage and, obviously, make the process better. Indeed, at that stage, we may say that the Reservoirs Bill is not ideal, does not achieve what it was supposed to achieve and that we need an entire review. We are building in a reporting process to allow the Assembly to do that.

**Mr Lunn:** I really have very little to say about this group, as with the last group. Not being a Committee member, all I can say is that there certainly seems to have been considerable scrutiny and cross-party agreement between the Minister and the Committee Chair, which is always good to see. We have no issue whatsoever with any of the departmental amendments. The only one that catches my eye is amendment No 201, which Mr Elliott has just been speaking on. The idea of a report or review after three years is possibly one that could usefully be built into most legislation. In this case, however, you are replacing common-law legislation with something entirely new, and, therefore, there may well be scope for it to be tweaked or amended more seriously in future years. That said, we will support the whole lot.

**Mrs O’Neill:** Go raibh maith agat, a LeasCheann Comhairle. I thank all Members for their comments and the issues that they raised. Hopefully, I covered most of them in my opening remarks, so I will not repeat myself. Members will appreciate that my proposed amendments in this group are wide-ranging and cover a number of sections. I assure the House that these will bring clarity and reassurance to all involved in reservoir safety, particularly reservoir managers. That is really all that I want to say.

*Amendment No 32 agreed to.*

*Amendment No 33 made:*

In page 11, line 41, leave out “risk” and insert “reservoir”.—  
[Mrs O’Neill (The Minister of Agriculture and Rural Development).]

*Amendment No 34 made:*

In page 12, line 7, leave out “risk” and insert “reservoir”.—  
[Mrs O’Neill (The Minister of Agriculture and Rural Development).]

*Amendment No 35 made:*

In page 12, line 16, leave out “risk” and insert “reservoir”.—  
[Mrs O’Neill (The Minister of Agriculture and Rural Development).]

*Amendment No 36 made:*

In page 12, line 21, leave out subsection (9).— [Mrs O’Neill (The Minister of Agriculture and Rural Development).]

*Clause 21, as amended, ordered to stand part of the Bill.*

**Clause 22 (Matters to be taken into account under sections 17(3), 18(2), 20(3)(b)(ii) and 21(5)(a))**

*Amendment No 37 made:*

In page 12, line 35, leave out “For the purposes of subsection (1)(a),” and insert “The.”— *[Mrs O’Neill (The Minister of Agriculture and Rural Development).]*

*Amendment No 38 made:*

In page 12, line 35, after “consequences” insert  
*“of an uncontrolled release of water from a controlled reservoir”.— [Mrs O’Neill (The Minister of Agriculture and Rural Development).]*

*Amendment No 39 made:*

In page 13, line 2, leave out “The matters which” and insert “Issues that”.— *[Mrs O’Neill (The Minister of Agriculture and Rural Development).]*

*Amendment No 40 made:*

In page 13, line 3, leave out “(b).”— *[Mrs O’Neill (The Minister of Agriculture and Rural Development).]*

*Amendment No 41 made:*

In page 13, line 3, after “the” insert “potential adverse consequences or”.— *[Mrs O’Neill (The Minister of Agriculture and Rural Development).]*

*Amendment No 42 made:*

In page 13, line 9, leave out “matters” and insert “issues”.— *[Mrs O’Neill (The Minister of Agriculture and Rural Development).]*

*Amendment No 43 made:*

In page 13, line 9, leave out “may by regulations specify” and insert “considers relevant”.— *[Mrs O’Neill (The Minister of Agriculture and Rural Development).]*

*Amendment No 44 made:*

In page 13, line 10, leave out subsection (4).— *[Mrs O’Neill (The Minister of Agriculture and Rural Development).]*

*Clause 22, as amended, ordered to stand part of the Bill.*

**New Clause**

*Amendment No 45 made:*

After clause 22 insert

*“Matters to be taken into account under sections 17(3), 18(2), 20(3)(b)(ii) and 21(5)(a): further provision*

*22A.—(1) The Department may by regulations make further provision about the matters that are to be taken into account under sections 17(3), 18(2), 20(3)(b)(ii) and 21(5)(a).*

*(2) Without prejudice to the generality of subsection (1), the regulations may—*

*(a) make further provision in relation to the matters in section 22(1),*

*(b) in particular, when the Department is satisfied that an appropriate methodology exists for assessing the probability of an uncontrolled release of water from a controlled reservoir, include provision as regards the methodology that is to be taken into account in assessing such probability,*

*(c) amend references in this Act to ‘reservoir designation’, ‘high-consequence reservoir’, ‘medium-consequence reservoir’ and ‘low-consequence reservoir’ in pursuance of the regulations,*

*(d) include adaptations for the purposes of section 3(3).*

*(3) Before making regulations under subsection (1), the Department must consult the Institution of Civil Engineers and such other organisations or persons as it considers appropriate.”.— [Mrs O’Neill (The Minister of Agriculture and Rural Development).]*

*New clause ordered to stand part of the Bill.*

**Clause 23 (High-risk reservoirs, medium-risk reservoirs and low-risk reservoirs: further provision)**

*Amendment No 46 made:*

In page 13, line 16, leave out first “risk” and insert “consequence”.— *[Mrs O’Neill (The Minister of Agriculture and Rural Development).]*

*Amendment No 47 made:*

In page 13, line 16, leave out second “risk” and insert “consequence”.— *[Mrs O’Neill (The Minister of Agriculture and Rural Development).]*

*Amendment No 48 made:*

In page 13, line 17, leave out “risk” and insert “consequence”.— *[Mrs O’Neill (The Minister of Agriculture and Rural Development).]*

*Clause 23, as amended, ordered to stand part of the Bill.*

**Clause 24 (Supervision requirement and commissioning of supervising engineer etc.)**

*Amendment No 49 made:*

In page 13, line 23, leave out first “risk” and insert “consequence”.— *[Mrs O’Neill (The Minister of Agriculture and Rural Development).]*

*Amendment No 50 made:*

In page 13, line 23, leave out second “risk” and insert “consequence”.— *[Mrs O’Neill (The Minister of Agriculture and Rural Development).]*

*Amendment No 51 made:*

In page 13, line 25, leave out first “risk” and insert “consequence”.— *[Mrs O’Neill (The Minister of Agriculture and Rural Development).]*

*Amendment No 52 made:*

In page 13, line 25, leave out second “risk” and insert “consequence”.— *[Mrs O’Neill (The Minister of Agriculture and Rural Development).]*

*Clause 24, as amended, ordered to stand part of the Bill.*

**Clause 25 (Duties etc. in relation to supervision)**

**Mr Deputy Speaker (Mr Dallat):** We now come to the third group of amendments for debate. With amendment No 53, it will be convenient to debate amendment Nos 54 to 56, 88 and 194. These amendments deal with the frequency of visits by engineers under the regime proposed in the

Bill. Amendment No 56 is consequential to amendment No 54 and amendment No 88 is consequential to amendment No 56.

**Mrs O'Neill (The Minister of Agriculture and Rural Development):** Go raibh maith agat, a LeasCheann Comhairle. I beg to move amendment No 53: In page 14, line 3, leave out "section" and insert "Act".

*The following amendments stood on the Marshalled List:*

No 54: In page 15, line 5, leave out paragraph (k).— [Mrs O'Neill (The Minister of Agriculture and Rural Development).]

No 55: In page 16, line 15, leave out "26" and insert "25A".— [Mrs O'Neill (The Minister of Agriculture and Rural Development).]

No 56: After clause 25 insert

**"Regulations as to visits by supervising engineer 25A.—(1) The Department may by regulations make provision—**

*(a) for there to be a standard frequency of visits that must be made by a supervising engineer to a high-consequence or medium-consequence reservoir,*

*(b) for the standard frequency to be different according to whether or not the Department considers that a high-consequence or medium-consequence reservoir is of an acceptable standard as regards how it is being maintained,*

*(c) for the Department to decide whether it considers that a high-consequence or medium-consequence reservoir is of an acceptable standard as regards how it is being maintained, taking account (as appropriate) of the following—*

*(i) whether or not a pre-commencement inspection report contains a pre-commencement safety recommendation,*

*(ii) whether or not an inspection report specifies any measure that should be taken in the interests of the safety of the reservoir or any other matter that the inspecting engineer recommends should be monitored by the supervising engineer until the next inspection of the reservoir,*

*(iii) any inspection compliance certificate,*

*(iv) any written statement by the supervising engineer under section 25(5) currently applicable and copied to the Department by virtue of section 25(6).*

**(2) Regulations making provision referred to in subsection (1)(c) must—**

*(a) require the Department to notify the reservoir manager of a high-consequence or medium-consequence reservoir of its decision as to whether or not it considers that the reservoir is of an acceptable standard as regards how it is being maintained and accordingly the standard frequency of visits that must be made to it by the supervising engineer,*

*(b) provide that the reservoir manager may appeal to the Water Appeals Commission against the decision specified in the notice,*

*(c) provide that the Commission may confirm or quash the decision,*

*(d) provide that the decision in respect of which an appeal is made continues to have effect pending a decision being made in the appeal.*

*(3) In subsection (1)(c)(ii), 'the inspecting engineer' has the same meaning as in sections 33 and 34 (see section 33(6)(a))."— [Mrs O'Neill (The Minister of Agriculture and Rural Development).]*

No 88: In clause 33, page 21, line 24, leave out subparagraphs (i) and (ii) and insert

*"is required of the supervising engineer by virtue of regulations made under section 25A(1),"— [Mrs O'Neill (The Minister of Agriculture and Rural Development).]*

No 194: In clause 117, page 70, line 12, at end insert "(iib) section 25A(1) (regulations as to visits by supervising engineer to high-consequence or medium-consequence reservoir),"— [Mrs O'Neill (The Minister of Agriculture and Rural Development).]

**Mrs O'Neill:** Amendment No 53 and the other amendments in this group arise as a result of concerns raised by the Agriculture and Rural Development Committee in relation to the minimum number of visits that a supervising engineer makes to a controlled reservoir. As drafted, the Bill requires that a high-risk or medium-risk reservoir must, at all times, be monitored by a supervising engineer. In so doing, the supervising engineer must visit a high-risk reservoir at least twice in every twelve-month period and a medium-risk reservoir at least once in every twelve-month period. The Bill also provides for more frequent visits to a reservoir by a supervising engineer, should that be deemed necessary by an inspecting engineer following an inspection of a reservoir.

The monitoring of a reservoir by a supervising engineer is a key element of the management regime to maintain the safety of the reservoir. These engineers are recognised as having achieved a level of competence and experience in the specialism of reservoir safety. Regular visits are essential as they enable the supervising engineer to become familiar with the characteristics of a reservoir and increase the chance of early detection of potential defects which may lead to failure.

The Committee was not convinced that the minimum number of visits by a supervising engineer set out in the Bill is proportionate and regarded it as gold-plating, noting that there was no upper limit on the number of visits by a supervising engineer provided for in the legislation. However, imposing an upper limit would not be practicable as it would restrict the reservoir manager accessing professional help from a supervising engineer in managing their structure, particularly during a dam failure incident.

However, having considered the Committee's concerns, I accept that the minimum number of supervising visits currently stipulated in the Bill is too high. Therefore, I am proposing to amend the Bill, as suggested by the Committee, by removing reference to the frequency and number of visits from the Bill and replacing it with provision to introduce these by regulations. The amendment also allows for the standard number of visits to a reservoir by a supervising engineer to be reduced when the Department is satisfied that a reservoir has reached an acceptable standard of safety.

Amendment Nos 54 and 88 remove the reference to visits by supervising engineers from the face of the Bill. Amendment No 56 proposes the introduction of a new clause to the Bill which gives the Department the power to make regulations on the frequency and number of visits to high- or medium-consequence reservoirs and also to enable the Department to reduce the standard number of visits when a reservoir has reached an acceptable standard.

This proposed new clause also includes an appeal procedure and, as advised in the debate on group 2 amendments, the new clause proposed at amendment No 183 and amendment No 214 to schedule 3 include reference to this appeal procedure. Amendment Nos 53, 55 and 194 are consequential amendments and make reference to the proposed new clause where required. A reference to the proposed amendment to introduce a new clause is also included in amendments proposed under group 4, relating to the phased commencement of the Bill, which is yet to be debated.

I am pleased that the Committee was content with these amendments and I want to thank the Committee for its helpful suggestion regarding this matter. The amendments being proposed not only address the concerns of the Committee but, more importantly, do not compromise the approach to managing the safety of high- or medium-consequence reservoirs.

Those are the amendments in group 3.

**Mr Irwin:** This group of amendments is on the frequency of visits by supervising engineers.

During the time that the Committee carried out scrutiny of the Bill, we identified a number of concerns. Rivers Agency brought draft ministerial amendments to address those concerns, and the vast majority of them were agreed by the Committee. The detail on those amendments can be found in the Committee Bill report and in the addendum to the Committee report. In fact, I recommend that any Member who is speaking today, particularly to this group, ensures that they have both the Committee report and the addendum as source documents.

#### 4.15 pm

One area that was not initially addressed to the satisfaction of the Committee was the issue of frequency of visits by the supervising engineer. As a result, the Committee voted that it was not content with the relevant clauses in the Bill, namely clauses 25 and 33. The Committee revisited the issue on 11 November 2014, when it finalised its position. That position was presented to Rivers Agency with a request that it bring amendments to address the issue. Rivers Agency returned to the Committee with proposed amendments on 10 February, and, after scrutiny, the Committee agreed that it was content with those proposed amendments. These are the amendments that we are debating now.

On 10 February 2015, the Department also asked the Committee to note that it had managed to reduce the number of reservoirs falling under the Bill to 137 and that, of those that had been eliminated, 10 are privately owned and three are owned by local councils. The reduction in numbers is, in part, down to the insistence of the Committee that the Department commission and use the information from more detailed flood maps. That has led to an assessment of capacity, which shows that some

reservoirs are actually below the 10,000 cubic metres threshold. The Committee expressed its delight at the reduction in numbers.

I will now take a few minutes to lay out for you the position regarding the number of visits by engineers. Clause 24 requires a high- or medium-consequence reservoir to be under the supervision of a supervising engineer at all times; ie, on an ongoing basis. Clause 25 sets out the duties of the supervising engineer, with clause 25(2)(k) specifying a minimum number of visits by the supervising engineer per year to high- and medium-consequence reservoirs.

Clause 33 requires a high- or medium-consequence reservoir to be subject to an inspection at specified periods and sets out the duties of the inspection engineer. Clause 33(4)(i) provides that the inspecting engineer can specify visits by a supervising engineer over and above that provided for in clause 25. Members will have a copy of the Bill available to them, and there is therefore no need for me to read out the exact provisions or requirements in the clauses.

Supervising engineers are to be retained by the reservoir owner or manager. They are on call at all times for high- and medium-consequence reservoirs. It is anticipated that the supervising engineer will, over time, become familiar with the reservoir. The Department strongly advised that, in this respect, the Bill had been designed around the advice of the Institution of Civil Engineers and its reservoir panel. Engineers felt that the provision in the Bill was the minimum standard that the engineers could, in their professional capacity and for professional indemnity reasons, stand over.

The Department initially resisted attempts by the Committee to reduce the requirements to one in three for high- and one in five for medium-risk reservoirs. This was because it affected the ability of the engineer to see and assess changes in the condition of the reservoir that could lead to a breach in the dam wall and flooding. However, the Committee felt that these provisions and requirements were gold-plated, particularly as the Department could not prove that this level of supervision was required for reservoirs in Northern Ireland. This point harps back to the requirement or need for an audit of reservoirs, which I referred to in my opening remarks and on which there will be a different debate.

No one is doubting the professionalism of the engineers, but there was a feeling that the Bill was geared too much towards what engineers considered was necessary and not enough to what is actually needed. It was also felt that no consideration was given to the impact of this requirement on private owners, such as farmers, and third-sector groups, particularly as a reservoir owner could be charged around £500 each time the engineer called on a supervising visit.

The Committee felt that there was insufficient protection for the reservoir owner. There was a feeling among Members that engineers often "over-engineer" — that they will go beyond the minimum that is required. Most of our private-sector or third-sector reservoir owners lack both the expertise and the confidence to challenge reservoir engineers.

That issue is dealt with in another set of amendments that was debated previously, but it is mentioned here because it impacted on the Committee's thinking on the issue.

Therefore, during the Committee Stage, the Committee voted that it was not content with clause 25(2)(k) and clause 33(4)(i). Subsequent to that, the Department proposed amendments that would reduce the number of supervised visits at clause 25. The first set of amendments was rejected by the Committee as not going far enough. The second set of amendments was received too late for Committee consideration as it was signing off its report, and the Committee felt that it had not been given adequate time to decide whether it was sufficient. Copies of both amendments are in the addendum to the Committee report at paragraphs 9 and 10.

On 11 November 2014, the Committee revisited that issue and, after a closed-session discussion, consideration of various options and open-session oral briefing with the Department, the Committee confirmed its position. The Committee wrote to the Department requesting that it bring forward an amendment to the Bill to provide that the regime for the number of visits by the supervising engineer to high- and medium-consequence reservoirs is done by regulation subject to draft affirmative procedure. That would replace the provisions in the Bill at clause 25(2)(k) and clause 33(4)(i). The Committee further indicated that the detail of what is in the regulation will need to be discussed with the Committee in due course. As an early indication, the Committee would like to see a regime whereby the supervising engineer would visit a high-consequence reservoir at least once in every 12-month period, and, for a medium-risk reservoir, at least once in every 36-month period, until the reservoir is brought to a standard that is acceptable. Thereafter, the Committee would like to see the number of visits by a supervising engineer reduced.

The Committee indicated that its position on that issue was based on the lack of information about the condition of reservoirs in Northern Ireland. That lack of information means that it was extremely difficult for it to judge whether the schedule of supervised visits, as proposed in the Bill and the amendment, was at the correct level. The Committee further indicated to the Department that it should assume that the information from the reservoir audit, when available, may influence the thinking of what the Committee would like to see in the proposed regulation. The amendments were made available for the Committee to consider at its meeting on 10 February 2015. The full text of the amendments can be found at appendix 1 of the addendum to the Committee report.

The proposed amendments will introduce new clause 25A, which will make provision for the Department to make regulations regarding the frequency of visits to a high- or medium-consequence reservoir by a supervising engineer. The proposed amendment will provide that the regulation can vary the frequency of visits by a supervising engineer once the reservoir is brought to an acceptable safety standard.

In an oral evidence session on 10 February 2015, the Department confirmed that the standard minimum number and frequency of visits by a supervising engineer will be reviewed when the Department is presented with information that suggests that the reservoir has achieved an acceptable standard of safety. That information will take the form of an inspection report, an inspection

compliance certificate or an annual statement from a supervising engineer. In giving evidence to the Committee, officials noted that they had not yet decided how that would manifest itself, but the number and frequency of inspections would be reduced.

In oral evidence to the Committee, officials stated:

*"I want you to bear with me on that, because we have not absolutely decided. It may move, for example, from an inspection of a high-consequence reservoir at least once every 12 months to at least once every 24 months. For a medium-consequence reservoir, it could move from an inspection at least once every 36 months to once every 60 months, which is five years. That is our thinking at this point."*

The Department also confirmed that the detail will be in the regulations, which can be made only after a draft has been laid before and approved by a resolution of the Assembly. Therefore, the Committee and the Assembly will have every opportunity to scrutinise, challenge and, where necessary, suggest changes to the draft regulations before they are made.

Members noted that the inspecting engineer can specify additional visits by a supervising engineer over and above that required in the regulation, but, in doing so, the inspecting engineer must specify why and how many. That decision is open to challenge and appeal by the reservoir owner. Indeed, officials stated that, when the Department receives information regarding the condition of a reservoir, hopefully the reservoir owner will have nothing to appeal.

Earlier in my speech on this group of amendments, I referred to Committee concerns that engineers, by their very nature, often over-specify and go beyond the minimum needed and that private or third-sector owners would lack the expertise and confidence to challenge such specifications. The reassurance that the inspecting engineer must give specific reasons why extra supervising visits are required went a long way in helping the Committee to make its decision on this aspect. If a reservoir is given a clean bill of health and is found to be safe, the Department will readily amend the frequency and number of visits. If, for any reason, the Department decides not to do that, the reservoir owner could appeal that decision to the Water Appeals Commission. That is the independent body that will hear evidence from the reservoir manager and the Department, and it will make an independent decision. The Department will have no say once the appeals mechanism has been engaged by the reservoir manager.

I am pleased, therefore, to restate the Committee position on this issue. After detailed discussions with departmental officials, the Committee voted that it was content with the amendments. The Committee agreed that its decision should be reflected in an addendum to the Committee report on the Reservoirs Bill, to be provided to the Assembly in time for the Consideration Stage debate.

**Mr McAleer:** Go raibh maith agat, a LeasCheann Comhairle. I wanted to take the opportunity to speak on this group of amendments, relating to the operating regime in the Reservoirs Bill.

From the outset, the Committee shared the Bill's overall objective to protect people, the environment and society from flooding. Thankfully, incidences of dam failure in

the North of Ireland are very rare, but, no doubt, many thousands live in potential inundation areas. So, we share the view that protection is better than cure, and we welcome this legislation, which reduces the possibility of loss of life and damage to property. We also welcome the fact — this was shared as well — that the Bill takes a proportionate, risk-based approach in looking at the potential consequences of reservoir failure to the wider area.

I share William's view that the Committee was content with the operating regime proposals in place for low-risk reservoirs. However, it was concerned about what was proposed originally for high-risk reservoirs. The phrase "gold-plated" was used. The Committee was not content with the operating requirements relating to the number of visits and inspections that were originally proposed, as set out in clauses 25 and 33. To that end, and being always conscious of the costs to reservoir managers and the value or necessity of the visits, we require additional information before that can be decided upon. The Committee also sought to amend the Bill by regulation to regulate the number of visits by a supervising engineer. So, we welcome the introduction of clause 25A, which was brought before the Committee on 10 February this year. It provides for the Department to make regulations regarding the frequency of visits to high- and medium-risk reservoirs.

In conclusion, I thank the Committee and, indeed, Stella and all her team, who worked very hard on this, and I commend the Minister and the Department for listening to the Committee, taking on board the concerns and reflecting those in a swathe of amendments. From our party's perspective, I thank my colleague Ian Milne, who led on this in the party and guided us through this difficult and, at times, complex task. This was a good example of the parties and Department working together to draft and create good legislation that will positively affect people's lives and livelihoods. I commend the Bill.

#### 4.30 pm

**Mrs O'Neill:** I again thank all Members for their comments and the issues that they raised in the debate on the third group of amendments. I fully appreciate that this issue became very contentious during the Committee's scrutiny of the Bill and led to some protracted discussions with officials. It is important to point out that the supervision by a qualified engineer is an integral part of the reservoir safety management regime, and, therefore, the Department was concerned that any change would dilute the Bill's policy intention. However, I am happy to propose the amendments, because the regulation-making provision allows for more flexibility and should result in the number and frequency of visits to be more reservoir specific. I thank the Committee again for its keen interest in the matter and for working with my officials to reach an amicable solution.

*Amendment No 53 agreed to.*

*Amendment No 54 made:*

In page 15, line 5, leave out paragraph (k).— [*Mrs O'Neill (The Minister of Agriculture and Rural Development).*]

*Amendment No 55 made:*

In page 16, line 15, leave out "26" and insert "25A".— [*Mrs O'Neill (The Minister of Agriculture and Rural Development).*]

*Clause 25, as amended, ordered to stand part of the Bill.*

#### **New Clause**

*Amendment No 56 made:*

After clause 25 insert

#### **"Regulations as to visits by supervising engineer**

**25A.**—(1) *The Department may by regulations make provision—*

(a) *for there to be a standard frequency of visits that must be made by a supervising engineer to a high-consequence or medium-consequence reservoir,*

(b) *for the standard frequency to be different according to whether or not the Department considers that a high-consequence or medium-consequence reservoir is of an acceptable standard as regards how it is being maintained,*

(c) *for the Department to decide whether it considers that a high-consequence or medium-consequence reservoir is of an acceptable standard as regards how it is being maintained, taking account (as appropriate) of the following—*

(i) *whether or not a pre-commencement inspection report contains a pre-commencement safety recommendation,*

(ii) *whether or not an inspection report specifies any measure that should be taken in the interests of the safety of the reservoir or any other matter that the inspecting engineer recommends should be monitored by the supervising engineer until the next inspection of the reservoir,*

(iii) *any inspection compliance certificate,*

(iv) *any written statement by the supervising engineer under section 25(5) currently applicable and copied to the Department by virtue of section 25(6).*

(2) *Regulations making provision referred to in subsection (1)(c) must—*

(a) *require the Department to notify the reservoir manager of a high-consequence or medium-consequence reservoir of its decision as to whether or not it considers that the reservoir is of an acceptable standard as regards how it is being maintained and accordingly the standard frequency of visits that must be made to it by the supervising engineer,*

(b) *provide that the reservoir manager may appeal to the Water Appeals Commission against the decision specified in the notice,*

(c) *provide that the Commission may confirm or quash the decision,*

(d) *provide that the decision in respect of which an appeal is made continues to have effect pending a decision being made in the appeal.*

(3) *In subsection (1)(c)(ii), 'the inspecting engineer' has the same meaning as in sections 33 and 34 (see section 33(6)(a)).*— [*Mrs O'Neill (The Minister of Agriculture and Rural Development).*]

*New clause ordered to stand part of the Bill.*

*Clauses 26 and 27 ordered to stand part of the Bill.*



**Clause 28 (Inspection timing: general requirements)**

*Amendment No 57 made:*

In page 17, line 4, leave out first “risk” and insert “consequence”.— [Mrs O’Neill (The Minister of Agriculture and Rural Development).]

*Amendment No 58 made:*

In page 17, line 4, leave out second “risk” and insert “consequence”.— [Mrs O’Neill (The Minister of Agriculture and Rural Development).]

*Amendment No 59 made:*

In page 17, line 9, leave out “risk” and insert “consequence”.— [Mrs O’Neill (The Minister of Agriculture and Rural Development).]

*Amendment No 60 made:*

In page 17, line 10, leave out “risk” and insert “consequence”.— [Mrs O’Neill (The Minister of Agriculture and Rural Development).]

*Amendment No 61 made:*

In page 17, line 11, leave out first “risk” and insert “consequence”.— [Mrs O’Neill (The Minister of Agriculture and Rural Development).]

*Amendment No 62 made:*

In page 17, line 11, leave out second “risk” and insert “consequence”.— [Mrs O’Neill (The Minister of Agriculture and Rural Development).]

*Amendment No 63 made:*

In page 17, line 17, leave out “risk” and insert “consequence”.— [Mrs O’Neill (The Minister of Agriculture and Rural Development).]

*Amendment No 64 made:*

In page 17, line 21, leave out first “risk” and insert “consequence”.— [Mrs O’Neill (The Minister of Agriculture and Rural Development).]

*Amendment No 65 made:*

In page 17, line 21, leave out second “risk” and insert “consequence”.— [Mrs O’Neill (The Minister of Agriculture and Rural Development).]

*Clause 28, as amended, ordered to stand part of the Bill.*

**Clause 29 (Inspection timing: reservoir subject to pre-commencement inspection report)**

**Mr Deputy Speaker (Mr Dallat):** We now come to the debate on the fourth group of amendments. With amendment No 66, it will be convenient to debate amendment Nos 69, 70, 73, 199 and 200. The amendments deal with phased commencement.

**Mrs O’Neill (The Minister of Agriculture and Rural Development):**

I beg to move amendment No 66: In clause 29, page 17, line 25, leave out from second “subsection” to “28(1)” on line 26 and insert “section 28(1) does not apply”.

*The following amendments stood on the Marshalled List:*

No 69: In page 17, line 35, at beginning insert

*“Where section 28(1) does not apply by virtue of subsection (1),”.— [Mrs O’Neill (The Minister of Agriculture and Rural Development).]*

No 70: In page 17, line 38, leave out from second “subsection” to “28(1)” on line 39 and insert “section 28(1) does not apply”.— [Mrs O’Neill (The Minister of Agriculture and Rural Development).]

No 73: In page 18, line 4, at beginning insert

*“Where section 28(1) does not apply by virtue of subsection (3),”.— [Mrs O’Neill (The Minister of Agriculture and Rural Development).]*

No 199: In clause 120, page 71, line 13, at end insert

*“(2A) No order may be made under subsection (2) in respect of the following provisions unless a draft of the order has been laid before, and approved by a resolution of, the Assembly—*

*(a) section 24(1), (2), (4) and (5),*

*(b) in section 25—*

*(i) subsections (1) to (9),*

*(ii) subsection (10), for the purposes of sections 25A to 29 and 35,*

*(c) sections 25A, 26 and 27,*

*(d) in section 28—*

*(i) subsections (2) to (4),*

*(ii) subsection (5), in so far as it defines an ‘inspecting engineer’ as an engineer duly commissioned under section 32 to supervise the taking of a measure referred to in section 32(1)(b),*

*(e) sections 29(2) to (5),*

*(f) in section 32—*

*(i) in subsection (1), paragraph (b),*

*(ii) subsection (3),*

*(g) in section 33—*

*(i) subsections (2) and (3),*

*(ii) in subsection (4), paragraphs (c), (d) and (i),*

*(iii) in subsection (5), paragraph (b),*

*(iv) in subsection (6), paragraph (b),*

*(h) sections 34 and 35,*

*(i) in section 36(1)—*

*(i) paragraphs (a), (b), (c) and (d),*

*(ii) paragraph (e) (in relation to the requirements of section 32(1)(b)),*

*(iii) paragraph (g),*

*(j) in section 36(2), paragraphs (a), (b), (d) and (e),*

*(k) section 36(3), in relation to the following offences—*

*(i) an offence under section 36(1)(a), (b), (c) or (d),*

*(ii) an offence under section 36(1)(e) that is attributable to a failure to comply with the requirements of section 32(1)(b),*

*(iii) an offence under section 36(1)(g),*

- (iv) an offence under section 36(2)(a), (b), (d) or (e),
- (l) section 36A,
- (m) section 37,
- (n) in section 63(1), paragraph (a),
- (o) sections 64 and 65, in so far as they concern the commissioning of a supervising engineer,
- (p) in section 66, paragraph (a),
- (q) sections 67 to 69,
- (r) section 70, in relation to an offence under section 36A(1),
- (s) section 71A, as regards costs in relation to the commissioning of a supervising engineer under section 65 and costs under section 67 or 69,
- (t) sections 76 to 84,
- (u) section 85, in relation to the consultation required by sections 76(2), 78(2) and 81(2),
- (v) section 86, in relation to regulations under sections 76(1) and 81(1),
- (w) section 87,
- (x) section 93, in so far as it defines a “relevant engineer” as a supervising engineer (including a nominated representative of a supervising engineer under section 25(7)(a) who is acting as such in the event of the supervising engineer being unavailable),
- (y) section 95, in relation to failure to comply with the requirements of section 93 as respects a relevant engineer who is a supervising engineer (including a nominated representative of a supervising engineer under section 25(7)(a) who is acting as such in the event of the supervising engineer being unavailable),
- (z) sections 103A, 103B and 103C, in relation to—
  - (i) an appeal by virtue of regulations under section 25A(1),
  - (ii) an appeal under section 71A as regards costs in relation to the commissioning of a supervising engineer under section 65 and costs under section 67 or 69,
  - (iii) an appeal by virtue of regulations under section 76(1), 78(1) or 81(1),
- (za) section 105.”— [Mrs O’Neill (The Minister of Agriculture and Rural Development).]

No 200: In clause 120, page 71, line 16, after “Act” insert

*“including, in the case of an order in respect of any provision referred to in subsection (2A), such transitional or transitory modifications of this Act as the Department considers necessary or expedient in connection with any other provisions of this Act not yet having come into operation”.— [Mrs O’Neill (The Minister of Agriculture and Rural Development).]*

**Mrs O’Neill:** The main amendment in this group is amendment No 199, which introduces a pause in the commencement of certain clauses of the Reservoirs Bill. It provides for the Bill to be commenced in two phases. I am proposing the amendment to address a concern that the Agriculture and Rural Development Committee raised with me that it was being asked to consider the legislation in the absence of information on the condition and the estimated capital costs of making safe the reservoirs that

will come within the scope of the Bill. I gave an assurance to the Committee that my Department would, subject to the required approvals, make financial assistance available to reservoir managers to help to meet the cost of commissioning an engineer to examine the reservoir and to provide a report on the condition and the estimated cost of making it safe. When completed, the outcome of that exercise will be presented in a report to the Committee for consideration.

I also assured the Committee that I would propose that the Bill is commenced in two phases and that the clauses of the Bill in phase 2 would be commenced only after a draft of the order has been laid before and approved by a resolution of the Assembly and after the Committee had received and considered the reservoirs report. I am pleased that the Committee, having received those assurances, agreed to the Bill progressing and to completing the Assembly legislative process.

I am also pleased to be in a position to deliver on my assurances by, first, proposing these amendments and, secondly, by advising that the financial assistance to reservoir managers has been approved and that the gathering of information on reservoirs in the North has commenced.

As regards the proposed commencement of the Bill, I can advise that phase 1 will allow the commencement of the non-recurring elements, that is: the definition of a controlled reservoir; the definition of a reservoir manager; the requirement on the manager to register the reservoir with the Department; a requirement on the Department to give a reservoir a designation; and a requirement on the manager to commission an inspection of the reservoir.

Commencement of phase 2 will be considered when the Assembly is presented with the Department’s report on the condition of the reservoirs that will come under the scope of the Bill, together with an estimate of the capital costs of making them safe. Phase 2 contains the recurring parts of the Bill, such as the requirement to commission a supervising engineer and the requirement to comply with directions made by an inspecting engineer. The relevant clauses of the Bill to be commenced in phase 2 are detailed in amendment No 199. This amendment includes references to new clauses proposed in group 2 and group 3 amendments, which have already been debated, as well as reference to amendments being proposed in group 5, which is still to be debated.

It is worth repeating that phase 2 of the Bill can be commenced only after a draft of the order has been laid before the Assembly and approved by a resolution of the Assembly. The other amendments in this group — amendment Nos 66, 69, 70, and 73 — are required to pave the way for the phased commencement approach being proposed. These amendments relate to clause 29 on inspection timings for reservoirs and allow the subsections to be effective on their own and to be commenced separately.

Amendment No 200 is required to facilitate the phased commencement. If phase 2 provisions are to be commenced over a period of time, some clauses may need to be modified for the period until the other phase 2 provisions come into operation. This amendment will give the Department express power to modify such clauses as necessary. The Examiner of Statutory Rules has been consulted regarding the amendment and has confirmed

that he is content that a draft of the order would have to be laid before the Assembly and approved by a resolution of the Assembly. I am pleased that the Committee welcomed, and was content with, the proposed amendments. Those are the amendments for group 4.

**Mr Irwin:** In my speech on this group of amendments, I will be explaining some of the background to the phased commencement and talking about an audit of reservoirs. This audit is not mentioned in the Bill. In fact, it sits outside, and is separate to, the Bill, but I have mentioned the audit in every other speech I have made, so Members can be in no doubt of its importance to the Committee.

This is a vital aspect of the whole agreement that we came to, as a Committee, with the Department. I think it is fair to say that without the agreement from the Department to do an audit and without the proof that the audit has started none of the other amendments brought here today would have been agreed. In fact, we might be in a very different scenario whereby we would be voting against the Bill.

During its scrutiny, the Committee examined the evidence provided to it and had concerns that the Department had not proved the need for the Bill. The Committee is strongly of the opinion that, before the Bill was introduced to the Assembly, the Department should have carried out an audit of the 150 reservoirs, which were initially anticipated would fall under the remit of the Bill. It was the Committee's opinion that Rivers Agency should have carried out an audit of the reservoirs before the Bill was introduced to the Assembly. Such an audit could have provided basic information on the condition and likely cost of bringing the reservoirs up to an acceptable standard for public safety. An audit would have provided the proof that the Bill is required and that the policy approach in the Bill, for example, the panel engineer system, is the correct approach.

The Committee noted that the lack of information concerning the condition of reservoirs and the likely cost to repair and maintain them has made decision-making in other areas of the Bill difficult. The Committee is aware that, of the 137 reservoirs, 48 belong to Northern Ireland Water, and those have been maintained to the standards set out in the Reservoirs Act 1975, which applies in England, Scotland and Wales. Another 27 reservoirs in the public sector belong mainly to local authorities and Departments and, with some exceptions, they are also maintained to the spirit of the Reservoirs Act 1975. In other words, we can take some comfort that 75 of the 137, or around 54%, are already more or less operating to the spirit of the proposed Reservoirs Bill.

The Committee is mindful that the Department is primarily concerned about the 50 reservoirs in private ownership, the nine that are in the ownership of the third sector, and the three in which ownership is still unknown. It is those 62 reservoirs and, particularly, the 31 that are high consequence and the 12 that are medium consequence that are the cause for concern. It is those reservoirs that will be obliged to comply with the entire operating regime in the Reservoirs Bill. The low-consequence reservoirs will have a light touch operating regime.

After all, reservoirs are man-made. Many of these artificial structures were designed with the aim of providing water for industrial usage. Like any man-made structure, they need to be maintained and kept safe. After all, if you own

a building, you maintain it to ensure that the roof is sound and the electrics safe.

The Committee received evidence from the Department that indicated that the vast majority of reservoirs in Northern Ireland were constructed from clay core embankments, which are now more than 100 years old. It appears that the engineering involved would be considered primitive compared with the standard of reservoir construction today. The Department went on to state that anecdotal evidence suggests that many reservoirs in private and third-sector ownership have not been subjected to any type of maintenance regime over the years. Let me be clear: the Committee fully endorses the need to ensure that reservoirs are safe and the public are protected. However, it is strongly of the opinion that the Department should not rely on anecdotal evidence that suggested that some private sector and third-sector reservoirs were old and in poor condition.

The Committee considered that an audit would have had the following benefits. First, by defining the condition of reservoirs, particularly in the private and third sector, the Department might have provided definitive rather than anecdotal evidence that the Bill in its current format is actually required. Secondly, an audit would have allowed an informed assessment of the level, type and criteria of any grant aid likely to be needed to bring reservoirs up to the minimum safety standards that the Department would expect. Thirdly, it would have gone some way to addressing the real worries, concerns and, indeed, distress that some reservoir owners are experiencing regarding the potential impact of the Bill.

Last but not least, an audit would have addressed the information vacuum that appears to exist around the condition of reservoirs in Northern Ireland and the cost of bringing them up to an acceptable standard for public safety. The Department responded to the concerns of the Committee and proposed a fundamental shift in policy approach but within the confines of the existing Bill. It proposed a new approach that would allow for an initial financial assistance package for reservoir managers to enable them to undertake the first inspection process as detailed in the Bill.

The Bill is to be enacted but with only certain sections commenced. Other recurring sections will be paused until the initial financial assistance package has been provided, the inspections undertaken and the findings provided to the Assembly.

Let me be clear: these amendments create two phases. Phase 1, which will be enacted upon Royal Assent, brings in the definitions and makes clear who is responsible for the reservoirs. Phase 2 covers all the recurring elements of the Bill, such as the visits by the engineers.

As additional protection, the paused parts of the Bill will require affirmative resolution in the Assembly to be commenced. The Committee discussed this proposal and associated amendments at some length. Concerns were expressed by all Committee members. However, after due consideration of all the issues and the proposal, and on foot of reassurances from the Minister, the Committee indicated that it was content and commended the Department for bringing this revised approach and the amendments to clause 120 on commencement and clause 29.

I, therefore, put on record that the Committee is content with the ministerial amendments in this group.

**Mr Milne:** Go raibh maith agat, a LeasCheann Comhairle. I will speak on the group 4 amendments on phased commencement and audit. Like Members before me, I convey my appreciation to the Committee Clerk, Stella, and staff, departmental officials and Rivers Agency representatives, who were always very helpful and informative, and the various stakeholders who made representation to the Committee. Their on-the-ground experience brings practicality to the theory. The Reservoirs Bill is, first and foremost, about protecting lives and property, as well as the potential impact on the environment, cultural heritage and economic activity, should a dam burst unexpectedly.

With this in mind, the Committee had no difficulty in supporting the principle of the Bill, but we quite rightly had a number of concerns that needed to be addressed before we were content to proceed. In our opinion, the initial evidence was not substantial enough to prove the need for the Bill. Much of it was anecdotal and lacked factual information.

#### 4.45 pm

The review gave us a better understanding of the reservoirs that needed to be included. Originally, there were 151, but 14 had already been found to be outside the scope of the Bill. Potentially, another six or seven will be excluded. Ownership has now been established in all but one or two cases. However, the Committee formed the opinion that a full audit of remaining reservoirs was not only necessary but vital before moving forward. I commend the Minister and her Department for accepting the amendment, which now allows for an assessment of the condition of each reservoir as well as the projected cost of any maintenance or repair work that may be required to bring a reservoir up to an acceptable standard.

The proposed financial assistance package will enable managers to undertake the first inspection process or, if that is already completed, other initial works, after which phase 2 of the Bill can be enacted. That approach simply makes good sense, and I hope that it goes some way in addressing the understandable concerns raised by owners. The phased commencement is the sensible and practical way forward, and I give it my full support.

I thank the Committee for its cooperation and sensible approach to the Bill. All political parties were of one mind to a large extent.

**Mrs O'Neill:** Go raibh maith agat, a LeasCheann Comhairle. I thank Members for their comments in the debate on the fourth group of amendments. It is important to point out that the purpose of the legislation is to minimise the risk to the public of flooding due to an uncontrolled release of water resulting from dam failure.

The preliminary flood risk assessment identified that thousands of people are at potential risk from dam failure in the North from reservoirs capable of holding 10,000 cubic metres or more. Anecdotal evidence also suggested that many reservoir managers were not aware of their responsibility to arrange for regular inspections and maintenance of these ageing structures.

The findings from the assessment were presented to the Executive, who agreed that I should bring forward this primary reservoir safety legislation. However, I accept that detailed information on reservoirs may have been helpful to the Committee during its scrutiny of the Bill. It is for that reason that I brought forward these proposed amendments to commence the Bill in two phases and gave an assurance that my Department would gather information on the condition and capital costs of making reservoirs safe.

I assure the House that I will not seek to commence the recurring parts of phase 2 of the Bill until that information has been presented to the Assembly. That reflects a sensible and proportionate approach to the commencement of this legislation.

*Amendment No 66 agreed to.*

*Amendment No 67 made:*

In page 17, line 27, leave out first "risk" and insert "consequence".— [*Mrs O'Neill (The Minister of Agriculture and Rural Development).*]

*Amendment No 68 made:*

In page 17, line 27, leave out second "risk" and insert "consequence".— [*Mrs O'Neill (The Minister of Agriculture and Rural Development).*]

*Amendment No 69 made:*

In page 17, line 35, at beginning insert

*"Where section 28(1) does not apply by virtue of subsection (1),".— [*Mrs O'Neill (The Minister of Agriculture and Rural Development).*]*

*Amendment No 70 made:*

In page 17, line 38, leave out from second "subsection" to "28(1)" on line 39 and insert "section 28(1) does not apply".— [*Mrs O'Neill (The Minister of Agriculture and Rural Development).*]

*Amendment No 71 made:*

In page 17, line 40, leave out first "risk" and insert "consequence".— [*Mrs O'Neill (The Minister of Agriculture and Rural Development).*]

*Amendment No 72 made:*

In page 17, line 40, leave out second "risk" and insert "consequence".— [*Mrs O'Neill (The Minister of Agriculture and Rural Development).*]

*Amendment No 73 made:*

In page 18, line 4, at beginning insert

*"Where section 28(1) does not apply by virtue of subsection (3)".— [*Mrs O'Neill (The Minister of Agriculture and Rural Development).*]*

*Amendment No 74 made:*

In page 18, line 12, leave out "risk" and insert "consequence".— [*Mrs O'Neill (The Minister of Agriculture and Rural Development).*]

*Amendment No 75 made:*

In page 18, line 13, leave out "risk" and insert "consequence".— [*Mrs O'Neill (The Minister of Agriculture and Rural Development).*]

*Clause 29, as amended, ordered to stand part of the Bill.*

**Clause 30 (Inspection timing: other qualifications)**

*Amendment No 76 made:*

In page 18, line 16, leave out “risk” and insert “consequence”.— *[Mrs O’Neill (The Minister of Agriculture and Rural Development).]*

*Amendment No 77 made:*

In page 18, line 17, leave out “risk” and insert “consequence”.— *[Mrs O’Neill (The Minister of Agriculture and Rural Development).]*

*Amendment No 78 made:*

In page 18, line 21, leave out first “risk” and insert “consequence”.— *[Mrs O’Neill (The Minister of Agriculture and Rural Development).]*

*Amendment No 79 made:*

In page 18, line 21, leave out second “risk” and insert “consequence”.— *[Mrs O’Neill (The Minister of Agriculture and Rural Development).]*

*Clause 30, as amended, ordered to stand part of the Bill.*

**Clause 31 (Pre-commencement inspection report)**

*Amendment No 80 made:*

In page 18, line 34, leave out first “risk” and insert “consequence”.— *[Mrs O’Neill (The Minister of Agriculture and Rural Development).]*

*Amendment No 81 made:*

In page 18, line 34, leave out second “risk” and insert “consequence”.— *[Mrs O’Neill (The Minister of Agriculture and Rural Development).]*

*Amendment No 82 made:*

In page 19, line 14, leave out first “risk” and insert “consequence”.— *[Mrs O’Neill (The Minister of Agriculture and Rural Development).]*

*Amendment No 83 made:*

In page 19, line 14, leave out second “risk” and insert “consequence”.— *[Mrs O’Neill (The Minister of Agriculture and Rural Development).]*

*Clause 31, as amended, ordered to stand part of the Bill.*

**Clause 32 (Commissioning of inspecting engineer etc.)**

*Amendment No 84 made:*

In page 19, line 28, leave out first “risk” and insert “consequence”.— *[Mrs O’Neill (The Minister of Agriculture and Rural Development).]*

*Amendment No 85 made:*

In page 19, line 28, leave out second “risk” and insert “consequence”.— *[Mrs O’Neill (The Minister of Agriculture and Rural Development).]*

*Amendment No 86 made:*

In page 20, line 7, leave out first “risk” and insert “consequence”.— *[Mrs O’Neill (The Minister of Agriculture and Rural Development).]*

*Amendment No 87 made:*

In page 20, line 7, leave out second “risk” and insert “consequence”.— *[Mrs O’Neill (The Minister of Agriculture and Rural Development).]*

*Clause 32, as amended, ordered to stand part of the Bill.*

**Clause 33 (Duties etc. in relation to inspection)**

*Amendment No 88 made:*

In page 21, line 24, leave out sub-paragraphs (i) and (ii) and insert

*“is required of the supervising engineer by virtue of regulations made under section 25A(1).”— [Mrs O’Neill (The Minister of Agriculture and Rural Development).]*

*Clause 33, as amended, ordered to stand part of the Bill.*

*Clause 34 ordered to stand part of the Bill.*

**Clause 35 (Recording of water levels etc. and record keeping)**

*Amendment No 89 made:*

In page 23, line 7, leave out first “risk” and insert “consequence”.— *[Mrs O’Neill (The Minister of Agriculture and Rural Development).]*

*Amendment No 90 made:*

In page 23, line 7, leave out second “risk” and insert “consequence”.— *[Mrs O’Neill (The Minister of Agriculture and Rural Development).]*

*Clause 35, as amended, ordered to stand part of the Bill.*

**Clause 36 (Offences: supervision, inspection, record keeping)**

*Amendment No 91 made:*

In page 23, line 37, leave out first “risk” and insert “consequence”.— *[Mrs O’Neill (The Minister of Agriculture and Rural Development).]*

*Amendment No 92 made:*

In page 23, line 37, leave out second “risk” and insert “consequence”.— *[Mrs O’Neill (The Minister of Agriculture and Rural Development).]*

*Amendment No 93 made:*

In page 24, line 12, leave out paragraph (f).— *[Mrs O’Neill (The Minister of Agriculture and Rural Development).]*

*Amendment No 94 made:*

In page 24, line 18, leave out first “risk” and insert “consequence”.— *[Mrs O’Neill (The Minister of Agriculture and Rural Development).]*

*Amendment No 95 made:*

In page 24, line 18, leave out second “risk” and insert “consequence”.— *[Mrs O’Neill (The Minister of Agriculture and Rural Development).]*

**Amendment No 96 made:**

In page 24, line 36, leave out "risk" and insert "consequence".— [Mrs O'Neill (The Minister of Agriculture and Rural Development).]

**Amendment No 97 made:**

In page 24, line 39, leave out "risk" and insert "consequence".— [Mrs O'Neill (The Minister of Agriculture and Rural Development).]

**Amendment No 98 made:**

In page 24, line 41, leave out subsection (4).— [Mrs O'Neill (The Minister of Agriculture and Rural Development).]

Clause 36, as amended, ordered to stand part of the Bill.

**New Clause****Amendment No 99 made:**

After clause 36 insert

*"Offence in connection with inspection: failure to secure compliance with safety direction or recommendation*

36A.—(1) Failure by a reservoir manager of a high-consequence or medium-consequence reservoir without lawful excuse to comply with the requirements of section 34(1) (ensuring compliance with direction in inspection report or pre-commencement safety recommendation as to taking of measure) is an offence.

(2) A reservoir manager guilty of an offence under subsection (1)—

(a) in relation to a controlled reservoir which is, at the time the offence is committed, a high-consequence reservoir is liable on summary conviction to a fine not exceeding level 5 on the standard scale,

(b) in relation to a controlled reservoir which is, at the time the offence is committed, a medium-consequence reservoir is liable on summary conviction to a fine not exceeding level 4 on the standard scale.

(3) Section 70 makes provision as to further remedies available on conviction of an offence referred to in subsection (1).— [Mrs O'Neill (The Minister of Agriculture and Rural Development).]

New clause ordered to stand part of the Bill.

Clause 37 ordered to stand part of the Bill.

**Clause 38 (Application of Part 3 etc.)**

**Mr Deputy Speaker (Mr Dallat):** I will not call amendment No 100, as it is consequential to amendment No 1, which has not been made. I will not call amendment No 101, as it is consequential to amendment No 1, which has not been made.

Clause 38 ordered to stand part of the Bill.

Clauses 39 to 41 ordered to stand part of the Bill.

**Clause 42 (Safety report)**

**Mr Deputy Speaker (Mr Dallat):** I will not call amendment No 102 as it is consequential to amendment No 1, which has not been made.

Clause 42 ordered to stand part of the Bill.

Clauses 43 to 45 ordered to stand part of the Bill.

**Clause 46 (Final certificate)****Amendment No 103 made:**

In page 29, line 40, leave out first "risk" and insert "consequence".— [Mrs O'Neill (The Minister of Agriculture and Rural Development).]

**Amendment No 104 made:**

In page 29, line 40, leave out second "risk" and insert "consequence".— [Mrs O'Neill (The Minister of Agriculture and Rural Development).]

**Amendment No 105 made:**

In page 30, line 1, leave out first "risk" and insert "consequence".— [Mrs O'Neill (The Minister of Agriculture and Rural Development).]

**Amendment No 106 made:**

In page 30, line 1, leave out second "risk" and insert "consequence".— [Mrs O'Neill (The Minister of Agriculture and Rural Development).]

Clause 46, as amended, ordered to stand part of the Bill.

Clauses 47 and 48 ordered to stand part of the Bill.

**Clause 49 (Offences: construction or alteration)****Amendment No 107 made:**

In page 31, line 19, leave out from "any" to the end of line 25 and insert

*"the requirements in section 40(2)(a) (commissioning of construction engineer) is an offence".— [Mrs O'Neill (The Minister of Agriculture and Rural Development).]*

**Amendment No 108 made:**

In page 31, line 33, leave out "(a)".— [Mrs O'Neill (The Minister of Agriculture and Rural Development).]

**Amendment No 109 made:**

In page 31, line 35, leave out "risk" and insert "consequence".— [Mrs O'Neill (The Minister of Agriculture and Rural Development).]

**Amendment No 110 made:**

In page 31, line 39, leave out subsections (4) and (5).— [Mrs O'Neill (The Minister of Agriculture and Rural Development).]

Clause 49, as amended, ordered to stand part of the Bill.

**New Clause****Amendment No 111 made:**

After clause 49 insert

*"Offences: failure to comply with safety direction in safety report, preliminary certificate or final certificate*

49A.—(1) Failure by a reservoir manager of a controlled reservoir without lawful excuse to comply with any of the following requirements under this Part is an offence—

(a) the requirements in section 43(1) (ensuring compliance with direction in safety report as to taking of safety measure),

(b) the requirements in section 47 (ensuring compliance with preliminary certificate or final certificate).

(2) A reservoir manager guilty of an offence under subsection (1) is liable—

(a) on conviction on indictment to imprisonment for a term not exceeding 2 years, or to a fine, or to both,

(b) on summary conviction to imprisonment for a term not exceeding 6 months, or to a fine not exceeding the statutory maximum, or to both.

(3) Section 70 makes provision as to further remedies available on conviction of an offence referred to in subsection (1)(a).— [Mrs O'Neill (The Minister of Agriculture and Rural Development).]

New clause ordered to stand part of the Bill.

Clauses 50 and 51 ordered to stand part of the Bill.

### Clause 52 (Incident reporting)

Amendment No 112 made:

In page 33, line 28, leave out “risk” and insert “consequence”.— [Mrs O'Neill (The Minister of Agriculture and Rural Development).]

**Mr Deputy Speaker (Mr Dallat):** We now come to the fifth group of amendments for debate. With amendment No 113, it will be convenient to debate amendment Nos 114 to 119, amendment Nos 123 to 129, amendment Nos 135 to 140, amendment No 186, amendment Nos 189 to 191 and amendment Nos 195 to 198. These deal with sensitive information and technical amendments.

### 5.00 pm

**Mrs O'Neill:** I beg to move amendment No 113: In page 33, line 37, after “in” insert “or relating to”.

The following amendments stood on the Marshalled List:

No 114: In page 33, line 38, leave out from “direct” to second “notice” in line 41.— [Mrs O'Neill (The Minister of Agriculture and Rural Development).]

No 115: In page 33, line 42, after “concerned” insert

“and any other person who has prepared the incident report”.— [Mrs O'Neill (The Minister of Agriculture and Rural Development).]

No 116: In page 33, line 42, after second “manager” insert

“and (as appropriate) the other person”.— [Mrs O'Neill (The Minister of Agriculture and Rural Development).]

No 117: In page 34, line 1, leave out from “a” to end of line 3 and insert

“the incident report, a copy of it or any information in or relating to it”.— [Mrs O'Neill (The Minister of Agriculture and Rural Development).]

No 118: In page 34, line 4, leave out “give access to a copy of such an incident report” and insert

“permit access to the incident report, a copy of it or any information in or relating to it”.— [Mrs O'Neill (The Minister of Agriculture and Rural Development).]

No 119: In page 34, line 5, at end insert

“(3A) Notice under subsection (3) may also specify requirements as to the storage of the incident report and copies of it in the interests of national security.

(3B) Where notice under subsection (3) states that this subsection applies to any of the information specified in the notice (“the specified information”), the person on whom the notice is served must not give to any other person any indication of the existence of the specified information.

(3C) Any duty of a person under regulations made under subsection (1) to publish an incident report, a copy of such a report or any information in or relating to such a report does not apply to the extent that notice served on the person under subsection (3) requires the person not to do so”.— [Mrs O'Neill (The Minister of Agriculture and Rural Development).]

No 123: In clause 53, page 35, line 26, after “in” insert “or relating to”.— [Mrs O'Neill (The Minister of Agriculture and Rural Development).]

No 124: In clause 53, page 35, line 27, leave out from “direct” to second “notice” in line 29.— [Mrs O'Neill (The Minister of Agriculture and Rural Development).]

No 125: In clause 53, page 35, line 30, after “concerned” insert

“and each other relevant person”.— [Mrs O'Neill (The Minister of Agriculture and Rural Development).]

No 126: In clause 53, page 35, line 30, after second “manager” insert

“and other relevant person”.— [Mrs O'Neill (The Minister of Agriculture and Rural Development).]

No 127: In clause 53, page 35, line 31, leave out from “a” to end of line 33 and insert

“the flood plan, a copy of it or any information in or relating to it”.— [Mrs O'Neill (The Minister of Agriculture and Rural Development).]

No 128: In clause 53, page 35, line 34, leave out “, or not to give access to, a copy of such a flood plan” and insert

“and not to permit access to the flood plan, a copy of it or any information in or relating to it”.— [Mrs O'Neill (The Minister of Agriculture and Rural Development).]

No 129: In clause 53, page 35, line 35, at end insert

“(4A) Notice under subsection (4) may also specify requirements as to the storage of the flood plan and copies of it in the interests of national security.

(4B) Where notice under subsection (4) states that this subsection applies to any of the information specified in the notice (“the specified information”), the person on whom the notice is served must not give to any other person any indication of the existence of the specified information.

(4C) For the purposes of subsection (4), a relevant person is a person (other than the Department)—

(a) who is required, by virtue of regulations under subsection (1), to prepare, review or update the flood plan, provide, produce or submit it or publish or distribute copies of it,

(b) who receives or may receive the flood plan or information in or relating to it.

(4D) Any duty of a person under regulations made under subsection (1) to publish a flood plan, a copy of such a plan or any information in or relating to such a plan does not apply to the extent that notice served on the person under subsection (4) requires the person not to do so.— [Mrs O'Neill (The Minister of Agriculture and Rural Development).]

No 135: In clause 56, page 37, line 4, leave out subsection (1).— [Mrs O'Neill (The Minister of Agriculture and Rural Development).]

No 136: In clause 56, page 37, line 10, leave out “reservoir manager of a controlled reservoir” and insert “person”.— [Mrs O'Neill (The Minister of Agriculture and Rural Development).]

No 137: In clause 56, page 37, line 12, at end insert “(ya) the requirements of a notice under subsection (3) of section 52 (publication etc. of incident reports and national security) or subsection (3B) of that section in so far as subsection (3B) applies in relation to the notice,

(za) the requirements of a notice under subsection (4) of section 53 (publication etc. of flood plans and national security) or subsection (4B) of that section in so far as subsection (4B) applies in relation to the notice.”— [Mrs O'Neill (The Minister of Agriculture and Rural Development).]

No 138: In clause 56, page 37, line 15, at end insert

“(2A) A person does not commit an offence under subsection (2) where the person fails to comply with the requirements referred to in paragraph (ya) or (za) of that subsection in order to comply with any other duty imposed on the person by virtue of any of the following—

(a) the Environmental Information Regulations 2004,

(b) the Freedom of Information Act 2000,

(c) a constable acting in the course of the constable's duties,

(d) an order of a court of competent jurisdiction.”— [Mrs O'Neill (The Minister of Agriculture and Rural Development).]

No 139: In clause 56, page 37, line 16, leave out “reservoir manager” and insert “person”.— [Mrs O'Neill (The Minister of Agriculture and Rural Development).]

No 140: In clause 56, page 37, line 16, leave out “(1) or”.— [Mrs O'Neill (The Minister of Agriculture and Rural Development).]

No 186: After clause 104 insert

“National security: further provision

104A.—(1) Without prejudice to section 9(4), if it appears to the Secretary of State that any other disclosure of any information relating to a controlled reservoir would adversely affect national security, the Secretary of State may issue a notice (‘a non-

disclosure notice’) to the Department in relation to the information.

(2) Where a non-disclosure notice has been issued under subsection (1), the Department must not publish or disclose any of the information or require any person to do so.

(3) Where a non-disclosure notice states that this subsection applies to any of the information specified in the notice (‘the specified information’), the Department must not give to any other person any indication of the existence of the specified information.

(4) Subsections (2) and (3) do not apply to the extent that they would prevent the Department from complying with any other obligation to which it is subject in pursuance of—

(a) the Environmental Information Regulations 2004,

(b) the Freedom of Information Act 2000,

(c) a constable acting in the course of the constable's duties,

(d) an order of a court of competent jurisdiction.”— [Mrs O'Neill (The Minister of Agriculture and Rural Development).]

No 189: In clause 107, page 66, line 16, after “must” insert

“, not later than 28 days after the resignation.”— [Mrs O'Neill (The Minister of Agriculture and Rural Development).]

No 190: In clause 107, page 66, line 16, leave out “the resignation” and insert “it”.— [Mrs O'Neill (The Minister of Agriculture and Rural Development).]

No 191: In clause 107, page 66, line 21, leave out subsection (3).— [Mrs O'Neill (The Minister of Agriculture and Rural Development).]

No 195: In clause 117, page 70, line 28, leave out “a statutory provision” and insert

“Northern Ireland legislation or an Act of Parliament”.— [Mrs O'Neill (The Minister of Agriculture and Rural Development).]

No 196: In clause 118, page 70, line 39, at end insert

“‘the Water Appeals Commission’ means the Water Appeals Commission for Northern Ireland.”— [Mrs O'Neill (The Minister of Agriculture and Rural Development).]

No 197: In clause 120, page 71, line 7, after “on” insert “the day after”.— [Mrs O'Neill (The Minister of Agriculture and Rural Development).]

No 198: In clause 120, page 71, line 9, leave out “116,” and insert “116 to”.— [Mrs O'Neill (The Minister of Agriculture and Rural Development).]

The amendments in this group relate to the management of sensitive information about reservoirs to prevent it being wrongly disclosed, accessed, distributed, or published. The group also includes other minor technical amendments that are required.

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

Reservoirs are complex technical structures. When a reservoir fails, it can cause a huge amount of water to be released suddenly and history shows us that when



this occurs it has the potential to cause loss of life, extensive damage to property, critical infrastructure, the environment, cultural heritage, and economic activity. It is therefore extremely important that certain information is protected, particularly for reservoirs used for public water supply. Information that would be considered to be sensitive include the capacity of reservoirs, the parts of flood plans that include detailed inundation maps, and the parts of incident reports that highlight any weakness in a reservoir.

The Reservoirs Bill makes provision for the withholding of sensitive information from the reservoir register, incident reports and flood plans. On reflection, this is an unnecessarily bureaucratic arrangement that will result in a delay in the restricting of the sensitive information. Also the provision extends only to the issue of a notice to a reservoir manager not to publish, distribute or give access to information. However, this should also extend to others who may be in possession of the same sensitive information. Therefore, the effectiveness of the notice is somewhat limited. I am therefore proposing, through amendment Nos 113 to 119 and amendment Nos 123 to 129, to introduce a more efficient process whereby any notice may be issued directly to a reservoir manager. Importantly, this also makes provision for the issue of a notice directly to any other relevant person who may hold or have access to sensitive information, for example a reservoir engineer. A new clause at amendment No 186 is required to deal with sensitive information held by the Department as well as consequential amendment Nos 135 to 140 to clause 56, relating to associated offences.

Turning to the proposed technical amendments, I advise that these do not affect the meaning or purpose of the clauses to which they refer. Therefore, I do not wish to prolong the debate by commenting on each individual amendment. However, I will briefly comment on what the amendments are intended to achieve within the respective clauses.

Amendment Nos 189 to 191 to clause 107 are proposed to achieve consistency in relation to requirements on a reservoir manager to give notice of resignation or revocation of an engineer's commissioning to the Department within 28 days.

Proposed amendment No 195 to clause 117 is a drafting refinement that, from now on, will be adopted in all Assembly Bills to clarify that the draft affirmative procedure is to apply to any subordinate legislation that amends primary legislation or any Act of Parliament. The amendment has been discussed and agreed with the Examiner of Statutory Rules.

Proposed amendment No 197 to clause 120 makes it clear that the clauses, as listed, come into operation on the day after Royal Assent, while amendment No 198 adds clause 117 to the list of clauses to be commenced on the day after Royal Assent. Proposed amendment No 196 provides the full title of the Water Appeals Commission in clause 118.

**Mr Irwin:** The fifth group of amendments were brought forward by the Minister. They were not seen or discussed by the Committee during the Committee Stage of the Bill. In fact, the issue that these amendments cover was never raised in any of the evidence presented to the Committee. Departmental officials informed the Committee of the

amendments and provided it with the text, but it never took a position on them. Thank you.

**Mrs O'Neill:** That was quick. I thank the Chairperson for his comments, and I thank everybody for their comments throughout the debate.

Some of the reservoirs in the North, particularly those used for public water supply, are vital to our social and economic infrastructure. Therefore, it is extremely important that sensitive information relating to such reservoirs is protected where it is deemed necessary. I am satisfied that my proposed amendments reflect best practice and should ensure that sensitive information is properly managed.

*Amendment No 113 agreed to.*

*Amendment No 114 made:*

In page 33, line 38, leave out from "direct" to second "notice" in line 41.— [*Mrs O'Neill (The Minister of Agriculture and Rural Development).*]

*Amendment No 115 made:*

In page 33, line 42, after "concerned" insert

*"and any other person who has prepared the incident report".— [Mrs O'Neill (The Minister of Agriculture and Rural Development).]*

*Amendment No 116 made:*

In page 33, line 42, after second "manager" insert

*"and (as appropriate) the other person".— [Mrs O'Neill (The Minister of Agriculture and Rural Development).]*

*Amendment No 117 made:*

In page 34, line 1, leave out from "a" to end of line 3 and insert

*"the incident report, a copy of it or any information in or relating to it,".— [Mrs O'Neill (The Minister of Agriculture and Rural Development).]*

*Amendment No 118 made:*

In page 34, line 4, leave out "give access to a copy of such an incident report" and insert

*"permit access to the incident report, a copy of it or any information in or relating to it,".— [Mrs O'Neill (The Minister of Agriculture and Rural Development).]*

*Amendment No 119 made:*

In page 34, line 5, at end insert

*"(3A) Notice under subsection (3) may also specify requirements as to the storage of the incident report and copies of it in the interests of national security.*

*(3B) Where notice under subsection (3) states that this subsection applies to any of the information specified in the notice ('the specified information'), the person on whom the notice is served must not give to any other person any indication of the existence of the specified information.*

*(3C) Any duty of a person under regulations made under subsection (1) to publish an incident report, a copy of such a report or any information in or relating to such a report does not apply to the extent that notice served on the person under subsection (3) requires the*

person not to do so.”— [Mrs O’Neill (The Minister of Agriculture and Rural Development).]

Clause 52, as amended, ordered to stand part of the Bill.

### Clause 53 (Flood plans)

Amendment No 120 made:

In page 35, line 13, after “(n)” insert “and subsection (3A)”.— [Mrs O’Neill (The Minister of Agriculture and Rural Development).]

Amendment No 121 made:

In page 35, line 20, leave out “risk” and insert “consequence”.— [Mrs O’Neill (The Minister of Agriculture and Rural Development).]

Amendment No 122 made:

In page 35, line 24, at end insert

“(3A) Regulations under subsection (1) containing provision entitling the Department to recover costs as referred to in subsection (3)(m) must provide for a right of appeal to the Water Appeals Commission against—

(a) the Department’s decision to require the person to pay the costs,

(b) the Department’s decision as to the amount of the costs.

(3B) The Commission may confirm, quash or vary the decision.”— [Mrs O’Neill (The Minister of Agriculture and Rural Development).]

Amendment No 123 made:

In page 35, line 26, after “in” insert “or relating to”.— [Mrs O’Neill (The Minister of Agriculture and Rural Development).]

Amendment No 124 made:

In page 35, line 27, leave out from “direct” to second “notice” in line 29.— [Mrs O’Neill (The Minister of Agriculture and Rural Development).]

Amendment No 125 made:

In page 35, line 30, after “concerned” insert

“and each other relevant person”.— [Mrs O’Neill (The Minister of Agriculture and Rural Development).]

Amendment No 126 made:

In page 35, line 30, after second “manager” insert

“and other relevant person”.— [Mrs O’Neill (The Minister of Agriculture and Rural Development).]

Amendment No 127 made:

In page 35, line 31, leave out from “a” to end of line 33 and insert

“the flood plan, a copy of it or any information in or relating to it.”— [Mrs O’Neill (The Minister of Agriculture and Rural Development).]

Amendment No 128 made:

In page 35, line 34, leave out “, or not to give access to, a copy of such a flood plan” and insert

“and not to permit access to the flood plan, a copy of it or any information in or relating to it.”— [Mrs O’Neill (The Minister of Agriculture and Rural Development).]

Amendment No 129 made:

In page 35, line 35, at end insert

“(4A) Notice under subsection (4) may also specify requirements as to the storage of the flood plan and copies of it in the interests of national security.

(4B) Where notice under subsection (4) states that this subsection applies to any of the information specified in the notice (‘the specified information’), the person on whom the notice is served must not give to any other person any indication of the existence of the specified information.

(4C) For the purposes of subsection (4), a relevant person is a person (other than the Department)—

(a) who is required, by virtue of regulations under subsection (1), to prepare, review or update the flood plan, provide, produce or submit it or publish or distribute copies of it,

(b) who receives or may receive the flood plan or information in or relating to it.

(4D) Any duty of a person under regulations made under subsection (1) to publish a flood plan, a copy of such a plan or any information in or relating to such a plan does not apply to the extent that notice served on the person under subsection (4) requires the person not to do so.”— [Mrs O’Neill (The Minister of Agriculture and Rural Development).]

Clause 53, as amended, ordered to stand part of the Bill.

### Clause 54 (Maintenance of records)

**Mr Deputy Speaker (Mr Beggs):** Amendment Nos 130 to 134 are consequential, technical amendments. I, therefore, propose, by leave of the House, to group the amendments for the Question and then to group the relevant clauses for the Question.

Amendment No 130 made:

In page 36, line 6, leave out first “risk” and insert “consequence”.— [Mrs O’Neill (The Minister of Agriculture and Rural Development).]

Amendment No 131 made:

In page 36, line 6, leave out second “risk” and insert “consequence”.— [Mrs O’Neill (The Minister of Agriculture and Rural Development).]

Amendment No 132 made:

In page 36, line 7, leave out “risk” and insert “consequence”.— [Mrs O’Neill (The Minister of Agriculture and Rural Development).]

Clause 54, as amended, ordered to stand part of the Bill.

**Clause 55 (Display of emergency response information)**

*Amendment No 133 made:*

In page 36, line 35, leave out first “risk” and insert “consequence”.— [Mrs O’Neill (The Minister of Agriculture and Rural Development).]

*Amendment No 134 made:*

In page 36, line 35, leave out second “risk” and insert “consequence”.— [Mrs O’Neill (The Minister of Agriculture and Rural Development).]

*Clause 55, as amended, ordered to stand part of the Bill.*

**Clause 56 (Offences under Part 4)**

*Amendment No 135 made:*

In page 37, line 4, leave out subsection (1).— [Mrs O’Neill (The Minister of Agriculture and Rural Development).]

*Amendment No 136 made:*

In page 37, line 10, leave out “reservoir manager of a controlled reservoir” and insert “person”.— [Mrs O’Neill (The Minister of Agriculture and Rural Development).]

*Amendment No 137 made:*

In page 37, line 12, at end insert

“(ya) the requirements of a notice under subsection (3) of section 52 (publication etc. of incident reports and national security) or subsection (3B) of that section in so far as subsection (3B) applies in relation to the notice,

(za) the requirements of a notice under subsection (4) of section 53 (publication etc. of flood plans and national security) or subsection (4B) of that section in so far as subsection (4B) applies in relation to the notice.”— [Mrs O’Neill (The Minister of Agriculture and Rural Development).]

*Amendment No 138 made:*

In page 37, line 15, at end insert

“(2A) A person does not commit an offence under subsection (2) where the person fails to comply with the requirements referred to in paragraph (ya) or (za) of that subsection in order to comply with any other duty imposed on the person by virtue of any of the following—

(a) the Environmental Information Regulations 2004,

(b) the Freedom of Information Act 2000,

(c) a constable acting in the course of the constable’s duties,

(d) an order of a court of competent jurisdiction.”— [Mrs O’Neill (The Minister of Agriculture and Rural Development).]

*Amendment No 139 made:*

In page 37, line 16, leave out “reservoir manager” and insert “person”.— [Mrs O’Neill (The Minister of Agriculture and Rural Development).]

*Amendment No 140 made:*

In page 37, line 16, leave out “(1) or”.— [Mrs O’Neill (The Minister of Agriculture and Rural Development).]

*Amendment No 141 made:*

In page 37, line 18, leave out “risk” and insert “consequence”.— [Mrs O’Neill (The Minister of Agriculture and Rural Development).]

*Clause 56, as amended, ordered to stand part of the Bill.*

*Clauses 57 to 64 ordered to stand part of the Bill.*

**Clause 65 (Commissioning of engineer by Department)**

*Amendment No 142 made:*

In page 42, line 1, leave out subsection (4) and insert

“(4) If the Department considers it appropriate to do so, it may by notice served on the reservoir manager require the manager to pay the Department such amount of the costs reasonably incurred by it in pursuance of the exercise of its powers under this section as is specified in the notice.

(5) Subject to section 71A, the reservoir manager must pay the amount of any costs so incurred and specified in such notice.”— [Mrs O’Neill (The Minister of Agriculture and Rural Development).]

*Clause 65, as amended, ordered to stand part of the Bill.*

*Clause 66 ordered to stand part of the Bill.*

**Clause 67 (Enforcement notice: safety measures)**

*Amendment No 143 made:*

In page 42, line 42, leave out subsection (6) and insert

“(6) If the Department considers it appropriate to do so, it may by notice served on the reservoir manager require the manager to pay the Department such amount of the costs reasonably incurred by it in connection with consultation under this section as is specified in the notice.

(7) Subject to section 71A, the reservoir manager must pay the amount of any costs so incurred and specified in such notice.”— [Mrs O’Neill (The Minister of Agriculture and Rural Development).]

*Clause 67, as amended, ordered to stand part of the Bill.*

*Clause 68 ordered to stand part of the Bill.*

**Clause 69 (Department’s power to arrange taking of safety measures)**

*Amendment No 144 made:*

In page 43, line 27, leave out subsection (6) and insert

“(6) If the Department considers it appropriate to do so, it may by notice served on the reservoir manager require the manager to pay the Department such amount of the costs reasonably incurred by it in making arrangements under this section as is specified in the notice.

(7) Subject to section 71A, the reservoir manager must pay the amount of any costs so incurred and specified in such notice.”— [Mrs O’Neill (The Minister of Agriculture and Rural Development).]

*Clause 69, as amended, ordered to stand part of the Bill.*

*Clause 70 ordered to stand part of the Bill.*

**Clause 71 (Emergency powers)**

*Amendment No 145 made:*

In page 45, line 1, at beginning insert "Subject to section 71A."— *[Mrs O'Neill (The Minister of Agriculture and Rural Development).]*

*Clause 71, as amended, ordered to stand part of the Bill.*

**New Clause**

*Amendment No 146 made:*

After clause 71 insert

*"Recovery of costs under section 65, 67, 69 or 71: appeal*

**Recovery of costs under section 65, 67, 69 or 71: appeal**

*71A.—(1) A reservoir manager required by virtue of notice served by the Department under section 65(4), 67(6), 69(6) or 71(7) to pay the Department's costs referred to in the section may appeal to the Water Appeals Commission against—*

*(a) the Department's decision to require the manager to pay the costs,*

*(b) the Department's decision as to the amount of the costs.*

*(2) The Commission may confirm, quash or vary the decision."— [Mrs O'Neill (The Minister of Agriculture and Rural Development).]*

*New clause ordered to stand part of the Bill.*

*Clause 72 ordered to stand part of the Bill.*

**Clause 73 (Stop notices: content and procedure)**

*Amendment No 147 made:*

In page 46, line 10, leave out "for Northern Ireland".— *[Mrs O'Neill (The Minister of Agriculture and Rural Development).]*

*Amendment No 148 made:*

In page 46, line 23, leave out "for Northern Ireland".— *[Mrs O'Neill (The Minister of Agriculture and Rural Development).]*

*Amendment No 149 made:*

In page 46, line 32, leave out from "include" to "and" on line 33 and insert

*"—*

*(a)".— [Mrs O'Neill (The Minister of Agriculture and Rural Development).]*

*Amendment No 150 made:*

In page 46, line 39, at end insert "(b) secure that the Commission may confirm, quash or vary the decision."— *[Mrs O'Neill (The Minister of Agriculture and Rural Development).]*

*Amendment No 151 made:*

In page 47, line 2, at end insert "(b) secure that the Commission may confirm or quash the decision."— *[Mrs O'Neill (The Minister of Agriculture and Rural Development).]*

*Amendment No 152 made:*

In page 47, line 3, leave out subsection (6).— *[Mrs O'Neill (The Minister of Agriculture and Rural Development).]*

*Clause 73, as amended, ordered to stand part of the Bill.*

**Clause 74 (Stop notices: compensation)**

*Amendment No 153 made:*

In page 47, line 17, leave out "for Northern Ireland".— *[Mrs O'Neill (The Minister of Agriculture and Rural Development).]*

*Amendment No 154 made:*

In page 47, line 18, leave out

*"and provide for the powers of the Commission in an appeal".— [Mrs O'Neill (The Minister of Agriculture and Rural Development).]*

*Amendment No 155 made:*

In page 47, line 21, at end insert "(d) must secure that the Commission may confirm, quash or vary the decision."— *[Mrs O'Neill (The Minister of Agriculture and Rural Development).]*

*Amendment No 156 made:*

In page 47, line 22, leave out subsection (2).— *[Mrs O'Neill (The Minister of Agriculture and Rural Development).]*

*Clause 74, as amended, ordered to stand part of the Bill.*

*Clauses 75 and 76 ordered to stand part of the Bill.*

**Clause 77 (Regulations as to enforcement undertakings: further provision)**

*Amendment No 157 made:*

In page 49, line 15, leave out "for Northern Ireland".— *[Mrs O'Neill (The Minister of Agriculture and Rural Development).]*

*Amendment No 158 made:*

In page 49, line 16, leave out

*"and the powers of the Commission in an appeal".— [Mrs O'Neill (The Minister of Agriculture and Rural Development).]*

*Amendment No 159 made:*

In page 49, line 21, at end insert

*"(ja) for the Commission to have power to confirm or quash the decision,"— [Mrs O'Neill (The Minister of Agriculture and Rural Development).]*

*Amendment No 160 made:*

In page 49, line 37, leave out "risk" and insert "consequence".— *[Mrs O'Neill (The Minister of Agriculture and Rural Development).]*

*Amendment No 161 made:*

In page 50, line 10, leave out subsection (2).— *[Mrs O'Neill (The Minister of Agriculture and Rural Development).]*

*Clause 77, as amended, ordered to stand part of the Bill.*

*Clause 78 ordered to stand part of the Bill.*

**Clause 79 (Fixed monetary penalties: procedure etc.)**

*Amendment No 162 made:*

In page 51, line 16, leave out “for Northern Ireland”.—  
[Mrs O’Neill (The Minister of Agriculture and Rural Development).]

*Amendment No 163 made:*

In page 52, line 9, at end insert “(b) secure that the Commission may confirm or quash the decision.”.—  
[Mrs O’Neill (The Minister of Agriculture and Rural Development).]

*Amendment No 164 made:*

In page 52, line 10, leave out subsection (7).— [Mrs O’Neill (The Minister of Agriculture and Rural Development).]

*Clause 79, as amended, ordered to stand part of the Bill.*

*Clauses 80 and 81 ordered to stand part of the Bill.*

**Clause 82 (Variable monetary penalties: procedure etc.)**

*Amendment No 165 made:*

In page 53, line 38, leave out “for Northern Ireland”.—  
[Mrs O’Neill (The Minister of Agriculture and Rural Development).]

*Amendment No 166 made:*

In page 54, line 37, at end insert “(b) secure that the Commission may confirm or quash the decision.”.—  
[Mrs O’Neill (The Minister of Agriculture and Rural Development).]

*Amendment No 167 made:*

In page 54, line 38, leave out subsection (8).— [Mrs O’Neill (The Minister of Agriculture and Rural Development).]

*Clause 82, as amended, ordered to stand part of the Bill.*

*Clause 83 ordered to stand part of the Bill.*

**Clause 84 (Undertaking referred to in section 82(5): enforcement)**

*Amendment No 168 made:*

In page 55, line 36, leave out “for Northern Ireland”.—  
[Mrs O’Neill (The Minister of Agriculture and Rural Development).]

*Amendment No 169 made:*

In page 56, line 10, at end insert “(b) secure that the Commission may confirm or quash the decision.”.—  
[Mrs O’Neill (The Minister of Agriculture and Rural Development).]

*Amendment No 170 made:*

In page 56, line 11, leave out subsection (6).— [Mrs O’Neill (The Minister of Agriculture and Rural Development).]

*Clause 84, as amended, ordered to stand part of the Bill.*

*Clause 85 ordered to stand part of the Bill.*

**Clause 86 (Recovery by the Department of certain costs)**

*Amendment No 171 made:*

In page 57, line 5, leave out “for Northern Ireland”.—  
[Mrs O’Neill (The Minister of Agriculture and Rural Development).]

*Amendment No 172 made:*

In page 57, line 6, leave out from “and” to “appeal” on line 7.— [Mrs O’Neill (The Minister of Agriculture and Rural Development).]

*Amendment No 173 made:*

In page 57, line 9, at end insert “(b) secure that the Commission may confirm, quash or vary the decision.”.—  
[Mrs O’Neill (The Minister of Agriculture and Rural Development).]

*Amendment No 174 made:*

In page 57, line 10, leave out subsection (4).— [Mrs O’Neill (The Minister of Agriculture and Rural Development).]

*Clause 86, as amended, ordered to stand part of the Bill.*

*Clause 87 ordered to stand part of the Bill.*

**Clause 88 (Powers of entry)**

**Mr Deputy Speaker (Mr Beggs):** Amendment Nos 175 and 176 are technical and consequential.

*Amendment No 175 made:*

In page 58, line 5, leave out “risk” and insert “reservoir”.—  
[Mrs O’Neill (The Minister of Agriculture and Rural Development).]

*Amendment No 176 made:*

In page 58, line 6, leave out “risk” and insert “reservoir”.—  
[Mrs O’Neill (The Minister of Agriculture and Rural Development).]

*Clause 88, as amended, ordered to stand part of the Bill.*

*Clauses 89 and 90 ordered to stand part of the Bill.*

**Clause 91 (Offence: preventing or obstructing entry)**

*Amendment No 177 made:*

In page 60, line 2, leave out “risk” and insert “consequence”.— [Mrs O’Neill (The Minister of Agriculture and Rural Development).]

*Clause 91, as amended, ordered to stand part of the Bill.*

**Clause 92 (Compensation)**

*Amendment No 178 made:*

In page 60, line 38, leave out from the beginning to “of” and insert

*“If the Department considers it appropriate to do so it may, in the circumstances mentioned in subsection (8A), by notice served on the reservoir manager require the manager to pay the Department such amount of the following as is specified in the notice.”.—*  
[Mrs O’Neill (The Minister of Agriculture and Rural Development).]

*Amendment No 179 made:*

In page 61, line 1, at beginning insert

*“(8A) The circumstances are “.— [Mrs O’Neill (The Minister of Agriculture and Rural Development).]”*

*Clause 92, as amended, ordered to stand part of the Bill.*

**Clause 93 (Affording of reasonable facilities to engineers)**

**Mr Deputy Speaker (Mr Beggs):** Amendment Nos 180 to 182 are consequential and technical.

*Amendment No 180 made:*

In page 61, line 17, leave out first “risk” and insert “consequence”.— *[Mrs O’Neill (The Minister of Agriculture and Rural Development).]*

*Amendment No 181 made:*

In page 61, line 17, leave out second “risk” and insert “consequence”.— *[Mrs O’Neill (The Minister of Agriculture and Rural Development).]*

*Clause 93, as amended, ordered to stand part of the Bill.*

*Clause 94 ordered to stand part of the Bill.*

**Clause 95 (Offences: sections 93 and 94)**

*Amendment No 182 made:*

In page 62, line 19, leave out “risk” and insert “consequence”.— *[Mrs O’Neill (The Minister of Agriculture and Rural Development).]*

*Clause 95, as amended, ordered to stand part of the Bill.*

*Clauses 96 to 103 ordered to stand part of the Bill.*

**New Clause**

*Amendment No 183 made:*

Before clause 104 insert

**“Power of Water Appeals Commission to award costs in an appeal**

**103A.**—(1) *The Water Appeals Commission may make an order as to the costs of the parties to an appeal mentioned in subsection (2) and as to the parties by whom the costs are to be paid.*

(2) *The appeals are—*

(a) *an appeal under section 21 (reservoir designation),*

(b) *an appeal by virtue of regulations under section 25A(1) (decision of Department as to whether high-consequence or medium-consequence reservoir is of an acceptable standard as regards how it is being maintained: frequency of visits by supervising engineer),*

(c) *an appeal by virtue of regulations under section 53(1) (cost recovery in relation to flood plan),*

(d) *an appeal under section 71A (cost recovery under section 65, 67, 69 or 71),*

(e) *an appeal by virtue of regulations under section 72(1) (in relation to stop notice),*

(f) *an appeal by virtue of regulations under section 76(1) (in relation to enforcement undertaking),*

(g) *an appeal by virtue of regulations under section 78(1) (imposition of fixed monetary penalty),*

(h) *an appeal by virtue of regulations under section 81(1) (in relation to variable monetary penalty).*

(3) *An order made under this section has effect as if it had been made by the High Court.*

(4) *Without prejudice to the generality of subsection (3), the Master (Taxing Office) has the same powers and duties in relation to an order made under this section as the Master has in relation to an order made by the High Court.*

(5) *Proceedings before the Commission are, for the purposes of the Litigants in Person (Costs and Expenses) Act 1975, to be regarded as proceedings to which section 1(1) of that Act applies.”.— [Mrs O’Neill (The Minister of Agriculture and Rural Development).]*

*New clause ordered to stand part of the Bill.*

**New Clause**

*Amendment No 184 made:*

Before clause 104 insert

**“Orders as to costs: supplementary**

**103B.**—(1) *Subsection (2) applies where all of the following apply—*

(a) *for the purpose of an appeal referred to in section 103A(2)—*

(i) *the Water Appeals Commission is required, before a decision is reached, to give any person an opportunity, or ask any person whether the person wishes, to appear before and be heard by it,*

(ii) *arrangements are made for a hearing to be held,*

(b) *the hearing does not take place,*

(c) *if it had taken place, the Commission would have had power to make an order under section 103A(1) requiring any party to pay any costs of any other party.*

(2) *The power to make such an order may be exercised, in relation to costs incurred for the purposes of the hearing, as if the hearing had taken place.”.— [Mrs O’Neill (The Minister of Agriculture and Rural Development).]*

*New clause ordered to stand part of the Bill.*

**New Clause**

*Amendment No 185 made:*

Before clause 104 insert

**“Fees in relation to appeals**

**103C.***The Office of the First Minister and deputy First Minister may by regulations specify the fees to be paid to the Water Appeals Commission in connection with appeals referred to in section 103A(2).”— [Mrs O’Neill (The Minister of Agriculture and Rural Development).]*

*New clause ordered to stand part of the Bill.*

*Clause 104 ordered to stand part of the Bill.*

**New Clause**

Amendment No 186 made:

After clause 104 insert

**“National security: further provision**

**104A.**—(1) Without prejudice to section 9(4), if it appears to the Secretary of State that any other disclosure of any information relating to a controlled reservoir would adversely affect national security, the Secretary of State may issue a notice (‘a non-disclosure notice’) to the Department in relation to the information.

(2) Where a non-disclosure notice has been issued under subsection (1), the Department must not publish or disclose any of the information or require any person to do so.

(3) Where a non-disclosure notice states that this subsection applies to any of the information specified in the notice (‘the specified information’), the Department must not give to any other person any indication of the existence of the specified information.

(4) Subsections (2) and (3) do not apply to the extent that they would prevent the Department from complying with any other obligation to which it is subject in pursuance of—

(a) the Environmental Information Regulations 2004,

(b) the Freedom of Information Act 2000,

(c) a constable acting in the course of the constable’s duties,

(d) an order of a court of competent jurisdiction.”.—  
[Mrs O’Neill (The Minister of Agriculture and Rural Development).]

New clause ordered to stand part of the Bill.

Clause 105 ordered to stand part of the Bill.

**Clause 106 (Assessment of engineers’ reports etc.)**

Amendment No 187 made:

In page 65, line 29, after “quality” insert “and content”.—  
[Mrs O’Neill (The Minister of Agriculture and Rural Development).]

Clause 106, as amended, ordered to stand part of the Bill.

**New Clause**

Amendment No 188 made:

After clause 106 insert

**“Publication of information as regards ranges of costs of engineers’ services**

**106A.**—(1) The Department may publish information as regards ranges of costs of the provision of relevant services by engineers who are members of panels of reservoir engineers established under section 97.

(2) For the purposes of this section, ‘relevant services’ are services that are provided by such engineers in pursuance of this Act or are available for such provision.”.—  
[Mrs O’Neill (The Minister of Agriculture and Rural Development).]

New clause ordered to stand part of the Bill.

**Clause 107 (Notice to the Department of revocation of commissioning, or resignation, of engineer)**

Amendment No 189 made:

In page 66, line 16, after “must” insert

“, not later than 28 days after the resignation,”.—  
[Mrs O’Neill (The Minister of Agriculture and Rural Development).]

Amendment No 190 made:

In page 66, line 16, leave out “the resignation” and insert “it”.—  
[Mrs O’Neill (The Minister of Agriculture and Rural Development).]

Amendment No 191 made:

In page 66, line 21, leave out subsection (3).—  
[Mrs O’Neill (The Minister of Agriculture and Rural Development).]

Amendment No 192 made:

In page 66, line 27, leave out “risk” and insert “consequence”.—  
[Mrs O’Neill (The Minister of Agriculture and Rural Development).]

Clause 107, as amended, ordered to stand part of the Bill.

**Mr Deputy Speaker (Mr Beggs):** No amendments have been tabled to clauses 108 to 116. I propose, by leave of the Assembly, to group those clauses for the Question on stand part.

Clauses 108 to 116 ordered to stand part of the Bill.

**Clause 117 (Orders and regulations)**

Amendment No 193 made:

In page 70, line 12, at end insert

“(iia) section 22A(1) (further provision about matters that are to be taken into account under sections 17(3), 18(2), 20(3)(b)(ii) and 21(5)(a)).”—  
[Mrs O’Neill (The Minister of Agriculture and Rural Development).]

Amendment No 194 made:

In page 70, line 12, at end insert

“(iib) section 25A(1) (regulations as to visits by supervising engineer to high-consequence or medium-consequence reservoir).”—  
[Mrs O’Neill (The Minister of Agriculture and Rural Development).]

Amendment No 195 made:

In page 70, line 28, leave out “a statutory provision” and insert

“Northern Ireland legislation or an Act of Parliament”.—  
[Mrs O’Neill (The Minister of Agriculture and Rural Development).]

Clause 117, as amended, ordered to stand part of the Bill.

**Clause 118 (Definitions)**

Amendment No 196 made:

In page 70, line 39, at end insert

“the Water Appeals Commission’ means the Water Appeals Commission for Northern Ireland.”.—  
[Mrs O’Neill (The Minister of Agriculture and Rural Development).]

Clause 118, as amended, ordered to stand part of the Bill.

Clause 119 ordered to stand part of the Bill.

**Clause 120 (Commencement)**

Amendment No 197 made:

In page 71, line 7, after “on” insert “the day after”.—  
[Mrs O’Neill (The Minister of Agriculture and Rural Development).]

Amendment No 198 made:

In page 71, line 9, leave out “116,” and insert “116 to”.—  
[Mrs O’Neill (The Minister of Agriculture and Rural Development).]

Amendment No 199 made:

In page 71, line 13, at end insert

“(2A) No order may be made under subsection (2) in respect of the following provisions unless a draft of the order has been laid before, and approved by a resolution of, the Assembly—

(a) section 24(1), (2), (4) and (5),

(b) in section 25—

(i) subsections (1) to (9),

(ii) subsection (10), for the purposes of sections 25A to 29 and 35,

(c) sections 25A, 26 and 27,

(d) in section 28—

(i) subsections (2) to (4),

(ii) subsection (5), in so far as it defines an ‘inspecting engineer’ as an engineer duly commissioned under section 32 to supervise the taking of a measure referred to in section 32(1)(b),

(e) sections 29(2) to (5),

(f) in section 32—

(i) in subsection (1), paragraph (b),

(ii) subsection (3),

(g) in section 33—

(i) subsections (2) and (3),

(ii) in subsection (4), paragraphs (c), (d) and (i),

(iii) in subsection (5), paragraph (b),

(iv) in subsection (6), paragraph (b),

(h) sections 34 and 35,

(i) in section 36(1)—

(i) paragraphs (a), (b), (c) and (d),

(ii) paragraph (e) (in relation to the requirements of section 32(1)(b)),

(iii) paragraph (g),

(j) in section 36(2), paragraphs (a), (b), (d) and (e),

(k) section 36(3), in relation to the following offences—

(i) an offence under section 36(1)(a), (b), (c) or (d),

(ii) an offence under section 36(1)(e) that is attributable to a failure to comply with the requirements of section 32(1)(b),

(iii) an offence under section 36(1)(g),

(iv) an offence under section 36(2)(a), (b), (d) or (e),

(l) section 36A,

(m) section 37,

(n) in section 63(1), paragraph (a),

(o) sections 64 and 65, in so far as they concern the commissioning of a supervising engineer,

(p) in section 66, paragraph (a),

(q) sections 67 to 69,

(r) section 70, in relation to an offence under section 36A(1),

(s) section 71A, as regards costs in relation to the commissioning of a supervising engineer under section 65 and costs under section 67 or 69,

(t) sections 76 to 84,

(u) section 85, in relation to the consultation required by sections 76(2), 78(2) and 81(2),

(v) section 86, in relation to regulations under sections 76(1) and 81(1),

(w) section 87,

(x) section 93, in so far as it defines a ‘relevant engineer’ as a supervising engineer (including a nominated representative of a supervising engineer under section 25(7)(a) who is acting as such in the event of the supervising engineer being unavailable),

(y) section 95, in relation to failure to comply with the requirements of section 93 as respects a relevant engineer who is a supervising engineer (including a nominated representative of a supervising engineer under section 25(7)(a) who is acting as such in the event of the supervising engineer being unavailable),

(z) sections 103A, 103B and 103C, in relation to—

(i) an appeal by virtue of regulations under section 25A(1),

(ii) an appeal under section 71A as regards costs in relation to the commissioning of a supervising engineer under section 65 and costs under section 67 or 69,

(iii) an appeal by virtue of regulations under section 76(1), 78(1) or 81(1),

(za) section 105.”.— [Mrs O’Neill (The Minister of Agriculture and Rural Development).]

Amendment No 200 made:

In page 71, line 16, after “Act” insert

“including, in the case of an order in respect of any provision referred to in subsection (2A), such transitional or transitory modifications of this Act as the Department considers necessary or expedient in connection with any other provisions of this Act not yet having come into operation”.— [Mrs O’Neill (The Minister of Agriculture and Rural Development).]

Clause 120, as amended, ordered to stand part of the Bill.



**New Clause**

*Amendment No 201 made:*

After clause 120 insert

**“Duty to report on operation of this Act**

**121.—(1)** *The Department must, not later than three years after this Act receives Royal Assent, publish a report on the operation of this Act.*

**(2)** *The Department must lay the report before the Assembly.”.— [Mr Elliott.]*

*New clause ordered to stand part of the Bill.*

*Clause 121 ordered to stand part of the Bill.*

**Schedule 1 (Pre-commencement inspection reports: review of decision under section 31(2))**

**Mr Deputy Speaker (Mr Beggs):** Amendment Nos 202 to 205 are consequential, technical amendments. I therefore propose, by leave of the House, to group those amendments for the Question.

*Amendment No 202 made:*

In page 72, line 5, leave out first “risk” and insert “consequence”.— *[Mrs O’Neill (The Minister of Agriculture and Rural Development).]*

*Amendment No 203 made:*

In page 72, line 5, leave out second “risk” and insert “consequence”.— *[Mrs O’Neill (The Minister of Agriculture and Rural Development).]*

*Amendment No 204 made:*

In page 72, line 27, leave out first “risk” and insert “consequence”.— *[Mrs O’Neill (The Minister of Agriculture and Rural Development).]*

*Amendment No 205 made:*

In page 72, line 27, leave out second “risk” and insert “consequence”.— *[Mrs O’Neill (The Minister of Agriculture and Rural Development).]*

*Schedule 1, as amended, agreed to.*

**Schedule 2 (Index of defined expressions)**

*Amendment No 206 made:*

In page 73, line 24, leave out “risk” and insert “consequence”.— *[Mrs O’Neill (The Minister of Agriculture and Rural Development).]*

*Amendment No 207 made:*

In page 73, line 31, leave out “risk” and insert “consequence”.— *[Mrs O’Neill (The Minister of Agriculture and Rural Development).]*

*Amendment No 208 made:*

In page 73, line 32, leave out “risk” and insert “consequence”.— *[Mrs O’Neill (The Minister of Agriculture and Rural Development).]*

*Amendment No 209 made:*

In page 73, line 37, leave out “risk” and insert “reservoir”.— *[Mrs O’Neill (The Minister of Agriculture and Rural Development).]*

*Amendment No 210 made:*

In page 73, line 47, leave out “risk” and insert “reservoir”.— *[Mrs O’Neill (The Minister of Agriculture and Rural Development).]*

*Amendment No 211 made:*

In page 74, line 9, at end insert

“

the Water Appeals Commission	section 118(1)
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— *[Mrs O’Neill (The Minister of Agriculture and Rural Development).]*

*Schedule 2, as amended, agreed to.*

**Schedule 3 (Minor and consequential amendments)**

*Amendment No 212 made:*

In page 74, line 15, leave out “for Northern Ireland”.— *[Mrs O’Neill (The Minister of Agriculture and Rural Development).]*

*Amendment No 213 made:*

In page 74, line 23, leave out “risk” and insert “reservoir”.— *[Mrs O’Neill (The Minister of Agriculture and Rural Development).]*

*Amendment No 214 made:*

*In page 74, line 24, at end insert “(aa) an appeal (made by virtue of regulations made under section 25A(1) of that Act) against a decision as to whether a high-consequence or medium-consequence reservoir is of an acceptable standard as regards how it is being maintained: frequency of visits by supervising engineer,*

*(ab) an appeal (made by virtue of regulations made under section 53(1) of that Act) against a decision as to recovery of costs in relation to a flood plan,*

*(ac) an appeal (under section 71A of that Act) against a decision as to recovery of costs under section 65, 67, 69 or 71 of that Act.”.— [Mrs O’Neill (The Minister of Agriculture and Rural Development).]*

*Schedule 3, as amended, agreed to.*

*Schedule 4 agreed to.*

*Long title agreed to.*

**Mr Deputy Speaker (Mr Beggs):** This concludes the Consideration Stage of the Reservoirs Bill. The Bill stands referred to the Speaker.

*Adjourned at 5.48 pm.*



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# Northern Ireland Assembly

Monday 11 May 2015

*The Assembly met at 12.00 noon (Mr Speaker in the Chair).*

*Members observed two minutes' silence.*

## Assembly Business

### **Public Petition: Newry, Mourne and Down District Council — Inclusion of Gullion/ South Armagh in the Name**

**Mr Speaker:** Mr Mickey Brady has sought leave to present a public petition in accordance with Standing Order 22. The Member will have up to three minutes to speak.

**Mr Brady:** Go raibh maith agat, a Cheann Comhairle. The petition that I am going to present has been signed by the local community and the Crossmaglen and South Armagh Chamber of Commerce. A petition has also been handed over to the CEO of Newry, Mourne and Down District Council, Liam Hannaway, which was accompanied by DVDs made by the BBC highlighting the unique cultural significance of the area.

It is very important that the area is recognised as a unique and important part of the new council area. It is simply unacceptable that south Armagh has been left out of the new council's name. As a distinct cultural region, steeped in the history and folklore of Ireland, it forms an essential part of the identity of the new council. The decision of the SDLP and unionists to block any inclusion of Gullion or south Armagh in the name of the new council is and was a deliberate snub to the people of the entire area.

South Armagh is an area with incredible tourism potential, and, at a time when we are trying to raise its profile, this double blow dealt by the SDLP — funding has also been taken off the project that deals with the area of outstanding natural beauty — has caused a serious backlash. Many local businesses, community and voluntary groups and individual residents have contacted me and my colleagues to register their anger at this decision in the strongest possible terms. We are calling on the council to reconsider its name and introduce something more reflective of the entire region.

The Giant's Lair in Slieve Gullion Forest Park is a very successful project that has attracted people not only from the surrounding area but from all over Ireland and from abroad. We hope that the council will recognise the depth of feeling on the issue, because those who live and work in the area have invested in and promoted it, and they are rightly angry that south Armagh has once again been cast aside.

Gullion has been a tourism success story, and the inclusion of the names of two areas of outstanding beauty was something that the new council hoped to build on. Obviously, the Mournes are another area of outstanding

natural beauty, and they have been included. However, the exclusion of an entire region of the new council area has detached and isolated many who day and daily work to ensure its well-being and sustainability.

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

**Mr Speaker:** I will forward the petition to the Minister of the Environment and send a copy to the Committee.

## Executive Committee Business

### Energy (Amendment) Order (Northern Ireland) 2015

**Mrs Foster (The Minister of Enterprise, Trade and Investment):** I beg to move

*That the draft Energy (Amendment) Order (Northern Ireland) 2015 be approved.*

This statutory rule is being made under powers in the Energy (Northern Ireland) Order 2003, which prescribes that this order must be laid in draft form for approval by affirmative resolution of the Assembly.

The changes that I am bringing forward in the draft order will amend the part of the Energy (Northern Ireland) Order 2003 that deals with renewables. Renewable electricity generation in Northern Ireland is incentivised through the Northern Ireland renewables obligation, or the NIRO, as it has become known. Since its introduction in 2005, the NIRO has been instrumental in increasing renewable deployment in Northern Ireland from 3% renewable electricity consumption in 2005 to approximately 20% now. However, as part of the UK-wide electricity market reform, the NIRO, along with the other two renewables obligations in Great Britain, is scheduled to close to new generation in March 2017.

A consultation on the NIRO closure in 2017 was undertaken in 2012, and the majority of respondents at that time agreed that it would not be viable to keep the NIRO open after 2017 if the other two renewables obligations in Great Britain were to close. The proposed Energy (Amendment) Order contains powers to allow my Department to make a renewables obligation closure order. It will amend the primary provisions in the Energy (Northern Ireland) Order 2003 relating to the NIRO. Article 56(1) of the Energy (Northern Ireland) Order 2003 allows it to be amended to reflect changes to the primary legislation governing the renewables obligations in Great Britain, where a closure order has already been made.

This is purely an enabling measure. The substance of how we close the NIRO will be set out in the actual closure order, which I hope to bring before the Assembly prior to the summer recess. I issued a consultation on transition arrangements to contracts for difference and NIRO closure grace periods in March. That consultation ended on 15 April, and I hope to publish a response shortly. That will inform debate on the renewables obligation closure order, which is planned to close the NIRO to new generation and additional capacity from 1 April 2017. Provisions for eligible generators to avail themselves of a closure grace period will also be included.

The wider question of transition to contracts for difference raises significant implications for Northern Ireland, including cost to consumers, renewable energy deployment potential and the ability to meet 2020 renewable energy targets. I recently sought views from stakeholders on those strategic issues to inform future policy decisions on the way forward for renewable energy in Northern Ireland.

In conclusion, the amendments in this order will provide enabling powers for my Department to introduce a closure order, which will also be subject to affirmative resolution and which will therefore come before the House.

**Mr Dunne:** As a member of the Committee for Enterprise, Trade and Investment, I support the draft Energy (Amendment) Order, which has been laid before the House today. The Committee considered the order on 14 April 2015.

The cost of energy is a very important issue that affects everyone across Northern Ireland. It is therefore imperative that we continue to look at all possible options to ensure that we maximise our potential in developing and improving our energy supplies whilst ensuring energy efficiency and affordability. With the closure of the Northern Ireland renewables obligation scheduled for 2017, it is important that renewable energy be allowed to develop in the future through the up-and-coming contracts for difference (CFDs) arrangements. We have seen a real evolution in renewable energy across Northern Ireland, and I commend the Minister for leading on the important issue of energy supply. I trust that we will continue to build on what we have achieved and focus on meeting our targets whilst ensuring a balance on cost.

**Mr Flanagan (The Deputy Chairperson of the Committee for Enterprise, Trade and Investment):**

Go raibh maith agat, a Cheann Comhairle. I thank the Minister for bringing forward this rule. As Mr Dunne said, the Committee considered the Energy (Amendment) Order at SL1 stage on 24 March and, subsequently, the draft statutory rule on 14 April. The Committee is content that the statutory rule amend the Energy Order 2003 to confer a power on the Department to make a renewables obligation closure order. Therefore, it agreed that the rule be affirmed by the Assembly.

The electricity market reform will see all three Westminster renewables orders closed to new generation from 1 April 2017. The NIRO is the main policy measure for supporting the development of renewable electricity here, and it has proved very popular and successful since it was first introduced in 2005, with consumption of electricity from renewable sources having increased from 3% to almost 20% since then.

It is the view of the Westminster Department of Energy and Climate Change (DECC) that the contracts for difference, which are the main renewables support mechanism under electricity market reform, offer a means of meeting its statutory energy targets at least cost to the consumer. However, CFDs will mean a fundamental change from the NIRO, as generators will no longer have a guaranteed subsidy and will have to compete for contracts within a yearly budget allocation.

The Committee looks forward to the outcome of DECC's call for evidence on how CFDs might be implemented here and the Department's strategic issues paper regarding our strategic position on renewable energy. The Committee welcomes the Minister's recognition of developers' concerns that our late entry into the CFD process will limit opportunities within a decreasing budget imposed by the levy control framework. The Committee notes that the Department has been working closely with DECC on how generators and suppliers locally can participate in the existing Westminster small-scale feed-in tariff (FIT) following the closure of the NIRO.

The Minister has highlighted, in correspondence to the Committee, a number of concerns in relation to the transition to CFDs and has underscored the need to ensure that the CFD process takes account of the different

market arrangements in the North. The fact that generators and suppliers here operate in an all-island single electricity market means that some changes will be necessary. There will be no guaranteed renewables deployment, which may make it difficult to have a separate target. EMR will result in consumers here and in Britain paying the same to support CFDs. The North's lower supplier obligation level under the NIRO, which cannot be replicated under a CFD mechanism, means that consumers here will experience an increase in the percentage of their bill used to fund renewables.

The Committee looks forward to considering the issues in detail, following consultation to ensure the best outcome for developers and, more importantly, consumers. At this stage, it is not the most exciting topic in the world; I think that people will be sick of hearing about CFDs, FITs and NIROs by the time we are finished. However, as the Minister said — I like to agree with her whenever I can — this is only an enabling power; the issue of substance has still to be discussed and decided. The Committee looks forward to playing its role in that in the future.

**Mr Kinahan:** I support the draft Energy Order. I recognise that, today, it is really about putting in place an end date so that we can plan. It is great to hear that the Minister has put in a grace period and has been talking to the providers. I think that most of us have been lobbied at times by the various companies in the industry. It is essential that we always keep them well advised in advance about where we are going so that they can plan on what they work on in the future.

One of my concerns is that we need to get money into research and development. We need to make sure that the technology is there for all the alternative energies, whether wind, rain, ground heating or something else, so that they are cheap when they come to happen in the future. That is something that we must not let die or fade away.

When I joined the Enterprise, Trade and Investment Committee not that long ago, one of the key briefings that I had was with the Northern Ireland manufacturers' association. One of the three main items that they wanted to raise with me is the cost of energy. That is what really matters to all manufacturing industry, as indeed it does to all of us in respect of our own homes. We must, therefore, keep the pressure on to make sure that we look at all the ways of dealing with alternative energy in the future.

I wonder whether the Minister agrees with the MP and MLA for East Antrim that climate change is something that we humans do not affect or believes that we need to take it in as a factor. We support the order.

#### 12.15 pm

**Mrs Foster:** If there is one thing that comes out of this debate, it is that the Westminster election is definitely over, because Phil Flanagan is being very pleasant towards the Minister this morning. We all welcome that development. Obviously I congratulate the new Member of Parliament for South Antrim, who spoke on the order as well.

This is an important order. As Mr Flanagan pointed out, the main change under electricity market reform will be competition. There will be no guaranteed support in terms of renewable energy or electricity. Competition will be the fundamental change under electricity market reform and the move away from the NIRO to contracts for difference. I hope that cost, renewable deployment and all of those

issues will be talked about in greater detail. We put out the strategic issues paper so that the industry could come forward and bring evidence to us as to how the changes coming forward would impact on them.

This order is an enabling provision. As I have indicated, I will need to bring forward a closure order to deal with the very specific proposals around closing the NIRO in 2017, and that will be debated on the Floor of the House. I commend this motion to the Assembly.

*Question put and agreed to.*

*Resolved:*

*That the draft Energy (Amendment) Order (Northern Ireland) 2015 be approved.*

## Pensions Bill: Final Stage

**Mr Speaker:** I call the Minister for Social Development to move the Final Stage and open the debate on the Bill.

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

*That the Pensions Bill [NIA 42/11-16] do now pass.*

**Mr Speaker:** I call Mr Mickey Brady.

**Mr Brady:** Go raibh maith agat, a Cheann Comhairle. The Chair has arrived.

**Mr Speaker:** While that is getting sorted out, the Minister may wish to make his opening remarks.

**Mr Storey:** There are a few comments that we want to make at this stage. The Pensions Bill proposes changes to the state pension system, private pensions and bereavement benefits. The changes are significant, and it is appropriate that I comment briefly on the main proposals. I will endeavour to do this with a voice; I have been struggling with my voice over the last few days, for reasons that I am sure Members will understand.

In recent years, state pension age for men and women has increased as a consequence of rising life expectancy and falling birth rates. We have also seen the introduction of automatic enrolment into workplace pensions, a measure intended to ensure that most employees have access to a simple, low-cost pension scheme that will provide an additional source of pension income. With Executive agreement, I plan to introduce a further Bill prior to summer recess that will deal with private pensions.

The present Bill forms part of a wider, ongoing process of change in the pensions system and corresponds largely to the Pensions Act 2014. In particular, it introduces a new state pension and consequential matters; accelerates the increase in state pension age to 67; and replaces the existing bereavement benefits with benefit support payment for future claimants.

Part 1 introduces a new state pension to replace the current two-tier scheme, comprising basic state pension and the state second pension. It has been designed to cost no more overall by redistributing spending. It provides for a single component, flat-rate contributory pension set above the pension credit minimum guarantee for people reaching pension age on or after 6 April 2016; transitional arrangements dealing with those who reach pension age on or after 6 April 2016 and have qualifying years accrued under the current system; and the ending of contracting out for salary-related occupational pension schemes.

The objectives are as follows: a simple state pension; clarity and confidence about the support that can be expected from the state; a foundation for retirement planning and saving; and a reduction in the number of people who have to rely on means-tested benefits, such as pension credit. The new scheme will benefit, in particular, the self-employed, who will be treated in the same way as an employee for pension purposes, and low earners, particularly women who have had career breaks or caring responsibilities and who did not have time to build up a state pension or who have paid into private pension schemes for only a short time.

I think it is fair to say that there is a broad consensus that the current pension system is too complex. The proposed

scheme is, I trust, simpler and more transparent. People reaching state pension age before the introduction of the new scheme will receive their state pension in line with current rules.

Part 2 makes provision for increasing additional state pension. The Westminster Pensions Act 2014 introduced a new class of voluntary national insurance contribution, class 3A. Payment of class 3A contributions will allow people who reach state pension age before the introduction of the new state pension to increase their additional state pension under the current scheme. As national insurance contributions are an excepted matter, those measures extend to Northern Ireland. The Bill provides for the payment of extra units of additional state pension to those who choose to pay class 3A contributions.

Part 3 provides for accelerating the increase in state pension age to 67. Members are aware that the Pensions Act (Northern Ireland) 2012 brought forward the increase to age 66 as a consequence of revised life expectancy projections. In the November 2011 Budget statement, the Chancellor announced that state pension age in Great Britain would increase to 67 between 2026 and 2028, rather than between 2034 and 2036. The Bill makes corresponding provision for Northern Ireland. As a consequence, people born after 5 April 1960, but before 6 March 1961, will have a state pension age between 66 and 67, and those born after 5 March 1961 but before 6 April 1969 will have a state pension age of 67. The changes will not apply to anyone affected by the bringing forward of the increase to age 66. As with previous increases, that proposal affects the qualifying age for all pension-age benefits and the upper age limit for the receipt of working-age benefits. So, people will continue to be entitled to working-age benefits for longer.

In an ideal world, no one would want to increase the state pension age. However, while increases in life expectancy are to be welcomed, additional years spent in retirement mean additional financial pressures on state pension funding. The problem is not simply one of increased longevity. Individuals do not have their own pension pot building up in the national insurance fund. The reality is that today's contributions pay for today's pensions, and the proportion of pensioners is increasing relative to the total population. I believe there is a general acceptance that changes are inevitable. The aim is to ensure that the state pension remains sustainable.

Part 4 makes changes to state pension credit to ensure that people receive the right amount of pension credit when they need it.

Part 5 introduces the bereavement support payment to replace existing bereavement benefits for new claimants. Bereavement support payment will simplify the payment system, by moving to a more uniform structure, and the contribution conditions, with the introduction of a single rule. The intention is that support will focus on the period immediately after bereavement; aid the process of readjustment; and support those without employment to return to work.

Bereavement support payment will provide additional upfront help in the year after bereavement when it is needed most; will be available to childless people under 45 who would not have been entitled to bereavement

allowance or widowed parent's allowance; and will be disregarded from capital and income calculations for entitlement to other benefits. It will be paid as a lump sum with monthly instalments. The values and payment details will be set out in regulations; however, indicative values are in the region of £4,300, comprising a £2,500 lump sum and £150 in monthly instalments for one year for recipients without dependent children, and £9,800, with a £5,000 lump sum and £400 in monthly instalments for one year for those with dependants. Longer-term support will be provided through other benefits as appropriate.

A number of measures in the Bill relate to private and workplace pension schemes, the majority of which strengthen existing legislation in respect of regulation and automatic enrolment. For example, the Bill extends powers to set minimum quality requirements for workplace pension schemes and to limit or prohibit charges to ensure such schemes are well governed and administered. It provides for the automatic transfer of small occupational pension pots when a person changes employer, which will reduce the number of dormant pots, making it easier for people to track their pensions savings and help them to plan better for retirement and secure a better income in retirement.

To conclude, the current pension system is widely accepted as being too complex. The proposed new scheme is simpler and more transparent. As I said earlier, ideally, none of us would want to increase state pension age. However, pensions and benefits must be sustainable and fair across the generations. I think that the consensus is that we cannot leave a legacy of unsustainable pension costs to be picked up by the younger generation.

I trust that Members are content with the broad thrust of the Bill. I thank the Chairman of the Committee for Social Development. I know that it carried out a detailed and thorough scrutiny of the Bill. The Committee has made four recommendations, and I am pleased to say that I have accepted them all and my Department will take them forward. I place on record my thanks to the Committee and other Assembly Members for the positive manner in which they considered this important Bill. I commend the Bill to the House.

**Mr Maskey (The Chairperson of the Committee for Social Development):** Go raibh maith agat, a Cheann Comhairle. I thank the Minister for bringing the Final Stage of the Pensions Bill to the House and outlining in considerable detail the Bill's purpose, content and so on, while even addressing some of the concerns that have been raised by Members of the House and a range of stakeholders.

In response to its call for evidence, the Committee received three substantive submissions. Additionally, the Committee received shorter written submissions from four stakeholders, commenting on particular aspects of the Bill. The Committee took oral evidence from four organisations. I thank those organisations that took time to engage with the Committee on the Bill. I particularly highlight the assistance provided to the Committee from the Commissioner for Older People and from Cruse Bereavement Care, in conjunction with Childhood Bereavement Network. Both organisations brought to the attention of the Committee the potential difficulties people may face in respect of changes being made by the Bill, for example, the potential impact on widowed parents with dependent children as a result of the widowed parent's

allowance being replaced with a single bereavement payment, and, furthermore, how those with multiple part-time jobs or in zero-hours contracts may struggle to make the lower earnings limit that is required to trigger National Insurance contributions. They may, therefore, not reach the minimum qualifying period of 10 years' contributions to ensure a state pension.

The Committee was eager to pursue these and other issues with the Department and subsequently made a number of recommendations to the Minister. As the Minister outlined, after consideration, he has accepted in full all those recommendations. The Committee, of course, very much welcomed his decision.

*(Mr Principal Deputy Speaker [Mr Newton] in the Chair)*

### 12.30 pm

In particular, the Committee welcomes that the Department has accepted the Committee's recommendation to monitor the impact on widowed parents with dependent children by replacing widowed parent's allowance and other bereavement benefits with the bereavement support payment. The Committee noted that the bereavement support payment will not extend to surviving unmarried cohabiting partners, which is currently also the case in relation to the payment of widowed parent's allowance. The Committee noted that the main reason given for that is the difficulty in officially verifying the bona fides of such relationships. However, the Committee shared the concerns of Cruse and the Childhood Bereavement Network that that might ultimately impact on the children from such a relationship. I repeat that the Committee therefore welcomes that the Department has accepted the Committee's recommendation to investigate how the verification of such relationships could be established with a view to including unmarried cohabiting partners through the bereavement support payment.

Indeed, it is fair to say that the Committee was given good support from the Department's Bill team throughout consideration, and that is reflected in the Minister's positive response to the Committee's recommendations. On behalf of the Committee, I convey my thanks to the Department's Bill team for that support. It is encouraging to see the positive impact that scrutiny by a Committee, in conjunction with stakeholder engagement, can have on legislation when a Department is prepared to work on a collaborative basis with the Committee. Hopefully, that approach can continue, and I have no doubt that it will.

In addition, the Minister brought forward a number of consequential and technical amendments. As I pointed out to the House during Consideration Stage, those amendments were provided to the Committee by the Department after the Committee had formally completed its scrutiny of and reported on the Bill. However, the Committee considered the Department's notification of the amendments at its meeting on 12 March and noted that they were, in fact, of a consequential and technical nature. At that time, no members of the Committee raised any concerns about the proposed amendments. I note that no further amendments were presented during Further Consideration Stage.

I think that we can all appreciate that everybody hopes for a healthy retirement and a good and fair pension to ensure the security that they need and should have to

enjoy that time of life. However, we must recognise that there will inevitably be winners and losers as a result of this legislation. Young people will perhaps most noticeably lose out as the retirement age increases and they find that they also have to save more towards their retirement. The Minister addressed that in his remarks.

The Committee welcomes the introduction of a single-tier pension. It provides simplicity in an otherwise very complex area. It also provides greater certainty in respect of what an individual can expect upon retirement to live on.

I conclude by thanking all the organisations that assisted the Committee in its scrutiny of the Bill, either by providing a written submission and/or an oral briefing. I also thank members of the Committee, who dedicated a significant amount of time to considering the legislation, which is part of a very complex area of public work. The Committee is happy to support the Bill through its Final Stage.

**Ms P Bradley:** As we know, the Pensions Bill is part of a package of reforms. This legislation will bring us into line with the other areas of the United Kingdom. The key aspect of the Bill is that it will simplify the pensions system and bring in a single-tier pension, which should make it easier for users to navigate.

There are a number of positives in the Bill. It will simplify the pensions system and provide clarity on the future of our pensions system. The Bill also allows those who previously may have been at a disadvantage under the old system to be on a more equal footing. That is people such as carers and the self-employed, as long as they meet such requirements. However, it is not perfect, as many people who act as carers are not officially notified as such. Indeed, often, those unpaid carers do not identify themselves as carers and instead see themselves as just carrying out the role of a family member.

As the Chair of the Committee said, there were concerns about the introduction of the bereavement support payment. Although those concerns and others have been addressed, I remain concerned about the disadvantage to those who are not married but are in cohabiting partnerships. I recognise the difficulty involved in identifying which relationships meet the criteria and which do not, especially in the aftermath of the loss of a partner. I also have concerns about workers who find themselves on zero-hours contracts and about whether those people will be able to access pensions.

I support all the Committee's recommendations and I believe that relatively low numbers of people will be affected negatively by the Bill, while the improvement to other people's lives will be significant. I also believe that the issue of pensioner poverty will be positively addressed. At present, our system is extremely complicated and off-putting to many who need it most. I support the Final Stage of the Pensions Bill.

**Mrs D Kelly:** I would like to reiterate some of the comments made by Ms Bradley, particularly on the importance of providing good and timely information to carers about how they might benefit from the provision of additional notification to the pensions department on a timely basis. I also confirm the comments of the Chairperson on how the passage and scrutiny of the Bill was managed throughout the Committee Stage. Officials came regularly and routinely to listen not only to the Committee's concerns but to those of the other

stakeholders who provided assistance to the Committee on the very complex world of pensions.

As others have said, there are winners and losers but, overall, in this instance, there are more winners in this particular Bill. The provision of good, timely advice and information is of the utmost importance as we set out the consequences of the Bill passing through the House today.

**Mr Beggs:** I, too, welcome the Final Stage of the Pensions Bill and indicate my support and that of the Ulster Unionist Party for it. The Bill will result in many of us having to work longer before we reach the age of 67 and qualify for a state pension. The schedule for extending the qualifying age for state pension has been brought forward, and it would appear that reasonable steps have been taken to reduce anomalies in it. Few will wish to work longer before qualifying for their state pension. However, as others have said, with growing life expectancy, extending the pension age has become inevitable if we wish to have affordable pensions that meet the basic needs of our pensioners.

The Bill brings Northern Ireland into line with the Pensions Act 2014, which was agreed at Westminster. During the progression of this Bill, there has been much discussion, but the amendments have been minor and technical in nature. A simplified pension and support system for pensioners must be welcomed because it will give greater clarity and enable better planning for the future, provided that the basic needs of pensioners continue to be met.

During the passage of the Bill, it was highlighted that the state pension is related to National Insurance contributions, but that, of course, is a non-devolved matter. The final Bill will continue to provide parity with the rest of the United Kingdom. There appears to be recognition from all sides that any change to this proposal could be hugely expensive. If we were not to go for parity on pensions, it would result in additional financing being required from our limited block grant. There would be another administrative cost and, potentially, even a barrier, because it would be very costly to administer any deviation, and it may not be simply technical in any modern system. It would be very costly.

One amendment to the Bill approved at Consideration Stage was to amend the Welfare Reform Bill 2015, which has yet to come into effect, and, in fact, has yet to be agreed by the Assembly. That amendment includes pension as being excluded from a benefits cap. That has to be welcomed, but this question must be asked: if we cannot afford adjustment to the Pensions Bill to be more generous, how can we afford further adjustment to the Welfare Bill? Just as the absence of agreement on the Pensions Bill could cause turmoil to the finances of the Northern Ireland Assembly, so too will the absence of agreement on welfare reform. I support the Bill.

**Mr Dickson:** I also welcome the opportunity to speak at the Final Stage of the Pensions Bill. The Bill will provide the means to implement reforms to our state pension system to ensure that it is on a par with the system in the rest of the United Kingdom. The key changes are the creation of a single-tier pension system, changes to the pensionable age, bereavement support and alterations to the law around private pensions. The Alliance Party and I are content that the Bill has had appropriate scrutiny, particularly during Committee Stage. As the Chair pointed out, it is important that we recognise the work that the Committee has done in scrutinising the Bill.



With the assistance of statutory and voluntary organisations, a number of concerns were highlighted during Committee Stage: for example, the Commissioner for Older People in particular expressed concern that women might be more adversely affected than men, but, following discussions with DSD, the Committee was ultimately content that the impacts would be ironed out and resolved.

Another issue that I was keen to ensure will be effectively monitored was the increase in the years of National Insurance contributions required to qualify for a state pension. The Committee was concerned that, in a changing labour market with many people underemployed, many will not meet the earnings threshold for National Insurance contributions, and, therefore, might not qualify for pension after 35 years because, even if they had worked, they would not have earned sufficient to make National Insurance contributions. However, I hope that, through discussions with HMRC and the Department for Work and Pensions, a solution whereby years of work can be counted towards pension entitlement will be found.

One of the most impacting changes, which was referred to by others, will be the raising of the pensionable age to 67. As a society, we need to recognise that the pensionable age needs to reflect changes in demographics and people's ability to live longer. Nonetheless, it is vital that the Department communicates effectively those changes to allow for the financial management of those approaching pensionable age. Furthermore, I am reassured by the assertion that any further increase in pensionable age will require additional primary legislation to come before us in the House.

I intend to support the Bill through its Final Stage. I believe that the changes are rational and required. Nevertheless, I must express disquiet at last week's general election results. I am concerned that an increasingly threadbare social security system will come under further strain. I, for one, am pleased that this is currently devolved to us so that we can deal with the issues and mitigate as appropriate.

I urge the Department to continue its scrutiny of the progress of the implementation, particularly the impact on groups identified as being particularly at risk of being considerably adversely affected. We must ensure that our pension system is fit for purpose and fit to meet the needs of the working environment now and well into the future in order to ensure that there are no shocks for people in 20, 30 or 40 years' time and that a pension plan today will deliver for them when they reach pension age.

**Mr Storey:** I thank Members for their contributions. I concur with the comments made by the Chair of the Social Development Committee about the work that was carried out. I think that the tone of this debate, on the work between my Department and the Committee, has probably been better than the tone of tomorrow's debate will be. However, the legislation is a good example of what is achievable between a Department and a scrutiny Committee of the Assembly.

I also want to place on record my appreciation of the Bill team in my Department. I assure you that I depend on them extensively because they are the experts in this field. I place on record my appreciation of the work that Gerry, his team and all involved have done.

I turn to some of the comments made by Members. I reiterate what I said about the Social Development

Committee's recommendations, which is that we will take those forward. That is important because concerns were raised. It is only right that we give due consideration to the recommendations in a proper and timely way, and that is why I was very content to work towards their implementation. I look forward to doing that over the next number of months.

#### 12.45 pm

My colleague Paula Bradley spoke about the bereavement support payment and cohabiting couples. My Department is taking forward the Committee's recommendations on carers and bereavements, and that will hopefully help to allay the Member's concerns, which I share. Whether it is on the issue of housing, welfare reform or pensions, Members have heard me say that we need to remember that, when we come to the House, we are dealing with people's lives. We perhaps want circumstances to be different in our communities and society, but we have to face the realities and deal with the circumstances as they are.

If there is one thing that I want to address in my time as a Minister, it is to have that concern displayed in the way in which we address particular issues. We sometimes have a habit of dismissing an issue when it is raised by Members or an organisation. I genuinely want to try to address such concerns. Hopefully, the new pension system will be simpler and easier to understand. I trust that the work being carried out on the Committee's recommendation will bear fruit and produce something of value.

Dolores Kelly referred to carers. Again, my Department will take forward the Committee's recommendation. Like many Members, I know the important and invaluable contribution that carers make to our society. No one in the House should underestimate that important role, which they play day and daily.

Mr Beggs brought us back to reality. Yes, as some mentioned, and, I suppose, we could not not mention, we have had a general election. There have been interesting outcomes on many fronts, but Mr Beggs brought us back to the reality of where we are with welfare reform. There are those who would like to bury their head in the sand and ignore the fact that there was an agreement made at Stormont House. Then there are those who think that welfare reform is something that we can just wish away. The reality for us all is that that cannot be the case. There will have to be serious engagement and decisions made in a very short period so that we can, if possible, move the issue forward.

**Mr Nesbitt:** I thank the Minister for giving way. On your warm and appropriate words about carers, there is serious speculation that the new Government at Westminster intend to tax carers' allowances as part of the £12 billion recoupage from the welfare budget. Will the Minister join me in saying that we will do whatever is necessary to resist the introduction of any such draconian measure in Northern Ireland?

**Mr Storey:** The lesson that we all learned from the election is to be careful about speculation. We had all sorts of speculation and all sorts of people telling us who were going to be the winners, and we saw who were the losers. We saw pundits put fairly and squarely in their place. Despite all their attempts to tell us what the outcome of the election was going to be, it was a different outcome.

However, the Member raises a serious point. My party has made it abundantly clear that, through representation in the House of Commons, and by joining with his colleagues there, we will do everything in the best interests of the people of Northern Ireland. My colleague Jeffrey Donaldson also made the position on carers clear at the weekend. This party will ensure that we have effective implementation of what is right and fair. If it is not right and fair, my party will oppose it, and that applies to carers.

Mr Dickson mentioned National Insurance requirements. As working lives grow longer, the 50-year-plus will soon be the norm, and the 35-year requirement for a full pension should be attainable. Those issues continue to be of interest to us.

I remind everyone of the daily contribution that is made through the provision of pensions in Northern Ireland. In Northern Ireland in 2012-13, we paid out almost £37 million every week in state pensions, so it is obviously an important issue. When we discuss the important issue of welfare and the annual £4.4 billion that comes into Northern Ireland for that, we should remember that over half of it is provided to our pension system. That sets the issue in context.

I conclude by thanking all involved. This is an important Bill, which will help to safeguard the pensions system in Northern Ireland in the coming decades. Once again, I place on record my gratitude to the Chair, the Committee for Social Development and Members across the Assembly for their contribution to the progress of the Bill.

*Question put and agreed to.*

*Resolved:*

*That the Pensions Bill [NIA 42/11-16] do now pass.*

## Committee Business

### Mental Capacity Bill: Ad Hoc Committee

**Mr Principal Deputy Speaker:** The motion will be treated as a business motion, and, therefore, there will be no debate.

*Resolved:*

*That, as provided for in Standing Order 64C, this Assembly appoints an Ad Hoc Joint Committee to consider the Mental Capacity Bill; and to submit a report to the Assembly by 28 January 2016.*

*Composition:* Democratic Unionist Party, 4  
Sinn Féin, 3  
Ulster Unionist Party, 2  
Social Democratic and Labour Party, 1  
Alliance Party, 1

*Quorum:* The quorum shall be five members except when no decision is taken or question put to the Committee, when the quorum shall be four.

*Procedure: The procedures of the Committee shall be such as the Committee shall determine. — [Mr Swann.]*

## Public Services Ombudsperson Bill: Second Stage

### Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister):

I beg to move

*That the Second Stage of the Public Services Ombudsperson Bill [NIA 47/11-16] be agreed.*

I note that this is the first Bill to be introduced by a Statutory Committee of the Northern Ireland Assembly since its inception in 1998. This is the result of work by the present Committee for the Office of the First Minister and deputy First Minister, which built on work begun by the Committee in the previous mandate at the invitation of the ombudsman and with the support of the Office of the First Minister and deputy First Minister. The work has been informed by the views of stakeholders who engaged with the Committee, and I am sure that the work will be continued by Members during today's debate, at Committee Stage and during the amending stages. The focus of today's debate is the principles of the Bill, and I do not propose to dwell on the detail in these opening remarks.

In broad terms, the Bill merges and reforms the current offices of Northern Ireland Ombudsman and Commissioner for Complaints into a new office of the Northern Ireland Public Services Ombudsperson (NIPSO). It is a new office with a new name — ombudsperson — that the Committee favoured because it was clearly gender neutral. However, it will continue to be an office whose principal purpose is to investigate maladministration in the listed public authorities.

I know that, from their experience in assisting constituents, Members will be well aware how the current legislation on the ombudsman and the Commissioner for Complaints works. The main focus of my opening remarks will be on those areas where the Bill will introduce change. However, it should be noted that key elements of the current roles remain, and I feel that it would be useful for me at this stage to summarise them briefly by placing in context the changes that the Bill will introduce.

The first element is injustice resulting from maladministration by listed authorities. That remains the main mischief that the Bill aims to address. Next is the power to investigate complaints of injustice arising from the exercise of clinical judgement in health care. That is retained. The current offices are not authorised to question the merits of a decision taken without maladministration by a listed authority in the exercise of discretion. That will continue to be the case, the only exception being narrow categories of professional judgement in health and in social care. Next, if the person aggrieved has a right of complaint, appeal or review to a tribunal or a legal remedy via the courts, the NIPSO must not investigate. However, there will continue to be discretion to investigate if, in the particular circumstances of the case, it is not reasonable to expect the person aggrieved to resort to the available remedies.

Like the ombudsman and commissioner, it will be for the NIPSO to decide whether to begin, continue or discontinue an investigation and to determine whether the conditions for launching an investigation have been met. That discretion will continue. Investigations will continue to be conducted in private, and the investigation report will normally be shared only with the person aggrieved and

the listed authority and staff involved. The investigation report will normally remain confidential. In investigating a complaint, the NIPSO will have the same powers as the current offices to compel the attendance of witnesses and the production of documents; namely, the same powers as the High Court. Where the NIPSO upholds a complaint, he or she may recommend that action be taken by either party and may recommend that the listed authority make a payment to the person aggrieved. The recommendations of the ombudsman and commissioner are not legally binding, and that will remain the position. In the vast majority of cases, a listed authority respects the office's statutory authority and independence and complies with the recommendations. We expect that to continue.

One of the major changes that the Bill will introduce, which is a key principle informing it, is a new, closer relationship between the ombudsperson and the Assembly — with the legislature, rather than with the Executive. At present, the Assembly has no role in the appointment of the Assembly Ombudsman or the Commissioner for Complaints. OFMDFM initiates the recruitment and puts forward a candidate for formal appointment by Her Majesty. OFMDFM has power to approve the expenses and the ombudsman's staffing complement. At the same time, the ombudsman can investigate complaints of maladministration by OFMDFM. There is no suggestion that OFMDFM has ever sought to exert influence, but Members will appreciate the potential for conflicts of interest to arise or, indeed, to be perceived.

The NIPSO Bill reflects the Committee's view that there is an alignment of interests between the role of ombudsperson and the Assembly. The Assembly and its Committees hold Ministers, Departments and other public bodies to account, and those are broadly the same bodies that the NIPSO will be investigating. In a number of places, the changes proposed reflect the relationship between the Assembly and the Comptroller and Auditor General.

That alignment is reflected in the Bill's provision that the Assembly Commission will undertake a fair and open competition to identify a candidate for nomination; that the formal appointment by Her Majesty will follow on from the Assembly's nomination; and that the Assembly Commission will set the NIPSO's salary by order, subject to an upper limit, and will also set other terms and conditions. The NIPSO's budget will be submitted to the Assembly's Audit Committee, which will in turn have the power to lay the NIPSO's estimate. The Audit Committee does that for the Comptroller and Auditor General. Removal of the NIPSO on grounds of health or misconduct would require an Assembly motion, and such a motion must have the approval of two thirds of all MLAs. The NIPSO will lay an annual report in the Assembly, as at present, but there is greater clarity and power to report to the Assembly in a variety of circumstances.

The NIPSO's closer relationship with the Assembly and greater distance from the Executive support the explicit statement of independence in clause 2. That reflects the statement of independence regarding the Comptroller and Auditor General in the Northern Ireland Act 1998.

### 1.00 pm

The ombudsperson is not subject to the direction or control of a Minister or the Secretary of State, nor of the Assembly

or Assembly Commission — with the relatively limited exceptions listed in clause 2(2).

No system is perfect at reconciling the independence of an office with the clear need for accountability, not least in the effective and proper use of public moneys. The Committee is mindful that the Assembly Commission is itself a body that the NIPSO can investigate. However, many of the Commission powers are exercised in the appointment process and, with a fixed term of seven years, the NIPSO should not feel constrained in any investigation of the Commission. The Committee considered that the variety of political parties represented on the Commission, and its ability to engage external expertise and experience where appropriate, should enable it to manage situations where conflicts may arise.

The Committee considered that a single seven-year term of office was long enough to allow a new appointee to have real impact; it would also straddle Assembly mandates and Executives. One single non-renewable term will bolster the independence of the new office, avoiding even the perception that an incumbent NIPSO might have one eye on reappointment.

Schedule 1 includes a number of measures to address potential conflicts of interest, such as eligibility for appointment to the office, taking up other positions while in office and working for a listed authority during a period after leaving office. The Bill also makes provision for the Assembly Commission to allow the NIPSO to hold another appointment if the Commission is satisfied that it would not affect their ability to discharge the functions of the office or their independence.

In light of the abolition of the existing offices, schedule 2 makes the necessary transitional arrangements for seconded and employed staff to transfer from the existing offices to the NIPSO. It also makes provision for investigations begun under the existing legislation to continue under that legislation, which would be operated by the NIPSO and his or her staff until all such complaints had been dealt with.

There are a number of measures in the Bill that will simplify access to the NIPSO: you will be able to complain directly to a single office, without having to check whether the public body is within the remit of the ombudsperson or the commissioner. The Committee also agreed, in merging the current offices, that an aggrieved person could approach the NIPSO directly and need not go through an MLA, as required currently under the Ombudsman Order. The Bill retains provision for MLAs and others to act on behalf of an aggrieved person.

The NIPSO Bill provides that complaints can only be made about listed authorities that have functions relating only to Northern Ireland. The Committee is satisfied that these requirements provide sufficient control over the ability to bring a complaint without the separate residency requirement in the current legislation.

The Bill also provides that the ombudsperson may specify the form in which complaints must be made and any particulars that complaints must contain. The Committee considered that this would provide for flexibility to enable the NIPSO to accommodate developments in communications technology.

The current legislation provides protection from defamation action for the ombudsman in reporting to the Assembly, communications with MLAs and reports of investigations sent to the complainant or listed authority. The NIPSO Bill retains this absolute privilege. The Ombudsman Order also provides absolute privilege for MLAs in communicating with the ombudsperson or with the complainant. The Committee agreed that the NIPSO Bill should extend this protection to statements by a person aggrieved:

*“made in communication with the ombudsperson in connection with an investigation.”*

Clause 7(5) provides that where a representative acts for a person aggrieved, references in the Bill to “person aggrieved” are to be construed as including the representative.

The Bill also makes a number of changes with a view to encouraging earlier resolution of complaints. The Bill provides that listed authorities can refer a complaint to the NIPSO — not to evade their responsibility to deal with it, but to speed up the resolution of a dispute where, for example, it is clear that the aggrieved person will not be satisfied with an internal complaints process, which may still have stages to run. Rather than exhaust its internal process, the listed authority may refer the complaint to the NIPSO if it has been unable to resolve it. The NIPSO, of course, has discretion whether to accept it.

The Committee was keen to encourage complaints to the NIPSO coming forward sooner rather than later and agreed that listed authorities, when their internal complaints procedure is exhausted, must give notice of that fact to the person aggrieved and inform them that they can refer the matter to the NIPSO if they remain dissatisfied.

The person aggrieved then has six months from the date of that notice in which to refer their complaint to the NIPSO, rather than the current time limit of 12 months from the day on which the person aggrieved first had knowledge of the matters alleged in the complaint. The listed authority's notice must inform the person aggrieved about the six-month time limit and provide details of how to contact the NIPSO. The NIPSO will also have discretion to investigate a complaint received outside the time limit if there are special circumstances that make it proper and appropriate so to do.

The Bill provides further potential for early resolution through an explicit power for the ombudsperson to take informal action to resolve a complaint, which can be in addition to, or instead of, formal investigation. This is a power available to the Welsh ombudsman and one that the Committee believes has the potential to speed up resolution of complaints. The purpose of investigation remains largely unchanged: to investigate complaints and decide if the matter properly warrants investigation and whether the allegations are, in substance, true; and, where desirable, to bring about a settlement. The NIPSO Bill provides that bringing about a settlement may include recommending action to be taken by the parties or recommending that the listed authority make a payment to the person aggrieved.

Members will be aware that the Commissioner for Complaints' power to investigate complaints in the health field is not restricted to maladministration. It can include the merits of a decision to the extent that it was taken in consequence of the exercise of clinical judgement. The

Commissioner is assisted by an appropriate expert in such investigations. Members will also be aware that health and social care in Northern Ireland is provided through the same public bodies: the health and social care trusts. The Committee's Bill accordingly makes provision for the NIPSO to consider not just complaints about decisions based on clinical judgement, but also complaints based on professional judgement in the field of social care, putting social care investigations on the same basis as health care.

There are a range of social care professionals, including those with formal social work and other qualifications, social workers and social work students, managers in homes, and care assistants. The Committee considered the Health Minister's request that the provision be limited to qualified social workers. The Committee noted that provision similar to what the NIPSO Bill proposes has existed in Wales without creating any difficulties. The Committee considers that a complaint about the exercise of professional judgement in the field of social care must correspond to the qualifications, training and experience of the member of staff whose action is being considered. There can be no question of judging a care assistant by the standards applicable to a qualified social worker. The Committee has engaged with the Health Minister in relation to these issues and on the approach that the Committee envisages. A helpful and constructive response was recently received from the Minister, which the Committee will be considering at its meeting this week.

The Bill will give the Ombudsperson a new power to investigate, on his or her own initiative, where there is evidence of systemic maladministration — for example, where an analysis of individual complaints suggests there is a systemic problem in a listed authority, or across a number of authorities. The Committee considers that this new power has the potential to enhance the effectiveness of the office by allowing systemic problems to be tackled in a systematic way. Concerns were raised by the Health Minister regarding the potential for this power to change the focus of the office away from dealing with individual complaints, and that it could lead to duplication of the work of other oversight bodies and thereby create confusion. The Committee considered options to manage the use of the own-initiative power. The Bill provides that the Audit Committee will consider and lay the NIPSO's estimate, and that the OFMDFM Committee will engage with the Audit Committee regarding oversight of the own-initiative function. The OFMDFM Committee was satisfied that the financial oversight role of the Audit Committee, and the NIPSO's engagement with it, would ensure appropriate and proportionate use of resources. The own-initiative power will not commence until 1 April 2018, by which time the relationship with the Audit Committee should be well established.

The NIPSO will be required to publish the criteria to be used in assessing whether to launch an own-initiative investigation. Engagement with the current Ombudsman's Office indicates that value for money would be a key consideration. The NIPSO is required to produce a proposal for an own-initiative investigation, showing how it meets the published criteria, and to submit that proposal to the listed authority in question. As I mentioned a minute ago, the Health Minister has written again to the Committee on the issue, and we shall be considering that response later in the week.

The Bill follows the existing legislation by listing in schedule 3 all the bodies within the NIPSO's investigative remit. The Bill will bring some new bodies within that remit, including the following: Queen's University and the University of Ulster, for complaints of maladministration by students; further education institutions; grant-aided schools; the Comptroller and Auditor General; and the Northern Ireland Assembly Commission

The Minister of Education raised a concern that including schools could affect the work of tribunals with a range of remits affecting education at school. The Committee understands that, following engagement with his officials and with written clarification from the ombudsman's office, the Minister is now content with the proposal to bring schools within the remit.

The Minister for Employment and Learning was supportive of bringing further education institutions within the NIPSO's remit. In relation to Queen's and Ulster University, the Minister asked that commencement be postponed until a review of their complaints procedures had been concluded. While welcoming the review, the Committee did not agree that that should delay access by students to the NIPSO in relation to complaints of maladministration.

Access already exists for Open University students in Northern Ireland to the Office of the Independent Adjudicator in England and Wales, and the Bill does not change that. The Committee agreed that it would be confusing to have parallel mechanisms for Open University students.

As well as bringing areas within remit, the Committee considered removing the public-sector employment remit of the existing offices. At present, public-sector employees can complain to the ombudsman at the conclusion of their own internal grievance or disciplinary proceedings. The public-sector employment remit was introduced in 1969 to provide a mechanism for dealing with complaints of discrimination.

The Committee consulted on the provisions in the current legislation that allowed public-sector workers to complain about pay or disciplinary matters. Most respondents were in favour of removing that remit, but some, including the Equality Commission, advised caution. The Committee considered the Equality Commission's advice, but concluded that the need for the public-sector remit had largely been superseded by the intervening development of comprehensive employment protection and anti-discrimination legislation, supported and enforced in the tribunal system and the courts by the Equality Commission and its predecessors.

The Committee also noted that the public-sector employment remit provided redress for the staff providing public services, rather than the citizen receiving those services, and, as such, it sat slightly oddly with the role of a public services ombudsperson. Given the range of alternative redress available to public and private sector employees, it is difficult to justify an additional level of redress for public-sector employees. Accordingly, the Bill removes the public-sector employment remit.

In a number of areas, the Committee had to reconcile differences of approach between the Ombudsman Order and the Commissioner Order. Where possible, the Committee's approach was to level up, whether that was in terms of protection for the person aggrieved or the powers to be given to NIPSO.

Under the Ombudsman Order, a listed authority is not entitled to rely on legal privilege to withhold documents from the ombudsman, such as any relevant legal advice. On the other hand, the Commissioner for Complaints does not have a right to see privileged records, although some public bodies do share their legal advice with the commissioner on a voluntary basis.

The Committee, in merging the remits and powers of the two existing offices, considered that, where possible, the NIPSO investigation should have access to as much relevant information as possible. Accordingly, the Bill makes provision for disclosure of legal advice by listed authorities to the NIPSO, subject to certain safeguards to prevent that legal advice being used against the public body in legal proceedings.

The Committee considered provision in the Ombudsman Order that disappplies, for the purposes of an ombudsman investigation, any obligation on persons in the service of the Crown to maintain secrecy or other restrictions on disclosure of information. Again, that approach ensured that the ombudsman had as much relevant information as possible in reaching a decision. The Committee agreed that the Bill should make similar provision in relation to investigations by the NIPSO across all listed authorities.

The Committee noted that both the Ombudsman and Commissioner Orders contain provisions for the Secretary of State and heads of Northern Ireland Departments to serve notice that certain information disclosed for the purposes of an investigation should not be disclosed any further by the ombudsman or the commissioner. Such a notice can be served by the Secretary of State or a head of Department where they are of the opinion that disclosure would be prejudicial to the safety of Northern Ireland or the United Kingdom, or otherwise contrary to the public interest.

The Committee agreed by a majority that the NIPSO Bill should make similar provision, substituting "Northern Ireland Minister" for "head of a department".

Some members were opposed in principle to a non-disclosure power. However, a majority of members considered the power reasonable in the context of ensuring that the NIPSO had sight of as much information as possible when reaching a decision.

### 1.15 pm

The Secretary of State raised a concern regarding the proposed power for her to issue a non-disclosure notice, namely that she would not normally be aware when listed authorities in Northern Ireland were disclosing information to the NIPSO that might touch on matters for which the Secretary of State remains responsible. Given that the subject matter of complaints to the NIPSO will relate to services provided by listed authorities discharging devolved responsibilities, it was considered unlikely, although not impossible, that the information disclosed would touch on the Secretary of State's areas of responsibility. Following lengthy engagement with the Secretary of State and her officials, the Committee agreed, again by majority, that clause 41 should include provision that the NIPSO and the Secretary of State must enter into a memorandum of understanding concerning the exercise of their functions in relation to this clause.

The Committee was keen to minimise any duplication of investigation by public bodies whose remits might

overlap. Provision for cooperation was welcomed in stakeholders' consultation responses. The Bill requires that, where the NIPSO considers that a matter could be the subject of investigation by another ombudsperson, the NIPSO must consult that other ombudsperson and may cooperate with them. This duty to consult and the power to cooperate apply not just to other UK ombudspersons and the Irish ombudsman, but to other public bodies with an investigatory function, such as the Equality Commission, the Human Rights Commission, the Commissioner for Older People and the Commissioner for Children and Young People.

The Commissioner Order includes provision for a right to a hearing with counsel and solicitor, examination in chief and cross-examination of witnesses in certain circumstances. Those circumstances are where there may be an adverse report affecting a listed authority or individual. The Committee, in merging the offices, did not consider that this should be automatic, and accordingly the Bill provides that the NIPSO may determine whether any person may be represented in the investigation by counsel, solicitor or otherwise.

The Committee noted that the Commissioner for Complaints was permitted to investigate complaints about public-sector procurement exercises, up to and including the decision to award a contract. The ombudsman could consider Departments' tendering exercises but not their actual decision to award. In response to the Committee's proposal that the commissioner approach should apply across all public bodies, the Department of Finance and Personnel highlighted that procurement was a highly regulated area and suggested that the courts were the appropriate mechanism for resolving procurement disputes and that an alternative mechanism risked creating confusion and increasing costs. However, there was no suggestion that the operation of the Commissioner for Complaints had created any problems in its application to bodies in the commissioner's remit. The Committee was also mindful that its proposed approach was also favoured by the Committee for Finance and Personnel. Accordingly, the Bill will extend this approach across all listed authorities.

As at present, the NIPSO will produce an investigation report, normally sent only to the parties to the investigation. The Bill includes a new power to publish an investigation report where the NIPSO considers that it would be in the public interest so to do. There was a broadly positive response to the Committee's consultation on the approach adopted in Wales, where the listed authority was required to publish the report and advertise so in the local newspapers. However, there was some concern about the costs of advertising on this scale.

The Committee also considered that the confidentiality of investigations and reports tended to encourage greater openness in the investigation and resolution of complaints. Where this confidentiality was to be waived by publication, there should be a corresponding justification for such a step. Investigation reports are normally confidential to the parties to the complaint, and the Committee agreed that, where the NIPSO proposes publishing in the public interest, the rationale for this must be set out in a notice served on those who would normally receive the investigation report — the complainant, the listed authority and the staff involved. The Committee considered that

this was a potentially useful power to afford the NIPSO. Where the NIPSO launches an own-initiative investigation, he or she must lay the report on that investigation in the Assembly and publish it.

The Bill also makes provision for a special report to the Assembly where the NIPSO has investigated and found that a person aggrieved has sustained injustice and that this has not been or will not be remedied or adequately remedied; for example, where a listed authority decides not to follow NIPSO's recommendation. An appropriate Assembly Committee may wish to follow up with the listed authority in question regarding that decision. The NIPSO's recommendations are not legally binding, and a body that disagrees with the NIPSO's findings and recommendations may choose to make its case to the appropriate Assembly Committee rather than comply.

While a special report by the NIPSO to the Assembly may provide some satisfaction for a citizen who has suffered injustice, the Bill also makes provision for the person aggrieved to take the NIPSO's investigative report as the basis for a claim for damages from the County Court. In those proceedings, a report of the NIPSO is to be accepted as evidence of the facts stated in it unless the contrary is proven. A provision to apply to the County Court exists in the Commissioner Order but not the Ombudsman Order, and the Committee was keen to ensure that that option continued to be available and was extended across all listed authorities. The Bill also makes provision for the NIPSO to request the Attorney General for Northern Ireland to seek relief in the High Court in cases where the NIPSO is of the opinion, following an investigation, that there is systemic investigation in a listed authority and that it is likely to continue unless the High Court grants relief.

Following the Executive's review of arm's-length bodies, the Department of Justice, having consulted its stakeholders, asked the Committee to include provisions in the NIPSO Bill for the office of Northern Ireland Judicial Appointments Ombudsman to be held by the person holding the office of NIPSO. There are a relatively small number of complaints — one a year on average. The Committee for Justice was content with the proposal, the Assembly Ombudsman was also content and the Committee agreed to include the necessary provision in clause 49 and schedule 6. A number of eligibility considerations affecting the role of Judicial Appointments Ombudsman will be retained. They will not, however, limit the range of persons eligible for appointment as the NIPSO. For example, if the NIPSO is a lawyer, he or she cannot personally carry out certain Judicial Appointments Ombudsman functions but can delegate them to a member of staff or other appropriate person who is eligible to carry them out.

The Local Government Act (Northern Ireland) 2014 provided for investigation and adjudication by the Commissioner for Complaints of complaints of breaches of the local government code of conduct and referenced the provisions of the Commissioner Order that applied to code of conduct investigations. Schedule 7 to the NIPSO Bill amends the Local Government Act so that it now refers to the corresponding provisions in the NIPSO Bill.

In light of advice sought, the Committee is satisfied that the Bill is compatible with the Human Rights Act 1998. The Committee is also satisfied that the NIPSO's

recommendations will not create binding obligations and will not therefore be dispositive of civil rights.

The Committee has been mindful, in developing its policy and bringing forward the Bill, of the difficult public expenditure climate in which it was proposing change. It commissioned the Assembly's Research and Information Service, with the cooperation of the ombudsman's office, to prepare an assessment of the financial implications of the proposals. Removing the public-sector employment remit will produce significant savings that are estimated at some £131,000 per annum. However, bringing schools, further education colleges and universities within the NIPSO's remit will require additional resource and have recurring costs, as will the remit to consider complaints about professional judgement in social care. The expected ongoing annual cost from 2017-18 is estimated at £346,000.

It is also probably realistic to expect that the new remits will generate an initial surge in complaints before the level of complaints settles down. The Bill staggers the commencement dates for the new bodies coming within remit to assist the management of those anticipated peaks.

Members should be aware that, while the existing offices of ombudsman and Commissioner for Complaints are distinct statutory offices, they are operationally highly integrated. It is unrealistic to expect the immediate rationalisation savings that one might expect when merging completely separate organisations, each with, for example, separate finance, human resources and so on.

The Bill represents evolutionary and not revolutionary change. It retains the strengths of the existing legislation, proposes progressive developments that have been adopted elsewhere in the United Kingdom and Ireland, reconciles the differences in our current legislation and levels up protection for citizens as consumers of public services. It provides for and encourages cooperation with other public oversight bodies, which increases effectiveness and avoids waste. It brings the ombudsperson into a closer relationship with the Assembly, which reflects our shared interest and duty in holding Ministers, Departments and other public bodies to account. On behalf of the Committee for the Office of the First Minister and deputy First Minister, I commend the Bill to the House.

In a personal capacity, I finish by thanking all the members of the Committee for their attention and cooperation in bringing the Bill to this stage. I pay particular tribute to Bronwyn McGahan and the Sinn Féin members because I understand that there are certain procedural elements to bringing this forward that give them difficulty. They have managed to do it without compromising their republicanism but, at the same time, without blocking the Bill. For that, I am very grateful.

**Mr D McIlveen:** By comparison with the previous contribution to the debate, mine will be very short because the Committee Chair's speech was a very good summing up of what has been discussed in Committee. What he says is right: there was relative unanimity in the direction that we wanted to take the Bill. It is probably fair to say that the vast majority of the public will probably not see a vast difference in what happens, but, procedurally, this work ties up a lot of loose ends, and we should broadly welcome that.

The point that was made about the role of the ombudsperson is very important, and it is one area where I would like to have seen the Bill perhaps go a little further. I know that we are only at Second Stage and there may be room to look at this later, but the role of the ombudsperson is to deliberate over maladministration; it is not to deliberate over malfeasance or whether the law has been broken. Therefore, I struggle a little to get my head around why the ombudsperson is exempted from taking up a case if it has previously gone to court. Obviously, a court is there to judge very definitely on whether the law has been broken. It is not there to make deliberations about whether there has been maladministration. Therefore, to me, it is entirely sensible that, if a decision has been taken by a judge as to whether or not the law has been broken, there should still, in my view, be the opportunity for the ombudsman to make a deliberation as to whether there has been maladministration. Perhaps we can consider that in the future.

As far as cost is concerned, the Department has indicated that the changes will have a small additional cost. I think that it is in the low tens of thousands but, certainly, for the improvements that this legislation will make there is a strong case that that cost should be met and that the office of the ombudsperson should be allowed to continue.

The Chair was very kind in his description of the small amount of disagreement that took place in Committee around certain aspects of the Bill. I may not be just so kind, if you will allow me, Mr Principal Deputy Speaker. There is a strange dynamic in all the Committees of the Assembly in that there is one party in particular that seems to constantly oppose anything that has any degree of Britishness about it, yet somehow manages to continue to be part of an Executive who effectively administer British law that can be enacted only when it is assented to by Her Majesty The Queen. That, to me, seems an unusual dynamic, and I think that the vast majority of people looking in on this place would find it highly confusing. Whilst we welcome the fact that there was no red button pushed on this legislation over that issue, it is right that Sinn Féin should be challenged as to why it continues to take that stance.

The immediate priority is to get a new NIPSO in place; the tenure of Mr Frawley is rapidly coming to an end. Obviously, a little later, we will look at that issue in more detail, and, therefore, I will not labour the point at this stage.

We broadly support the aims and principles of the Bill and will certainly not stand in the way of its passage today.

### 1.30 pm

**Ms McGahan:** Go raibh maith agat. I, too, support the general principles of the Bill. Like the previous contributor, I will speak only briefly, as the Chairperson has given a comprehensive overview of the Bill. I thank the staff for all their hard work to date.

As already stated, the purpose of the Bill is to combine the offices of the Assembly Ombudsman and the Commissioner for Complaints in a single office. During the consultation process, it was identified that having a single ombudsman's office would provide a more efficient, effective and streamlined service as well as improving accessibility. The office will have the power to resolve complaints of maladministration as well as improving public administration. As already outlined, public service employment issues will

not be within the remit of the NIPSO office because of the existing routes to resolving employment disputes through, for example, the Equality Commission.

Sinn Féin supports the principles of the NIPSO Bill. However, from its very inception, we opposed two of the policy recommendations, the first of which was the recommendation of the formal appointment of the ombudsman by the English queen on the nomination of the Assembly. While Sinn Féin agrees with bringing the ombudsman closer to the Assembly, we did not want the formal appointment of the ombudsman to be made by the English queen. I am probably stating the obvious on that one. Secondly, Sinn Féin opposed the recommendation on the non-disclosure of information. During the evidence sessions, it was identified that this recommendation had not been utilised, and, therefore, we opposed it on that basis. Furthermore, we had political concerns about the potential for parallel processes, by which I mean that what are referred to as national security issues could kick in. Other members of the Committee did not share our concerns, and the Committee agreed the recommendation by a majority.

The NIPSO remit includes a wide range of listed authorities, including further education and higher education institutions. Another positive aspect of the Bill is that the residency requirement for complaints has been removed. If anybody who visits the North has a bad experience, at least they will have the opportunity to make a complaint. That is a welcome protection. On that basis, we support the principles of the Bill.

**Mr A Maginness:** I welcome the opportunity to take part in the debate. I do so in place of my colleague on the OFMDFM Committee, Mr Alex Attwood, who sends his apologies for being unable to attend today because of family matters.

I listened carefully to the Chair's fairly lengthy introduction to the Second Stage. The Bill is to be welcomed, and the SDLP supports the basic principles underlying it. In particular, the legislation attempts to create a fusion of the statutory offices that have been referred to. It will create one statutory office, which will inevitably create, in our view, a higher level of accountability in relation to complaints. It is important that we achieve that, and, by bringing the Bill together, we are well on the road to doing so. The SDLP fully supports that principle. The business of accountability in public office is very important, and the Bill creates the potential for doing that. The Committee should be congratulated for its good work on the Bill. It was lengthy and, I suppose, tedious work but, nonetheless, it was important. The Committee, ably assisted by its staff, achieved a lot.

The two offices — the Assembly Ombudsman for Northern Ireland, as provided for in the Ombudsman (Northern Ireland) Order 1996, and the Northern Ireland Commissioner for Complaints, as provided for in the Commissioner for Complaints (Northern Ireland) Order 1996 — will effectively be combined. The Committee considered the proposal at length, and the SDLP was at the heart of that to ensure that the Bill contained appropriate and robust accountability mechanisms for the public. It is important that the public be reassured that those mechanisms are robust and this is not just some sort of a gesture to the public around accountability. These must be robust mechanisms that will achieve the desired result, which is accountability.



In my dealings with constituents, the role of the ombudsman has played an important part in reassuring people who believe that they have been let down by public bodies that there is a way of achieving some sense of justice. Obviously, this is not a judicial process, although it has quasi-judicial aspects, but the members of the public who came to see me about dealing with the ombudsman are people who felt entirely frustrated by the way in which they had been treated. As a public representative, I have been heartened by how the ombudsman's office has tackled these sometimes difficult and complex issues. It is important that we build on that and that the Bill improve on that.

The Bill has been brought forward entirely by the Committee — again, I compliment the Committee — and that proves the strength of Committees' ability to take on legislation by themselves. That is an important reminder to all Committees in the House. Reflecting on the powers of our Committees here, I venture to suggest that they are probably unique within these islands in how they can initiate legislation in this way. That is not something that we have taken advantage of in the House, but the Bill is testament to the fact that a Committee can do it and do it in a very worthwhile way.

The report on the Committee's consideration of the Bill is lengthy but comprehensive. It is a testament to the work carried out by the Committee in supporting and improving the Bill from its inception right through to today's Second Stage.

A key tool that the legislation will afford the ombudsman is the ability to self-start investigations. I am not sure whether that in itself is unique, but it is certainly unusual. It will be an important addition to the capacity of the ombudsman's office. I look forward to seeing that in practice if and when the legislation comes into being. No longer will a matter need to be referred to the ombudsman from an external party. It will be able to be initiated from within the ombudsman's office. As I said, that is an extremely useful tool and one that will provide reassurance to the public out there.

It is truly right that all the authority vested in the two current statutory agencies — the Assembly Ombudsman and the Commissioner for Complaints — should be placed within the one remit. That is not to create a one-stop shop for rights but to maximise authority and input it into one organisation, which will lead to better results for the public.

The late intervention by the Secretary of State must have taken most colleagues by surprise. It was a very late attempted intervention in the progress of the Bill by the Secretary of State, and it was regrettable. An issue was raised about the circumstances in which national security may somehow be compromised by the operation of the ombudsman here as envisaged in the Bill. At no time has the operation of an ombudsman infringed on national security, so it is difficult to understand the Secretary of State's reasoning on the matter. No doubt the matter will be expanded on as the debate proceeds, but it seems to us in the SDLP to be a very unnecessary intervention at a very late stage indeed.

It is important to note that the new body, which, obviously, is a bigger body with a higher level of function, will need to be properly resourced. In dealing with all the bodies and offices that investigate on behalf of you, me and the public, it is important that they receive proper resourcing, without which you cannot have an effective use of the capacity of that body.

I conclude there. Once again, congratulations to the Committee and its staff for their sterling work on the Bill. Congratulations also to the draftsmen for their monumental efforts in the preparation of the Bill.

**Mr McKay (The Chairperson of the Committee for Finance and Personnel):**

Go raibh maith agat, a LeasCheann Comhairle. Our Committee first examined the issue of legislative proposals for the office of the ombudsman in 2012, when it received a briefing from Dr Tom Frawley. Although the briefing concentrated on the role of the ombudsman's office in public procurement issues, the discussions covered some general issues about the unique role played by the office. However, given the remit of the Committee for Finance and Personnel, I will restrict my comments today to the provisions in the legislation relating to the role of the office in matters concerning public procurement.

During the briefing to the Committee, the ombudsman helpfully outlined the apparent confusion about the dual office function and role that meant that, whilst the commissioner role is free to consider complaints about procurement carried out by public bodies other than Departments, the power of the ombudsman to investigate procurement by Departments is limited to the process leading up to the decision to award a contract, not the award decision itself. That divergence is due to limitations on the ombudsman's ability to investigate procurement issues. The Ombudsman (NI) Order 1996 contains a statutory bar excluding the ombudsman from investigating procurement complaints about Departments and their agencies, whereas there is no such bar in the Commissioner for Complaints Order 1996. The Committee was concerned that that anomaly in the powers of the office could mean that Departments that spend a substantial amount of public funding are dealt with in a different manner from other public bodies. At that time, the Committee for Finance and Personnel welcomed the proposals from the Committee for OFMDFM to close that gap and the recommendation that the Public Services Ombudsperson enjoy the same remit in such cases. I understand that, more recently, the Minister of Finance and Personnel lodged an objection to any change in the position regarding procurement by Departments, citing legal and practical problems and stating that it would

*“only serve to confuse the processes for challenging and seeking redress against actions taken by contracting authorities”*

and that it was likely to be expensive and legally questionable.

He went on to say that it was his strong view that the ombudsman's role should relate only to matters where Departments and centres of procurement expertise fail to meet their service standards when administering procurements and that it should not extend into those areas where remedies are already readily available through the courts.

**1.45 pm**

In terms of the concerns that the Minister raised, I know that the Committee for OFMDFM took evidence from Dr Frawley on those issues and noted that the Department of Finance and Personnel's response did not highlight any problems with either the Commissioner for Complaints'

remit or how it has operated. I further note that the Committee was of the view that SMEs may not necessarily have the resources available to pursue public procurement complaints against Departments through the courts, given the high legal costs involved. Whilst the Finance and Personnel Committee has not had the opportunity to consider those differing perspectives on the practical outworking of the public procurement provisions, perhaps they will be explored in more detail today or later in the legislative process.

**Mr Allister:** I generally welcome the Bill. I commend the Committee for bringing it forward. It would seem that the Department's indolence made that necessary, because this is a matter that has been in the ether for a decade or more. Here we are, finally, with the Committee getting the Bill to the Floor. I particularly endorse and welcome the fusion of the two ombudsman posts, which I think is efficient and necessary. However, I have four reservations about the Bill; there are four areas where I think it is weak and needs to do better.

The first relates to how it deals with our universities. Clause 18 is careful to permit the ombudsman to examine only issues pertaining to complaints by students. That means that other complaints rest with the university visitors. There, I think, is the first problem. University visitors in this jurisdiction are not independently appointed or independently paid. They are appointed by the universities themselves. Thus, the university, through the surrogacy of a visitor, is being judge in its own cause. I do not think that that lends to transparency and the modern expectation that a thoroughgoing, obvious independence should be attaching to the investigation of any complaints touching upon our universities. All that the Bill does is to take within the ambit of the ombudsperson complaints by students. It leaves within the ambit of the visitors complaints by employees and staff in the universities. There have been a number of those of quite considerable significance. I am aware of one on quite an extensive issue in one of our universities at the moment. However, it can be dealt with and will be examined only by the visitors.

Do the visitors do the job that you would expect of them? I tabled some questions to the Department for Employment and Learning and discovered that, in the five years up to and including the last academic year, of 14 cases, Queen's University visitors determined 12 in favour of the university. That is a very high success rate for the university. In the Ulster University in the same period, there were 19 cases, 10 of which were adverse in their findings to the university. That is more what one might expect. The fact that, of the 14 in Queen's University, only two were adverse to the university raises a serious issue in my mind about the effectiveness, thoroughgoingness and transparency of the investigative process touching upon staff in our universities.

Therefore I think that it is a mistake for clause 18 not to include employees of the university, as well as students, within the ambit of the ombudsperson. I do not think it good practice, or desirable, that, in 2015, universities should self-appoint those whom they remunerate to investigate complaints against themselves. I think that that in-house dimension is something with which the House should be uncomfortable. This is an opportunity to address that matter in the Bill and to deal with that anachronism.

**Mr A Maginness:** I thank the Member for accepting the intervention. I hear what the Member says, and it is

worthy of further consideration throughout proceedings, particularly at Consideration Stage, but would not the position of a non-student — an employee — be covered by relevant employment legislation, which, in any event, would, perhaps, be more effective than even the intervention of the ombudsman?

**Mr Allister:** There certainly is the industrial tribunal process, but there are complaints in the universities about how postings are filled and how funds are allocated, touching upon the efficiency of various staff etc. Staff who have complaints of that nature feel a grievance as to how they have been dealt with in their position in the university. They can only have recourse to the visitor. My point is that the visitor is a university appointee, and that is not a healthy or a good situation. So, if it is right to give students who complain of maladministration by the university access to the ombudsperson, and I believe that it is, why not give that access to employees of the university who complain of maladministration by the universities? That is the point, and that, I think, is an issue that the House needs to look at further.

My second area of concern relates to the matter that arises in clauses 34 and 35 relating to the publication of reports. As things stand, and the Bill is not going to change it, a maladministration complaint is made, a report is compiled, and the report is released to the complainant and to the Department complained against, but, otherwise, does not see the light of the day. Yes, it might be referred to in an annual report, but it is not available to the public or to the media. Given the transparency expectations, that, I think, is wrong. The Bill introduces the concept of publication at the behest — at the initiative — of the ombudsperson, where he thinks that that would be in the public interest. That should be reversed, and the status quo position should be to publish and, if there are particular circumstances where you do not publish, the ombudsperson can take that course of action.

Let me illustrate it with a significant complaint. We all know about the situation pertaining to the Presbyterian Mutual Society (PMS). A very serious complaint was made by someone to the ombudsman about how DETI conducted itself pertaining to PMS. The ombudsman found, in quite scathing terms, against the Department, but the ombudsman had to warn the complainant not to publicise the findings. That, surely, is wrong. Why should a Department get away in the smoke by virtue of the cloak of secrecy that attaches to these reports?

If a Department is found guilty of maladministration, why is that not publicised, advertised and made available to be commented on in a regular fashion, as it is in Wales or elsewhere? It seems to me fundamentally flawed and wrong that the Bill is going to sustain that cloak of secrecy of findings in reports. In that case, why should the public not have known what the ombudsman found in the PMS complaint? That is but one example of many. I think that the public were entitled to know, would expect to know and would expect us, as their representatives, to fight for that transparency and to fight to have it in the Bill. That is a flaw in the Bill.

I am disappointed that the Bill settles for the status quo of not having any enforcement powers for recommendations by ombudsmen. It simply works on the premise that the Department is likely to accept the recommendations. Yes, in most cases that has happened, but not in every case.

Here I declare an interest as a complainant in a case against the Minister of Education about how he dealt with correspondence from me, and his refusal, for political reasons, to deal with it expeditiously. The ombudsman ruled in my favour, but the Minister boldly rejected the recommendation, refused to act on it and arrogantly proceeded with his former course of action. Is it right that an ombudsman can make a finding of maladministration and make a recommendation, and a Minister, if he wishes, can ignore it and continue as if it never happened? I do not think that it is right. The Bill should include an enforcement provision to ensure that Departments act on recommendations. That is absent from the Bill.

Mr Principal Deputy Speaker, I am unlikely to finish before Question Time at 2.00 pm. If you wish me to pause there, I will.

**Mr Principal Deputy Speaker:** I interrupt the Member because Question Time is at 2.00 pm and the Member may be invited to continue his remarks after Question Time. I suggest that the House takes its ease until after Question Time — sorry, until 2.00 pm.

*The debate stood suspended.*

2.00 pm

*(Mr Speaker in the Chair)*

## Oral Answers to Questions

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

#### Women's Sector: Funding

1. **Mrs McKeivitt** asked the First Minister and deputy First Minister to outline the support they can offer to organisations in the women's sector that may be forced to close due to lack of funding. (AQO 8105/11-15)

**Mr M McGuinness (The deputy First Minister):** Mr Speaker, with your permission, I will ask junior Minister McCann to answer the question.

**Ms J McCann (Junior Minister, Office of the First Minister and deputy First Minister):** The First Minister and deputy First Minister recognise the vital role that the women's sector has in the community. Junior Minister Bell and I have been remitted by the Executive to undertake a liaison role with the Departments and NICVA to consider the unintended consequences of reductions in funding by Departments that impact on the voluntary and community groups and on Executive priorities.

We plan to meet the women's sector to get a clear understanding of the impact of the reduction in funding on its organisations. We accept that there are challenges ahead in these times of severe austerity. One impact appears to be the reduction in childcare funding. We recognise that affordable childcare is a major concern for women's groups and is essential in securing gender equality in employment and training. We plan to raise these issues with the Minister for Social Development, who has lead responsibility on behalf of the Executive for the voluntary and community sector and whose Department has historically provided funding to women's groups in particular. In addition, our officials will work closely with colleagues in the relevant Departments and with stakeholders to establish and assess the actual likely impacts of the budget cuts. We would not wish to support the expansion of childcare services in some areas while watching childcare services decrease in others.

**Mrs McKeivitt:** Given the public knowledge that it is a fact that a lot of women's organisations face closure, can the junior Minister outline a plan to meet gender obligations in light of that information for the women's sector?

**Ms J McCann:** As I said in my first answer, we have undertaken in the Executive to liaise with NICVA on the voluntary and community sector in general. The women's sector, as you say, is very much impacted by funding because it, in particular, has been impacted by the funding that has been cut in DSD, for instance, from the women's centres childcare funding; in DEL, from the European social fund; and, in Education, from early years. We are very conscious that that sector is really impacted.

I have met members of the women's sector on several occasions in recent months. Junior Minister Bell and I were

to have a meeting with the women's sector today, but it has been postponed until next week at the representatives' request so that they could better prepare a presentation. I know that other MLAs will be asked to come to that. We are trying to work as closely as possible because, as I said, we are aware of the vital role that the women's sector plays in education and in all sorts of areas of work. We are keen to see that those impacts are headed off as well as possible.

**Mr Milne:** Go raibh maith agat, a Cheann Comhairle. Can the Minister outline how the new liaison role with NICVA, as remitted by the Executive, will work in practice?

**Ms J McCann:** We are currently considering how best to take that role forward, and our discussions with NICVA will help to inform that thinking. As I said, there have been a number of meetings, and I know that individual Ministers have also met NICVA. We want to work closely with all the sectors across the voluntary and community sector and ensure that good lines of communication are formed so that Departments are aware of the consequences and the impact.

As I said, the community and voluntary sector is sometimes particularly affected in that it depends on a cocktail of funding from different Departments. That can sometimes be their lifeline. We are aware of this and hope to continue to meet and communicate with the community and voluntary sector, particularly the likes of the women's sector and other groups that are responsible for suicide prevention and intervention and that. That is the way that we hope to take this forward.

**Mr Speaker:** I inform Members that questions 9 and 10 have been withdrawn.

## Disabled People

2. **Mr G Robinson** asked the First Minister and deputy First Minister whether their Department has added or adapted indicators as a result of the consultation on the strategy to improve the lives of people with disabilities 2012–2015. (AQO 8106/11-15)

**Mr M McGuinness:** We have developed a draft annual indicator set for the disability strategy, covering the strategy's 18 strategic priorities. The draft indicators were developed with input from key stakeholders including, among others, Disability Action, Children in Northern Ireland, the Northern Ireland Association for Mental Health, the Equality Commission, other Departments and academics. We recently conducted a consultation on those draft indicators, and that ran between 24 November 2014 and 27 February 2015. Statisticians are now working on the analysis of the responses obtained during that consultation and hope to complete that work in the coming weeks. Once complete, the analysis will inform the production of a final annual indicator set.

**Mr G Robinson:** Does the Minister agree that consultation provides a more accurate picture of what changes are required for practical benefit to people with disabilities?

**Mr M McGuinness:** Consultation is obviously very important, and we have been diligent about how that is done. Since the publication of the Executive's disability strategy in February 2013, we have taken forward a number of actions to improve the lives of people with disabilities and their families and carers. We are currently considering further projects submitted by Departments

to deliver outcomes under the strategy. The proposed projects cover a range of disabilities and ages, from children through to older people.

From our perspective, it is very important that we not only consult but are involved in disability awareness and advocacy. We are in the lead on disability awareness in the advocacy signature project under the Executive's disability strategy, and we have held events to increase the level of debate and discussion around what is a very important issue for people who are, unfortunately, disabled.

## Social Investment Fund: North Belfast

3. **Mr Humphrey** asked the First Minister and deputy First Minister for an update on the North Belfast social investment fund. (AQO 8107/11-15)

**Mr M McGuinness:** Three projects in the Belfast north zone worth £5.4 million have received letters of offer. A further letter of offer for an increasing community services cluster, worth £2.7 million, has still to issue. That brings total funding committed in the zone to £8.1 million or 90% of the £9 million allocated to the zone. Work is ongoing on the last project within the zone's affordability limit. It is on community services, which is around the issue of refurbishment.

**Mr Humphrey:** I thank the deputy First Minister for his answer. What tangible and real difference does he believe the social investment fund will have, not just in my constituency of North Belfast but throughout Northern Ireland?

**Mr M McGuinness:** I think that it will have a major impact on communities. As we said from the very beginning, this was not about having a top-down approach; this was about us making it clear that there was a sizeable fund available and, essentially, as a result of that, asking people to come forward with their ideas from a grass-roots level to bring forward suggestions about how community life could be improved. That covers a wide range of issues, such as education, young people and infrastructure projects and how we can improve and refurbish existing properties in different parts of the zones that exist throughout the North.

There were teething problems from the very beginning because it was an innovative idea, and public money was being spent, so we had to be sure that we were approaching all of this sensibly. The experience has been useful for everybody, not least for people at grass-roots community level. It has been hugely beneficial, but it will be only over the next while — the letters of offer are out now; there are still some to be done, but the majority are out there — that people will begin to see the physical changes taking place in their communities. That is a good thing.

**Mr A Maginness:** I thank the deputy First Minister for his answer and welcome the fact that over £8 million will be invested in certain projects in North Belfast. However, given the divisions, the long history of violence and suffering in North Belfast and the current divisions between communities, will the deputy First Minister assure the House that, whatever projects are promoted, they will do their utmost to bring communities together and provide an alternative to the division of the past?

**Mr M McGuinness:** I agree 100% with the Member. As we go forward with the proposed schemes relating to the

social investment fund, it is vital that they are designed to ensure that everybody in North Belfast and other areas can benefit in a way that ensures increased cross-community participation. It is absolutely crucial that we do that. A big effort has been made by those responsible for bringing forward the projects to recognise the importance of ensuring that there is an opportunity for the community to come together. We know that there are particular problems associated with North Belfast that we do not experience in other zones, so it is incumbent on all of us as we go forward to ensure that the sizeable resources that are being made available are used in a way that improves people's lives and brings people more closely together.

**Mr Boylan:** Go raibh maith agat, a Cheann Comhairle. I welcome the Minister's answer. Being a member of the SIF group in the southern area, I welcome the projects and the opportunity to work on it. What steps has the deputy First Minister taken to ensure that the remaining SIF projects in the northern zone and other areas get help through the economic appraisal process?

**Mr M McGuinness:** The majority of projects have received letters of offer, and we are focusing our efforts on the 22 projects that have not yet reached full approval stage. The appraisal process, whilst lengthy, is important to ensure that money is allocated to projects that will meet evidenced need, achieve maximum impact, deliver the outcomes intended and represent value for money. We remain committed to ensuring that all projects within affordability levels are approved and commenced as soon as possible. To achieve that, a new multidisciplinary business case unit has been established that includes economic and financial expertise. Staff in the unit are proactively engaging directly with project promoters and lead partners to resolve outstanding issues and to gather the necessary information. We are confident that that will allow for further projects to be approved in the very near future.

## Gender Equality Strategy

4. **Mrs D Kelly** asked the First Minister and deputy First Minister for an update on the delivery of the gender equality strategy 2006-2016. (AQO 8108/11-15)

**Mr M McGuinness:** Mr Speaker, with your permission, I will ask junior Minister McCann to answer this question.

**Ms J McCann:** The current gender equality strategy, which is due to end in 2016, sets out an overarching framework to promote gender equality. A review of the strategy was undertaken during 2013, and, in January 2014, we approved the development of a new gender equality strategy. Work on the new strategy is under way and a pre-consultation period has commenced. Meetings have taken place with a range of key stakeholders and the gender advisory panel to update them on progress and to involve them in the development of the new strategy. A discussion document was circulated to the gender advisory panel to enable it to put forward suggestions and recommendations. The discussion document has now been revised and will be circulated to the panel ahead of the next meeting. The next gender advisory panel meeting is scheduled for June 2015. The current strategy will remain in place until the new one is developed and operational.

**Mrs D Kelly:** I thank the junior Minister for that information. Can she give us a flavour of where some of the gaps and

weaknesses are in the gender equality strategy and where some of the key targets will be for the incoming strategy?

**Ms J McCann:** A number of concerns were revealed during the review. One of them was probably the overarching one about the aims and objectives and how those directly linked into the action plans in the strategy. Another one was transgender issues, where it was felt that there was a gap and that there was not enough focus on those issues.

It was decided that the actions had to be more measurable. We are now moving towards an outcomes-based model when doing evaluation and monitoring. That model is being used across the piece, for instance for the SIF projects and the signature projects in Delivering Social Change. As you pointed out, there were concerns, but we are looking at them.

## 2.15 pm

**Mr Maskey:** How representative is the advisory panel of the community, voluntary and transgender sectors?

**Ms J McCann:** As I said, development of the strategy is under way, and the pre-consultation period has commenced. The strategy will require full public consultation and Executive approval. We will also keep in contact with the gender advisory panel. One criticism of the panel was that it did not include people who represented the grass-roots level. We looked at that, and that will be addressed in the forthcoming months.

**Mr Kinahan:** In light of comments during the election regarding LGBT matters, does the Minister not feel that it is essential that not just strategies but actions are needed to ensure that no discrimination at all exists?

**Ms J McCann:** I start by congratulating the Member on his success in the election. Given that the transgender issue came up in the review, we need to ensure that the gender equality strategy looks at people from all backgrounds. We want to see all people treated with equality and respect, whatever their gender, religion, political persuasion or sexual orientation.

## Educational Standards

5. **Mr Beggs** asked the First Minister and deputy First Minister how the Delivering Social Change signature project for improving literacy and numeracy has achieved its goal of helping children in primary and post-primary schools who are currently struggling to achieve basic educational standards. (AQO 8109/11-15)

**Mr M McGuinness:** The Delivering Social Change literacy and numeracy signature programme has provided up to two years of additional teaching resource to support schools in their work to improve educational outcomes for our most disadvantaged children and young people. Anecdotally, we are aware of innovative approaches developed by schools. We have received positive feedback about the impact that the additional teaching support has had on pupil outcomes.

As part of their self-evaluation of the programme, 76% of primary schools supported by the programme stated that it had been successfully implemented for literacy and/or numeracy support. In the post-primary sector, 68% of schools stated that it had been successfully implemented for GCSE English, and 76% for GCSE maths.

A report by the western region's education authority on the first year's implementation of the programme has been finalised and will be published later this month. The Education and Training Inspectorate is due to report at the end of May on its evaluation of 80 schools in the programme. Copies of those reports will be placed on the Department of Education website as soon as they are available. Ahead of their publication, the Department of Education has provided headline data from analysis of the 2013-14 summary annual examination results for year 12 pupils. The data identifies that, in the 2013-14 academic year, 45.4% of pupils in Delivering Social Change supported schools achieved five or more GCSEs at grades A\* to C or equivalent, including GCSE English and maths, which was an increase of 6.1 percentage points from 39.3% in 2012-13.

**Mr Beggs:** The deputy First Minister mentioned the importance of additional educational support for teachers, and that has to be welcomed. Does he share my concern and will he advise about what has been done to make sure that our young people's level of attendance is improved? In too many areas, there are high levels of absenteeism and referral to educational welfare officers. Too many of our young people are not reaching their potential. What is the Office of the First Minister and deputy First Minister doing to work with local communities to try to improve attendance at school?

**Mr M McGuinness:** That question is more appropriate for the Minister of Education, but, as a former Education Minister, I accept that there are huge challenges in relation to young people who are not turning up at school. There is a huge responsibility on the Department of Education, through its attendance officers and through the school principals and so forth, to ensure that everything is being done to encourage people to come into education. Parents also have a huge responsibility to ensure that their children are turning up for school and being educated.

I will certainly pass on the Member's remarks to the Minister of Education. No doubt, at a future stage, he will be able to give you much more detail on the work that his Department is doing to try to rectify that problem.

**Mr Campbell:** Given the success of the signature project, has the Office of the First Minister and deputy First Minister turned its mind to how that success can be replicated?

**Mr M McGuinness:** From the very beginning, we made it clear that the work that we do through the Delivering Social Change strategy is about planting seeds. The hope is, from our perspective, that we will get the individual Departments that have a responsibility in these areas to take up the mantle of progressing these issues. The Delivering Social Change signature project on improving literacy and numeracy is a two-year programme scheduled to finish at the end of June 2015, and we are considering its future.

Central funding for all the signature programmes was, as I said, intended as seed funding, with projects to be mainstreamed within departmental budgets should they be deemed successful. It is obvious that this programme has been deemed successful. The First Minister and I have been in schools and spoken to teachers. They explained to us the remarkable progress made with many pupils who were previously, in their view, lagging behind. So, the value

of this has been tested, and it is very, very important that we carefully consider how we can take it forward.

**Mr McCartney:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as an fhreagra sin. I thank the Minister for his answers. Leading on from the previous question, I wonder whether the Minister accepts that this is an excellent example of Departments working together that has led to tangible results. How can we build upon that?

**Mr M McGuinness:** One of the objectives associated with the Delivering Social Change framework was to ensure greater collaboration and more effective joined-up working between Departments. The Department of Education was the sole lead Department on this programme on literacy and numeracy, and it worked with the Western Education and Library Board to implement it.

Our Department, OFMDFM, has been responsible for overseeing the development, implementation and evaluation of all Delivering Social Change signature programmes. A more ready example of signature programme collaborative working is the nurture unit programme through which the Department of Education and the Department for Social Development have worked together to develop 20 new nurture units, which help to support the social, emotional and behavioural development of young children as well as providing an opportunity to challenge some of the barriers that can contribute to low educational attainment.

These are excellent projects, and early indications are that they are getting real results. My original answer points to that, with a 6.1% increase in attainment levels following this programme.

**Mr Rogers:** I thank the deputy First Minister for his answers. What plans are in place to disseminate the good practice and to begin to help the three in 10 who do not reach an acceptable standard of numeracy and literacy?

**Mr M McGuinness:** That is the challenge. We all know that there are particular difficulties in education, centring on a long chain of underachievement in post-primary education. As a former schoolteacher, the Member will be as conscious as I am of the reasons that that is the case. I will not go into them in this answer, except to say that, between us and the Department of Education, we are focused on the challenges that we face with the education matters that the Member has raised and are consistently seeing how we can improve performance. There has been a very definite improvement in performance over the past 10 to 15 years, but we have to keep that going.

## Summer Camp Programme

6. **Mr McQuillan** asked the First Minister and deputy First Minister to outline how the summer camp programme 2015 grant pilot has been promoted. (AQO 8110/11-15)

**Mr M McGuinness:** Mr Speaker, with your permission, junior Minister McCann will answer the question.

**Ms J McCann:** The summer camp pilot programme 2015 has been widely promoted. It was advertised in the three main daily newspapers — the 'Belfast Telegraph', 'The Irish News' and the 'News Letter' — on 15 April. It was also advertised on the Department's website, tweeted from our Twitter account and placed on our Facebook page. Over 2,500 stakeholders were also advised when

the programme opened, and other key partners, including the Community Relations Council, the Department of Education, the Department of Culture, Arts and Leisure, the Rural Community Network, the Education Authority and local councils, were asked to circulate the information to their stakeholders. The programme closed for applications on Friday, and the assessment and selection process has not yet been completed, but we are on track to meet our target of delivering 100 camps in 2015.

The programme is about building positive relationships among young people aged 11 to 19 from diverse backgrounds across all parts of our community. Camps should be fun and offer a range of age-appropriate activities according to young people's interests, but good-relations-based learning must be at their heart. Camps must be run on a cross-community basis and at a local or regional level. They will offer young people an opportunity to get to know one another and all the ones from different parts of their community and to have fun, try new experiences and help build longer-term relationships.

**Mr McQuillan:** I thank the junior Minister for her answer. Can she tell me how many applications there were and how many she received from the East Londonderry constituency?

**Ms J McCann:** I do not have the exact figures, but I will certainly get them to the Member in written form. There were quite a number of applications, and, as I said, the programme only closed on Friday. Applications are being looked at now.

**Ms McGahan:** Go raibh maith agat. Can the junior Minister outline how we are meeting our international obligations under the United Nations Convention on the Rights of the Child (UNCRC) in the design of the summer camps?

**Ms J McCann:** The summer camps have been designed with due regard being paid to the UNCRC. First, the camps are open to all young people, regardless of their religion, gender, ability or ethnic background. That is in keeping with articles 1 and 2, which state that everyone has those rights and that government must protect young people from all forms of discrimination. As part of the co-design process, a small youth co-design team was established to run in parallel with a full summer camps design team. The youth team met OFMDFM officials on four occasions, and its views fed directly into the larger co-design team meetings to ensure that young people's views were taken into consideration at all stages of development of the programme. That, too, is in keeping with article 12 of the convention, which states that government shall respect young persons' right to say what they think and to have their views taken seriously.

### Commissioner for Older People: Budget

7. **Mr Dickson** asked the First Minister and deputy First Minister for their assessment of whether the Commissioner for Older People in Northern Ireland's budget is sufficient to allow all legal action on behalf of older people to be initiated. (AQO 8111/11-15)

**Mr M McGuinness:** With your permission, Mr Speaker, junior Minister McCann will answer the question.

**Ms J McCann:** The Commissioner for Older People's main aim is to safeguard and promote the interests of older people. The commissioner is provided with a budget

of £822,000 for 2015-16, and it is for her to allocate, including to decide whether or not to initiate legal action on behalf of older people. The commissioner applies criteria for acceptance of requests for individual assistance and applies a further set of criteria should the request include or necessitate legal funding or action. Neither set of criteria takes into account the cost of a case or the available resources in a legal funding budget. The commissioner has confirmed that she has not declined to offer assistance or take legal action in part or full on the basis of cost.

**Mr Speaker:** I am sorry. There is not time for a supplementary question. That ends the period for listed questions. We will now move on to 15 minutes of topical questions.

2.30 pm

### Voluntary and Community Sector: Executive Support

T1. **Mr Swann** asked the First Minister and deputy First Minister for an update on what steps are being taken to correct the perception of the voluntary and community sector that it is no longer getting the full support of the Executive. (AQT 2441/11-15)

**Mr M McGuinness:** We are all very conscious of the budgetary situation. Some £1,500 million has been taken out of the block grant in recent years, imposing enormous pressures on Departments and on front-line services, not least on the voluntary and community sector. The First Minister and I recently met NICVA to hear at first hand about the problems that it is experiencing. We will continue with that engagement, because we think that it can be beneficial. NICVA appreciated the meetings and the level of engagement, which allowed us to explore how we can continue to support the community and voluntary sector and how it can interact with us at a time of great fiscal challenges for all of us.

**Mr Swann:** In that case, does the deputy First Minister agree that some of the £2 million a week paid in fines as a result of his party reneging on its agreement to welfare reform would be better allocated to the voluntary and community sector?

**Mr M McGuinness:** The Member is well aware of our position on the welfare cuts that the Tory Party is attempting to impose on our people. He should be, because he is a member of a party that supported the Tories when they were elected five years ago. Of course, the Member belongs to a party that represents the Tories in this Assembly.

The reality is that the decisions my party has taken are about supporting disabled children, severely disabled adults, the long-term sick and families with large numbers of children. Obviously, the issue needs to be resolved. There were discussions some weeks ago, which were interrupted by the general election. I believe that, in the aftermath of the election and of Question Time today, we will be involved in further discussions on how to move forward.

You also need to be conscious that the Stormont House Agreement did not deal in any way whatsoever with the recent announcements of £30 billion more cuts, £12 billion

of which will be in the area of welfare. That is an issue for all of us, and I made an appeal at the weekend that we all work together to try to protect people as best we can and also to combat the activities of a Government that has been elected with a majority.

Remember: I predicted there would be no kingmakers in the Assembly, which turned out to be the case. Some people asked me whether I would eat my words, but I think that they are eating theirs.

### Erne Hospital Site

T2. **Mr Elliott** asked the First Minister and deputy First Minister for an update on the former Erne Hospital site going into council control, given that it seems quite a long time since their visit to Enniskillen almost two years ago and that progress is very slow. (AQT 2442/11-15)

**Mr M McGuinness:** Following on from the junior Minister's congratulations to Danny Kinahan on his election as MP for South Antrim —

**Mr P Robinson:** Why did you not congratulate Gregory? [Laughter.]

**Mr M McGuinness:** I might even get round to that. I certainly think that it is appropriate not only to congratulate Tom on his success in Fermanagh and South Tyrone but to point out that our candidate got 23,000 votes, which is more than every one of the other 17 MPs elected in the North, including Gregory. Congratulations are due to Tom, Danny and Mickey Brady as new MPs and to all other Members of the House, some of whom are double-jobbing.

**Mr Speaker:** You have almost a minute left to answer the question.

**Mr M McGuinness:** The Member is absolutely right about our visit to Enniskillen and our meeting with local interests, including the council. There have been ongoing discussions involving a range of officials and, indeed, Departments about what is a very important site in the area. Obviously, what have come to bear in the last two years are the very severe economic challenges that we are all dealing with. I will certainly try to get an update for you in your capacity as the new MP or as the MLA for the area — whichever decision you make. We will forward that information to you so that we can, as I hope to in every area that has an MP, work closely together with elected representatives at council, MP and Assembly level to ensure that we are utilising to the best of our ability the resources that are available, including that site in Enniskillen.

**Mr Elliott:** I welcome the deputy First Minister's roundabout way of congratulating me, but it is welcome all the same. I hope he is not thinking that I will consider relinquishing my seat as a Westminster MP so that they can have another go at it.

On the back of his answer, can the deputy First Minister identify where the blockages are that are holding up the progression of that site to a public-service sector and whether any Department is not progressing it?

**Mr M McGuinness:** In short, it will come as no surprise to anybody to hear me say that one of the major blockages is the very severe fiscal situation that all the interested groups that are keen to develop that site have to deal with at the moment. As you know, there are quite a number of interested groups, including the council, the Department

for Employment and Learning and others. Particularly in the context of a new Government being elected in London, whatever about the threats that are coming through the further cuts to our Budget within the comprehensive spending review and whatever negotiations take place around the new comprehensive spending review, we will have to consider all that very seriously, both at Executive level and, indeed, in the different interest groups that are keen to relocate to that site.

### Desertcreat Community Safety College

T3. **Mr McGlone** asked the First Minister and deputy First Minister to clarify whether a paper has been presented to them on the future options for the Desertcreat Community Safety College. (AQT 2443/11-15)

**Mr M McGuinness:** I think that the Member is well aware of my interest in the situation at Desertcreat. It is an issue that has to be brought to the Executive, and it has to be brought to the Executive by a number of Ministers, not least the Minister of Justice and the Minister of Health. No paper has yet been submitted to the Executive. When it is, it will certainly be considered. The Member will be very keenly aware that the First Minister and I met with a delegation from the area some weeks ago and restated our determination that the Community Safety College would be located at the Desertcreat site. That is still my position.

**Mr McGlone:** Mo bhuíochas leis an Aire as an fhreagra, in ainneoin nach freagra é. Thanks very much to the Minister for his answer, even though it was not the correct answer. That being the case, what is the obstacle preventing the paper at the Office of the First Minister and deputy First Minister being presented to the Executive? That was the question I was asking in the first place. Was the paper presented to the Office of the First Minister and deputy First Minister by the DOJ?

**Mr M McGuinness:** The position is that the existing training facilities of the Police Service, Prison Service and Fire and Rescue Service are not fit for purpose. A joint facility for all three services will undoubtedly improve training opportunities and strengthen interoperability.

Based on advice and recommendations from the programme board, the NICS steering group commissioned a review to clarify the training needs of all three services in the changed financial climate. An interim report was provided to the steering group at the end of February detailing the programme board's assessment of all training needs as estimated by the three services. On the basis of that report, the Minister of Justice and the Minister of Health, Social Services and Public Safety will report further to the Executive. Parallel with that, the steering group has asked the programme board to begin developing a revised business case, subject to the decision of the Executive. The First Minister and I await the contribution to all of that from the Ministers whom I have just named. It has not yet come.

### Greek Default

T4. **Mr B McCrea** asked the First Minister and deputy First Minister if they are aware of the potential for Greek default and whether that would have any implications on how the Government should handle austerity. (AQT 2444/11-15)



**Mr M McGuinness:** I am finding it difficult to understand what that question means, but, if you are talking about austerity, obviously, we are in very challenging circumstances. It has been anticipated that we will face an austerity agenda right through to 2018-19. From our perspective, given the already huge challenges that we face, there is a huge responsibility on all of us in the House, but specifically among the five parties in the Executive, to be clearly seen to be working together in the interests of society.

As I said earlier, the fiscal situation is very worrying indeed. During the Conservative Party conference, the Chancellor of the Exchequer — who has now been reappointed — spoke about the £30 billion worth of cuts. The challenge that that poses for all the devolved Administrations is very clear to everyone. You just have to look at the way in which the Scottish National Party, which has had an overwhelming success in the election, is now majoring on austerity. All of us will be affected by it, not just people on welfare. In the run-up to the election Tory Ministers refused to say where the £12 billion will actually fall. That needs to be considered. We need to hear what the plans are. Do not forget that there are other cuts of £18 billion. No doubt they will be directed at front-line services, the Education Department, the Health Department and other Departments.

**Mr B McCrea:** There is a growing consensus that the constraints placed on the Greek Government by the European Brussels group are too tight and that there will have to be some form of loosening, because it is not possible to introduce the cuts in pensions and social welfare in Greece and see a democracy survive. If there is a loosening of the terms offered to Greece, what steps will the deputy First Minister take to make that argument for Ireland, Northern Ireland, and the rest of the United Kingdom to find a way of taking the worst edges off austerity programmes?

**Mr M McGuinness:** Of course, the Greek Government are dealing with the European Union, and we are dealing with a British Government that are very anxious to remove us from the European Union, so whatever flexibilities the European Union is prepared to give to Greece do not appear to be on the radar of the now established new Tory Administration with an overall majority.

I said some weeks before the general election that the cuts that we have been dealing with are crucifying our Executive. Now we are promised more cuts over a very short period of two or three years. I think that what all of that argues for is for all of us in this House and within the Executive to work together.

## 2.45 pm

It will come as no surprise to anybody in this House that my view is that the 18 MPs who were elected, if they all went to Westminster, would not make a blind bit of difference to where the Tories are coming from — not a blind bit of difference. What will make a difference will be a united front from our Executive and all the parties in this Administration in making our case. There is no doubt that the Scots will make their own case. Others in Wales will also make their case. The hope, certainly for all of us, has to be that what is happening in Scotland will have an impact on the Cameron Government and that they will recognise the historic nature of what is happening in that

part of the world. I hope that the Cameron Administration will recognise the folly of this society, in particular, in its context of emerging from conflict, not experiencing the fruits of peace, through very damaging cuts to our front-line services.

## Enterprise, Trade and Investment

**Mr Speaker:** I inform Members that questions 3, 5 and 8 have been withdrawn.

### Retail: North and South

1. **Mr Sheehan** asked the Minister of Enterprise, Trade and Investment for her assessment of the recent Northern Ireland Independent Retail Trade Association and Retail Excellence Ireland report 'Building Retail: North and South'. (AQO 8090/11-15)

**Mrs Foster (The Minister of Enterprise, Trade and Investment):** I am aware of the report and its recommendations. I have written to the chief executive of the Northern Ireland Independent Retail Trade Association (NIIRTA) to say that I would be happy to meet him to discuss the report. The retail offering, clustered alongside food, hospitality and entertainment, enhances the overall visitor experience and creates opportunities for business growth, employment and increased visitor spend.

**Mr Sheehan:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as a freagra. I thank the Minister for her answer. What discussions will she have with her colleague in the Dublin Government to progress some of the report's recommendations?

**Mrs Foster:** I thought that it would be wise if, first of all, I met the members of NIIRTA in Northern Ireland to discuss the report and see what their take on it was. Of course, we recognise that the retail sector is a very important sector for the economy in Northern Ireland. Indeed, the wholesale and retail sector is our largest sector in terms of both economic output and jobs. Sometimes that is overlooked when we talk about sectors. Of course, as a Department, we do not generally get involved in retail. However, in line with our economic strategy, we welcome all opportunities to promote investment in the local economy and to try to support sustainable job creation and economic growth. At all times, my door is open to meet representatives from the retail sector, as I have done in the very recent past.

**Mr McGlone:** Go raibh maith agat, a Cheann Comhairle. Mo bhuíochas leis an Aire chomh maith. I thank the Minister. In the light of the uncertainty that has already been created on the issue of Europe through the return of the Tory party to absolute power in Britain, will the Minister accept the report's key recommendation that a North/South retail forum should be established to bring together key retail business groups and relevant Ministers to ensure that there is effective communication around key policy issues, such as Europe?

**Mrs Foster:** I have to say that I am not sure that the Prime Minister would characterise his power as absolute: I do not think that any politician has that in his gift. In terms of the report's recommendations, as I indicated to Mr Sheehan, I will meet the chief executive of NIIRTA to talk through the recommendations and indeed to see what is best for the

retail sector in Northern Ireland because, of course, that is what I am always interested in.

**Mr Dunne:** Does the Minister recognise the need for town-centre regeneration for towns like Bangor that have suffered a lack of retail activity and investment? What is her assessment of initiatives like the business improvement districts (BIDs) initiative that we have heard so much about?

**Mrs Foster:** As the Member will know, the BIDs initiative has been taken forward, first of all, by my colleague Nelson McCausland and, now, by the current Social Development Minister. I was very pleased to see that Ballymena had stepped forward and said that it wanted to be involved in the scheme. That is a good indication of the vitality in that area and what they want to do.

The economic strategy contains actions aimed at revitalising town centres, and representatives from different chambers of commerce across Northern Ireland have spoken to me on many occasions. Most recently, representatives of Belfast Chamber of Commerce came to speak to me about what they believe is the best way forward for the city centre. It is very good when members come together and bring forward creative and innovative ideas. We, in central government, obviously do not have all the answers. We want to work with local government and, indeed, the retail fora that are out there.

## Broadband: West Tyrone

2. **Mr McElduff** asked the Minister of Enterprise, Trade and Investment for an update on the provision of broadband in rural West Tyrone. (AQO 8091/11-15)

**Mrs Foster:** Many Members will be aware that my Department has made significant investments in broadband infrastructure across Northern Ireland, including in west Tyrone. Indeed, due to previous investments, superfast broadband services are available from over 150 fibre-enabled cabinets there. Building on that, my Department awarded a contract to BT in February 2014 for the delivery of the £23.6 million Northern Ireland broadband improvement project, which will bring more choice and improved broadband speeds to over 45,000 premises across Northern Ireland, including those in rural areas of west Tyrone, by 31 December 2015.

To date, improvements have taken place in the exchange areas of Ballygawley, Beragh, Bready, Carrickmore, Castlederg, Dromore, Drumquin, Dunnamanagh, Fintona, Gortin, Mountfield, Newtown Stewart, Sion Mills and Tulnacross and have impacted on almost 6,000 premises. Further details can be found on NI Direct.

On 27 February 2015, my Department also contracted BT to deliver the superfast roll-out programme, which will deliver superfast broadband services to 38,000 premises across Northern Ireland, including areas of west Tyrone, by 31 December 2017. That £17.1 million project has commenced with an extensive survey and design process that will take several months to complete. Further details will be published on the NI Direct website as they become available.

**Mr McElduff:** Go raibh maith agat, a Cheann Comhairle. I thank the Minister for her comprehensive answer. She will know that I organised a public meeting in Eskragh some months ago, which was attended by representatives of BT

and satellite broadband providers. I understand that DETI officials, who were unable to attend the meeting, were to discuss their input to all of that.

Will the Minister undertake to write to me to detail in an even more comprehensive way — drilling down to further detail about the various exchanges — the precise measures that are planned for the 2015-16 year to improve broadband coverage in rural west Tyrone?

I was delighted to hear the Minister speak musically of all those townlands and villages. It was beautiful to hear that.

**Mrs Foster:** I thank the Member. I will of course write to him, although I provided quite a lot of detail on what is happening up until the end of this year. Rolling on to 2017, we have the superfast roll-out programme, which will be finished by 31 December 2017. I am happy to write to him and, if he has any specific issues that he wants me to look into, I am happy to do that.

**Mr Byrne:** I thank the Minister for her update on the situation on broadband in west Tyrone. Will she assure the people of west Tyrone that we will have a reliable broadband service within the next 18 months? What can she say about the other deficit that we have, which is the lack of reliable mobile services along the A5 from outside Omagh to six miles on the Belfast side of Dungannon?

**Mrs Foster:** I thank the Member for his question. I hope that I have set out what we are doing with the interventions in and around broadband.

I am glad that he asked me about mobile coverage. I asked officials about this very recently because I had received a few complaints about mobile coverage dropping in some areas in the west. I received quite a comprehensive update, and I am happy to share it with the Member if he wishes me to do so. I will not go through all the details; I would not have the time to do so, and the Speaker would not allow me to deliver it all. Ofcom has indicated that, at June 2014, only 1% of premises in Northern Ireland were in a complete 2G or 3G not-spot. That will come as a surprise to a lot of people, particularly in the west of the Province. We know that, when we travel around, we often get cut off and cannot access a signal. So, I have those details and I am happy to share them with the Member.

**Mr Middleton:** The Minister has touched on this aspect, but, in many parts of Northern Ireland, mobile coverage seems to be deteriorating, with an increase in the number of not-spots across the country. What can her Department do to improve mobile coverage?

**Mrs Foster:** That is recognised, and not only by DETI. The United Kingdom Government have initiated a £150 million mobile infrastructure project, which will attempt to deal with the not-spot problem. It is expected that the mobile operators, all of which are participating in the initiative, will take the opportunity — as well as dealing with the 2G problem — to try to future-proof their equipment to make sure that it can deliver 3G and 4G services and beyond. Around 70 mast sites have been provisionally identified for Northern Ireland, and I hope that, once the masts are in position, they will help with the problems that those of us who live in the west have to endure.

**Mr B McCrea:** Just following on from that point, will the Minister give us an assessment of the effectiveness of the roll-out of the 3G/4G initiative and tell us whether, when it

is fully deployed, it will be able to deal with the rural black spots in broadband provision?

**Mrs Foster:** We will be able to deal with that through those additional mast sites, if they are positioned correctly. I know that the company that has been employed by the Government has taken some time to identify those mast sites in order to get the maximum out of them. I am hopeful that that will help. However, topography will always present a problem in some parts of Northern Ireland, and that is where future issues lie. I suppose that we will have to wait and see whether new technology develops to deal with those issues.

**Mr Humphrey:** I thank the Minister for her answers so far. She will have heard of the acquisition of Windsor House by the Hastings group. What is her Department doing to encourage the development of new hotels in Northern Ireland and in Belfast in particular? Does she believe that there is enough demand for them?

**Mrs Foster:** I had better answer the question first.

### Hotels: Belfast

4. **Mr Humphrey** asked the Minister of Enterprise, Trade and Investment what her Department is doing to help to encourage the development of new hotels in Belfast. (AQO 8093/11-15)

**Mrs Foster:** My Department, in conjunction with Tourism NI and Invest NI, has recently reviewed its policy position around support to tourist accommodation providers. The aim is to help grow and develop our tourist accommodation sector to ensure that it supports and enables the provision of a sufficient accommodation supply to meet the demands of our key tourism markets. That policy review has now been completed, and I intend to issue it for public consultation shortly. The review specifically considers the need to encourage hotel development in Belfast and the potential for support through a tourist accommodation loan fund. In addition to financial support, Invest NI and Tourism NI offer a wide range of advice and guidance to tourist accommodation providers on issues such as IT, e-business and marketing, as well as statutory requirements and the certification process.

**Mr Speaker:** I want to see how quick you are on your feet, Mr Humphrey.

**Mr Humphrey:** Take two. The Minister will have heard that the Hastings Hotels group has acquired Windsor House and plans to turn it into a hotel. What is her Department doing to increase the number of hotels in Northern Ireland and in Belfast in particular? Does she believe that there is a need and demand for them?

**Mrs Foster:** I very much welcome the fact that the Hastings group has purchased Windsor House. Knowing the expertise and professionalism that that group exhibits in the sector, it will make a fabulous hotel of that property. The evidence that has been gathered from the review tells us that there is a lack of four-star and five-star hotel accommodation in our key tourism areas right across Northern Ireland. The main concern highlighted in the policy review is that we may be approaching a position of undersupply of hotel accommodation in Belfast to accommodate our growing tourism aspirations, especially with the opening of the Waterfront Conference Centre in 2016. That is just next year. Research estimates that there

will be a potential undersupply of up to 1,000 beds by 2020. That is after taking account of known developments in the Titanic Quarter etc.

So, in that context, I very much welcome the fact that the Hastings group has seen fit to purchase that property. I hope that we help other companies to make similar decisions in the near future.

### 3.00 pm

**Mrs Overend:** I thank the Minister for her response and the information that she has provided. How much does she feel this decision could be attributed to the relative strength of the euro and dollar exchange rates in terms of room pricing? Does she agree that all Northern Ireland MPs should be arguing for a reduction in VAT on tourist accommodation right across the UK?

**Mrs Foster:** I hope that all our newly elected MPs will do so, although four of them will not be there to make the case for us. Fourteen of them will be there, and I hope that they make the case for a reduction in VAT right across the United Kingdom. That would help not just Northern Ireland but other regional areas of the United Kingdom that have difficulties in attracting tourists.

We have this growing deficit because of the success of bringing tourists to Northern Ireland and, indeed, of having very successful events in Northern Ireland, as the Member will be fully aware. The advent of the Waterfront conference centre in 2016 means that we really need to deal with this matter quickly. If we are trying to attract very large events to the Waterfront conference centre, we need to be able to have the accommodation to deal with that. I hope that there are some business developers out there who will see this as a very good opportunity.

**Mr A Maginness:** I thank the Minister for her answers. Notwithstanding the good news in relation to the acquisition of Windsor House by the Hastings group, there will still be a fairly significant deficit of beds in 2020, and the Minister referred to that. Is there not a more radical approach that she could take in order to remedy that potential deficit?

**Mrs Foster:** I am sorry; I thought that the Member was going to give me a suggestion when he said that I could be more radical. As I said, we are going to put this out to consultation. Some people may come forward with ideas as to how we could deal with that. Of course, we have access to financial transaction funding, which we may be able to use if people are having difficulties with access to finance for new developments. We have been looking at that in relation to grade A office accommodation in Belfast and throughout Northern Ireland. Those are the sorts of ideas that I am very willing to look at. I am not sure that it is an issue in relation to finance, but I am sure that we will find out what the real issue is in the coming months.

### Office Accommodation: Funding

6. **Mr McKinney** asked the Minister of Enterprise, Trade and Investment whether she plans to offer funding to developers to stimulate the development of new grade A office accommodation, beyond short-term intervention. (AQO 8095/11-15)

**Mrs Foster:** I announced on 21 April 2015 that Invest Northern Ireland plans to develop a scheme to help

ensure that Northern Ireland has adequate grade A office accommodation. This proposal to provide loans was launched on 1 May 2015 through a non-binding expressions-of-interest exercise. Stakeholder engagement suggested that any intervention should be short term and light touch in nature, providing the stimulus that will allow the market to recover. Any scheme would be reviewed annually, but it is currently envisaged that it will not extend beyond 2017.

**Mr McKinney:** I thank the Minister. How many expressions of interest have been received by Invest NI to date in relation to the scheme?

**Mrs Foster:** I do not have that detail, but I am happy to write to the Member. Invest NI has those details, but I have not received them in the Department yet.

**Mr D McIlveen:** I thank the Minister for her answers so far. She will be aware, obviously, that there is a large amount of potential space outside Belfast as well. I represent Ballymena, which is a thriving private-sector town. What support will her Department give for grade A office space outside Belfast?

**Mrs Foster:** There will be the same advice, assistance and access to loans for the people who want to develop in Ballymena as there will be in Belfast or Londonderry. The scheme is the same throughout Northern Ireland. We want to be able to make sure that we have grade A office accommodation right across Northern Ireland. It is a bit of a chicken-and-egg situation because if people want to invest in a particular area but there is not grade A office accommodation, they will go elsewhere to find it. We need to make sure that there is a choice for inward investors when they come. I have heard from all sides of the House on previous occasions that they want investment to come to their particular region, so we need to make sure that there is accommodation right across Northern Ireland.

**Mr Kinahan:** I was glad to hear the Minister outlining the scheme. Could the scheme fit to the Centre Point in Newtownabbey? That would be an ideal location for grade A office space.

**Mrs Foster:** There are other plans for Centre Point in Newtownabbey. I know that he will not mind me mentioning that his predecessor in Westminster was very active in relation to Centre Point. Invest NI has made some progress on that, and there should be some good news coming out of there in the future. We hope that that will start to push Centre Point along, because it has concerned us that it has not been developed in the fashion that we would have liked.

## Flights: Germany/Austria

7. **Mr Lunn** asked the Minister of Enterprise, Trade and Investment for an update on any discussions she has had with stakeholders concerning direct flight routes to Germany and Austria. (AQO 8096/11-15)

**Mrs Foster:** I have met representatives of a number of airlines to explore opportunities for improving our air access to key markets. Direct access to Germany in particular is a priority, but discussions about specific air routes and airlines are of a commercially sensitive and confidential nature.

**Mr Lunn:** I thank the Minister for her answer. I take from that that there is no point in asking her about a timeline for any of those discussions. Vienna is well known as the gateway to Eastern Europe. Are there any discussions going on with places apart from Germany, such as Vienna or Brussels?

**Mrs Foster:** A route to Brussels has always been something that I would have loved to have seen develop, not least for colleagues who have to travel there because it is sometimes very difficult to access. Of course, the traffic is very niche; there is not a big load factor in terms of planes. As for Eastern Europe, easyJet has announced a route to Split in Croatia. I am looking down the list of other developments that have taken place. Belfast International Airport's Wizz Air flight to Poland is now twice weekly. We are developing a range of flights. Obviously, I would like to see more coming. The new KLM flight to Amsterdam begins, I think, on Monday, so that is a very good addition to what is happening.

Going back to the question, Germany is a priority market for us in Northern Ireland. It is a key market for not only tourism but trade and exports. In 2013, we benefited from 51,000 German visitors. There is very large potential in that market. German tourists travel throughout the world. I feel that we should be getting more Germans coming to Northern Ireland, particularly when you see what we have to offer here.

**Mr Ross:** The Minister previously announced that the Routes Europe conference will be coming to Belfast in 2017. Will the Minister outline just how important that conference coming to Belfast is and how previous hosts have benefited from not only the amount of people coming over for the conference but in attracting new routes in the future?

**Mrs Foster:** It is a very significant announcement. I was delighted that, in a competition of, I think, six cities, we have been able to attract Routes Europe 2017 to Belfast. It is a major conference in and of itself, but it also brings key decision makers from airlines, airports and tourism authorities and gives them the time and opportunity to negotiate, build relationships and plan further air routes. Other cities that have hosted Routes Europe have had up to six new routes announced during the conference for that destination, so I am very hopeful that, when Routes Europe 2017 comes to Belfast, we will see more routes coming into Northern Ireland off the back of it.

**Mr Speaker:** I call Mr Danny Kinahan. You are obviously intent on getting all your questions in before you leave us.

**Mr Kinahan:** Absolutely. Will the Minister guarantee that the flight routes being considered are planned to fit the respective airports and that we will keep in mind all the time that we need to try to make sure that our airports are competing with Dublin and that there is no bias involved, even in respect of our two local ones?

**Mrs Foster:** There is certainly no bias from me towards the International Airport, the City Airport or the City of Derry Airport. They have worked together quite well on some of the programmes that we have been working with them on. I know that the international airports take a particular view on air passenger duty (APD), which has not been accepted by the Executive. They have provided us with another report on that, the Mott MacDonald report. We are looking at that, although it causes us some concern that some of its statistics appear to come from

Scotland as opposed to Northern Ireland. I say to the Member very clearly that there is certainly no bias. We work with all the airports because we want all the airports to develop. We want more flights coming in because the more direct access we have, the more tourists we have coming to Northern Ireland.

### SMEs: Finance

9. **Mr McCarthy** asked the Minister of Enterprise, Trade and Investment to outline the programmes that provide access to finance for small and medium-sized enterprises. (AQO 8098/11-15)

**Mrs Foster:** Invest NI has put in place a £170 million Access to Finance initiative to ensure that SMEs with high growth potential are not held back because they cannot access finance. Through the suite of funds, Invest NI is able to offer financial assistance for businesses seeking between £1,000 and £3 million over a series of funding rounds. The initiative has six separate funds: the NI small business loan fund; techstart NI; the growth loan fund; Co-Fund NI; development fund 1; and development fund 2. Four provide equity, and two provide loans.

**Mr McCarthy:** I very much welcome the Minister's response. I am sure that the Minister will agree with me that small and medium-sized businesses are the backbone of the economy of Northern Ireland and that, too often, it could be said that, despite all the grants available, obstacles are put in the way when they make an application. Will the Minister ensure that as few obstacles as possible are put in the way of all applications so that we can make progress and provide for the economy of Northern Ireland?

**Mrs Foster:** I may have accepted that criticism in the past, but I have tried to cut down on the red tape in Invest NI. I have done that insofar as is possible because, of course, it is public money, and you have to ensure that the proper procedures are in place. Particularly successful in that regard have been the innovation vouchers and the finance vouchers, whereby small and medium-sized businesses can apply for assistance of up to £1,000 with very little form-filling or red tape. The small and medium-sized business community has really welcomed those initiatives.

The further up you get and the more money you spend from a public accounts point of view, the more bureaucracy there is involved. I hope that the new Government at Westminster will look at this again and try to deal with some of that bureaucracy, particularly at a European level. If you look at the Horizon 2020 initiative, you will see that the amount of bureaucracy involved is eye-watering. We need to be able to deal with those issues as well.

**Mr Speaker:** Mr David McIlveen is not in his place. Mr Stewart Dickson is not in his place. I call Mr Paul Frew.

### Electricity Grid: North Antrim

12. **Mr Frew** asked the Minister of Enterprise, Trade and Investment how she will ensure that further essential investment can be delivered on the 11kV and 33kV electricity grid to enable businesses in North Antrim to achieve a supply and export electricity generated on site. (AQO 8101/11-15)

**Mrs Foster:** I sympathise with businesses experiencing difficulty in obtaining grid connections and understand the

frustrations that they feel. I recently met those responsible for our infrastructure on these and related issues covering the whole of Northern Ireland. I will continue to engage, emphasising the need to find solutions. Any solutions need to take account of the current regulatory funding settlement, which concluded that asking consumers to pay more to meet developers' connection costs was not in the public interest. I should also acknowledge that our success in meeting the Executive's 20% renewable electricity generation target has made it more difficult to obtain new connections to the grid. I urge any new developer to consult NIE's heat map before committing resources.

**Mr Frew:** I thank the Minister for her answer on what is a very serious issue, not least for my North Antrim constituents.

Given that NIE was given some £458 million in the most recent price review and received £46 million through the European regional development fund, how can the Minister ensure that that money is being spent in the right places and at the right time so that businesses in my North Antrim constituency will be able to grow and get some relief by generating their own energy?

### 3.15 pm

**Mrs Foster:** As the Member knows, probably better than most because of his position on the Enterprise, Trade and Investment Committee, it is not my position and, unfortunately, not within my power to direct NIE to particular parts of the Province. It is a joint exercise with the regulator, the system operator, NIE and the Department. That is why I have brought all those bodies together. We had a constructive meeting when I brought them together, and I intend to bring them together again and again until we try to deal with these very complex matters. It was not a one-off meeting but something that will happen every couple of months.

**Mr Speaker:** Thank you, Minister. That ends the period for listed questions. We now move on to topical questions.

### A5 Western Transport Corridor: Economic Benefits

T1. **Mr McAleer** asked the Minister of Enterprise, Trade and Investment for her assessment of the importance of the proposed A5 western transport corridor to the local economy. (AQT 2451/11-15)

**Mrs Foster:** Undoubtedly, there are those in the region who have indicated to me that they would very much welcome progress on the issue. I am thinking particularly of the Chamber of Commerce in Omagh and the business community in Strabane. Of course, it is not a matter for me directly. Those indications were communicated to me as recently as two weeks ago when I had the opportunity to visit the Member's constituency and McColgan's in Strabane. McColgan's told me that progress would really assist it, particularly as it sends a lot of product down that very route.

**Mr McAleer:** I thank the Minister for her answer. Can she confirm that the project remains an Executive priority?

**Mrs Foster:** As far as I know, it is an Executive priority, but the Member would be better addressing that question to the Minister for Regional Development. All that I know is that it is certainly still a matter of interest in that region and

that people would like to see a decision made either way so that there was certainty on the matter.

### Rugby World Cup 2023

T2. **Mr Sheehan** asked the Minister of Enterprise, Trade and Investment for an update on the Irish Rugby Football Union's bid for the Rugby World Cup in 2023. (AQT 2452/11-15)

**Mrs Foster:** The Rugby World Cup bid is progressing well. I think that there will be further announcements made in the very near future on how we are taking forward the bid. It is something that we are all behind and want to see happening, because, of course, it will have an impact right across Northern Ireland and the Republic of Ireland. It will be a huge event for the whole island.

**Mr Sheehan:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as an fhreagra sin. I thank the Minister for that answer. Given the fact that the Casement Park development is included in the Irish Rugby Football Union's bid to host the World Cup in 2023, can she confirm that that development is an Executive priority?

**Mrs Foster:** I am rather amused, Mr Speaker, that the past two questions have been about other Ministers' priorities, but, as far as I know, yes, the Casement Park development is still an Executive priority.

**Mr Speaker:** I call Mr Barry McElduff.

**Mr McElduff:** Go raibh maith agat, a Cheann Comhairle. I hope that you are all keeping well.

### Investment: Omagh

T3. **Mr McElduff** asked the Minister of Enterprise, Trade and Investment for a further update on her Department's efforts to secure land in and around Omagh for the purpose of inward investment, given Invest NI's active efforts in recent months. (AQT 2453/11-15)

**Mrs Foster:** I am glad the Member has recognised that we are being active. I brought an update to the House at, I think, my previous Question Time. Unfortunately, I do not have anything further to add, but, after Question Time, I will enquire from the chief executive of Invest NI as to whether there is anything further. Certainly, I have not been briefed on any further developments on Omagh, but I am as keen as he is to see moves on the issue. When I was up in Strabane two weeks ago, I could see how McColgan's was using the land that it had to develop. I am sure that he was delighted to see the 43 new jobs being announced in Strabane just two weeks ago.

**Mr McElduff:** I thank the Minister for her strong interest in Omagh, Strabane and the West Tyrone constituency. Following the review of public administration, may I encourage the Minister to engage directly with Fermanagh and Omagh District Council and with the DOE Planning Service to see whether additional flexibilities can be achieved in the future to identify land suitable for inward investment in the Omagh area?

**Mrs Foster:** The Member probably has as much influence on Fermanagh and Omagh District Council, given its make-up, as I have. I will certainly say to the chief executive and the director of development that it is a priority and that we need to see more land being made available for industrial development in that area.

### Economic Recovery

T4. **Mr McNarry** asked the Minister of Enterprise, Trade and Investment whether, given this morning's statement by the Ulster Bank's chief economist that Northern Ireland's recovery has stalled since last November, which is very disappointing, this is a blip or a sign of ongoing difficulties. (AQT 2454/11-15)

**Mrs Foster:** I thank the Member for his question. The purchasing managers' index today suggested that our two biggest sectors — services and manufacturing — boasted solid growth for the second month in a row. However, some of the other indicators were less positive over the past month. Of course, this is only one survey — a very important one that we all take notice of — but, even from the bank and Richard Ramsey's point of view, there are still other strong indicators, such as unemployment continuing to fall for the twenty-seventh month in a row, job numbers growing for the eleventh consecutive quarter and consumer confidence being at a seven-year high. Although some indicators cause me concern, others show that we are still moving in the right direction.

**Mr McNarry:** I thank the Minister for her answer. I have always recognised, congratulated and acknowledged her performance as a Minister. However, 20% of our 18- to 24-year-olds are unemployed, and 80% of that age group earn less than the living wage. Given the news that we have had this morning, what is your message to young people when we have evidence of fluctuations in the economy?

**Mrs Foster:** I did not mention that we have to acknowledge the exchange rates pressure that we are facing. There is no getting away from the fact that that is an issue for us in Northern Ireland. Although we do not have any levers over it, we must acknowledge and try to take action to deal with it.

In respect of unemployment among young people, we are, of course, engaging in our economic inactivity strategy, which puts in place actions to deal with something that has happened not just over the past couple of years. We have a legacy of economic inactivity, and, unfortunately, we are at the top of the regional table for that. We are listening carefully and taking action through the economic inactivity strategy.

### Agrifood: Going for Growth Strategic Action Plan

T5. **Mrs Overend** asked the Minister of Enterprise, Trade and Investment, in the week of the Royal Ulster Agricultural Society's Balmoral show, for an update on the Going for Growth strategic action plan for the agrifood sector in Northern Ireland. (AQT 2455/11-15)

**Mrs Foster:** I am pleased to tell the Member that we continue to work strongly alongside the industry. Some very significant announcements have been made not only of employment through the agri-industry over the past year but of strong strides in research and development. We have announced the new marketing body, and I note the comments that were made at the weekend about that. I assure everyone in the agrifood industry that the last thing that I want to be involved in is trying to tell them how to run their businesses. That is up to them. We will try to facilitate what we can for them and to get them access to new markets, particularly in China. The Minister of Agriculture

and Rural Development and I are particularly focused on China at present.

**Mrs Overend:** I thank the Minister for that positive response. From my time on the Committee for Enterprise, Trade and Investment, I remember that the Minister appointed a go-to person in Invest Northern Ireland to look at Horizon 2020 and its funding opportunities. Will the Minister consider having in Invest Northern Ireland such a single go-to person with particular knowledge of funding opportunities to work specifically with agricultural businesses and to grow the farming sector in Northern Ireland?

**Mrs Foster:** The agri sector and food sector is the only part of industry in Northern Ireland that has its own division in Invest NI, and that is headed up by a senior official called John Hood. So, there is already a person in place to deal with all those issues. John has been out meeting a number of agrifood companies throughout Northern Ireland, and I am sure that he will be at the Royal Ulster Agricultural Society show this week. I hope that we are all looking forward to that, because it is always a tremendous time for the whole agri sector to come together and, I hope, to celebrate what has been a good year. Yes, there have been difficulties, particularly in the dairy sector, but I hope that, yet again, farmers will come together and that we can engage with them and hear what they have to say about their industry.

### Exports: Sterling Exchange Rates

T6. **Miss M McIlveen** asked the Minister of Enterprise, Trade and Investment what impact she believes a strong pound sterling in comparison with the euro will have on exports from Northern Ireland. (AQT 2456/11-15)

**Mrs Foster:** That is, of course, our main challenge in terms of the eurozone. At present, particularly with a lot of our smaller companies, their first point of export is the Republic of Ireland. Therefore, they are in a difficult place at the moment. We will try to assist them, but we hope that some equilibrium will come about again in the near future. Of course, it is of benefit to people who are leaving and going on holidays to the eurozone, but, for me, the export market is the key market, and that is one of the reasons why we are looking at other markets throughout the world where this does not affect us.

**Miss M McIlveen:** I thank the Minister for her answer. Can she give an update on the export strategy that her Department is developing?

**Mrs Foster:** Again, we are taking that forward in conjunction with the different sectors. As I indicated in my answer to Mr McNarry, Richard Ramsey described the manufacturing sector as, I think, going through a "purple patch" at the moment. Hopefully, we will continue to assist it. Again, it has to be industry led, because there is no point in politicians telling industry where it should be exporting to. It is for the industries to tell us where they want to go and for us to assist them to get their export product to that market.

### Employment: Foyle

T7. **Ms Maeve McLaughlin** asked the Minister of Enterprise, Trade and Investment for an update on

the work that the Executive are currently doing on maximising job opportunities in the Foyle constituency. (AQT 2457/11-15)

**Mrs Foster:** I think that the Member is referring to the Executive subcommittee on regional opportunities. Of course, we will be looking not only at Foyle but at other constituencies in other regions of Northern Ireland, but she is right to say that we are concentrating on that region at present. At the last meeting, we looked at Invest NI's work, but we also looked at some of the other factors, including infrastructure and connectivity from a digital point of view. Those discussions are ongoing. I think that it is a very helpful forum, and I hope that it is one that will continue for other regions of Northern Ireland as well.

**Ms Maeve McLaughlin:** Go raibh maith agat. I thank the Minister for her answer. Can she give us an assessment of what the emerging themes for Foyle might be? Will we see a subregional strategy for the city and the wider region?

**Mrs Foster:** One of the themes coming from the north-west is on economic inactivity, and she will know that that is a big problem in the north-west. It is my hope and, I am sure, the hope of the Minister for Employment and Learning that the strategy that we have outlined and some of the actions in it, including competitive pilots, will help to deal with those issues into the future.

Infrastructure is also a theme that is developing. Some of the infrastructure, particularly roads, should be focused on as well, and I think that the chamber of commerce in the city shares that view, as it has also indicated that.

### Jobs Fund

T8. **Mr Douglas** asked the Minister of Enterprise, Trade and Investment for her assessment of the jobs fund. (AQT 2458/11-15)

**Mrs Foster:** The jobs fund would not have happened had it not been for devolution. It has made a real difference to thousands of people across Northern Ireland. We have been able to assist some very small jobs fund announcements. As few as two and three people have been able to be employed because of the jobs fund intervention, and that goes right up to large jobs fund initiatives. It has been a tremendous success for Northern Ireland and a success for devolution.

**Mr Douglas:** I thank the Minister for her answer. Can the Minister outline what response or progress there has been in east Belfast through jobs created?

**Mrs Foster:** I do not have the specific figures, although I know that we have made an impact in east Belfast and right across Northern Ireland. I am happy to provide the Member with those figures in writing after today's Question Time.

3.30 pm

## Employment and Learning

**Mr Speaker:** We now move on to questions to the Minister for Employment and Learning. Questions 5, 6, 7 and 9 have been withdrawn.

## Education: Adults with Learning Difficulties

1. **Lord Morrow** asked the Minister for Employment and Learning what progress he has made on the development of post-19 courses for people with learning disabilities in further education colleges. (AQO 8061/11-15)

14. **Ms P Bradley** asked the Minister for Employment and Learning what support exists for adults with learning difficulties to gain access to full-time education. (AQO 8074/11-15)

**Dr Farry (The Minister for Employment and Learning):** Mr Speaker, with your permission, I wish to group questions 1 and 14 and request an additional minute for the answer.

In relation to provision for those with learning difficulties, many students are able to participate in the full range of mainstream provision, with additional support provided by colleges and assisted by my Department's additional support fund, which gives £2.5 million per annum to provide technical and personal support. The fund provides an additional £2 million per annum to help colleges to facilitate tailored, discrete programmes for students unable to access mainstream provision due to the nature or degree of their learning difficulty. The fund was recently increased by £1 million per annum to ensure that all students with the ability to participate in further education provision received the additional support required to help them to do so. In 2013 and 2014, over 3,500 students were supported through the fund, of whom over 2,000 were aged 19 and over.

The aim of college provision and of the additional support fund is to enable access and provide support to students to help them to meet their individual goals through further education and progress towards employment or, in some cases, independent living. Colleges maintain close contact with local schools and related professionals to ensure that provision is relevant and appropriate to the needs of the potential students and to ensure that all students are aware of the opportunities available in further education.

My Department's Training for Success programme is also delivered in further education colleges. The programme offers participants the opportunity to gain relevant work experience and professional and technical skills, as well as the personal and behavioural skills required to progress into employment in their chosen field. Participants with learning difficulties or disabilities receive a range of additional support from colleges and external support suppliers contracted by my Department. My Department's Careers Service has a partnership agreement in place with post-primary schools, including special schools, to support the schools' careers education programme. Careers advisers play an active role in the transition planning process of young people and adults by providing impartial careers guidance on the range of opportunities available to them, including further education.

Following concerns about transitions to adult provision for young people with severe learning disabilities, my Department undertook a range of actions aimed at improving our provision. I also raised the issue with the Bamford inter-ministerial group on mental health and learning disability, which agreed that my Department would lead a cross-departmental group of officials to consider current gaps in provision. The group will discuss progress

on the work undertaken by officials at its next meeting on 13 May 2015.

**Mr Speaker:** Before I call for a supplementary question, may I correct my information about the questions that were withdrawn? The Minister will recognise questions that he intends to group. The correct questions that were withdrawn are 8, 10 and 11.

**Lord Morrow:** I thank the Minister for his comprehensive reply. I look forward to getting Hansard tomorrow to go through that reply again. It was quite lengthy, but I thank him for it. I have a concern about the issue, particularly in places such as Fermanagh and South Tyrone. Can the Minister assure us that there has been and will be an equal distribution of places right across all the further education colleges, particularly in Fermanagh and South Tyrone?

**Dr Farry:** I am happy to say to the Member that that is our intention. Whether we will be able to achieve it in practice, I am a little less certain. One of the things that we have undertaken — the Member will be aware of it — is an audit of provision across the colleges. It is up to colleges to organise provision in their campuses and to ensure that there is an appropriate balance. We will not always have an equal distribution of courses, particularly in this very particular area, across all the colleges. In light of the constituency that the Member represents, he will be acutely aware that geography and distance come in to play. Often, young people will have to travel some distance to access their college, and that is why transport is of particular importance. One of the aspects that is receiving the particular attention of the inter-ministerial group is the work that we can do around transport issues, especially trying to highlight the opportunities that exist and providing support for people to ensure that they can access the courses that are available across the different campuses and colleges.

**Ms P Bradley:** I also thank the Minister for his comprehensive answer. In my question, I looked at full-time employment as well. We know that all our children are different, whether they have a learning difficulty or not; some go on to further education and, for others, that is not what they want to do. Does the Minister agree that there is a role within the public sector? I know that some councils and other public bodies have schemes that are open to children with learning difficulties. Does the Minister believe that there is a role for that and that it should be more uniform?

**Dr Farry:** I certainly concur with the Member's sentiment that we should encourage all businesses and organisations, including the public sector, to open up work placements in that regard and to ensure that they are progressive employers that offer permanent positions. The Member may also be interested to know that we are close to finalising for public consultation a draft disability employment and skills strategy. That will cover all aspects of the work of my Department in supporting people with disabilities, with a particular focus on trying to ensure that we are able to facilitate people into work and to support people in work. People with learning disabilities are clearly a major client group within the existing disability employment service and will be very much at the heart of the emerging strategy.

**Mr Rogers:** Minister, have you ruled out the possibility of other partner organisations delivering the courses? Will



they be the sole responsibility of the Northern Ireland colleges network?

**Dr Farry:** The provision, particularly with respect to disability issues, is shared between our colleges and the community and voluntary sector. Without jumping too far ahead, I will say that disability is a key aspect that is supported through the European social fund. Recently, we made announcements in that regard that included a considerable number of organisations working in the disability sector. Across both further education provision and what the community and voluntary sector does, albeit with a different focus and in different areas, we are looking to get strong coverage. However, it requires partnership, and it involves work beyond the statutory sector.

**Ms McGahan:** Minister, will you consider operating a pilot scheme under the economic inactivity strategy in Fermanagh and South Tyrone to address the barriers of those with disabilities who want to go into employment?

**Dr Farry:** Certainly, the emerging economic inactivity strategy will be open to facilitating that type of intervention. At this time, I cannot give a guarantee that a particular type of project will occur in a particular area. We are looking at a series of competitive pilots to test different types of intervention, and then we will see how we can upscale those. Given the nature of that competitive piloting process, we will be looking for a number of small-scale and geographically focused interventions. What the Member suggests is certainly consistent with the strategy, but, once we go for open calls to the community and voluntary sector and others, we will see whether such projects can come forward, and then decisions will have to be made on which ones we will resource. Obviously, the available resources that are put on the table will be a key factor in how far we can go in supporting different types of intervention for testing.

**Mr Kinahan:** My original question was to ask the Minister whether he felt that the current transition process was fit for purpose and delivered to the same standard. He seems to have massive changes coming in, which is excellent. However, will he guarantee that that is where he is trying to move to, so that we have a transition process that is fit for purpose and is delivered to the same standard across the whole of Northern Ireland?

**Dr Farry:** First of all, I congratulate the Member on his election to Parliament last week.

The question the Member asked is perfectly reasonable and has not been entirely answered so far. There are concerns with the transition process; it is only realistic to say that that is the case. Lord Morrow and many others have highlighted it over this Assembly term. When people leave school, there is a perception that they fall off a cliff when they move from the security and certainty of the school environment to a much more uncertain world in which there is a mix of provision through day centres provided by health and social services, further education colleges, support from the community and voluntary sector resourced through the European social fund or, indeed, what are, in practice, gaps.

One reason we have the inter-ministerial group under the Executive's mental health and learning disability subgroup is to better map out the different interventions that Departments can bring to the table. My Department has major responsibilities in this regard. The Departments

of Health, Education and Regional Development, among others, have key responsibilities as well, so we are looking for a partnership approach to address the issue. To be realistic, we are somewhat hampered by lack of resources, given the pressure on budgets. At this stage, probably most of the actions will be focused on better coordination and information to ensure that existing provision is fully utilised and that people are fully aware of the opportunities that exist.

## Employment: Barriers

2. **Mr Milne** asked the Minister for Employment and Learning what action he is taking to remove the barriers faced by the blind, partially sighted and deaf communities in gaining employment. (AQO 8062/11-15)

**Dr Farry:** My Department provides a range of services that help to remove barriers to employment for people with disabilities, including those with a sensory impairment or disability. Specialist advice and guidance is provided by careers advisers working with colleagues from the employment service to agree the most suitable provision that will help people to overcome their disability-related barriers to work.

My Department provides additional and specialist support, as well as significant funding, to enable access and participation in pre-employment programmes such as Training for Success and the further and higher education courses available throughout Northern Ireland.

With regard to specific employment interventions, my Department's disability employment service manages and delivers high-quality pre-employment and in-work support programmes that are helping more than 2,000 people with disabilities, including those who are blind or deaf, to find and sustain paid employment each year. Those programmes include Access to Work, Workable, Work Connect and the condition management programme.

The Department has a dedicated occupational psychology service that provides employment assessments for employers and disabled people, including those with sensory disabilities. The Department also provides funding to a number of organisations that support people who are blind, partially sighted or deaf, through a range of training and employment projects under the European social fund disability strand.

Officials have been working in partnership with local disability sector representatives on the development of a new employment and skills strategy for people with disabilities. A draft strategy, including a range of proposals, is due to be issued for public consultation over the coming months. The purpose of the strategy will be to improve the skills, employability, job prospects and careers of people with a full range of disabilities throughout Northern Ireland.

**Mr Milne:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as na freagraí go dtí seo. I thank the Minister for his answer thus far. Is his Department aware of or even exploring international best practice on how such barriers to employment can be overcome?

**Dr Farry:** I am happy to confirm that that is the case. Work undertaken to date on developing the new strategy has been informed by some international examples and best practice. We are keen to learn from how things are done in other societies. If you look at our work on apprenticeships

and youth training, you will also see that type of approach in action.

**Mr McKinney:** I thank the Minister for the detail in his answer but could he —

**Mr Speaker:** Speak into the microphone, please.

**Mr McKinney:** Apologies. Does the Minister believe there are sufficient incentives for employers to afford any necessary adaptations to employ partially sighted or blind people and people from the deaf community?

**Dr Farry:** Incentives and resourcing are features of some of our programmes, such as Access to Work and Workable. We are keen to ensure that those are being used as effectively as they can be.

### 3.45 pm

This is about more than simply providing the infrastructure to ensure that people with disabilities can flourish in the workplace; it is about tackling attitudes from employers. Instead of seeing a situation where the employment of someone with a disability is somehow an inconvenience or a burden, this is about ensuring that people understand that this is about equality in the workplace and recognising that people with disabilities are often more dedicated to their workplace and are more productive than many of their peers. We need to ensure that we can attract and draw upon the fullest pool of talent available to society.

## Apprenticeships: Update

**3. Ms Lo** asked the Minister for Employment and Learning for an update on higher-level apprenticeships. (AQO 8063/11-15)

**Dr Farry:** In June 2014, I published, 'Securing our Success: The Northern Ireland Strategy on Apprenticeships'. The strategy provides an opportunity to facilitate economic and social progress and will be key in transforming our skills landscape and securing our economic success.

My Department is piloting higher-level apprenticeships across a number of sectors, with the aim of testing their effectiveness to meet the specific skills needs of local employers. Higher-level apprenticeship pilot projects are in progress in sectors including engineering, ICT, accountancy, life sciences and professional services. At present, 130 higher-level apprentices are employed across 46 companies. Employers involved in the higher-level apprenticeship pilot projects include PwC, Deloitte, Norbrook, Terex and Moy Park.

As part of my Department's successful change fund bid, we intend to take forward further higher-level apprenticeship pilots over the next 12 months. Officials from my Department have been working closely with colleagues from universities and further education (FE) colleges to raise the profile of higher-level apprenticeships and encourage the development of proposals for further pilots. I anticipate that approximately 400 new higher-level apprenticeship places will be available from September 2015, and I look forward to making further announcements regarding individual apprenticeship opportunities over the coming months.

**Ms Lo:** That is to be welcomed. Higher-level apprenticeships are very much valued by young

people. Those who do not go to university appreciate the opportunities they provide. How is the Minister going to identify new opportunities for the higher-level apprenticeships?

**Dr Farry:** Essentially, there is a twin-track process in place around identifying new opportunities. At the heart of that lies the employer, because it is the employer that will shape where opportunities lie in the job market. Let us bear in mind that apprenticeships are jobs, albeit jobs where people are on a training contract.

We have a number of sectoral partnerships emerging under the strategy, and they are taking an almost top-down approach, working with colleges, employers and sector skills councils, where appropriate, to map out where new opportunities can arise. At the same time, a lot of our colleges and universities are voting with their feet and are going out and creating new opportunities from the bottom up. They have some very direct responsibilities for engaging with employers and seeing where emerging opportunities are developing.

So, between those two approaches, we are rolling out a considerable number of new opportunities. If anything, we have been really encouraged by the energy that is coming forward and the interest that we are seeing from all of the different stakeholders in what is a very new and innovative approach to providing skills for the local economy.

**Mr Byrne:** I welcome the Minister's statement and congratulate him on his efforts to get higher-level apprenticeships working. Can the Minister assure the House and industry in Northern Ireland that the need for fabrication engineers in technician-based engineering will be met through these apprenticeships eventually, given that many employers are having to rely on skilled technical people from Poland, Latvia and other eastern European states?

**Dr Farry:** I am happy to give the Member encouragement in that regard. The development of apprenticeships is to be driven by employers where skill vacancies exist. So, if there is a particular problem in fabrication engineering, through partnership with, for example, the South West College as far as the Member's constituency is concerned, we could see the emergence of that type of apprenticeship. Employers can feel free to approach South West College with a view to seeing whether higher-level apprenticeships can be developed in that particular area. I will certainly encourage those types of conversations to take place.

**Mrs Overend:** I thank the Minister for that information. I note some of the large companies mentioned in his first answer. When the Minister first floated this matter, he indicated that there may be a need for incentives for employers to support higher-level apprentices. Is this still an option to encourage small businesses to take apprentices?

**Dr Farry:** Yes, very much so. By way of context, it is important to recognise that, in virtually every jurisdiction, we see a situation where it is disproportionately the bigger employers that are more actively engaged in the apprenticeship form of training. This is the case in many of the Germanic countries and Scandinavian countries, and, often, small and medium-sized enterprises see obstacles in their way or maybe do not see that they have the scale to support training.

I am very clear that, in all contexts, apprenticeship training is relevant to businesses and that everyone should consider it, but, given the need to encourage, in particular, SMEs to engage, we are looking at a number of different approaches, whether that is shared training or some degree of financial incentive. Work is under way in that regard. As the Member will appreciate, an action plan is attached to the strategy as we roll it out over the next year to the full roll-out in September 2016. That issue about financing and incentives is one of the projects in that action plan.

## Employment: Support

4. **Mr G Robinson** asked the Minister for Employment and Learning to outline the support available for people with a disability under the Enabling Success: Supporting the Transition from Economic Inactivity to Employment proposals. (AQO 8064/11-15)

**Dr Farry:** One of the key groups that Enabling Success will seek to help is that of people with work-limiting health conditions or disabilities who, with appropriate support and accommodations from an employer, should be able to work. The strategy will directly seek to support this group towards and into the labour market through a series of voluntary interventions that will be delivered through the following projects. Project A will develop an outcomes framework through a co-design approach with key stakeholders to inform a competitive pilot testing process. Project B will develop a regime of competitive pilots to test the effectiveness of a number of small-scale initiatives in improving outcomes for people in the target groups. Project C will deliver and evaluate a control group pilot for people with work-limiting health conditions or disabilities. Project D will help to develop targeted support and incentives to encourage employers to hire and upskill people from the target groups. Project E will put in place new measures to promote the financial advantages of employment, raise awareness levels of transitional benefits protection and better communicate the rules on how to reclaim benefits to encourage transitions to the labour market.

The strategy will work alongside existing disability service provision, such as the job introduction scheme and the condition management programme, through my Department's disability employment service. In addition, the Department is finalising a new disability employment strategy for Northern Ireland. This aims to cover the entire journey from full-time education through to paid employment for people with significant disability-related labour market barriers. The strategy will target people of all ages but will have a focus on young people who are participating in education, training and pre-employment programmes who require additional and longer-term support.

**Mr G Robinson:** I thank the Minister for his answer. Will he undertake to explore the reasons why some people with hidden disabilities, despite receiving support, find the transition to economic activity problematic?

**Dr Farry:** Very much so. The economic inactivity strategy has identified that there is a considerable number of people with disabilities who have either ruled themselves out or have been ruled out of the labour market. However, we assess that a considerable number of them do have the capacity to engage in some degree of work, and many

of them would benefit either from some direct support or incentives to encourage them back into the labour market. That pool is much bigger than the target group for the disability employment strategy directly, and that, in a sense, reflects the fact that a lot of disability can be hidden in society. It is no less challenging in terms of participation in the world of work, and, hopefully, a number of the new competitive pilots that we develop will try to address that particular issue.

**Mr McCallister:** Will the Minister detail the exact funding available to his Enabling Success strategy and, in particular, to the part of it dealing with learning disabilities? Does he agree that, if it is an unfunded strategy, it might well do little to help the economically inactive and is in danger of becoming another unfulfilled Executive promise?

**Dr Farry:** The issue of funding largely falls into the 2016-17 financial year. We are looking at the initial roll-out of the strategy over the coming months. There was a successful bid to the change fund by the Department for Social Development to commence one of the pilots. We will bid in the monitoring rounds for finance to enable work to commence on a number of strands this financial year. Bearing in mind that this is an Executive strategy and that we are very conscious right across all political parties of the need to ensure that we begin to address what is a major structural problem in our economy, I am encouraged about the prospects of the money coming forward this year, and then of a full budget line being provided not just to my Department but to others in the 2016-17 financial year.

## European Social Fund

5. **Mr Sheehan** asked the Minister for Employment and Learning how many organisations in West Belfast had their application for the European social fund rejected. (AQO 8065/11-15)

6. **Mrs McKeivitt** asked the Minister for Employment and Learning for an update on the application and award process of European social fund monies. (AQO 8066/11-15)

7. **Mr Humphrey** asked the Minister for Employment and Learning for an update on the European social fund process. (AQO 8067/11-15)

9. **Ms Sugden** asked the Minister for Employment and Learning for an update on the allocation of the European social fund. (AQO 8069/11-15)

**Dr Farry:** Mr Speaker, with your permission, I wish to group questions 5, 6, 7 and 9 — I would have included questions 8 and 11 as well, if the Members were here. I request an additional minute for the answer.

The European social fund (ESF) is an open and competitive funding programme. Following the conclusion of the most recent application assessment process, the Department offered funding to 68 applicants. That funding equates to over £112.6 million for the first three years of a seven-year programme. Organisations will receive contributions in the form of 40% from the European Commission, 25% from DEL and 35% from private or public sector match funding.

As £180 million worth of applications were originally submitted to the programme, it was inevitable that the Department could not fund all applications. There was

insufficient funding to offer all applicants who had scored above the quality threshold.

Of the organisations indicating that they wish to deliver provision in West Belfast, seven applicants have been offered funding in the youth priority, eight in the unemployed and inactive priority, and nine in the disability priority. Sixty of the successful applicants were from the community and voluntary sector, with the remaining applicants coming from the statutory or private sectors. Funding to the community and voluntary sector equates to approximately 92% of the total offered.

The new programme aims to further drive up skill levels, and this investment in projects across Northern Ireland will provide opportunities to people who face the greatest barriers to work and learning. The funding will help individuals to fulfil their potential by giving them better skills and job prospects. Specifically, the programme will support over 10,000 young people not in education, employment or training; 24,742 participants who are unemployed or economically inactive; and 7,266 people with a disability. Additionally, the programme will provide assistance to 2,340 families.

Despite a challenging process and time frame, the Department has been able to complete the ESF assessment process to allow funding to be offered from 1 April.

**Mr Sheehan:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as an fhreagra sin. I thank the Minister for his answer. I am sure the Minister is aware that West Belfast is one of the most socially and economically deprived and disadvantaged constituencies anywhere in these islands. The loss of funding to these organisations is a body blow to the constituency. Can the Minister do anything to ensure that the essential services provided by these groups are not lost to West Belfast, and will he give a commitment to meet some of the groups that have lost their funding?

**Dr Farry:** First, I am happy to meet groups to discuss the outcome of the process, but let me clear, as I was in my original answer: we have listed a large number of projects that will be working in the West Belfast constituency. When the Member talks about organisations that have lost their funding, it is important that he and, indeed, the House bear in mind that this is an open and competitive process. While some of the groups that went into this may well have had pre-existing funding from the fund, there was no guarantee — nor, indeed, should anyone have had the expectation — of continued funding from what is a competitive process.

#### 4.00 pm

All organisations were judged on their merits. I am satisfied that we have a reasonable geographical balance across Northern Ireland, including west Belfast, which factors in the degree of deprivation in that area compared with some other parts of Northern Ireland. While we cannot guarantee an outcome for particular organisations, overall we have to recognise that the programme has delivered, and we are talking about an expanded programme over the next seven years, compared with what happened previously. We are talking not about cuts but about more money being spent through the different strands of the fund. What we cannot guarantee and manage is that particular organisations will be winners compared with

others in a process that is judged on the merit of the applications coming forward.

**Mr Speaker:** On the matter of the time difficulty, can the Minister indicate, where suitable, that a written answer will be provided? I am conscious that four questions have been grouped and that the individuals have been sitting very patiently. Perhaps you would indicate how you wish to answer. I am wasting more time than I have.

**Dr Farry:** Sure, OK.

**Mrs McKeivitt:** Does the Minister have accurate figures for the number of people who lost employment as a result of unsuccessful applications to the ESF?

**Dr Farry:** I am not able to give figures for the individual organisations. They could be collated through any HR1 forms that come through showing redundancies. However, some organisations might be doing different work as well, so it is not entirely clean to disaggregate the job losses that come from not being funded. I again stress that, while we have the unfortunate situation that some organisations lose money and staff, equally, jobs are being created in other organisations elsewhere in the community and voluntary sector because we have expanded funds. Different organisations are taking forward projects from those under the previous round.

**Mr Speaker:** I apologise to Members who did not get the chance to speak. That took longer than I could afford.

That ends the period for listed questions, and we now move on to topical questions.

### Parent Meetings

T2. **Mr G Robinson** asked the Minister for Employment and Learning whether he has any plans to hold educational parents' evenings in the East Londonderry constituency similar to those held in Omagh, Ballymena and Londonderry. (AQT 2462/11-15)

**Dr Farry:** Sorry, I missed the question. Could you repeat it?

**Mr G Robinson:** Yes. Has the Minister any plans to hold educational evenings in my East Londonderry constituency similar to those in Omagh and Londonderry?

**Dr Farry:** I am not entirely clear what the Member means by "educational evenings". I know that, over the next number of weeks, we are running a number of events involving parents on the importance of good careers advice and the opportunities that exist. They will occur at a number of particular points across Northern Ireland. If that is what the Member is asking, my answer is that we are certainly happy to review the success, or otherwise, of that initiative and see whether we can expand it to other parts of Northern Ireland, including the Member's constituency.

**Mr G Robinson:** Thanks very much for that answer. There may be some parents with transport problems. Is there any chance of having a word with Mr Kennedy to see whether transport could be provided?

**Dr Farry:** As long as Mr Kennedy is paying, I am happy to raise the issue with him.

### Zero-hours Contracts

T3. **Ms McCorley** asked the Minister for Employment and Learning whether, given the views submitted through

recent public consultation, he has sought to engage with trade unions and employers on the issue of zero-hours contracts. (AQT 2463/11-15)

**Dr Farry:** Yes, I have had engagement with trade unions on a range of aspects of employment law. The Member will appreciate that a Bill has been drafted, and, hopefully, we will shortly get approval from the Executive to introduce it. We also have a paper with the Executive, for which we are awaiting approval to enable us to take forward a range of legislative interventions to regulate zero-hours contracts in Northern Ireland. I would like to think that it will be signed off by the Executive in the very near future.

**Ms McCorley:** Gabhaim buíochas leis an Aire as an fhreagra sin. I thank the Minister for that answer. Does the Minister agree with me that, in ending zero-hours contracts, the focus should be on large multinational companies that do not face the same difficulties as smaller local enterprises?

**Dr Farry:** We are doing some work on mapping the use of zero-hours contracts in Northern Ireland. Not every company or organisation engages in them. Indeed, when zero-hours contracts are deployed, they are deployed in a range of different settings, and people's attitudes to them will be different depending on their personal circumstances. They are more prevalent, for example, in the tourism and hospitality sector and in health and social care. We are not seeing a situation in which they are more prevalent in large businesses than small businesses. If anything, SMEs depend more on the flexibility from the employer's perspective that comes from zero-hours contracts. Hopefully, when legislation comes before the Assembly, we can have proper, full discussions around the issue. I certainly encourage the Member to speak to her party's Ministers on the Executive to ensure that we can get things moving so that we can get the Bill into the Assembly and have a proper discussion on the matter.

## Redundancies

T4. **Mr Elliott** asked the Minister for Employment and Learning for an update on whether there will be any compulsory redundancies, given the significant reduction in his Department's budget, and, if there are to be any, whether he has given any consideration to trying reduce the number of any such redundancies. (AQT 2464/11-15)

**Dr Farry:** First, I congratulate the Member on his election to Parliament last week.

I am very keen to avoid compulsory redundancies, but we should raise the issue in the following context. First, departmental job reductions are based entirely on the voluntary exit scheme. We are conscious, however, that we fund our colleges and universities. We are in an advanced situation with a particular voluntary exit scheme for the further education sector. Again, that is based on voluntary exit. Universities' relationship with the Department is of a slightly different nature, but, again, I am hopeful that they will address the necessary and unfortunate issue of staffing through means other than compulsory redundancies.

**Mr Elliott:** I thank the Minister for that and for his good wishes. Has he given any thought to the protection of jobs in the regional colleges, particularly the South West College, where there is a lot of progressive work ongoing

with local businesses, so that any redundancies are minimised?

**Dr Farry:** As much as I would like to answer the Member in the affirmative, it is simply not possible to give that type of assurance. We are facing extremely difficult and challenging cuts across all my Department's service areas, including the further education colleges. We are trying to be as strategic as we can in how we approach things and with the future work of colleges themselves. They will want to ensure that, consistent with the emerging further education strategy, they are able to focus their resources, including staffing, on areas that are most relevant to the economic development of Northern Ireland and the particular areas that they service.

## Conservative Government

T5. **Ms Lo** asked the Minister for Employment and Learning what impact the return of a Conservative Government is likely to have on the work of his Department. (AQT 2465/11-15)

**Ms Lo:** I follow my party colleague the Minister's congratulations to Tom Elliott on his success in the recent election.

**Dr Farry:** I thank the Member for that question. I suppose that, while we are on the subject of congratulations, we should first congratulate David Cameron and his colleagues on their return before we turn to slate them on the impact of a number of their decisions. All of us have immediate concerns about the impact of what may be deeper spending cuts to the Northern Ireland block grant, as well as the impact on the rest of the UK and the implications for investment in skills that will arise from the cuts.

I note that, although we are seeing an overall economic recovery across the UK, it is one that still features relatively low productivity, and the best way of addressing productivity is through investment in skills. Therefore, there is a very strong imperative across the UK as a whole to continue investing in skills. There may well be some opportunities from new approaches around, for example, tax incentives for employers around apprenticeships, or, indeed, other funding schemes that we may be able to draw on. Equally, I am concerned about what could become a much more radical approach to employment law with its deregulation. That would be out of keeping with the approach that we take in Northern Ireland, where we try to balance the interests of employees and employers and create a more harmonious approach.

I am also concerned about the approach that has been taken on immigration. We are very keen to ensure that we can attract overseas students to our colleges and that we are able to retain them in our economy. That economic rationale has been rather undercut by the approach taken on immigration by the UK Government to date. I fear that that may get worse in the immediate future.

**Ms Lo:** I share the Minister's concern about the immigration restrictions on foreign students. I am aware that the university intake of overseas students has dropped in recent years because of the restriction by Westminster. What power do we have in Northern Ireland to mitigate these restrictions?

**Dr Farry:** I am happy to continue to make representations to the Home Office and others. Our universities feel very

strongly about the issue, as do universities elsewhere in the UK. It does not make a lot of sense. We have a situation whereby two narratives are cutting across each other. One is based on a tougher immigration policy, and the other is about economic growth. I want to focus on economic growth.

In a similar vein, the potential withdrawal from the European Union that is now on the cards would have a dramatic impact on Northern Ireland, not only on the economy in a general sense but on the financing that we receive from Europe through, for example, the European social fund and the specific support that we receive through Peace monies. We also need to be mindful of that.

As for other mitigating measures, we need to continue to pay regard to what is happening in Great Britain on employment law while using devolution to find local solutions that carry support across the community.

On a more encouraging note, we have, in the past, had good cooperation between the skills Ministers in the four nations. I would like to think that, under the new Administration, that type of collaborative approach will continue on skills and qualifications.

**Mr Speaker:** Mr Tom Buchanan is not in his place.

### Skills Potential

T7. **Mr Anderson** asked the Minister for Employment and Learning what plans he and his officials have to work with the UK commission to maximise our skills potential following the recent appointment of Mr Mark Huddleston as the new Northern Ireland Commissioner for Employment and Skills. (AQT 2467/11-15)

**Dr Farry:** We do ongoing work with the UK Commission for Employment and Skills. I appointed Mark Huddleston to fulfil an important role on behalf of the Department and Northern Ireland. In recent years, the commission has undergone a major review by the Department for Business, Innovation and Skills. Its remit has been endorsed, but, at the same time, narrowed. It is more about research and advocacy issues than direct service delivery. It is important that, in particular, we learn lessons from what is happening in other jurisdictions and take advantage of that research base.

While I am on the subject, I pay particular tribute to Bill McGinnis, who is the outgoing Northern Ireland skills commissioner and skills adviser, for his sterling work on behalf of Northern Ireland over the past number of years, not only through that skills role but through a whole range of other public-service roles.

**Mr Anderson:** I thank the Minister for that response. In view of the key importance of skills and innovation to the economy, what other steps is he taking to ensure the development of an appropriately skilled workforce?

**Dr Farry:** I imagine that I will incur the Speaker's wrath by going on for half an hour to set out virtually everything that we do as a Department. Let me say briefly that the Department as a whole is focused entirely on investing in skills and bringing people closer to the labour market, whether that be through apprenticeships and youth training or what we do through the colleges, higher education institutions and universities. It is all about making the economy much more efficient, matching supply and

demand better and ensuring that we have more high-level skills and a stronger footprint in STEM subjects.

### Universities: Investigation of Maladministration

T9. **Mr Allister** asked the Minister for Employment and Learning whether, in this age when transparency is expected, he is satisfied that it is acceptable in the university sector that maladministration is investigated by visitors appointed and, indeed, remunerated by the university, and would it not be preferable that that provision in its whole, and not just for students, should pass to the new ombudsperson. (AQT 2469/11-15)

#### 4.15 pm

**Dr Farry:** Obviously, the universities are not directly run by the Department. We are a primary funder of theirs, and we can develop a higher education strategy. The investigation of complaints of maladministration is certainly worth considering. As the legislation that the Committee for the Office of the First Minister and deputy First Minister is bringing forward progresses, the House will no doubt discuss that in much greater depth over the coming weeks.

**Mr Allister:** Would the Minister be supportive of an amendment to widen the scope of the Bill to include complaints by not just students but employees within universities?

**Dr Farry:** We would need to see the text of that amendment before we could reach a judgement on whether we would support it.

### Student Support

T8. **Mr Ó hOisín** asked the Minister for Employment and Learning whether he is confident that he can implement any changes to the way in which students are paid their support funds and loan instalments before the end of this Assembly mandate. (AQT 2468/11-15)

**Dr Farry:** I think that I said in response to a number of Members that we are happy in principle to take forward a consultation on that. I appreciate the arguments that have been made for it, but there are some contrary arguments about administration and students' ability to spend money up front on some of the costs that they face. Two opposing viewpoints need to be considered, but we are certainly happy to test it as part of a consultation. If appropriate and if time permits, yes, we will look to deliver change within this mandate.

**Mr Speaker:** Thank you, Minister. Time is up. We will return to the previous debate. The House will take its ease while we change the top Table.

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

## Committee Business

### Public Services Ombudsperson Bill: Second Stage

*Debate resumed on motion:*

*That the Second Stage of the Public Services Ombudsperson Bill [NIA 47/11-16] be agreed. — [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

**Mr Deputy Speaker (Mr Beggs):** I call Jim Allister to continue his remarks before the Question is put.

**Mr Allister:** Thank you, Mr Deputy Speaker. I said at the beginning of my remarks that I had four areas of reservation about the Bill. I had effectively dealt with three of them, but in the light of the exchange that I just had with the Employment and Learning Minister, I want to return to my point about universities. It seems to me that there is a lacuna that the Bill needs to address. Indeed, having listened to the Employment and Learning Minister, it certainly sounds as though he is not opposed to that, as such. Indeed, that does not surprise me because, in response to a question for written answer that he provided to me on 9 February, he indicated his expectation of the Bill. In that answer, he stated:

*“the Office of the First and deputy First Minister Committee plan to introduce a Northern Ireland Public Service Ombudsman Bill to the Assembly in 2015 which will include Higher Education complaints within its remit.” — [Official Report (Hansard), Bound Volume 102, pWA66, col 1].*

Yes, it does, but only from students. The expectation from the Minister for Employment and Learning when he gave that answer in February seemed to be that the Bill's remit would go wider than complaints from students. If that was his expectation, I strongly support the idea that he was right to take that view and that the Committee should also come to that view in its further consideration of the Bill. If it extended that to employees, as well as including student complainants, I think that it would be a great advance in transparency and in the equal dealing of maladministration within the higher education sector.

I move on to the fourth point that I raised about the Bill, which relates to clause 41, where there is a provision, which some people have referred to in a different context, in relation to a Minister being able to claim national or public interest in preventing the disclosure of a document. I draw attention to the fact that clause 41, as drafted, does not just refer to Ministers being able to stop something being disclosed because it

*“would be prejudicial to the safety of Northern Ireland or the United Kingdom”,*

which might well be understandable, but it goes on to include that wonderfully all-embracing phrase:

*“or otherwise contrary to the public interest”.*

Of course, what is “contrary to the public interest” can very often be in the eye of the beholder. Therefore, what we

have in this clause is a provision that the First Minister and the deputy First Minister, all the Executive Ministers and the Secretary of State, can take refuge, for the purpose of obstructing disclosure, by saying that disclosure would be contrary to the public interest.

It is interesting that the Bill goes on, apparently at the Secretary of State's initiation, to put in the requirement for a memorandum of understanding between the Secretary of State and the ombudsman as to how any such powers of restraint would be exercised, but it does not — I question why — impose a parallel provision for a memorandum of understanding in respect of local Ministers. Why should there not equally be a memorandum of understanding concerning the exercise of the functions under this section by the First Minister and the deputy First Minister, or any Minister, so that the ombudsman and the Ministers might clearly understand, through that memorandum, what might be the boundaries of the phraseology “contrary to the public interest”?

It is not the first time that some of us feel that such language has been abused. Tomorrow, we debate a report from the Social Development Committee relating to the special adviser and Red Sky. In that, a fact-finding inquiry was carried out by DFP, but that report, in its entirety, was not provided to the Committee. Why? Because the Minister took it upon himself, “in the public interest”, to redact it. My point is that some of us might take a lot of persuading that this cover of doing something “in the public interest” is not open to abuse. Therefore, to hedge against abuse, I suggest that there needs to be, equally, a memorandum of understanding applicable to local Ministers, as there would be to the Secretary of State. In that way, perhaps, better protection could be given.

**Mr Nesbitt:** I thank the Member for giving way. I sense that he is coming to the end of his four points, so, on behalf of the Committee, let me say this very briefly. On the universities, the Member has exchanged with the Minister. On publication, let me say to him that there is the facility for the ombudsperson to publish because it is in the public interest. The reason that the default position is only to publish to the interested parties is that the evidence is that the public, the listed authorities, are much more open and transparent when that regime is in place.

With regard to enforcement, it is important that the ombudsperson be separate from the courts and not looked on as a legal officer. To that extent, I ask the Member to bear in mind that, under our proposals, when the ombudsperson comes to a determination, it is up to the complainant, who has the facility, to take that to a County Court and use it as evidence for enforcement.

Finally, on disclosure, we have a memorandum of understanding only with the Secretary of State because she will be looking after areas of national security. As for local Ministers and the work of the ombudsperson, this is about people saying, “I was delayed in getting a hospital appointment.” There is no national security interest there.

**Mr Allister:** I am grateful to the Chairman for responding. In turn, I will respond to one or two of those points, perhaps in reverse order. On the last point, he said that the memorandum of understanding with the Secretary of State will refer only to national security, but that is not what the Bill says. The Bill says:

*“a memorandum of understanding concerning the exercise of their functions in relation to this section.”*

This section deals not just with that which is prejudicial to the safety of the nation but with that which is contrary to the public interest. Any reading of clause 41(4) would anticipate that the memorandum of understanding is going to embrace public interest as well. Where would be the harm in nailing this down with all those potentially wanting to take refuge in public interest, to have a memorandum of understanding that affects them all? That does not really diminish the point that I was seeking to make.

On the point about publication, I take the point that people cooperate and are more ready to come forward if they think that a report will never see the light of day, but there is also very much the public interest of us all, and the public, learning of maladministration incidents and how things are improving etc on the back of that. Surely there is a happy medium, which would be the default position of publication with names and personal details redacted on request, and the safeguard that, if the ombudsman thinks it is not in the public interest to publish anything, he goes through the procedures that are set out in the Bill for the current default position.

It seems to me that publication, with the option of redaction, on the ombudsperson's website would meet the public expectation of transparency and deal with the situation. I gave the example of the complaint against DETI over PMS being upheld against DETI and yet remaining secret, because it could not be published. Why should the public not know the basis of the complaint, the basis of the findings and where the Department got it wrong? Why should that be concealed from anyone? If you had a default position of publication with redaction to protect personal details, then the public would be adequately informed. I suggest that the Committee might further consider that in due course.

**Mr Lyttle (The Deputy Chairperson of the Committee for the Office of the First Minister and deputy First Minister):** As Deputy Chair of the Committee, I am pleased to be able to make the winding-up speech in today's debate. The Chairperson has set out comprehensively the proposed role, remit, eligibility, terms and resources of the new office, and we have seen today from the contributions of MLAs the cross-party endeavour and support that has taken the Bill to this stage, notwithstanding objections raised by Sinn Féin in relation to two particular issues and, indeed, some concerns and proposed amendments that have been put forward, particularly in relation to universities.

Ombudsmen occupy a unique constitutional position. Few countries operate without one, and many have more than one. The office first appeared in Northern Ireland in 1967, and in a relatively short period it has become an established and essential part of our constitutional and administrative arrangements. Members of the public have received much help and assistance and redress of public sector maladministration from the Northern Ireland Ombudsman. I am sure that many MLAs have received helpful assistance from that office on behalf of constituents, and we look forward to seeing that work improving and going forward.

The Bill will introduce a number of important changes, such as own-initiative investigations, which are also being

considered for the corresponding offices at Westminster and in the Welsh Assembly. Hopefully this will add a higher level of accountability for public office and public administration in Northern Ireland.

In closing, I thank all the Members who participated in the debate today. The Committee looks forward to further engagement with colleagues on the Bill and in particular with the Ad Hoc Committee, which will, with the Assembly's approval, scrutinise the Bill and report to the Assembly. I also express the Committee's thanks to Ministers, Assembly Committees and stakeholders who made valuable contributions to the development of the Bill being discussed here today. In particular, I thank the current ombudsman, deputy ombudsman and their team for their encouragement to commence this project and continuing support for it. I also add particular thanks to the Committee staff and the Bill Office team, who have put in hours of invaluable work towards the Bill. Their work will ensure that we see robust legislation completed.

I hope that today's debate and Members' contributions will help to inform further work on the Bill. I commend the Bill to the House.

*Question put and agreed to.*

*Resolved:*

*That the Second Stage of the Public Services Ombudsperson Bill [NIA 47/11-16] be agreed.*



4.30 pm

### Public Services Ombudsperson Bill: Ad Hoc Committee

**Mr Deputy Speaker (Mr Beggs):** The motion will be treated as a business motion. Therefore, there will be no debate.

*Resolved:*

*That, as provided for in Standing Order 53(1), this Assembly appoints an Ad Hoc Committee to consider the Public Services Ombudsperson Bill; and to submit a report to the Assembly by 30 June 2015.*

*Composition: Democratic Unionist Party, 4; Sinn Féin, 3; Ulster Unionist Party, 1; Social Democratic and Labour Party, 2; Alliance Party, 1.*

*Quorum: The quorum shall be five members except when no decision is taken or question put to the Committee, when the quorum shall be four.*

*Procedure: The procedures of the Committee shall be such as the Committee shall determine. — [Ms Ruane.]*

### Ombudsman and Commissioner for Complaints (Amendment) Bill: Accelerated Passage

**Mr Deputy Speaker (Mr Beggs):** In accordance with Standing Order 42(4), the motion will require cross-community support.

**Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister):**

I beg to move

*That the Ombudsman and Commissioner for Complaints (Amendment) Bill proceed under the accelerated passage procedure.*

At the outset, I highlight to the House that, for a motion for accelerated passage of a Bill, Standing Order 42(3) requires me to explain to the appropriate Committee the reason or reasons for accelerated passage; the consequences of accelerated passage not being granted; and, if appropriate, any steps I may have taken to minimise the future use of the accelerated passage procedure. Had OFMDFM been the sponsor of the Bill, the explanation required by Standing Order 42(3) would, naturally, have been provided to the OFMDFM Committee. However, this is a Committee Bill dealing with statutory offices for which OFMDFM has responsibility. In those circumstances, there did not appear to be an appropriate Committee. I wrote to the Speaker seeking his advice on that point and explaining why the Committee was seeking accelerated passage. The Speaker agreed that, in the specific circumstances pertaining to this Bill, there is no appropriate Committee. The Speaker advised the Business Committee and provided it with a copy of our rationale for seeking accelerated passage. The Business Committee was content for the motion to be included on today's Order Paper and for me to provide the explanation that the Assembly requires under Standing Order 42(4).

We have just had the Second Stage debate on the Public Services Ombudsperson (NIPSO) Bill. The Ombudsman and Commissioner for Complaints (Amendment) Bill will provide the time needed for the Assembly to consider and progress the NIPSO Bill. As Members heard, the NIPSO Bill will abolish the offices of Assembly Ombudsman and Commissioner for Complaints and create the new office of Northern Ireland Public Services Ombudsperson or NIPSO. However, commencement of the substantive provisions of the NIPSO Bill will not occur until 1 April next year.

The current Northern Ireland Ombudsman and Commissioner for Complaints holds office in an acting capacity with effect from 31 August last. The Ombudsman (Northern Ireland) Order 1996 and the Commissioner for Complaints (Northern Ireland) Order 1996 — the 1996 Orders — provide for the offices to be filled by an acting office holder for up to 12 months. The current acting appointments, which were made by Her Majesty at the request of OFMDFM, will come to an end on 31 August 2015, at which point there will be a vacancy in the offices that will frustrate the purposes of the 1996 Orders. The Committee seeks accelerated passage of the Bill to manage that risk and to ensure that it passes through the Assembly well before the summer recess and secures Royal Assent in good time for the appointment, extension or renewal of acting office holders under the 1996 Orders

before 31 August. That is the primary reason for seeking accelerated passage.

The secondary reason for seeking accelerated passage is that this is a very short, single-purpose Bill, and the debate on this motion and the debate at Second Stage and at the amending stages should provide adequate time for scrutiny by the Assembly proportionate to the complexity of the Bill. The Bill has just three clauses. Clause 1 provides that, in the acting ombudsman provisions of the 1996 Orders, the references to "12 months" are to be substituted with references to "24 months". Clause 2 provides for retrospective effect to avoid any argument or difficulty arising regarding the ability to renew, extend, reappoint or make a new appointment and to give freedom regarding the choice of mechanism. Clause 3 states that the Bill will come into operation on the day after it receives Royal Assent and provides the short title.

I also wish to explain the consequences of accelerated passage not being granted. Should accelerated passage not be granted by the Assembly, there is a greater risk that the Bill will not secure Royal Assent in time to avoid a vacancy in the current offices. As a precaution against such a risk, OFMDFM has made preparations for a recruitment exercise to make a permanent appointment under the 1996 Orders. In order to attract suitable applicants, it is likely that such an appointment would have to be offered for at least a three-year term. As the NIPSO Bill will abolish the current offices, the commencement of the NIPSO Bill would have to be postponed or the Bill amended to provide that OFMDFM's appointee under the 1996 Orders became the first ombudsperson.

It is a key aspect of the Committee's policy that the NIPSO is accountable to the Assembly rather than the Executive and that this is reflected by the Assembly Commission undertaking the recruitment exercise for the NIPSO. The Committee's strong preference is for a continuation of the acting appointment and for the first ombudsperson recruitment to be undertaken by the Assembly Commission. OFMDFM has indicated that it is content that the Bill, if accelerated passage is granted, adequately manages the risk of a vacancy in the offices of ombudsman and commissioner. However, OFMDFM will keep the progress of the legislation under review and may revert to its plans for recruitment under the existing legislation.

In terms of any steps that the Committee has taken to minimise the future use of the accelerated passage procedure, I can assure Members that, should the Committee bring forward more legislation, it will of course be mindful of the constraints within which the Assembly operates, including time constraints, and will strive to avoid any future use of the accelerated passage procedure. I commend the motion to the House.

**Mr D McIlveen:** As with the last debate, I will keep my remarks extremely brief. I concur entirely with what the Chairman of the Committee has said. I do not think that the public would find it acceptable for one moment if the temporary appointment came to an end at the beginning of August and we were left with a severe gap in between. That would be very difficult to deal with. It is bad enough trying to deal with a recruitment process under existing legislation, but, if we were in parallel processes trying to manage a vacancy along with trying to get new legislation through, that could prove very convoluted. It is something that we really must avoid at all costs.

While I would certainly not want to discourage a thorough scrutiny of the legislation, it is, as the Chairperson said, only three clauses at the moment. The challenge is now there to us as Committee members and indeed the whole House to bring the matter to as swift a conclusion as we can.

Certainly, I understand that the Department is very confident that, if accelerated passage goes through, there is no good reason why it should not be in a position to be recruiting and have a new person in place, or at least ready to be in place, by the end of July. Therefore, the onus is back on the House to make the right decision. I support this entirely.

**Ms McGahan:** Go raibh maith agat, a LeasCheann Comhairle. My remarks will be short and sweet, like those of the Member who has just spoken. I support the accelerated passage of the amendment Bill. The Chair outlined in detail the nub of the problem and the potential consequences for the Committee if we were not to run with this process. So, in that context, it is important that the Committee does not face any barriers in proceeding with the NIPSO Bill.

**Mr A Maginness:** The SDLP is in agreement with the proposition.

**Mr Lyttle (The Deputy Chairperson of the Committee for the Office of the First Minister and deputy First Minister):** I will make the winding-up speech on the debate. I support the motion that the Ombudsman and Commissioner for Complaints (Amendment) Bill proceeds under the accelerated passage procedure. The Chair has set out well the reasons necessary for this procedure, and there seems to be cross-party support for that proposal in the House. I hope that Members agree with the Committee's view that permitting the amendment Bill to proceed by way of accelerated passage provides the best means of managing the risk of a vacancy arising in the current offices whilst work on legislation to create the new office of the Public Services Ombudsperson is being completed. I commend the motion to the House.

**Mr Deputy Speaker (Mr Beggs):** Before we proceed with the Question, I remind Members that cross-community support is required for the motion.

*Question put and agreed to.*

*Resolved (with cross-community support):*

*That the Ombudsman and Commissioner for Complaints (Amendment) Bill proceed under the accelerated passage procedure.*

## Ombudsman and Commissioner for Complaints (Amendment) Bill: Second Stage

**Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister):**

I beg to move

*That the Second Stage of the Ombudsman and Commissioner for Complaints (Amendment) Bill [NIA 48-11/16] be agreed.*

I am conscious that we have just debated the Committee's motion that the Bill proceed under accelerated passage. In moving that motion, I provided some detail on the Committee's reasons for bringing the Bill and its provisions, as well as the reasons for seeking accelerated passage.

By way of background, and for the benefit of Members who were maybe not present for some of the earlier debates, the Committee's Public Services Ombudsperson Bill will abolish the current offices of Ombudsman and Commissioner for Complaints with effect from 1 April 2016. Subject to Assembly approval, the powers and responsibilities of the current offices will be merged into the single new office of Public Service Ombudsperson, or NIPSO.

The current Ombudsman and Commissioner for Complaints holds office in an acting capacity. He was appointed for 12 months, with effect from 31 August last year. The Ombudsman (Northern Ireland) Order 1996 and the Commissioner for Complaints (Northern Ireland) Order 1996, which I will refer to as the 1996 Orders henceforth, provide for the offices to be filled by an acting office holder for up to 12 months. The current acting appointments, made by Her Majesty at the request of OFMDFM, come to an end on 31 August of this year, at which point there will be a vacancy in the offices, which will frustrate the purposes of the 1996 Orders.

On 31 August 2015, the NIPSO Bill will still be in passage through the Assembly, and the amendment Bill will avoid a vacancy in the current offices and provide the time needed for the Assembly to consider and progress the NIPSO Bill and for the commencement of the NIPSO Bill's substantive provisions, due for 1 April next year.

The Committee considered whether the issue could be resolved by any other means. The first option considered was whether any enabling powers in the 1996 Orders could be exercised to address the issue. However, the Committee concluded that that was not possible.

A second option considered was for OFMDFM to conduct a recruitment exercise, enabling a permanent appointment under the 1996 Orders. In order to attract suitable applicants, it is likely that such an appointment would have to be offered for at least a three-year term. As the NIPSO Bill provides for the abolition of the current offices on 31 March 2016, its commencement would have to be postponed for the three-year term or amended to provide that OFMDFM's nominee, under the 1996 Orders, became the first NIPSO. It is a key aspect of the Committee's policy that the NIPSO is accountable to the Assembly rather than the Executive, and that is reflected in the Assembly Commission undertaking the recruitment exercise for the NIPSO.

### 4.45 pm

The third option considered by the Committee was to amend the provisions of the 1996 Orders dealing with the

appointment of acting officers, substituting "24 months" where "12 months" appears. This would have required a short amending Bill. The Committee's strong preference is for a continuation of the acting appointments, for the first ombudsperson recruitment to be undertaken by the Assembly Commission and for the appointment to be made on the nomination of the Assembly rather than by OFMDFM.

The Committee has engaged with OFMDFM in relation to proceeding, by way of a short Bill, to amend the relevant provisions of the 1996 Orders. Ministers indicated that they were content that, if granted accelerated passage, the amendment Bill adequately manages the risk of a vacancy in the offices of ombudsman and commissioner. However, OFMDFM will keep the progress of the legislation under review and reserves the right to revert to its plans for recruitment under the existing legislation.

The Bill has three clauses. Clause 1 provides that, in the acting ombudsman provisions of the 1996 Orders, all references to "12 months" are substituted by "24 months". Clause 2 provides for retrospective effect, to avoid any argument or difficulty arising regarding the ability to renew, extend, reappoint or, indeed, make a new appointment, and will provide flexibility regarding the choice of mechanism. The Committee considered that retrospective effect was justified as the provisions in this instance are administrative, in place for a short time, do not affect the rights of the citizen, and quickly and pragmatically resolve a problem that might otherwise arise. Clause 3 states that the Bill will come into operation on the day after it receives Royal Assent. It also provides the short title.

I hope that Members will agree that the Bill provides a pragmatic and straightforward means of avoiding a vacancy arising in the current offices and will provide the time needed for the Assembly to consider and progress the NIPSO Bill in a timely and appropriate manner.

I commend the Ombudsman and Commissioner for Complaints (Amendment) Bill to the House.

**Mr D McIlveen:** I do not see the need to prolong the debate. All I need say is that my party will support the Bill as drafted.

**Ms McGahan:** Go raibh maith agat, a LeasCheann Comhairle. Like the previous contributor, Sinn Féin supports granting the Bill its Second Stage.

**Mr A Maginness:** I concur with my colleagues. This is a sensible way forward and we support it.

**Mr Lyttle (The Deputy Chairperson of the Committee for the Office of the First Minister and deputy First Minister):** I commend the Ombudsman and Commissioner for Complaints (Amendment) Bill to the House.

*Question put and agreed to.*

*Resolved:*

*That the Second Stage of the Ombudsman and Commissioner for Complaints (Amendment) Bill [NIA 48-11/16] be agreed.*

*Adjourned at 4.49 pm.*



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# Northern Ireland Assembly

Tuesday 12 May 2015

*The Assembly met at 10.30 am (Mr Speaker in the Chair).*

*Members observed two minutes' silence.*

## Assembly Business

### Ministerial and Committee Chairperson Appointments

**Mr Speaker:** Good morning, Members. Before we proceed to today's business, I have some announcements to make. Following Mr Wells's resignation, which became effective yesterday, the Rt Hon Peter Robinson has nominated Mr Simon Hamilton to hold the office of Minister of Health, Social Services and Public Safety. Having resigned as Minister of Finance and Personnel, Mr Hamilton affirmed the terms of the Pledge of Office in my presence and that of the Clerk to the Assembly on 11 May. I therefore confirm that Mr Hamilton has taken up office as Minister of Health, Social Services and Public Safety.

Following Mr Hamilton's resignation, the Rt Hon Peter Robinson has nominated Mrs Arlene Foster to hold the office of Minister of Finance and Personnel. Having resigned as Minister of Enterprise, Trade and Investment, Mrs Foster also affirmed the terms of the Pledge of Office in my presence and that of the Clerk to the Assembly on 11 May. I therefore confirm that Mrs Foster has taken up office as Minister of Finance and Personnel.

Following Mrs Foster's resignation, the Rt Hon Peter Robinson has nominated Mr Jonathan Bell to hold the office of Minister of Enterprise, Trade and Investment. Having resigned as junior Minister, Mr Bell also affirmed the terms of the Pledge of Office in my presence and that of the Clerk to the Assembly on 11 May. I therefore confirm that Mr Bell has taken up office as Minister of Enterprise, Trade and Investment.

Following Mr Bell's resignation, the Rt Hon Peter Robinson has nominated Miss Michelle McIlveen as junior Minister in the Office of the First Minister and deputy First Minister. Miss McIlveen also affirmed the terms of the Pledge of Office in my presence and that of the Clerk to the Assembly on 11 May. I therefore confirm that Miss McIlveen has taken up office as junior Minister in the Office of the First Minister and deputy First Minister.

I have received the following Committee resignations: Miss Michelle McIlveen as Chairperson of the Committee for Education; and Ms Paula Bradley as Deputy Chairperson of the Committee for Health, Social Services and Public Safety.

The nominating officer has informed me that those vacancies will be filled as follows: Mr Peter Weir has been nominated as the Chairperson of the Committee for Education; and Mr Alex Easton has been nominated as the Deputy Chairperson of the Committee for Health, Social Services and Public Safety. I am satisfied that the requirements of Standing Orders have been met.

## Ministerial Statements

### North/South Ministerial Council: Road Safety

**Mr Durkan (The Minister of the Environment):** Go raibh maith agat, a Cheann Comhairle. In compliance with section 52 of the Northern Ireland Act 1998, I wish to make the following statement on the eighteenth meeting of the North/South Ministerial Council (NSMC) in the transport sector, which was held in Armagh on Wednesday 22 April 2015.

I attended the meeting along with the Regional Development Minister, Danny Kennedy, and Minister Paschal Donohoe TD, the Minister for Transport, Tourism and Sport. I chaired the meeting. I will address the agenda items for which my Department has responsibility: mutual recognition of penalty points and road user and vehicle safety; and the review of the North/South work programme as it pertains to the transport sector.

In our discussion on the review of work programmes for the transport sector, we noted the good work that is already progressing in the sector and agreed that an update will be provided to a future meeting. The Council noted the good progress made by the joint steering and working groups on issues identified with progressing the mutual recognition of penalty points, some of which are complex and difficult to resolve. We noted that the working group will seek legal advice on issues related to equality of treatment, with a view to providing an update on those issues for the November 2015 NSMC meeting. Both jurisdictions will continue to carry forward work on the handling of summonses by the courts, with a view to providing a report to the November 2015 NSMC meeting.

The Council welcomed the continued sharing of knowledge and experience between officials from both jurisdictions on the delivery of road safety measures. The Council noted progress on the development of Ireland's Road Traffic Bill 2015, which will include measures to address drug-driving and proposals to make a number of amendments to legislation regarding penalty points, written-off vehicles and mutual recognition of driver disqualifications between Ireland and the UK. Progress on our own Road Traffic (Amendment) Bill, which will include provisions to tackle drink-driving, to reform the learner and restricted driver regime and to introduce graduated driver licensing and the mandatory wearing of helmets on quads on public roads, was also noted.

We welcomed the continuing cooperation to support compliant goods haulage and passenger transport providers and target those engaged in illegal activity.

We also welcomed the continued exchange between enforcement officers on the use of new technology to enforce tachograph and drivers' hours regulations. A note was made of the introduction in Ireland of a new speed limit sign for minor local roads and the publication of updated speed limit guidelines.

Finally, the Council noted the continuing engagement by officials on cross-border taxi and wedding car operations.

**Ms Lo (The Chairperson of the Committee for the Environment):** I thank the Minister for his statement. I appreciate that there are practical difficulties to be resolved with the mutual recognition of penalty points, but we have been hearing about that for some time. Will the Minister provide more detail on the legal advice that is being sought on issues relating to equality of treatment? Will he let us know what further progress is needed before the mutual recognition of penalty points can be implemented?

**Mr Durkan:** Go raibh maith agat, a Cheann Comhairle. I thank Ms Lo, the Chairperson of the Environment Committee, for that question. I share her frustration, as, I am sure, do others, at the apparent lack of progress on this very important measure, which will save lives.

However, this is complex and groundbreaking work. I am not aware of similar arrangements anywhere else in Europe. Good progress has been made by both joint steering and working groups in advancing the work on a number of the key issues identified, in particular on issues connected to equality of treatment. Officials in both jurisdictions working together have assessed that the issues, although complex, can be overcome in ways that minimise the risk of legal challenge. We are now commissioning further legal advice on those issues.

Issues remain with the processing of cases through the courts. Both jurisdictions are currently identifying suitable test cases to monitor through the respective court systems. That will allow us to identify ways of resolving those very issues. It is expected that there will be a further update in November at the next meeting of the NSMC. The investigations, although they take up a bit of time, are essential to ensure that the scheme operates effectively across jurisdictions, given our separate and, in some instances, different driver licensing and criminal justice processes.

**Mr McElduff:** Go raibh maith agat, a Cheann Comhairle. Will the Minister commit to introducing some urgency in the North/South work programme on the collating of evidence regarding the damaging, detrimental impact that the HGV road users levy has on our local economy? I know that the Minister is committed to assessing evidence, but is there any indication from him on the methodology for collecting the evidence? I have constituents who are making that point, and they want to know what to do.

**Mr Speaker:** There may be some confusion: I am not sure if that question relates to the follow-up statement. Can the previous contributor confirm that?

**Mr McElduff:** I think that it is relevant to the third paragraph, which talks about the North/South work programme as it pertains to transport sectoral.

**Mr Durkan:** Go raibh maith agat, a Cheann Comhairle. I thank Mr McElduff for that question on an issue that I know he has done a lot of work on.

When the HGV levy was debated in the Assembly, I indicated that the Department for Transport had given its commitment that it would consider taking mitigating action if there was evidence that the levy was causing an adverse economic impact on the island. I, in turn, made a commitment that my Department would monitor the situation and revert to DfT should evidence of such impact be found. Initially, I had hoped that we could work with DETI, utilising its ongoing research into economic pressures on businesses. However, DETI's research is unlikely to be an appropriate mechanism as it is not working to a sufficient granularity to identify the specific costs of the levy. Instead, my officials are now working with in-house economists to determine appropriate data and data-gathering requirements. That will include consideration of how we should engage with industry sectors or individual businesses to quantify impact on the economy and individual businesses.

In parallel with the work of the economists, my officials are monitoring HGV levy compliance levels. The most recent data from DVA indicates that compliance is around 50%. As levels of compliance increase, that may assist us further in identifying if there are particular economic pressures and, hence, where that economic impact is most likely to be found.

**Mr A Maginness:** I thank the Minister for his statement. I note the progress on dealing with drink-driving in both jurisdictions, but I note in the statement that the Minister has produced, under "road user safety", reference to addressing drug-driving. Is there any progress in relation to dealing with that particularly difficult problem in both jurisdictions?

**Mr Durkan:** I thank the Member for that question. As outlined in my statement, in Ireland's Road Traffic Bill, there is and has been progress in dealing with the serious issue of driving under the influence of drugs. At the NSMC meeting, I praised the Minister from the Republic for the work that he has done on drugs. I had to further qualify that and say that I meant the work that he has done in tackling driving on drugs. *[Laughter.]* Although we are bringing forward measures to further tackle drink-driving through our Road Traffic (Amendment) Bill, it does not yet contain anything to tackle drug-driving. However, it is an issue that I or whoever should succeed me as Minister with responsibility for road safety should certainly look at. Hopefully, at that stage, we will be able to look at what happens in the South as its legislation passes and is enforced and embedded, and we can learn from that.

**10.45 am**

**Mr Speaker:** Thank you. I am sure that Hansard is grateful for that clarification.

**Mrs Overend:** I thank the Minister for his statement. I note that he welcomed continuing cooperation to support compliant road goods haulage and drivers' hours regulations. Has the Minister identified any gaps in the success of that enforcement?

**Mr Durkan:** I thank Mrs Overend for that question. I am content, as is my counterpart, that the work being done on that is extremely good and has been extremely thorough. As yet, no gaps have been identified in that important work. However, should any gaps be identified and should

any Members be able to bring them to my attention, I will be happy to hear from them and address those gaps.

**Mr Byrne:** I welcome the statement by the Minister. Will he outline what priorities he is hoping for in the North/South ministerial sector on transport going forward? I bring the Minister's attention to a problem that we have in West Tyrone. We have many students and workers who travel to Dublin to work or college and want to travel on Boyce buses or McGinley buses, but there is a major problem because the bus driver does not have a place to pull the bus in to pick up passengers or leave them off. It is an ongoing problem: what can be done about it?

**Mr Durkan:** I thank the Member for those questions; I might answer the first one. The initial work programme for transport was agreed at the inaugural plenary meeting in 1999 and included strategic transport planning and experience of road and rail safety programmes. Those themes remain extremely relevant, and it is generally agreed that the transport sector works well and is progressive in identifying and bringing forward mutually beneficial work. I think particularly of the good work already progressing on a range of road safety issues. Although the council has acknowledged the challenge in developing further areas of mutual benefit in the sector, Ministers Kennedy, Donohoe and I are happy to consider opportunities to identify further themes and give fresh focus to the good work that has already been progressed.

The other issue that Mr Byrne raised has arisen in a number of constituencies over a number of years. I know that action was taken by my predecessor, Alex Attwood, around the issue of cabotage so that Southern operators are now required to register vehicles in the North and establish a registered office here if they are to pick up and drop off in the North.

**Mr Allister:** I refer the Minister to the last two lines of his statement and ask for an assurance that any changes affecting the operation of taxis and wedding cars from the Republic in Northern Ireland will not at all prejudice fair competition by offering concessions to Republic of Ireland operators where they would meet a lesser standard of regulation than local operators. Can he give that assurance?

**Mr Durkan:** I can certainly give the Member that assurance. I can perhaps give him a further assurance in that I put that issue on the agenda due to concerns raised to me by Northern wedding car operators who are encountering great difficulty in carrying out their operations in the South. I have a commitment from Minister Donohoe that he will work on that.

**Mr Speaker:** Thank you, Minister. That concludes questions on the statement.

## North/South Ministerial Council: Transport

**Mr Speaker:** The Minister for Regional Development will now make a statement on the transport aspects of the North/South — sorry, my computer is playing up. The Minister for Regional Development will now make a statement on the transport aspects of the North/South Ministerial Council transport sectoral meeting. Sorry about that, Minister.

**Mr Kennedy (The Minister for Regional Development):** Mr Speaker, I am content to use paper.

In compliance with section 52 of the Northern Ireland Act 1998, I wish to make the following statement on the meeting of the North/South Ministerial Council in the transport sector held in Armagh on Wednesday 22 April 2015. The meeting was chaired by Minister Durkan and attended by me and Minister Donohoe. My statement will address the agenda items that relate to my Department.

Ministers welcomed the continued cooperation between the Department of Transport, Tourism and Sport and the Department for Regional Development on strategic transport priorities. They also noted the opportunities for cooperation in developing the strategic road network; enhancing east-west and North/South connections; driving a modal shift to public and more sustainable modes of transport; and the potential for shared cross-border public transport services in border areas.

Ministers welcomed the continued cooperation between the Department of Transport, Tourism and Sport and the Department for Regional Development on EU-related transport issues. They noted the opportunity to strengthen the Trans-European Transport Network (TEN-T) application process for each jurisdiction and agreed to further exploration by departmental officials to develop cooperation statement templates that support project applications to the fund. We also noted the position with regard to the INTERREG programmes, including the update on the INTERREG IV funding of the Belfast-Dublin Enterprise service upgrade and Drogheda viaduct works.

Ministers welcomed the continued investment by the Department of Transport, Tourism and Sport and the Department for Regional Development in the promotion and development of sustainable transport options, including cycling. We also noted that Department of Transport, Tourism and Sport officials were working with Department for Regional Development officials to scope out potential greenway projects that may be eligible for INTERREG V funding. Ministers noted the update on the work being undertaken by the Northern Ireland greenways working group on the development of cross-border greenways, and they recognised the benefits of collaboration in developing greenway networks.

On major road projects, Ministers noted that public consultation on three reports on the A5 informing the appropriate assessment process concluded in June 2014. Consultation on the fourth and final report concluded in November 2014. They noted that work on new draft statutory orders and a new environmental statement was now complete. When published, they will be subject to public consultation, which may lead to a further public inquiry. Ministers confirmed that both Governments remained committed to the A5 scheme. Ministers welcomed the fact that construction work on the A8 project

was progressing well and that the road was expected to be open to traffic by the end of May 2015.

The Council agreed to hold its next transport meeting in November 2015.

**Mr Lynch (The Deputy Chairperson of the Committee for Regional Development):** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as a ráiteas. I thank the Minister for his statement. Will he give more detail on the development of cross-border greenways?

**Mr Kennedy:** I am grateful to the Member for his question. My Department's cycling unit has begun work on scoping out a greenway plan for Northern Ireland, although it does not envisage being involved in the delivery or construction of the greenways. That is because my Department's statutory responsibilities relate to the public road, and the majority of these routes will be located off-road. The aim is to bring together the relevant organisations and to support and move forward on the greenway projects being developed by local authorities. The Department has set up a greenways working group to consider a strategic approach to developing greenways. The strategy will guide local authorities and other partners in the development of their plans and schemes.

Mention was made of the cooperation that we are developing on cross-border greenways. Work is ongoing to identify where we can potentially benefit from EU grant-aid assistance. I know that that will be welcomed by everyone with an interest in the development of greenways and the enhancement of cycling as part of the cycling revolution.

**Mr Byrne:** I welcome the Minister's statement. Are any joint projects being proposed to apply to Europe for possible funding under TEN-T? Further, can the Minister state whether the Southern Government have continued to commit to their money for the A5 and when we can see a start to the project?

**Mr Kennedy:** I am grateful to the Member. On his initial point, I take pride in the fact that my Department has, I think, the best record in the Executive at drawing down and seeking out EU funding to assist with projects and schemes. We will continue to do that. There are opportunities where we can work with the Republic of Ireland on such projects, and I have already mentioned the cross-border opportunities for greenways.

I know that the Member has a long-standing and continuing interest in the A5. I intend to circulate a paper to Executive colleagues on the A5 in the coming weeks. The next step will be the publication of the draft vesting orders and draft direction order. A new environmental statement for the scheme will be published at the same time as those draft orders. Publication of the new environmental statement and the draft orders will be followed by a further consultation period of a minimum of six weeks. That is likely to lead to the need for a further public inquiry on the scheme.

The Member asked about the contribution from the Republic of Ireland Government. Those indications are still in place. The outline of work that I have made clear this morning confirms that timescales are dependent on all these things being carried out and, of course, to the full satisfaction of the judgement of Mr Justice Stephens in the judicial review a couple of years ago.

**Mr Ó hOisín:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as an ráiteas sin. I thank

the Minister for his statement. He will be aware of projects that I have an interest in that are potential and actual projects in the north-west in particular. Further to Mr Byrne's question, can the Minister provide the House with any details of specific projects that the Department is pursuing through the TEN-T process?

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

**Mr Kennedy:** I am grateful to the Member. Of course, close to the Member's heart is the A6 scheme. That is one of the projects that we have identified to pursue EU funding opportunities for. Others potentially include the York Street interchange and the southern relief road in the Newry and south Down area. Those are opportunities that we are actively pursuing and will continue to pursue.

**Mr Lyttle:** I thank the Minister for his statement and for the work that he is doing to deliver a modal shift to public and sustainable transport. Can he update the Assembly on what he is doing to improve the integration of sustainable transport, in particular to improve the carriage of bicycles on buses and trains and to include cycle provision in the upcoming Dublin Road improvement scheme?

**11.00 am**

**Mr Kennedy:** I am grateful to the Member for his question and, indeed, for the interest that he takes, particularly in cycling. I know that he is chair of the all-party group on cycling.

I am clearly very keen to see progress made on all those issues. It is fair to say that the overall cycling infrastructure is relatively weak and needs support and investment. We will provide that as far as we can in the difficult and challenging financial circumstances that we find ourselves in. I want to encourage more sustainable modes of transport through cycling and walking, and, as we bring forward schemes, even improvement schemes, it is my intention to integrate those with the cycling strategy. The Member is aware that the initial strategy has been published. Further work continues on that, and we intend to bring forward proposals where we can see projects put in place in areas. I look forward to action on that early in 2016.

**Mr McAleer:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his statement, and I very much welcome the confirmation that both Governments on the island remain committed to the A5 project. In earlier correspondence, the Minister indicated that, as part of the consultation process, four events would be organised, in Ballygawley, Omagh, Derry and Strabane. Have any dates or venues been agreed for those?

I also welcome the reference to cross-border greenways. Does he agree that a project for the Great Northern Railway beds, which straddle the nine counties of Ulster, could be looked at for funding through INTERREG?

**Mr Kennedy:** I thank the Member for his questions. I have indicated the next steps for the A5, which is the further consultation period that will result from the publication of the environmental statement and the draft orders. As part of that, we intend to hold public consultation events. I am not sure that locations have been finally confirmed, and I may take the opportunity to write to the Member to update him on that issue.



On the greenways, progress is possible on moving forward and seeking out successfully grant aid for such schemes. I think that everyone will welcome that.

The Member had a third point that I am struggling to remember.

**Mr McAleer:** INTERREG funding for the railway beds.

**Mr Kennedy:** Yes, the beds of the old railway. I think that there are opportunities there. It is a case of whether we can work with others. Local government may want to play a role in identifying how we can bring forward projects that would enhance opportunities for other sustainable modes of transport on such greenways and old railway beds.

**Mr Rogers:** Thanks, Minister, for your statement. To secure the economic future of this part of the land, we need good road infrastructure. Particularly on improving the economic potential of south Down, can you tell me about the latest developments in your discussions with your Southern counterparts on the Narrow Water Bridge and the southern relief road?

**Mr Kennedy:** I thank the Member for his question. He will realise that, at the transport sector meeting in April, there was no discussion on the Narrow Water Bridge. It was not referred to. I indicated in my earlier answer that the southern relief road is a scheme that we are seeking to take forward and that we see the benefit of submitting applications for funding to assist with it. The Member knows of my commitment to the southern relief road, even as a local representative in the area. I am keen on this and very much agree with him that the secret of economic regeneration is better connectivity throughout Northern Ireland, including south Down.

**Mr Deputy Speaker (Mr Dallat):** That concludes questions on the statement.

## Executive Committee Business

### Shared Parental Leave Regulations (Northern Ireland) 2015

**Mr Deputy Speaker (Mr Dallat):** The Business Committee has agreed to group these two motions into one debate. Following the debate, I will put the Question on the first motion. I will then ask the Minister to move the second motion and to put the Question on it without further debate.

**Dr Farry (The Minister for Employment and Learning):** I beg to move

*That the Shared Parental Leave Regulations (Northern Ireland) 2015 be approved.*

*The following motion stood in the Order Paper:*

*That the Statutory Shared Parental Pay (General) Regulations (Northern Ireland) 2015 be approved. — [Dr Farry (The Minister for Employment and Learning).]*

**Dr Farry:** I will address this and the subsequent regulation.

I seek the Assembly's approval of the Shared Parental Leave Regulations (Northern Ireland) 2015, which are subject to the confirmatory procedure as laid down in the parent legislation, the Employment Rights (Northern Ireland) Order 1996. They were made on 2 March 2015 and came into operation on 15 March 2015. The regulations need to be considered as part of a larger set of 24 associated statutory rules that together provide for significant enhancements to current employment rights for new working parents. The enhanced provisions have been made possible by the Work and Families Act (Northern Ireland) 2015, which received Royal Assent in January of this year. I believe that it will be helpful if I provide Members with a brief reminder of the background and context to the changes associated with the Act. This will be relevant to the consideration of all 11 regulations that I will bring before the Assembly today.

To many Members the detail will, of course, be familiar, given the relatively recent passage of the Act. Related sets of regulations have been grouped in order to assist Members. Members should note that the remaining statutory rules forming part of the overall legislative package brought forward by my Department are subject either to the negative procedure or, in the case of the order commencing the provisions of the Act, to no Assembly procedure. A further two statutory rules have been made by the Department for Social Development, and I thank that Department for its assistance in introducing this ambitious package of new rights for working families.

By way of brief background, the policy to which the regulations give effect was the subject of full public consultation in 2013. At the time, my Department asked for views on whether it would be appropriate to extend to Northern Ireland the system of shared parental leave and pay that was then proposed in Great Britain. The consultation also asked whether alternative options would be appropriate and sought views on the extension to all employees with 26 weeks' service of the right to request flexible working. In addition to dealing with those broad policy questions, the consultation invited specific input on the administration of any new system. The 28 substantive responses to the consultation showed substantial support for extending shared parental leave and pay to Northern

Ireland and for broader entitlement to request flexible working. It was on that basis that I introduced the Work and Families Bill in April last year and, with Members' support, secured Royal Assent to the resulting Act of the Assembly in January.

It subsequently fell to officials to prepare and make operational the associated regulations to enable working parents in Northern Ireland to access the new entitlements from April of this year. The legislative package, taken as a whole, enables eligible working parents to share leave and pay entitlement in respect of children due to be born or placed for adoption on or after 5 April. Parents are now able to share leave in a way that was not possible before. The system is flexible in that it permits both parents to return to work for periods during their leave, taking time off in separate blocks. It also allows parents to be off work alternately or at that same time, depending on the needs of the family.

In introducing these rights, I have been conscious that we need a system that enables employers to balance the needs of their business with those of the parents working for them. The measures therefore include requirements about what must be included in a leave request; they set defined notice periods; they cap the number of employee notifications for leave; and they allow employers to refuse requests for multiple separate periods of leave — that is to say, periods of leave broken up by time back at work. Much of the operational detail of shared parental leave and pay is set out in this first set of regulations, which are the subject of this motion.

The Shared Parental Leave Regulations (Northern Ireland) 2015, which I will refer to in short as the "leave regulations", in association with the Statutory Shared Parental Pay (General) Regulations (Northern Ireland) 2015 — the "pay regulations" — provide the main entitlements for a mother, or adopter, and a child's father, or adoptive parent, or a mother's or adopter's partner, to take shared parental leave and pay. The rights to shared parental leave and statutory shared parental pay are now statutory rights for employees with a partner who is working, or who has recently been working, whether employed or self-employed. Eligible employees are entitled to share up to 50 weeks of shared parental leave and up to 37 weeks of statutory shared parental pay.

This particular statutory rule sets out the qualifying requirements that must be satisfied by an employee, and their partner, for the employee to qualify for shared parental leave. The requirements are that the mother or adopter must be entitled to some form of maternity or adoption entitlement, have given notice to cut it short, and share the main responsibility for caring for the child with the named partner. For a parent to be eligible to take shared parental leave, they must be an employee and they must pass what is known as the "continuity of employment test". In turn, the other parent in the family must meet another test known as the "employment and earnings test". I will explain these tests.

To meet the continuity of employment test, the person must have worked for the same employer for at least 26 weeks at the end of the fifteenth week before the week in which the child is due — or the week in which an adopter was notified of having been matched with a child for adoption — and must still be employed in the first week that shared parental leave is to be taken. For the employment and earnings test to be met, the person must

have worked for at least 26 weeks in the 66 weeks leading up to the due date and have earned above the maternity allowance threshold of £30 a week in 13 of the 66 weeks. Where both parents satisfy these tests, they will both be able to share the leave.

A family can still use shared parental leave even when only one parent actually meets the eligibility criteria. For example, a self-employed parent will not be entitled to take shared parental leave but could still pass the employment and earnings test, allowing the other parent in the family to qualify.

The regulations also set out the notice and evidence requirements which must be met for the employee to qualify for shared parental leave. The regulations further specify that shared parental leave can be taken at any time between the birth of a child, or the placement of a child for adoption or with prospective adopters, and must be taken before the child's first birthday or the first anniversary of the placement. An eligible mother or adopter must cut short maternity or adoption leave for shared parental leave to become available. She or he may do this — as is the case now — by simply returning to work, or she or he may do it by giving notice to curtail the leave at a specified future date. The curtailment of maternity or adoption leave and pay is dealt with in separate regulations. As with similar statutory arrangements, employers are free to go beyond the statutory minimum requirements in an effort to attract and retain employees.

It is important that I also draw Members' attention a few wider points. Equality is a key driver behind the shared parental leave and pay package as a whole. The new rights are a contribution to enabling cultural change in how women's and men's caring responsibilities are perceived vis-à-vis their role in the workplace. The perception that women are the carers, and therefore the only ones who will be absent from work following childbirth or adoption, need no longer be the accepted norm. Shared parental leave and pay will help challenge hidden prejudices that may adversely impact on women's career prospects. Likewise, for those men who want to take an active role in childcare, these enhanced legislative provisions now enable them to do so from the point of their child's birth or placement for adoption.

I should highlight that none of this erodes the protections that are already in place for employed mothers. An employed mother will continue to be entitled to 52 weeks of maternity leave and 39 weeks of statutory maternity pay or maternity allowance. It is only if she chooses to do so that an eligible mother can now end her statutory maternity leave early and opt to take shared parental leave. As is the case throughout this legislative package, similar provisions also apply to adopters and adoption leave. For fathers, paid paternity leave of two weeks will continue to be available, both to birth fathers and a mother's or adopter's partner.

#### 11.15 am

I turn now to the regulatory impact of the measures. The projected set-up and administration costs to employers are relatively small. A regulatory impact assessment, carried out on the basis of the corresponding exercise in Great Britain, has identified only modest costs in respect of the package of new rights for working parents. Across all regulations I bring before the Assembly today, the assessment anticipates one-off transitional costs across all employers totalling £1.5 million, which relates to the

cost of management time and changes to payroll and human resources systems in implementing the new right. Annually recurring costs of three quarters of a million pounds are expected to be associated with parents exercising the new rights in respect of adoption leave and pay, antenatal appointments, unpaid parental leave and shared parental leave and pay.

I want to reiterate what I said on many occasions, namely that these measures are not only good for parents but for business and the economy. By increasing employees' abilities to balance their work and family commitments, the new rights should improve employers' ability to retain their best people. By working with their employees to develop practical plans for sharing leave and pay with a partner, employers may also see key workers being absent for shorter periods of time as shared childcare becomes a social norm.

Whilst employers have generally been positive about shared parental leave and pay, I do, however, take on board concerns that they have raised about the practical implications of operating the new systems. Those concerns were echoed by the Committee for Employment and Learning, which sought assurances that my Department would engage with employers to ensure that supporting guidance materials meet their needs.

The Department has published detailed guidance, which was shared with employers before being finalised. We will continue to work closely with key stakeholders to ensure that all the guidance materials are fit for purpose. My officials have also delivered a number of free seminars on shared parental leave and pay, in conjunction with the Labour Relations Agency, to employers and trade union members. Those have been well received. Further sessions in association with the Labour Relations Agency and the Equality Commission are scheduled in the next few weeks.

I can assure the House that my Department fully appreciates that some employers may experience challenges. My Department is therefore committed to continued engagement with stakeholders as shared parental leave and pay arrangements become embedded.

I have attempted to set out for Members the key features of the rights to shared parental leave and pay in respect of the first motion, and I will, over the course of the session, deal separately and succinctly with the provisions of the other regulations as the remaining motions on shared parental leave and pay are put to the House this morning. However, I do appreciate that the regulations are specific and technical in places. I have no difficulty if Members wish to explore any issues in broader terms, and I will seek to address those issues.

I will briefly turn to the Statutory Shared Parental Pay (General) Regulations (Northern Ireland) 2015, which are also part of this initial debate. They are also subject to the confirmatory procedure as laid down in the Employment Rights (Northern Ireland) Order 1996.

The pay regulations, in association with the leave regulations already considered, provide an entitlement for a mother/adopter and a child's father/adoptive parent or a mother's or adopter's partner to take shared parental leave and pay. Those particular regulations set out the qualifying requirements that must be satisfied by an employee and also by their partner for the employee to qualify for statutory shared parental pay. They also set out

the notice and evidence requirements that must be met for employees and agency workers to qualify.

Like shared parental leave, shared statutory parental pay can be taken at any time between the birth of a child, or the placement of a child for adoption or with prospective adopters, and the child's first birthday or the first anniversary of the placement. Statutory shared parental pay is comprised of untaken statutory maternity pay or maternity allowance, or untaken statutory adoption pay. An eligible mother or adopter must curtail her entitlement to those statutory payments in order for statutory shared parental pay to become available. She or he may do that, as now, by simply returning to work. Alternatively, she or he may do it by giving a curtailment notice at any specified future date. The curtailment of maternity or adoption leave and pay is facilitated by separate regulations. Statutory shared parental pay is currently paid at £139.58 per week or 90% of an employee's average weekly earnings, whichever is lower. If the mother or adopter curtails their entitlement to maternity adoption pay or maternity allowance before they have used their full entitlement, statutory shared parental pay can be claimed for any remaining weeks.

To qualify for statutory shared parental pay, a parent must pass the continuity of employment test and have earned an average salary of the lower earnings limit of £111 for the eight weeks prior to the fifteenth week before the expected due date or matching date. The other parent in the family must meet the employment and earnings test already outlined in respect of the leave regulations. As with the leave arrangements, employers are of course free to go beyond the statutory minimum pay requirements where they consider that this will benefit the recruitment and retention of employees.

I am grateful to the Committee for Employment and Learning and the Examiner of Statutory Rules for their scrutiny of the two statutory rules. I am also grateful to the Committee for its recommendation that these regulations be confirmed by the Assembly.

**Mr Swann (The Chairperson of the Committee for Employment and Learning):** I thank the Minister for outlining the detail of the rules and regulations. I welcome the opportunity to outline the Committee for Employment and Learning's views on the statutory rules relating to the Work and Families Act (Northern Ireland) 2015. On behalf of the Committee, I would like to thank the Minister and his officials for their engagement with the Committee during the briefing on all the statutory rules, as there were a considerable number of them.

The Committee was actively involved in the passage of the Work and Families Act, which received Royal Assent in January. In its detailed consideration at Committee Stage, it became apparent that the regulations, not the Act, would provide the detail of how the main rights operated in practice. The Committee raised a number of issues at Committee Stage, but it was content to ensure that these were covered by the statutory rules.

As the Minister has grouped the statutory rules, I will speak briefly on each to confirm the Committee's position. The Committee considered the issues raised at Committee Stage when the proposals for these regulations were considered at its meeting on 11 February 2015 and agreed that it was content with the proposals for the statutory rules.

The Committee, at its meeting on 18 March 2015, agreed that it was content with the Department's statutory rule, the Shared Parental Leave Regulations (Northern Ireland) 2015, and agreed to recommend that the rule be confirmed by the Assembly.

At a meeting on 25 March 2015, the Committee agreed that it was content with the Department's statutory rule, the Statutory Shared Parental Pay (General) Regulations (Northern Ireland) 2015, and agreed to recommend that it be confirmed by the Assembly.

**Mr Rogers:** My SDLP colleagues and I welcomed the Work and Families Act. In turn, we welcome and support all these regulations. The Work and Families Act was designed to help to address inequality by taking steps towards creating a culture of shared parenting. I welcome these regulations, which provide for qualifying birth parents, adopters and intended parents in surrogacy arrangements to qualify for shared parental leave.

**Dr Farry:** I will be much briefer this time, Mr Deputy Speaker. First, I thank the Committee Chair for setting out the Committee's position. I thank him, the Committee staff and all the members for the very expeditious way in which they addressed these very important and very complex regulations. The Chair was right to identify that the regulations are very much at the heart of giving effect to the Act and are where the key detail is contained. I am confident that we got these right. Of course, we remain open to further consideration should that view change over the years ahead. I welcome Mr Rogers's comments endorsing the broad thrust of the Act and on the importance of the regulations to give effect to it.

**Mr Deputy Speaker (Mr Dallat):** I remind Members that I will put the Question on each of the two motions listed on the Order Paper separately.

*Question put and agreed to.*

*Resolved:*

*That the Shared Parental Leave Regulations (Northern Ireland) 2015 be approved.*

### **Statutory Shared Parental Pay (General) Regulations (Northern Ireland) 2015**

*Resolved:*

*That the Statutory Shared Parental Pay (General) Regulations (Northern Ireland) 2015 be approved. — [Dr Farry (The Minister for Employment and Learning).]*

### **Paternity and Adoption Leave (Amendment) Regulations (Northern Ireland) 2015**

**Mr Deputy Speaker (Mr Dallat):** The next three items in the Order Paper are motions regarding paternity and adoption leave, maternity and adoption leave and maternity and parental leave. The Business Committee has agreed to group the three motions into one debate. Following the debate, I will put the Question on the first motion. I will then ask the Minister to move the second motion and put the Question on it without further debate. I will do likewise for the third motion.

**Dr Farry (The Minister for Employment and Learning):** I beg to move

*That the Paternity and Adoption Leave (Amendment) Regulations (Northern Ireland) 2015 be approved.*

*The following motions stood in the Order Paper:*

*That the Maternity and Adoption Leave (Curtailed of Statutory Rights to Leave) Regulations (Northern Ireland) 2015 be approved. — [Dr Farry (The Minister for Employment and Learning).]*

*That the Maternity and Parental Leave etc. (Amendment) Regulations (Northern Ireland) 2015 be approved. — [Dr Farry (The Minister for Employment and Learning).]*

**Dr Farry:** The purpose of the Paternity and Adoption Leave (Amendment) Regulations (Northern Ireland) 2015 is to amend the Paternity and Adoption Leave Regulations (Northern Ireland) 2002 to take account of the policy changes being brought forward in association with the Work and Families Act (Northern Ireland) 2015. It is the first in a group of regulations that have general application and that include amendments to ensure that the system of shared parental leave and pay operates seamlessly alongside other statutory rights for working parents.

The regulations remove the requirement that employees must be employed continuously by their employer for 26 weeks or more before being able to access the right to statutory adoption leave and make statutory adoption leave a day one employment right. That is an important change. It aligns adoption leave with maternity leave and, importantly, prevents situations arising whereby, because neither parent is entitled to adoption leave, the adoption cannot go ahead. Without the measure, a child might not be adopted at all because there is no one available to provide care. Alternatively, a child could remain in care for longer than necessary.

The regulations also adjust the right to return to work following paternity or adoption leave to ensure that account is taken of situations in which employees have accessed the new right to shared parental leave. They further make adoption leave available to foster parents who are prospective adopters if they have been notified that a child is to be placed with them as part of a fostering for adoption arrangement. They also confer the right to paternity leave on the spouses, civil partners and partners of prospective adopters in that situation.

The regulations also prevent paternity leave from being taken for an adoption placement if such leave has already been taken at an earlier stage as part of a fostering for adoption process for the same child. They achieve the

same end in relation to adoption leave, so that it may also not be taken on two occasions for the same child. They also prevent paternity leave from being taken if a person has already taken paid time off to attend an adoption appointment for the child and is thus the adopter or has already taken shared parental leave.

Finally, the regulations protect employees who suffer a detriment or who are dismissed because of time off work for antenatal or adoption appointments. The right to take time off for these appointments was introduced by the 2015 Act, which amended the Employment Rights (Northern Ireland) Order 1996 to make relevant provision.

The Maternity and Adoption Leave (Curtailed of Statutory Rights to Leave) Regulations (Northern Ireland) 2015 enable an expectant mother, a mother on maternity leave, an adopter or a prospective adopter to give notice to end his or her relevant entitlement on a specific future date. When such entitlements have been curtailed, the balance of the untaken period of leave may be taken as shared parental leave if the parents satisfy entitlement and notification criteria.

The benefit of curtailing leave, rather than the mother or adopter simply returning to work, is that it enables the number of weeks of maternity or adoption leave that will be untaken at the date to be known in advance. It also allows a child's father or the mother's or adopter's partner to start taking shared parental leave whilst the mother or adopter remains on maternity or adoption leave. This enables both parents to be at home together with the child from the earliest stages following birth or placement for adoption. Separate regulations establish entitlement to curtail statutory maternity pay, maternity allowance or statutory adoption pay in order to allow statutory shared parental pay to arise.

### 11.30 am

The Maternity and Parental Leave etc. (Amendment) Regulations (Northern Ireland) 2015 amend the Maternity and Parental Leave etc. Regulations (Northern Ireland) 1999. The purpose of doing so is to remove the limitation on the right to unpaid parental leave so that it may be taken at any time before a child's eighteenth birthday. Members should note that the right to unpaid parental leave is entirely distinct from the right to shared parental leave, which is the main subject of today's motions.

The regulations also amend the right to return to work after maternity and parental leave, to reflect the introduction of shared parental leave by the Shared Parental Leave Regulations (Northern Ireland) 2015.

The effect will be that unpaid parental leave will be able to be taken at any point up a child's eighteenth birthday, including immediately before, after, or in between periods of other family-related leave. Extending to the child's eighteenth birthday the time until which an employee may exercise entitlement to unpaid parental leave reflects the fact that caring responsibilities do not end when the child reaches five or starts school.

Again, I pass on my thanks to the Committee for Employment and Learning and the Examiner of Statutory Rules for their scrutiny of these rules.

**Mr Swann (The Chairperson of the Committee for Employment and Learning):** I will be brief once again, as

the Minister has already outlined the detail of the statutory rules in this group that deal with maternity, paternity and adoption leave.

The Committee considered the issues raised at Committee Stage of the Bill when the proposals for these regulations were considered at its meeting on 11 February and agreed that it was content with the proposals for the statutory rules, but requested that the Department provide more detail on the proposal for the Paternity and Adoption Leave (Amendment) Regulations (Northern Ireland) 2015. The Department returned to the Committee on 18 February, and it was agreed that the Committee was content with the proposed statutory rule.

At the meeting on 11 February, the Committee was content with the proposals for the Maternity and Adoption Leave (Curtailed of Statutory Rights to Leave) Regulations (Northern Ireland) 2015 and the Maternity and Parental Leave etc. (Amendment) Regulations (Northern Ireland) 2015.

At its meeting on the 18 March, the Committee agreed that it was content with the Department's statutory rules and agreed to recommend that the rules be confirmed by the Assembly.

**Dr Farry:** I thank all the Members who spoke — in particular, the Chair. I thank the Committee for its support of this particular set of motions.

**Mr Deputy Speaker (Mr Dallat):** I remind Members that I will put the Question on each of the three motions listed on the Order Paper separately.

*Question put and agreed to.*

*Resolved:*

*That the Paternity and Adoption Leave (Amendment) Regulations (Northern Ireland) 2015 be approved.*

## **Maternity and Adoption Leave (Curtailed of Statutory Rights to Leave) Regulations (Northern Ireland) 2015**

*Resolved:*

*That the Maternity and Adoption Leave (Curtailed of Statutory Rights to Leave) Regulations (Northern Ireland) 2015 be approved. — [Dr Farry (The Minister for Employment and Learning).]*

## **Maternity and Parental Leave etc. (Amendment) Regulations (Northern Ireland) 2015**

*Resolved:*

*That the Maternity and Parental Leave etc. (Amendment) Regulations (Northern Ireland) 2015 be approved. — [Dr Farry (The Minister for Employment and Learning).]*

## Statutory Shared Parental Pay (Adoptions from Overseas) Regulations (Northern Ireland) 2015

**Mr Deputy Speaker (Mr Dallat):** The next six items on the Order Paper are motions regarding shared parental leave, shared parental pay and the application of employment rights to parental order cases and adoptions from overseas. The Business Committee has agreed to group these six motions into one debate. Following the debate, I will put the Question on the first motion. I will then ask the Minister to move the second motion and I will put the Question on it without further debate. I will do likewise for the remaining four motions.

**Dr Farry (The Minister for Employment and Learning):** I beg to move

*That the Statutory Shared Parental Pay (Adoptions from Overseas) Regulations (Northern Ireland) 2015 be approved.*

*The following motions stood in the Order Paper:*

*That the Employment Rights (Northern Ireland) Order 1996 (Application of Articles 107G and 107I to Adoptions from Overseas) Regulations (Northern Ireland) 2015 be approved. — [Dr Farry (The Minister for Employment and Learning).]*

*That the Shared Parental Leave and Paternity and Adoption Leave (Adoptions from Overseas) Regulations (Northern Ireland) 2015 be approved. — [Dr Farry (The Minister for Employment and Learning).]*

*That the Statutory Shared Parental Pay (Parental Order Cases) Regulations (Northern Ireland) 2015 be approved. — [Dr Farry (The Minister for Employment and Learning).]*

*That the Employment Rights (Northern Ireland) Order 1996 (Application of Articles 107A, 107B, 107G, 107I, 112A and 112B to Parental Order Cases) Regulations (Northern Ireland) 2015 be approved. — [Dr Farry (The Minister for Employment and Learning).]*

*That the Paternity, Adoption and Shared Parental Leave (Parental Order Cases) Regulations (Northern Ireland) 2015 be approved. — [Dr Farry (The Minister for Employment and Learning).]*

**Dr Farry:** The Statutory Shared Parental Pay (Adoptions from Overseas) Regulations (Northern Ireland) 2015 modify the Statutory Shared Parental Pay (General) Regulations (Northern Ireland) 2015 to provide an entitlement to statutory shared parental pay for qualifying individuals adopting from overseas and reflect the different triggers and qualification points that exist in cases of adoption from overseas. This is the first in the final group of regulations before the House today.

This group of regulations adjusts the application of the key shared parental leave and pay regulations to ensure that the rights that they confer are also available to those whose journey to becoming parents has been via a slightly different route. This group of regulations caters specifically for parents who have adopted their child from overseas or who have become parents using a surrogacy arrangement. For the purposes of these specific regulations and others concerned with adoptions from overseas, an adoption

from overseas is defined as an adoption of a child who enters Northern Ireland from outside the United Kingdom in connection with or for the purposes of adoption which does not involve the placement of the child for adoption under the law of any part of the United Kingdom. The modifications that these regulations apply relate to dates and evidential requirements that are relevant to the entitlement and notification of statutory shared parental pay in adoption cases.

The sole purpose of the Employment Rights (Northern Ireland) Order 1996 (Application of Articles 107G and 107I to Adoptions from Overseas) Regulations (Northern Ireland) 2015 is to modify existing powers in primary legislation to allow the making of regulations giving entitlement to shared parental leave to employees who are adopting from overseas. Such regulations are made separately.

The Shared Parental Leave and Paternity and Adoption Leave (Adoptions from Overseas) Regulations (Northern Ireland) 2015 modify the Maternity and Adoption Leave (Curtailed of Statutory Rights to Leave) Regulations (Northern Ireland) 2015 and the Shared Parental Leave Regulations (Northern Ireland) 2015 so that each appropriately reflects entitlement to shared parental leave for qualifying individuals adopting from overseas and the different triggers and qualification points that exist in these cases. They also amend the Paternity and Adoption Leave (Adoption from Overseas) Regulations (Northern Ireland) 2003 so that those regulations incorporate changes equivalent to those made to the Paternity and Adoption Leave Regulations (Northern Ireland) 2002 in relation to births and adoptions in Northern Ireland by the Paternity and Adoption Leave (Amendment) Regulations (Northern Ireland) 2015.

The Statutory Shared Parental Pay (Parental Order Cases) Regulations (Northern Ireland) 2015 modify the Statutory Shared Parental Pay (General) Regulations (Northern Ireland) 2015 in cases where a person has applied with another person for a parental order under section 54 of the Human Fertilisation and Embryology Act 2008. Under that section, a court may make an order providing for a child of a surrogate mother to be treated as the child of the applicants for the order if certain conditions are satisfied. The modifications are to provide an entitlement to shared parental pay in respect of adoption, modified in a way that provides different triggers and qualification points to recognise that the statutory pay relates to the birth of a child and not an adoption.

The Employment Rights (Northern Ireland) Order 1996 (Application of Articles 107A, 107B, 107G, 107I, 112A and 112B to Parental Order Cases) Regulations (Northern Ireland) 2015 apply and modify existing powers to allow the making of regulations to give an eligible employee entitlement to statutory adoption leave, paternity leave and shared parental leave if that employee has a child born with the help of a surrogate and the employee is a parental order parent.

As stated before, a parental order parent is someone who, on the day of the child's birth, intends to apply for a parental order under section 54 of the Human Fertilisation and Embryology Act 2008 with another person in respect of the child and expects the court to make such an order, or someone who obtains such an order.

The Paternity, Adoption and Shared Parental Leave (Parental Order Cases) Regulations (Northern Ireland) 2015 rely, in part, on enabling powers modified by the Employment Rights (Northern Ireland) Order 1996 (Application of Articles 107A, 107B, 107G, 107I, 112A and 112B to Parental Order Cases) Regulations (Northern Ireland) 2015. The regulations modify the Paternity and Adoption Leave Regulations (Northern Ireland) 2002, the Maternity and Adoption Leave (Curtailment of Statutory Rights to Leave) Regulations (Northern Ireland) 2015 and the Shared Parental Leave Regulations (Northern Ireland) 2015. The purpose of the modifications is to provide entitlement to adoption, paternity and shared parental leave to qualifying parental order parents. The amendments provide different triggers and qualification points to recognise that the leave relates to the birth of a child born with the help of a surrogate and not an adoption.

Again, I am grateful to the Committee for Employment and Learning and the Examiner of Statutory Rules for their scrutiny of these rules.

**Mr Swann (The Chairperson of the Committee for Employment and Learning):** These six statutory rules deal with adoption from overseas and parental order cases in particular. The Committee considered the issues raised at the Committee Stage when the proposals for the regulations were considered at its meeting on 11 February, and it agreed that it was content with the proposals for the statutory rules. On 18 March, the Committee agreed that it was content with four of the departmental statutory rules and agreed to recommend that the rules be confirmed by the Assembly. On 25 March, the Committee agreed that it was content with two of the departmental statutory rules and agreed to recommend that the rules be confirmed by the Assembly.

**Dr Farry:** Again, I thank the Chair for his comments and confirmation of the Committee's response, and I congratulate Members on following all that.

**Mr Deputy Speaker (Mr Dallat):** I remind Members that I will put the Question on each of the six motions listed on the Order Paper separately.

*Question put and agreed to.*

*Resolved:*

*That the Statutory Shared Parental Pay (Adoptions from Overseas) Regulations (Northern Ireland) 2015 be approved.*

### **Employment Rights (Northern Ireland) Order 1996 (Application of Articles 107G and 107I to Adoptions from Overseas) Regulations (Northern Ireland) 2015**

*Resolved:*

*That the Employment Rights (Northern Ireland) Order 1996 (Application of Articles 107G and 107I to Adoptions from Overseas) Regulations (Northern Ireland) 2015 be approved. — [Dr Farry (The Minister for Employment and Learning).]*

### **Shared Parental Leave and Paternity and Adoption Leave (Adoptions from Overseas) Regulations (Northern Ireland) 2015**

*Resolved:*

*That the Shared Parental Leave and Paternity and Adoption Leave (Adoptions from Overseas) Regulations (Northern Ireland) 2015 be approved. — [Dr Farry (The Minister for Employment and Learning).]*

### **Statutory Shared Parental Pay (Parental Order Cases) Regulations (Northern Ireland) 2015**

*Resolved:*

*That the Statutory Shared Parental Pay (Parental Order Cases) Regulations (Northern Ireland) 2015 be approved. — [Dr Farry (The Minister for Employment and Learning).]*

### **Employment Rights (Northern Ireland) Order 1996 (Application of Articles 107A, 107B, 107G, 107I, 112A and 112B to Parental Order Cases) Regulations (Northern Ireland) 2015**

*Resolved:*

*That the Employment Rights (Northern Ireland) Order 1996 (Application of Articles 107A, 107B, 107G, 107I, 112A and 112B to Parental Order Cases) Regulations (Northern Ireland) 2015 be approved. — [Dr Farry (The Minister for Employment and Learning).]*

### **Paternity, Adoption and Shared Parental Leave (Parental Order Cases) Regulations (Northern Ireland) 2015**

*Resolved:*

*That the Paternity, Adoption and Shared Parental Leave (Parental Order Cases) Regulations (Northern Ireland) 2015 be approved. — [Dr Farry (The Minister for Employment and Learning).]*

**11.45 am**

**Mr Deputy Speaker (Mr Dallat):** Members will take their ease for a moment while we change the top Table.

(Mr Speaker in the Chair)

## Committee Business

### Committee for Social Development: Report of Inquiry into Allegations Arising from BBC NI 'Spotlight' Programme

**Mr Speaker:** The Business Committee has allowed up to two hours and 30 minutes for the debate. The proposer will have 15 minutes to propose the motion and 15 minutes in which to make a winding-up speech. All other Members who wish to speak will have five minutes.

**Mr Maskey (The Chairperson of the Committee for Social Development):** I beg to move

*That this Assembly notes the report of the Committee for Social Development on phase 3 of its inquiry into allegations, arising from a BBC NI Spotlight programme aired on 3 July 2013, of impropriety or irregularity relating to NIHE managed contracts and consideration of any resulting actions [NIA 222/11-16], which deals specifically with decision-making relating to the award, modification and cancellation of NIHE maintenance contracts to establish any impropriety and, in particular, whether the actions of Ministers were appropriate.*

Go raibh maith agat, a Cheann Comhairle. I commend the motion to the House. Members will be aware that the inquiry was initiated following a 'Spotlight' investigation in July 2013 that made a number of serious allegations in relation to the actions of the former Minister for Social Development Mr Nelson McCausland. Members will also recall that those allegations were so serious that the day after the broadcast the former Minister appeared before the Committee. At that meeting, the Committee agreed to hold an inquiry into the allegations, the terms of reference for which were subsequently agreed in October 2013.

Before outlining the findings of the report, I will say a few words about the inquiry process. This was the first time that a Statutory Committee of the Assembly carried out an inquiry of this nature. That presented difficulties in how the Committee conducted the inquiry, and we frequently required legal advice and discussion by the Committee on specific matters of procedure. That took time and resulted in progress being delayed. Indeed, some comment has been made about the length of time the inquiry has taken, but I point out that it has essentially been three inquiries in one, because there were three distinct elements to the terms of reference.

Members will know that the Committee has already produced two inquiry reports. Phase 1 of the inquiry has already been debated by the Assembly. The key conclusion of that report was that Mr McCausland had, in fact, deliberately misled the Committee for Social Development.

The Committee published its report on phase 2 on 13 March 2015, and, overall, the Committee agreed that good progress had been made on the range of issues relating to procurement, governance and contractual management in the Housing Executive and the Department but that significant work remains to be done. The Committee will, obviously, monitor that in the time ahead.

Today the Committee is, obviously, asking the House to note its report on phase 3 of the inquiry, which deals with decision-making relating to the award, modification and cancellation of Housing Executive maintenance contracts to establish any impropriety or irregularity and, in particular, whether Ministers' actions were appropriate.

I suppose a positive outcome of the inquiry is that a number of lessons have been learned from the experience that the Committee believes the Assembly and the Executive should consider to ensure that proper procedures and accountability mechanisms are in place, should this type of inquiry ever be necessary again.

This was a new type of inquiry, so the current procedures for obtaining information from the Department proved problematic from day one. Procedures require that all departmental evidence relating to a Committee inquiry must be authorised for release by the relevant Minister. That may suffice under normal circumstances but, in the Committee's view, presents a clear conflict of interest in the case of an inquiry into the actions of a Minister. The Committee also showed considerable flexibility in accommodating witnesses, who at times were unable to attend as originally scheduled and that, of course, also contributed to a delay in the inquiry.

Allegations of political interference in the Housing Executive, potential breaches of the ministerial code of conduct and potential misleading of the Assembly are very serious indeed. For that reason, the Committee was committed to gathering all relevant evidence to ensure that this was very much an evidence-based inquiry. Contrary to some statements that have been made, this was never a case of finding against the Minister and then going in search of evidence to support that position. This phase of the inquiry was a difficult process for all concerned. At times, it was uncomfortable hearing the evidence, and harder still when the evidence received from witnesses was of a contradictory nature. In such instances, the Committee agreed to take further evidence from those witnesses under oath or by affirmation.

On a number of occasions, the Department sought to have departmental witnesses accompanied by a legal adviser during evidence sessions. Following legal and procedural advice, the Committee ultimately rejected such requests. Given that the requests were made by the Department, not by named individuals and that the reasons for requiring legal advice were never made clear, some members viewed the departmental interventions as little more than delaying tactics, designed to hamper rather than assist the Committee.

The amount of evidence provided to the Committee by the Department, the Housing Executive and the BBC was vast. The Committee received written evidence and held 17 oral evidence sessions. During the collation of phase 3 evidence, the Committee became aware that the Department had not supplied at least some papers on behalf of the Housing Executive, and the Committee found that most unsatisfactory. However, of particular concern to members was what we described as stonewalling by the Department and the former Minister in the independent fact-finding exercise into the actions of Mr McCausland's special adviser, Stephen Brimstone.

While it was notified in September 2013 that the exercise had been completed, the Committee was only informed in September 2014 of Mr McCausland's decision not to



initiate any further action. That was the case despite correspondence with the Department over that period seeking clarification on the outcome of the exercise. A key recommendation of the fact-finding report was that a formal disciplinary investigation should be initiated into the special adviser's actions. Despite that, the former Minister decided that no further action was required. That, in our view, is clearly holding accountability in contempt.

Members will also be aware that the Committee engaged with the current Minister over a period of several weeks to seek the release of the report. That was not resolved entirely to the Committee's satisfaction, as the Minister provided only a redacted version. However, I place on record that I have some sympathy with the current Minister, who inherited this situation from Mr McCausland and his special adviser. I also recognise that this was a difficult process for the present Minister, given the challenge that the inquiry presented to his party colleagues and to his trying to maintain good working relations with the Committee on legislative and policy issues. I am glad to say that he has diligently continued to do so.

Indeed, I personally argued with and to the Committee that we should not pursue the current Minister through the courts for failing to produce the full, unredacted fact-finding report but should instead draw our own conclusions, based on what was obviously a vast amount of evidence that we had received, including the redacted fact-finding report. The Committee also made clear that it would have had no hesitation in pursuing the matter had the former Minister remained in place. Ultimately, the Committee took the road of drawing its own conclusions, but that does not detract from the continuing lack of transparency around the actions of a serving senior — temporary — civil servant. In the public interest, that needs to be resolved.

The Committee also encountered some difficulty in its engagement with the BBC. Some members were deeply annoyed by the BBC's refusal to give oral evidence. However, the Committee acknowledges that the organisation provided a significant amount of written material to the inquiry. While it regretted that the BBC would not provide oral evidence, the Committee also recognised the wider implications for the organisation had it done so.

The seriousness of the allegations led the Committee to establish guidelines on procedural fairness for its inquiry, underpinned by legal advice, to ensure witnesses had opportunity to state their case. In accordance with the guidelines, the Committee forwarded the draft report to those who were adversely referred to in it, to allow them to provide comment prior to publication. Comments received from Mr Brimstone are included in the report appendices. On careful consideration, the Committee did not accept the points raised by him in his response. Mr McCausland did not provide any response to the Committee.

DUP members of the Committee opposed the findings of the report and produced an alternative report that was not agreed by the Committee: I want to put that on record. However, the Committee agreed to include that report in the appendices to the Committee report that you have in front of you today.

I hope that all objective, reasonable people will agree that the process that I have just outlined reflects the Committee's aim to be fair and accommodating to witnesses and members alike; that there has, throughout

the inquiry, been a painstaking and detailed process of evidence-gathering and careful consideration of that evidence and the different views around the Committee table; and that the Committee has had to address significant procedural and legal issues to reach this point.

The central issue for the Committee to consider was the action taken by the former Minister following his decision to meet East Belfast DUP MLAs and representatives of Red Sky in June 2011. In particular, the Committee considered whether Mr McCausland's subsequent request that the Housing Executive board consider extending the termination notice constituted impropriety or irregularity or whether the actions of the Minister were appropriate. The Committee noted that Department officials advised him against attending the meeting on the basis that it was an ongoing contractual matter between the Housing Executive and Red Sky. The Committee concluded that, although the Minister was notionally free to meet whomever he chose, his attendance at the meeting was imprudent, particularly as Red Sky was in administration and the administrator, BDO, was not present.

The Committee agreed that the Minister's position, as indicated in the note of the meeting, that he would like to have the administrator in place until the end of August to allow all issues relating to the handover of contracts to be considered and that, during that time, the proposed new company might also be able to progress matters indicated that he sought to have the termination date extended, which would give time for a new company, referred to in evidence as Newco, to be established and to be in a position to bid for the maintenance contracts in a new procurement exercise. Whether it was his intention or not, the Minister's decision to seek to have the termination date of the Red Sky contract extended impacted on the existing contractual framework to transfer contracts to adjacent contractors. That was a process that the Housing Executive had already initiated, and it potentially provided a commercial advantage to a newly reconstituted Newco in a forthcoming procurement exercise. In relation to his request to the chair of the Housing Executive board that the termination date of the Red Sky contract should be extended from July to allow an open procurement competition, the actions of the Minister are considered by the Committee as evidence that he became involved with contractual matters that, as advised by his officials, were outwith his responsibility and rested solely with the Housing Executive and the administrator, BDO.

The Committee considered the possible motivation behind Mr McCausland's actions to seek to have the termination date extended. While he maintained that it was to ensure that similar problems were not present in the contractors to whom the contracts would be transferred, the Committee could not accept that it was reasonable for a Minister simply to ignore the independent, well-documented issues with Red Sky and allow it to carry on its contracts while such an investigation took place. That would be irresponsible at best.

The Committee noted evidence from Mr McPeake, the director of housing and regeneration and acting deputy chief executive at the time, who said of a meeting on 28 April 2011 with DUP MLAs:

*"I did not get the impression that the political representatives were unhappy with us terminating the*

*contract because their workmanship was poor. They were more concerned about the fact that the decision happened in the heels of an election”.*

He went on to say:

*“Equally, they expressed worries about the effect of the termination on employment.”*

The Committee also noted that the fact-finding report records Mr Brimstone as saying that he made the now well-reported telephone call to Councillor Palmer in order to brief her fully on Minister McCausland's position on the matter, which was reflective of the party's overall position. He is also recorded as stating that he asked Councillor Palmer to consider and reflect the party position to the board so that it understood and was aware of the Minister's position. Mr Brimstone also stated that he was initially unaware who Red Sky but that

*“just prior to joining the Department, it became a big issue for elections in east Belfast”.*

When, during oral evidence, the former managing director of Red Sky was asked to remind the Committee of how the meeting came about, he said:

*“Norman Hayes had contact with one of the local MLAs, Robin Newton, and prevailed upon him to see if he could bring any influence to bear in political circles for the termination to be delayed while we made the case”.*

The Committee heard extensive and conflicting evidence about the phone call that was made by the Minister's special adviser to Councillor Palmer about her participation at the special Housing Executive board meeting. The Committee noted Mr Brimstone's proclaimed inability to recollect certain details surrounding that phone call and his refusal to answer related questions. Importantly, in contrast to Mr Brimstone's evidence, the Committee found Councillor Palmer's evidence on the matter to be consistent, convincing and compelling. In particular and perhaps crucially, the Committee considered that Councillor Palmer had also provided supporting evidence in the form of five redacted drafts of an apology that indicated that the only issue discussed was the termination of the Red Sky contracts. While Mr Brimstone refuted the evidence that Councillor Palmer provided, he did not provide any further material to support his position on the basis that it related to “internal party matters”.

## 12.00 noon

**Mrs D Kelly:** Will the Member give way?

**Mr Maskey:** I do not want to give way because I will not have enough time, Dolores. I am sorry about that.

A prerequisite for holding public office is to accept that one must be accountable for one's actions in that role. To underpin that fundamental requirement, there must be appropriate mechanisms in place to ensure that holders of public office can be held accountable. While there is currently a mechanism to investigate allegations in relation to the conduct of MLAs, no such equivalent mechanism is available for investigating alleged misconduct by Ministers. The Committee believes that procedures for establishing a mechanism for investigation and consideration of the findings of any subsequent report on allegations of inappropriate conduct made against Ministers should

be taken forward as a matter of urgency. As per the Committee's terms of reference for the inquiry, had such a mechanism been in place, the Committee would have had no hesitation in referring the matter for consideration to the appropriate authorities, given the serious nature of the conclusions. The Committee considers it entirely inappropriate that the decision on whether to take forward a formal disciplinary investigation of the actions of a special adviser rests with the appointing Minister and considers that this procedure needs to be urgently reviewed.

The Committee also calls on the current Minister to publish the fact-finding report in full and, in the interests of accountability and transparency, to review the decision not to initiate the recommended formal disciplinary investigation of the actions of the special adviser. The Committee is of the opinion that the existing Civil Service guidelines and mechanisms for challenging Ministers in relation to their becoming involved in operational or contractual matters are not sufficiently robust and need to be reviewed urgently.

On the key issue under consideration, the Committee has concluded that the Minister acted inappropriately in seeking to have the Red Sky termination notice extended. On the basis of the evidence, the Committee has also been driven to conclude that the actions of the Minister to seek to have the Red Sky contract termination notice extended were politically motivated. The Committee concluded that, had the Housing Executive board acceded to Mr McCausland's request, it would have effectively reinstated the contract to an organisation that had lost the trust and confidence of the Housing Executive and facilitated the interests of a private organisation —

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

**Mr Maskey:** Go raibh míle maith agat.

**Ms P Bradley:** I rise as a member of the Committee for Social Development. I am thankful that we have finally got to the stage of debating the issue in the House after what has been almost two long years of work, evidence-gathering and listening quite often over and over again to the same evidence-gathering and coming to the same conclusions. In my opinion, the past two years would have been better spent getting on with the programme of DSD and achieving some of the goals that we wanted to achieve in this mandate. We have now left ourselves a very short timescale to achieve some of that.

I will start off by saying that, when the Committee began to investigate the appropriateness of the actions of the former Minister for Social Development, Nelson McCausland, in relation to the termination of the Red Sky contract, it became clear very quickly that certain members of the Committee brought with them a preconceived idea about the events that they were being asked to investigate. That being the case, in my opinion, any report would be extremely biased and would be based not on the evidence before them but rather on that presented by a television programme. There was no premise of “innocent until proven guilty” but, rather, trial by media. With that in mind, I find that I cannot support the main report tabled by the Committee but, instead, support the findings in the minority report, which was included in the appendix of the main report.

The first point that the minority report investigates is that the former Minister had acted appropriately in attending

meetings with East Belfast MLAs. It is my belief that it was contained in the evidence that the Minister had checked the legality of such a meeting and, therefore, he attended in an overt attempt to ensure that his actions were correct.

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

**Ms P Bradley:** No. The Member will have plenty of time of his own to discuss it.

The advice that the former Minister, Nelson McCausland, received was that he was free to meet whomever he chose. According to the permanent secretary, that was correct and the Minister simply had to be cautious about what he discussed at any meetings and his role at meetings. I, therefore, agree that, in that respect, the former Minister was acting within the remit of his authority.

Prior to the meeting, the former Minister received advice about the limitations of his role at the meeting. He was informed that the cautious approach was appropriate when discussing any contractual affairs. The evidence received was that the former Minister was again overt in the meeting, making it transparent that the issues involved were a matter purely between the administrator and the Northern Ireland Housing Executive. That ensured that those present should have been aware that the former Minister's attendance was merely in a role to listen to concerns as per the advice he had received. Again, I agree with the minority report that, in this respect, the former Minister acted appropriately.

In light of what the former Minister had heard at the meetings, Mr McCausland corresponded with relevant personnel advising that he felt that a forensic investigation should be made of other contractors in order to avoid a repeat of the issue experienced by Red Sky. It would appear, through the evidence received by the Committee, that the former Minister's actions were motivated purely by the desire to ensure value for money for the taxpayer and the public purse — a role that all of us in the Assembly are charged with. I agree with the minority report that the former Minister acted appropriately in that matter also. In order to facilitate this aim being met, the former Minister therefore requested that the Red Sky contract should be extended beyond 14 July 2011. That was merely a request, not a direction, and therefore was not to give any private company an unfair advantage. It was also noted that the former Minister always referred to the awarding of contracts through an open procurement procedure.

The BBC 1 programme made serious allegations that the former Minister had inappropriately acted in his role as Minister, bringing political interference into the Northern Ireland Housing Executive. On examining the evidence, I cannot support a report with that view. Indeed, I believe that the preponderance of the evidence suggests that the actions of the former Minister in asking the Housing Executive, in partnership with the administrator, to consider extending the termination had the best outcome for Northern Ireland Housing Executive tenants. It is my belief that the former Minister, at all times, strived to ensure openness and transparency in his dealings, taking advice when necessary and working at all times —

**Mr Speaker:** Time is almost up.

**Ms P Bradley:** — to benefit those we are elected to represent.

**Mrs D Kelly:** Sadly, few organisations or individuals come out of the report with any good light being shone on them with, I have to say, the honourable exception of Councillor Jenny Palmer. In a nutshell, the Committee believed Jenny Palmer's account of what happened in relation to her conversations with Mr Stephen Brimstone, who said, "Put the party first". It is with some regret that I note that Ms Bradley, in her contribution, has also put the party first, rather than the evidence. The House is supposed to look objectively and hold to account Ministers and Departments in relation to their stewardship of public funds, and the Committee's inquiry has found that there was political interference at the highest level by the former Minister Nelson McCausland and, indeed, his special adviser.

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

**Mrs D Kelly:** I will.

**Mr Allister:** In fact, in terms of putting the party first, has it now not reached the absolute dregs, with Councillor Palmer being disciplined for daring to tell the truth to the Committee?

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

**Mrs D Kelly:** Thank you, Mr Speaker.

I could not have put it any better myself. I was astonished to read in the media that Councillor Palmer, rather than being held up as a shining example of a good representative with the values that a representative should have, hold and display, is now being crucified by the DUP for standing up for what is right and proper. Despite the efforts of the Members opposite in their minority report and, no doubt, in their later contributions, the former Minister Alex Attwood and former Minister Margaret Ritchie MP came out of this as people who upheld what was right and good in terms of the investigation.

The public and we in the House owe a debt of gratitude to the BBC for the excellent investigative journalism that exposed for all to see how public money is withered away and dwindled away in the political interests of a particular political party.

Public money was filtered away to Red Sky, who actually claimed, I believe, for putting windows into an apartment block that did not even exist. You could not make it up, and we are told by Members opposite that that was good stewardship and accountability. I do not think so.

Before I go much further, I have to put on record my gratitude to the Committee staff — Dr Kevin Pelan and his team — for the excellent way in which they assisted the Committee in its inquiry. My congratulations go, too, to the Chairman, Mr Alex Maskey, who chaired the meetings in very difficult circumstances.

The Member opposite made allegations about a lack of objectivity: if you want to see a lack of objectivity, look at the minority report. That tells the public and the rest of us all that we need to know about how some Members believe that they uphold the principles of public office. I think that they are called the Nolan principles, and I do not mean Stephen Nolan.

As the Chairman said, this was an evidence-based inquiry. It was strewn with memory lapses by the former Minister and his special adviser about what actually happened. There are questions to be asked, too, of the Department about the timeliness with which it provided information to

the Committee. Mr Speaker, I hope that, in your role, you will liaise with others in the House on how we can take forward the recommendations in the report on the findings — the adverse findings in particular against the special adviser — and whether his Minister, his party colleague, has a role in determining whether to continue with the disciplinary investigation recommended by the Civil Service fact-finding investigation. Let us not forget that.

Not only were the public the losers in terms of good stewardship of the public purse but residents, particularly in east Belfast, suffered shoddy workmanship and the failure of good service delivery by their public representatives, who, after all, have put the party first yet again.

It has been a long and difficult inquiry. I regret to say that, while I can commend many members of the Committee for their conduct during the inquiry, it is nonetheless the case that certain DUP members are under investigation by the Commissioner for Standards for unparliamentary behaviour.

**Mr Allister:** Where is Sammy?

**Mrs D Kelly:** Indeed. I hear Members ask where Mr Wilson is today. Let us wait and see the commissioner's finding on his behaviour. I am sure that, in Westminster, he would not get away with the behaviour that he displayed during the Committee inquiry here.

I urge that Members follow through on the recommendations. This is a significant report and a huge piece of work by the Committee.

**Mr Beggs:** The report, which scrutinises the actions of the DUP Minister for Social Development, his adviser, Mr Brimstone, and, indeed, officials, is a fascinating read. If it were a political thriller, I have no doubt that it would be a bestseller, but it is not. Sadly, it is about public probity in Northern Ireland and inappropriate action by government officials and their advisers. We had ministerial meetings against the advice of civil servants and in the absence of the administrators with former Red Sky directors. Who was at that meeting? Was it appropriate? It certainly appears not to me. They were discussing extending contracts. For whose advantage? For the advantage of those in the room who were obviously seeking to reinvent themselves, yet they were the directors who, through all the investigations by the Housing Executive, were deemed to be carrying out inappropriate actions and spending public money inappropriately.

**12.15 pm**

It is interesting that the Minister, when provided with an early draft of the Committee report, did not come back with any substantive issues, and neither did Mr Brimstone. I will give a couple of quotes from the report. The permanent secretary of the Department for Social Development, Mr Haire, said of that meeting:

*"I had not come across something like that in my career previously."*

There is also a quote from a Mr Cuddy:

*"The problem was Red Sky was off the Richter scale; it stood out because of the scale of this. And the scale was identified through the forensic report."*

I will concentrate on what I see as rearguard action — the circling of the wagons by the DUP, the Minister, his special adviser and, indeed, some DUP Committee members. We have heard about the minority report, but what has not been said is that there was a DUP MLA report on an investigation of the DUP Minister and the DUP special adviser. You might just think that it was a little partial and might not unearth what needed to be unearthed.

It is disappointing that the progress of the report has been delayed repeatedly because of the difficulty in obtaining evidence from the Social Development Minister. Take the issue of the Committee seeking information on the fact-finding exercise on the action of the special adviser, referred to on page 7. That exercise began in August 2013, and the Committee was advised that the report was complete on 25 September 2013. However, it took numerous requests, legal advice and, ultimately, the threat of the use of section 44(7) of the Northern Ireland Act 1998 before a redacted version was provided to the Committee in February 2015, some 18 months later. Undoubtedly, that delayed the report. I suspect that many in the DUP are pleased that the report is being aired only now and that the issues were not raised before the general election *[Interruption.]*

**Mr Speaker:** Order.

**Mr Beggs:** The redacted report is fascinating. Of the three and a half pages of conclusions and recommendations, only one and a half paragraphs were disclosed. What was disclosed was that the investigation of the actions of Stephen Brimstone recommended that a formal disciplinary action should commence. However, such a formal disciplinary action is in the gift of the Minister, and the Minister decided not to commence that action. I have no doubt that, if this situation arose at Westminster or in the other devolved Assemblies, the Ministers and the special advisers would be sent away forthwith and given short shrift. Public opinion would not allow for it. That needs to be addressed in this Assembly so that we have appropriate mechanisms whereby, if inappropriate action occurs, those responsible can be held to account. It is unfortunate that that has been hidden from the electorate, which recently voted.

I support the Assembly's recommendation that more powers should exist, but let us look at what Sammy Wilson, one of the DUP Committee members, did. First, there was his "thug" remark in the middle of a Committee hearing, which, of course, disrupted the Committee at a time when Mr Allister was getting Mr Brimstone into an awkward situation. Secondly, when the whistle-blower —

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

**Mr Beggs:** Certainly.

**Mr Allister:** I think that the Member is right: it was pretty obvious to anyone there that, on every occasion that the special adviser needed the human shield of the DUP Committee members, they acted accordingly in order to disrupt the Committee and delay the report, which was their anxiety, even carrying it to the point one day of abusing the staff of the Committee.

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

**Mr Beggs:** I agree with the Member.

Councillor Palmer was the whistle-blower, and anyone who examines her evidence will see that she was very credible, clear and consistent in what she said. She felt that Mr Wilson's actions were tantamount to bullying her in the Committee. DUP Assembly Members bullied the whistle-blower. I understand that Mr Wilson interrogated her for some 35 minutes. Where is the justice in that? Where is the support for whistle-blowers? The DUP was clearly trying to protect its members against the public interest. It is important that public representatives protect the public interest and not narrow party interests. It is important that we change our regulations in the Assembly so that this cannot be repeated in the future.

**Mr Dickson:** This debate will, I believe, leave one political party, the people in it and, indeed, this very institution in a perilous state, further discredited in the eyes of the very public whom we seek to serve.

Sadly, for all too many, it will confirm their view of the Assembly. I have, with other members of the Committee, listened for many months. I have questioned for many months, and I have looked, like those looking in on our inquiry, open-mouthed at a story that, on many occasions, beggars belief. It is a story that, when you thought it could not get any worse, did. This is a story that demands resignations; a story that demands integrity in public office. Sadly, the story of today will be one of denial and refusal to do the right thing. That will be the order of the day for that party. It is a sad and sorry tale, in which I hope the public will judge the players harshly, especially when it comes to election for the Assembly in the future.

It has been a long road from the original BBC 'Spotlight' programme in July 2013. In the meantime, the Social Development Committee took on the duty of investigating the allegations put forward in the programme and listening to the stories of those involved. In particular, I wish to place on record my thanks to Councillor Jenny Palmer for her brave, clear and fulsome evidence to the Committee. I also sincerely thank all of those who cooperated with us, and I leave the public to judge those who did not.

I wish to place on record my thanks to the Committee Clerk and staff, who have handled one of the most complex reports that the Assembly has had to deal with with integrity and balance. We owe a debt of gratitude to them for the work that they have done, and the unwarranted harassment and bullying of staff is unacceptable. I wish to place that on record.

It has been a long, difficult and frustrating process to get the Department and its Ministers over the period to provide the information that the Committee asked for. I find that regrettable and deeply concerning. The release of a heavily redacted report is one example of stonewalling that the Committee faced to extract even the most basic information which, more importantly, the public expected to be made available for an investigation. In seeking to extend the termination of Red Sky's Housing Executive contract, it is clear, as the report tells anyone who wishes to read it, that the Minister acted in the interests of private individuals rather than his own ministerial responsibility to the public purse.

What has been fascinating for many of us has been the insight into a party-before-taxpayer mentality and a culture of bullying. Key players in the DUP have been linked with this report, from the First Minister to Nelson McCausland

to Stephen Brimstone to Robin Newton to Sammy Douglas, and even the new MP, Gavin Robinson. It was clear that the DUP figures who attended the Committee are wedded to their party rather than to any sense of duty to the people they represent, and they have continually demonstrated through this investigation contempt for the Committee and for the pursuit of transparency and accountability on this issue. If Ministers in the DUP were trying to demonstrate that they have nothing to hide, they have absolutely failed and only raised the question again and again: what is being kept from the public? This report is a step towards finding out the truth of these events and the relationship between one political party and Government Departments and private contractors.

There are, however, others who will seek to paint themselves as crusaders on this event — Mr Allister behind me is one of them — against the excesses of the DUP in government with Sinn Féin. However, perhaps what this report and what Mr Allister will say will reveal that Mr Allister is more anti-DUP than a genuine voice of opposition. The reality is that at the very heart of this debate is the necessity to maintain integrity and accountability in public office. Nelson McCausland and others in his party have succeeded in dragging the name of the Housing Executive, DSD and this Assembly through the mud. This has rightly given the public a perception that, when it comes to issues of openness and transparency, there are key players at Stormont who stubbornly refuse to abide by even the most basic codes of ethics and standards. The task of the Assembly today is to restore public confidence and deliver accountability — a task that is made more difficult by the people who are involved in the report today.

**Mrs D Kelly:** Will the Member give way?

**Mr Dickson:** I will give way.

**Mrs D Kelly:** Will the Member not agree that the only way to restore accountability and to get faith from the public is for the Members who are named in the report to resign?

**Mr Dickson:** I wholeheartedly agree. Further, I also call on the Secretary of State to ensure that she enacts that appropriate piece of legislation that will bring total transparency to political donations. I challenge the Secretary of State to do that as one of the first actions in her position as new Secretary of State. Finally, we should not forget what this report is about. It is about delivering high-quality, value-for-money housing and maintenance for Housing Executive tenants and the taxpayer. It is a disgrace that we have to stand here today castigating those who hold office in the Executive and are responsible for the public purse, but, sadly, it comes as no surprise. I commend the report to the Assembly.

**Mr Hussey:** Mr Speaker, do you mind if I remain seated?

**Mr Speaker:** Certainly not.

**Mr Hussey:** Once again, we have listened to the report on Red Sky. At the time, I said that a red sky in the morning should be a shepherd's warning, and it is quite clear that some Members did not take the warning. Jenny Palmer, throughout the entire investigation, came across most clearly as the person who was willing to give evidence against the DUP. What was the reward for her honesty? She is to face disciplinary action. It was quite clear to anybody who watched the proceedings, whether on a

television screen or in this Building, that there was, to repeat the expression that was used, stonewalling. Mr Allister was verbally abused; expressions were used towards him that were totally unparliamentary. Attempts were made to cover up what was clear for everyone to see.

Nobody from the DUP comes out of this with credit — not one of the Members involved. I was involved in the BBC programme, and I was shown an awful lot of documentation. I, as a member of the public, who was not a member of the Committee for Social Development, was totally appalled at what I saw. Anybody who saw the programme or who has watched the proceedings knows what is going on here. The phrase, “circling the wagons” has been used. Certainly, it appears to be a Custer’s last stand in relation to Mr McCausland. He certainly does not come out of this with any credit at all.

Clearly, attempts have been made to provide a cover-up. The minority report is a joke. It is a joke because it is an attempt by the DUP to cover up maladministration. Nothing can come out of this for the good of politics; nothing can come out of this for the good of the DUP. I therefore urge the members of the DUP to reconsider their position. The facts were clear and the jury has found the Minister in the wrong. Mr Brimstone, with his memory lapses and responses of “I cannot say”, was nothing short of a disgrace. If I were on the jury, I know what side I would be on. I find them guilty of a complete disregard of this Assembly and its workings.

**Mr Speaker:** Members, in order to facilitate the rescheduling of business from last week, the Business Committee agreed a half-hour lunchtime suspension, after which we will resume the debate. The next Member to be called will be Mr Alban Maginness.

*The debate stood suspended.*

*The sitting was suspended at 12.28 pm.*

*On resuming —*

**1.00 pm**

**Mr A Maginness:** Much ground has already been covered in the debate, so I hope to avoid going over ground that has been exhaustively outlined. However, it is clear, when one takes the report in the round, that there is not just a smoking gun but a series of smoking guns in relation to the behaviour of Minister McCausland in relation to Red Sky.

I want, first of all, to compliment the BBC on its investigative reporting of the matter. It has done the public a good political service. However, I regret the fact that, despite the extensive and significant documentation that it provided, it did not provide oral evidence to the Committee. It would have been helpful had it done that, and, of course, its witnesses would have been open to examination by the Committee, and that would also have been helpful.

The central feature in the matter is the fact that the Minister met East Belfast MLAs and met Red Sky on 27 June 2011 and it was indicated to the Minister —

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

**Mr A Maginness:** Yes, indeed.

**Mr Beggs:** To be clear, would the Member accept that it was not a meeting with Red Sky? At that stage Red Sky was in administration and the administrators were not present, so I am not sure whom he actually met with, but they were using the label of “Red Sky”.

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

**Mr A Maginness:** Yes, indeed. I have used the term loosely and probably should have qualified that. I was going to go on to say that Red Sky was in administration and that the administrator, BDO, was not present at that meeting.

The point was that the Minister was advised by his officials against attending the meeting and that, despite that advice, the Minister attended the meeting. It is clear from the note of the meeting that the Minister stated that he would:

*“like to have the administrator in place until the end of August to allow all issues relating to the handover of contracts to be considered”*

and that

*“... during this time, the proposed new company might also be able to progress matters.”*

The Committee came to the conclusion that that was inappropriate. I understand other political representatives being involved in meetings with a company that was in administration, but the Minister himself cannot simply say, “Well, I am an MLA. I am no longer a Minister when I go into this meeting”. He is clearly a Minister. He is advised against the meeting, but he goes into the meeting and deals not with policy issues but with operational matters. They are matters that are within the purview of the proper public body — the Northern Ireland Housing Executive. In my view, it stretches the credibility of the Minister that he attended such a meeting.

On foot of that meeting, the Minister then refers the matter or attempts to refer the matter to the Housing Executive

board and attempts to influence the board in relation to what is an operational matter. Of course, that operational matter was very important to the company that was in administration. If, for example, the Housing Executive had acceded to the Minister's view on the extension of the contract, it would have given that company a commercial advantage. That must, on the face of it, be entirely wrong.

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

**Mr A Maginness:** Yes, indeed.

**Mr Beggs:** Does the Member agree with me that, at that time, the main asset that the company owned was the tender and that, if the tender was allowed to be extended, it could be won or even transferred to some other company involving the previous directors, who had been discredited for their payments and invoicing to the Housing Executive?

**Mr A Maginness:** Yes, of course, and the Member makes an appropriate point. A reorganisation or reformation of the company in a different format would, of course, have been advantageous. That benefit, in my view, was clearly against the interests of the public and of those in the Housing Executive who were trying to carry out their work properly and impeded proper competition in the public realm. Therefore, it was wrong in relation to that, but the Minister's attempted influence on the Housing Executive was entirely wrong. It stands in stark contrast to the two preceding Ministers, Minister Attwood and Minister Ritchie, whom the Committee found to be at no fault whatsoever.

**Mr McCausland:** I totally reject the report. The reason why I did not reply to it in writing was that I did not want to give it any credence unnecessarily. It is high on innuendo and supposition but short on solid argument and evidence. Quite frankly, it is 1,100 pages long but not worth the paper that it is written on. In fact, it is a waste of good paper. The process lasted two years, and it was a waste of good time. I do not think any Committee has spent so much time to so little effect. The truth is that many Committee members had their mind made up before they started and were not going to let the evidence or lack of evidence get in the way of a predetermined outcome.

I noticed that Alban Maginness referred to the meeting on 27 June and to advice. The advice that I got was that the meeting was not inappropriate. It might be imprudent, in that someone might make mischief with it. On reflection, in retrospect, that is what happened. There are those who sought to make mischief of it, but the Housing Executive was well aware that the meeting was taking place.

Alex Maskey — I noted his words — said:

*"Whether it was his intention or not".*

So, whether it was your intention or not your intention, it does not matter; he had his mind made up already. There was a "possible motivation", said Alex Maskey. Possibilities. Whether it is true or not, it does not matter. This was a predetermined outcome. Members chose what they wanted to believe to reach that predetermined outcome.

The fact is that I did not ignore the issues with Red Sky, but nor did I ignore the issues and shortcomings in other companies. The fact is that there was not an issue with just one company. Whatever the spread geographically or in scale, the fact is that the issues were not restricted to one company or to one district of the Housing Executive.

Those issues occurred in more than one company, and we knew that they occurred in more than one district. The question I then asked was whether it was something that was endemic or systemic within the Housing Executive. I wanted to be sure that the Housing Executive was not transferring a contract from one company where there was a problem to another company where there might well also be a problem. That is why I asked the chairman whether he could give me an assurance that there were no problems in any other companies, and he gave me that assurance. The truth is that we knew that that was not right. We already knew that there was evidence that there was a problem in at least one other company. Indeed, I visited one housing estate where work that was clearly substandard was being undertaken by another company.

Mrs Kelly lauded the two previous SDLP Ministers. What I inherited from the two previous SDLP Ministers was Housing Executive tower blocks with mould growing thick on the walls. I inherited estates where issues had been ignored for a decade under the SDLP and where there were houses with no cavity walls or cavity wall insulation that condensation and dampness were penetrating. That is what the SDLP handed on.

I will deal with the issue of SDLP contracts. The fact is that we now know that the contracts drawn up by the Housing Executive were inappropriate. The monitoring of those contracts by the Housing Executive was inadequate. That was on the watch of the SDLP Ministers who were lauded and applauded by Mrs Kelly and under the chairmanship of Brian Rowntree. Thankfully, under the DUP, better contracts are now in place. New contracts are now in place. Fit-for-purpose contracts are now in place, and there is better management of them. If people want to look at issues of political interference, maybe I will look at some of the issues around the stock transfer at Rinmore in Londonderry. They might be worth exploring.

As we look at the report and the evidence before us, we see that this is simply a witch-hunt. It was carried out by people who had their mind made up before they started. Frankly, 1,100 pages later, nothing is proven, because there is nothing to prove. It is purely supposition and innuendo, short on solid argument and short on evidence.

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

**Mr McCausland:** My time is up.

**Mr Allister:** I suppose that it was too much to expect that, even at this point, there would be any recognition of the wrongdoing in which Mr McCausland was caught out. Instead, of course, we got an arrogant attempt to defend the indefensible. The Red Sky escapade and the political involvement in it has to be one of the worst excesses of abuse of power that have been seen under devolution.

Often, a single piece of evidence is the key that unlocks many investigations and cases and their eventual outcome, and so it was in this case. It came from the minute of that amazing meeting of 27 June 2011, when the Minister, just into office, met his most senior DUP colleagues, including the First Minister, and the former directors of Red Sky but carefully excluded from that meeting the administrator of Red Sky and the Housing Executive. That minute records the key to this case, which is that, at the end of it, when the idea was spawned of buying an extension to the contract, the Minister is recorded as saying that the new company might also be able to progress matters during

that time. The new company, of course, was to be the reincarnation of Red Sky, and the whole essence of the idea of extending the contract was that the new company might have time to get on its feet and take over where Red Sky left off. That is what the Minister let out of the bag at that meeting. From that moment, it was abundantly clear that the commercial interests of Red Sky and the political interests of the DUP had coalesced. That is the smoking gun in this case. It was the scene-setter for all that the Minister and his special adviser did thereafter — all the bullying and the attempts to intimidate the Housing Executive and their own councillor, Councillor Jenny Palmer. That has to be one of the most disgraceful episodes in this matter: the way in which Councillor Jenny Palmer was treated by her own party and the aggressive, bullying phone call from the special adviser, telling her what to do, because the party came first.

I think that all of us on the Committee who came to it with any objectivity could not fail to be impressed by the compelling, transparent honesty of Jenny Palmer and her courage in telling the truth. How shameful it was that, in one of the sessions, Sammy Wilson effectively said that she was a liar. That was a disgrace amongst many in the distracting attempts to disrupt the Committee. Contrast —

1.15 pm

**Mrs D Kelly:** Will the Member give way?

**Mr Allister:** Yes.

**Mrs D Kelly:** Would the Member agree with me that there were more red herrings than fact in Mr McCausland's contribution ?

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

**Mr Allister:** There was certainly no focus on the facts. There was dodging, ducking and diving, as ever. Was that not Mr McCausland at the Committee? Was that not exactly how he behaved? He could not remember, he could not say and he would not say.

If he was bad, my oh my, the special adviser was 10 times worse. I have encountered a lot of dodgy witnesses in my time, but I have to say that Mr Brimstone takes the biscuit. He takes the biscuit. He really was deliberately evasive. *[Interruption.]* He put himself in a position of faking memory loss and showed himself to be one in total estrangement from the truth and in flagrant breach of the solemn affirmation that he took to help the Committee and to provide all the evidence that he could. He patently did not, and he deliberately did not. There is no escaping that reality. His treatment of Jenny Palmer was beyond description. To think that it is she who faces discipline while he continues in his £90,000 a year job on the public purse. No doubt he is listening to the debate tucked away in a room somewhere. Might he hang his head in shame for the manner in which he treated his colleague, Councillor Jenny Palmer.

Speaking of Jenny Palmer's colleagues, where are her friends from Lagan Valley? Where are Edwin Poots and Paul Givan to speak up in her defence? Is it a case that, again, the party comes first? Will they vote to negative the report because the party comes first? In the name of decency and honesty, is there no one with the strength to stand up and say, "We believe — we know — that Jenny Palmer was telling the truth, and we are ashamed of how

she was treated by her party"? That is what one would expect from people faced with such a situation.

**Mr Campbell:** I begin by paying tribute to the staff, who were of great assistance throughout the marathon of the inquiry. The inquiry has gone on for an inordinate length of time and, contrary to the claims of some, there were those of us who repeatedly tried to get the Committee to speed up, but there were attempts, repeated attempts, by some to delay matters. We now know why, given the leak last week. I am prepared to give way to anybody man enough to say that they leaked it. Does Mr Allister want me to give way to him? I thought not. I will carry on from that.

**Mr Allister:** On a point of order, Mr Speaker. Is it in order for the Member to make a scurrilous and utterly unwarranted allegation in the House? If he has evidence, let him produce it. Either put up or shut up.

**Mr Campbell:** I have not started.

**Mr Speaker:** Let us keep our cool. It has been a difficult and sensitive discussion, and I think that Members have conducted themselves appropriately.

I will review Hansard, but I am quite certain that no allegation was made. There was an invitation, which you chose to respond to. I caution the Member that I am listening very carefully.

**Mr Campbell:** I take it that that intervention will be allowed for in my minutes; I hope so anyway.

**Mr Speaker:** It was a point of order not an intervention.

**Mr Campbell:** Thank you.

A number of bogus issues have been raised. There have been repeated attempts to lambaste Red Sky, but there has been no mention whatever in the entire debate of the disgraceful sectarian attacks on the property of Red Sky when it operated in west Belfast. There were repeated attempts to praise the BBC. Dolores Kelly said that we owed the BBC a debt of gratitude, and Alban Maginness said that the BBC did a good political service with this programme. This is the BBC that, despite repeated attempts by the Committee to get them to come before us, refused to come and answer questions — great at posing questions, not great at answering them. That is the BBC that the SDLP wants to praise.

The BBC knew about other companies apart from Red Sky. Months before the programme went out, the BBC was aware that there were other companies whose workmanship was shoddy. Did they include any of those other companies? No. Did the Committee ask them to? No, not one, because they wanted a scapegoat, and the scapegoat was Nelson McCausland. That is what they wanted.

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

**Mr Campbell:** No, I will not give way.

Attempts were made to imply that the DUP made representations alone on the Red Sky issue. Not one person has mentioned that the former MP for East Belfast also wrote about Red Sky at the time. That was an Alliance MP, but I noticed that Mr Dickson did not refer to it, and neither did anyone else. Spurious claims have been made about what went on during the run-up to the actual programme.

Then, of course, we had a series of attempts to rewrite what actually happened in relation to the Red Sky



issue. No one has had the bottle, if they believe that Mr McCausland misled the Committee or exceeded his authority, to say why he did it. Not one of them is prepared to say why, because there is and was no misleading.

We come to Mr Allister, the man who came onto the Committee in September 2003. He took no interest in DSD issues or Housing Executive issues until a member of the Committee was not just ill but so seriously ill that we all knew that he did not have long to live. What was the contempt that Mr Allister had for the House when he went, in the teeth of a report to the Assembly, and asked the late Mr McClarty whether he could take his position on the Committee?

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

**Mr Campbell:** No, I will not. What did he do? He went to the dying David McClarty and persuaded him to allow him to get onto the Committee for —

**Mr Allister:** On a point of order, Mr Speaker. Surely there is a limit to the concoction of facts that the House must listen to? The late Mr McClarty, many months before he sadly passed away — he did not pass away until about nine months after the inquiry started — was quite content and, in fact, agreed that we would swap Committees. I know that it agitates the DUP that I dared to be on the Committee to expose what I exposed, but I will not have my integrity impugned or that of Mr McClarty, who dealt with this in the most professional and honourable way, as you would expect, as indeed I did.

**Mr Speaker:** I think the Member has a point. I will review Hansard very carefully indeed. I think that the Member who has the Floor needs to be very careful about making allegations that would be impossible in the context of this debate to substantiate or that would stand up. I think that you have strayed very close to the margin. I may need to refer back to this matter. However, you have the Floor and the opportunity, perhaps, to amend any comment you have made to make it more acceptable.

**Mr Campbell:** Yes, Mr Speaker, I am happy to clarify and expand.

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

**Mr Campbell:** Yes.

**Mr Weir:** The Member spoke about the views of Mr Allister on DSD matters: is he surprised that, in the TUV manifesto, there was not a single mention of housing?

**Mr Campbell:** It does not surprise me whatsoever. *[Interruption.]*

**Mr Speaker:** Order.

**Mr Campbell:** It does not surprise me, Mr Speaker. I know what happened. I know about the conversation between the late Mr McClarty and Mr Allister, and I stand over what I said.

Let us move on to what actually happened after he replaced Mr McClarty on the Committee. A number of issues were raised, and, of course, the sectarian attacks on Red Sky property were raised by the DUP and not by Mr Allister. They were never raised by him. Many issues were raised during the investigation and the report, including a series of investigations and quotes from senior Housing Executive officials about the severe under-

representation of the Protestant community in the staff of the Housing Executive. That was never mentioned by Mr Allister, who came onto the Committee belatedly in place of a dying man. Not once did he raise those issues; not once did he raise the issues about sectarianism and how it affected the investigation. Of course, he went on in the Chamber to ask more questions about the price of mint imperials than he ever did about discrimination against Protestants.

**Mr Storey (The Minister for Social Development):** In listening to the debate today and to Members' contributions in relation to the conclusions and recommendations contained in the Social Development Committee's phase 3 report, I well recall being in the Chamber almost two years ago, on Monday 8 July 2013, when the debate was very similar to that of today. On that occasion, the Assembly met for the purposes of debating a motion that expressed concern at the contents of the investigation by the BBC 'Spotlight' programme that was broadcast on 3 July 2013 and referred to allegations of serious and wrongful political interference in the Housing Executive. What has happened in the intervening two-year period? I ask Members to reflect on that issue. It was two years: what have we to show for it?

Following that debate and until today, the Social Development Committee has been conducting its inquiry in three phases resulting in three reports, the third of which has now been published and which we are debating today. When I came into office in September last year, I was well aware of the inquiry and the significant time and effort that was being spent on it by Committee members and my departmental officials. I am therefore glad that we are, at least, coming to this stage in the final debate on the outcome of the inquiry. As Minister for Social Development, I would now like to be able to concentrate on the priorities and responsibilities of my portfolio and on ensuring that I discharge my responsibilities, which are encapsulated in the business plan for my Department, to improve people's lives. There are many issues that the House could today have been adequately dealing with. We could have been debating the issues that fall within my Department's remit. The Social Development Committee, which was established to advise and assist on matters within my responsibility as Minister, would do well to continue to be engaged on those issues.

Let me turn to the Committee report. I received the full report with appendices on Tuesday 6 May and considered initially the Committee's conclusions and observations. However, as the report, as some Members have reminded us, runs to over 1,100 pages, I have decided that it is more appropriate for me to initially respond to this debate, and then I will undertake to provide a full written response to the Committee within eight weeks.

### 1.30 pm

Let me refer to some of the issues that were raised. In particular, I refer to the allegations made against my colleague and friend, the former Minister Mr Nelson McCausland. If anyone has evidence of any impropriety, wrongdoing or misappropriation, it is surely their duty to bring it forward. I concur with what my colleague said in the House today, which is that what we have seen is something lacking in substance and surely in any great evidence.

In conclusion, I remind Members that, when I took up my responsibility as Minister for Social Development, I came into the Department at a time when the inquiry was in full flow. My concentration and focus will continue to be on working with the Committee, its members and the House so that, in fulfilling my statutory role, which includes responsibility for the Housing Executive, we continue to ensure that we give the best possible service to the people of Northern Ireland who live in Housing Executive properties. I therefore conclude by saying that I trust that the issue has now come to an end. I look forward to working with the Social Development Committee on the many issues that are of relevance to its day-to-day business.

**Ms Sugden:** On a point of order, Mr Speaker. I draw to your attention something that I heard in the House about 10 or 15 minutes ago. Someone used my deceased predecessor's name to deflect attention from their dirty wrongdoings. I am quite disgusted by that. No one in the House knows David McClarty better than I did. I was part of the process of swapping Committees with Mr Allister at that time. Mr Allister made the request politely. There was no bullying. To suggest so disrespects not only Mr Allister but the late David McClarty. That was done in a way that best facilitated David and his constituents; he thought that he was better placed on the Committee for Employment and Learning. I am disgusted that a Member would use a deceased Member to advance their aims. I am not surprised; I am disgusted.

**Mr Campbell:** Further to that point of order, I thank Ms Sugden for confirming that Mr Allister did indeed approach the late David McClarty when he was very ill to take his seat on the Committee.

**Mr A Maginness:** You do not get it, Gregory. You do not get it.

**Mr Campbell:** That is what happened.

**Mr Speaker:** Order.

**Mr Campbell:** And it is now confirmed.

**Mr Speaker:** Order.

Ms Sugden, thank you for appearing in the Chamber to make that point. It is a matter now of the Hansard record. I will look at your comments as well when I review the situation. For now, we should proceed. Minister, I did not get the opportunity to thank you for your contribution.

**Mr Brady (The Deputy Chairperson of the Committee for Social Development):** Go raibh maith agat, a Cheann Comhairle. On behalf of the Chair and me, I thank the Committee staff, who had an extremely difficult job. In fact, they ended up taking personal abuse, which is absolutely reprehensible.

I thank all those who participated in the debate. It is important to note that, throughout the inquiry, there was a painstaking and detailed process of evidence gathering and a careful consideration of different views around the Committee table. The Committee has drawn a number of conclusions throughout the phase 3 report. On the key issue of whether the Minister acted inappropriately, on the basis of the evidence that it received the Committee concluded that he did. The Committee also concluded that the Minister's actions were politically motivated. It is my view that, in any other circumstance, the Minister should have gone a long time before he did — and his

special adviser. It is interesting to note that, while the DUP members were happy to castigate one of their own — Jenny Palmer, who came across as an extremely reliable, believable and credible witness — the special adviser has now, I believe, been rewarded with a move to the First Minister's office. The First Minister should have dealt a long time ago with Mr McCausland, who eventually went — maybe the light eventually dawned — and the special adviser. I just wanted to make that point.

Following consideration of the Committee's draft report, the DUP members of the Committee agreed that it did not in any way reflect their views, and, that being so, a minority report was produced and included in the appendices to the Committee report. I note that Members who disagree with the Committee position have largely drawn on the content of the minority report today. I contend that the process that the Committee followed during phase 3 of the inquiry and the production of a minority report to capture opposing views clearly disaffirms any claim of bias having played a part in how the inquiry has been conducted, concluded or reported on by the Committee. Apparently, some DUP Members are psychics: they could tell me how I felt before the inquiry started, how I felt during it and how I felt at the end.

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

**Mr Brady:** No, I will not. I absolutely refute that. I went in with an open mind, as did my party members, associates and comrades, so they can dress it up whatever they want. We went in expecting to hear evidence and expecting to make a decision based on the clear and unequivocal evidence that was given. As I said, I contend that the process that the Committee followed during phase 3 of the inquiry and the production of a minority report disaffirms any claim of bias.

I do not intend to rehearse everything that Members said, but I will address some key points. Paula Bradley noted that two years of the Committee's time could have been better spent on other matters. I think that most people would agree with that, but it had to be done; it is as simple as that. She believes that certain members, in effect, had already made up their mind. I absolutely refute any suggestion that, in our case, that was the case. She went on, surprisingly, to refer to her support for the minority report. She said that the former Minister, in taking the action that he did, was attempting to achieve the best outcome for Housing Executive tenants and that his action was based on the advice available to him at the time. Mr McCausland, apparently, is a born altruist for taking that view.

On the other hand, Dolores Kelly had a different opinion. She believes that few people came out of this in a good light, with the notable exception of Jenny Palmer, who was castigated by her own party members. She was absolutely castigated. At one stage, Sammy Wilson did all but call her a liar, which, in the circumstances, is absolutely reprehensible. In showing integrity, Mrs Palmer had been vilified and was vilified by her party members. In Mrs Kelly's view, Paula Bradley has not taken an objective position, despite the inquiry being evidence-based, and the DUP members have put the party first. I would have been surprised if they had taken an objective position. Mrs Kelly said that the Assembly owed the BBC a debt of gratitude for exposing the actions of the Minister and special adviser on 'Spotlight', and she hoped that the

report's recommendations were implemented to ensure proper accountability.

Roy Beggs referred to Mr McCausland not following the advice of his officials and meeting some of the former Red Sky management team to discuss Housing Executive contractual matters. He remarked on witness evidence from senior officials that they had not encountered such ministerial interventions in their careers. He referred to the DUP circling the wagons. It has already done that. As I said, the special adviser has been moved into the office of the First Minister as, I presume, some sort of reward. Roy Beggs also emphasised that the gap in existing mechanisms for the accountability of Ministers must be addressed.

Stewart Dickson suggested that the debate could leave the institutions in a perilous state, given the position of the DUP in the report's findings. He applauded the actions of Mrs Palmer and remarked on her integrity as a witness. He placed that in contrast to the actions of the former Minister and special adviser. He commented that key players in the DUP were more wedded to the party line than they were to the people they represent.

**Mrs D Kelly:** Will the Member give way?

**Mr Brady:** I will.

**Mrs D Kelly:** Does the Member share my surprise at the judgement of the First Minister, who, as I understand it, has recently elevated the special adviser to his office?

**Mr Brady:** I thank the Member —

**Mr Speaker:** May I caution against any response to that point? It is not relevant to the debate.

**Mr Brady:** I accept your ruling, a Cheann Comhairle.

Roy Beggs also believes that Mr McCausland has dragged the Housing Executive and the Assembly through the mud. He commended the report to the Assembly.

Ross Hussey noted that he had taken part in the 'Spotlight' programme and had been appalled at the evidence presented to him by the BBC. He said that Mrs Palmer's honesty had been rewarded with disciplinary action. He said that the minority report was a joke.

Alban Maginness said that there was a series of smoking guns in relation to Mr McCausland and Red Sky. He said that the BBC should have given oral evidence. He noted that the Minister attended the meeting on 27 June 2011 against the advice of officials and that the Committee concluded that to be inappropriate. He also noted, about this particular meeting, that the Minister referred the matter to the Housing Executive, despite it being an operational matter. Mr Maginness agreed with the Committee that, had the Housing Executive board agreed with the Minister, this would have favoured a private organisation and impeded proper competition. He said that the Minister's actions stood in contrast to those of previous Ministers Attwood and Ritchie, but then you would expect Mr Maginness to say that.

Mr McCausland disagreed with everything in the report, surprisingly. He just thought it was a waste of over 1,000 pages. He talked about everything being the fault of everybody else but him. It was all to do with the Housing Executive, the chair of the Housing Executive and everybody else — Uncle Tom Cobley and all — but had absolutely nothing to do with him. As Minister, he was

supposed to stop the buck, but unfortunately he created most of it.

Mr Allister noted that, even at this stage, there was no recognition of wrongdoing by Mr McCausland. He referred to this as the worst abuse of power under devolution. He said that the minute of the 27 June 2011 meeting was the key piece of evidence, in particular its reference to the new company, a reconstituted Red Sky. He stated that the commercial interests of Red Sky and the political interests of the DUP coalesced. He was of the view that the DUP treatment of Mrs Palmer was disgraceful and said that Mrs Palmer's integrity stood above this. He noted that the behaviour of Mr McCausland and Mr Brimstone at Committee was totally unhelpful, and that Mr Brimstone's treatment of Jenny Palmer was beyond description. He said that Mr Brimstone should hang his head in shame.

Gregory Campbell referred to the political nature of the report and highlighted the leaked report as evidence of this. He noted the attempts to lambaste Red Sky but not the sectarian attacks on the organisation.

**Mr Campbell:** Will the Member give way on that point?

**Mr Brady:** Yes.

**Mr Campbell:** He is quoting me correctly about the leaking of the report. Has the Deputy Chairman of the Committee given any thought to whose interest it would have been in to leak this report in the week before the general election?

**Mr Brady:** I thank the Member for his intervention —

**Mr Campbell:** Now there is one to think about.

**Mr Speaker:** Order.

**Mr Brady:** As somebody who was involved with his own election campaign, I did not give it much thought. However, from Mr Campbell's point of view, it is my understanding that you probably wanted the report published the week before.

Mr Campbell criticised the BBC for not attending the Committee and for its lack of investigation into other companies. He said that spurious claims were made in the programme and during the Committee's consideration. He referred specifically to Mr Allister's role in securing a position on the Social Development Committee through discussion with Mr McClarty. As someone who knew Mr McClarty and regarded him as an absolute gentleman and of high integrity, I think that it is an absolute disgrace for the name of someone deceased to be brought into this contentious debate. Mr Campbell should reflect long and hard on raising that issue, because it was absolutely disgraceful.

Mr Campbell went on to refer specifically to Mr Allister's role in securing, as I have said, a position on the Social Development Committee, and he referred to the severe under-representation of the Protestant community in the Housing Executive. I have been on the Committee since 2007, when Mr Campbell was its initial Chair, and he seems obsessed with the make-up of the Housing Executive staff. It is my understanding that people get jobs on merit, not because of their religion or political beliefs. Mr Campbell needs to reflect on that as well.

The Minister asked what had happened in the two years since the first debate in September 2014. He was aware of the time spent on the inquiry by the Committee and departmental officials and looked forward to dealing with other issues under his remit. I am glad to hear that.

He lamented that the time had not been spent on other important issues. I think that the Committee did as well, but as I said previously, this had to be done. He indicated that he would provide a written response to the Committee within eight weeks. He felt that the report lacked substance and he reminded Members that he would focus on working with the Committee to fulfil his statutory role. He ended by saying that he trusted that this report would conclude matters.

To address the issues as a Sinn Féin member of the Committee, my view is that the DUP has circled its wagons. Jenny Palmer came across as a very credible woman of integrity. She was attacked constantly by Sammy Wilson in particular, and by Mr Campbell. It was an absolute disgrace, and I would hate to think what would have happened to her if she had not been a member of the DUP. I imagine that she would have fared a lot worse.

#### 1.45 pm

Mr Brimstone suffered from selective memory losses all the time. One of the arguments put forward was, "Well, her vote wouldn't have affected the board anyhow, so why would we have said this and that to her?" Why bother ringing her in the first place if her vote did not affect it? They must have had some inclination that it was going to have some effect. Otherwise, it would have been a waste of time to make that infamous phone call.

Today's debate has been robust. Some Members have chosen to defend the former Minister — strangely enough — and the special adviser Mr Brimstone. Mr Brimstone has gone on to fresh fields and greater things now, so I presume that he will not be too worried about the outcome of this, although he should be, and will disparage the report and dismiss the evidence. Other Members have acknowledged the efforts of the Committee to conduct an objective, evidence-based inquiry and agreed with the findings of the report.

For many, the division of opinion will not be surprising. In fact, it may just reinforce the negative perceptions that the public have of our political system. I dare say that the wider public will not be divided on the need for holders of public office to be accountable for their actions, and that is currently sorely lacking for Ministers, at least when allegations are made in the context of the ministerial code of conduct. As I said, it is my view that the Minister and, indeed, the special adviser should have gone a long time before they did.

If there is one thing that we can agree on, it is perhaps that the glaring gap in the current procedures for holding Ministers to account needs to be addressed. That is in the recommendations of the Committee's report. As the Chair said, there are lessons to be learned from this inquiry for individuals, Departments and our political institutions. We should all be big enough to recognise that and strive to put that learning into practice. I ask the House to support the motion.

**Mr Speaker:** Before I put the Question, as this is the first opportunity that I have had as Speaker to address this issue, I remind the House that it has long been the practice, as the previous Speaker indicated on many occasions, that it is completely out of order for Members to make gestures — finger-pointing, in particular — during debates. That occurred on a couple of occasions

across the House today. I chose not to respond to it on this occasion, but I am giving a very clear reminder to the House that that will not be tolerated in future. It is not part of the debate. This was a very sensitive and difficult discussion. In the main, I think that Members deserve credit for the way in which they conducted the discussion.

*Question put.*

*The Assembly divided:*

*Ayes 55; Noes 32.*

#### AYES

*Mr Agnew, Mr Allister, Mr Beggs, Mr Boylan, Mr Brady, Mr Byrne, Mrs Cochrane, Mr Cree, Mr Dallat, Mr Dickson, Mrs Dobson, Mr Durkan, Dr Farry, Ms Fearon, Mr Ford, Mr Gardiner, Mr Hazzard, Mr Hussey, Mrs D Kelly, Mr G Kelly, Mr Kennedy, Mr Kinahan, Ms Lo, Mr Lunn, Mr Lynch, Mr McAleer, Mr McCallister, Mr F McCann, Ms J McCann, Mr McCarthy, Mr McCartney, Ms McCorley, Mr B McCrea, Mr McElduff, Ms McGahan, Mr McGimpsey, Mr McGlone, Mr M McGuinness, Mr McKay, Mrs McKeivitt, Mr McKinney, Ms Maeve McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Ms Ni Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mrs Overend, Mr Rogers, Ms Ruane, Mr Sheehan, Ms Sugden, Mr Swann.*

*Tellers for the Ayes: Mr Brady and Mr F McCann.*

#### NOES

*Mr Anderson, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Campbell, Mr Clarke, Mr Douglas, Mr Dunne, Mr Easton, Mrs Foster, Mr Frew, Mr Girvan, Mr Givan, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr McCausland, Mr I McCrea, Miss M McIlveen, Mr McQuillan, Mr Middleton, Lord Morrow, Mr Moutray, Mr Newton, Mr Poots, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Storey, Mr Weir, Mr Wells.*

*Tellers for the Noes: Mr McQuillan and Mr G Robinson.*

*Question accordingly agreed to.*

*Resolved:*

*That this Assembly notes the report of the Committee for Social Development on phase 3 of its inquiry into allegations, arising from a BBC NI Spotlight programme aired on 3 July 2013, of impropriety or irregularity relating to NIHE managed contracts and consideration of any resulting actions [NIA 222/11-16], which deals specifically with decision-making relating to the award, modification and cancellation of NIHE maintenance contracts to establish any impropriety and, in particular, whether the actions of Ministers were appropriate.*

**Mr Speaker:** Members, as Question Time starts immediately at 2.00 pm, the House will take its ease while we change the top Table.

*(Mr Principal Deputy Speaker [Mr Newton] in the Chair)*

2.00 pm

## Oral Answers to Questions

### Environment

**Mr Principal Deputy Speaker:** Questions 1 and 4 have been withdrawn.

#### Voluntary Exit Scheme: DOE Applicants

2. **Ms McCorley** asked the Minister of the Environment for an update on the number of staff from his Department who have applied for the voluntary exit scheme. (AQO 8149/11-15)

**Mr Durkan (The Minister of the Environment):** The Northern Ireland Civil Service (NICS) voluntary exit scheme (VES) agreed by the Northern Ireland Executive was launched on 2 March 2015. Applications to the scheme were invited from all eligible staff across the NICS. Applications closed on 27 March, and 459 staff from my Department, across all grades and disciplines, expressed an interest in the scheme.

The scheme will operate in the 2015-16 financial year only. Staff who are selected will be released in tranches commencing on 30 September 2015, with further exits on 30 November 2015, 29 January 2016 and 31 March 2016. The numbers released under the scheme will be constrained by the budget available to fund compensation payments and the need to manage the exercise in a way that will maintain essential business continuity across Departments.

Owing to the voluntary nature of the scheme, my Department will not know the exact numbers leaving until staff are selected and have accepted the exit terms. Applicants will be advised on 26 May whether they have been selected or not, and those leaving in the first exit tranche on 30 September 2015 will be confirmed. Compensation quotes will be made available on 16 June to staff leaving in the first tranche, and staff will have until 30 June to confirm their acceptance.

Staff leaving in the later exit tranches during 2015-16 will receive the same three months' notice.

**Ms McCorley:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as an fhreagra sin. I thank the Minister for his answer. How will he ensure that the same level of service is maintained with a reduced workforce through the voluntary exit scheme? Will he also give a firm commitment that there will be no compulsory redundancies?

**Mr Durkan:** I thank the Member for the question. I have said from the outset that there will be no compulsory redundancies from my Department. I reiterate that here today and give that assurance to the Member, the House and the staff of the Department.

As to how we retain the necessary expertise in the Department, I have concerns about the impact that the scheme will have, with significant numbers of staff leaving all Departments in a short time. Although we will

potentially have to stop doing some things in order to live within the reduced budget, or certainly change the way in which some services are provided, it is essential that the staff remaining in the Department be given the necessary skills and knowledge to continue to provide the required services.

My officials will use the three-month-notice time frame of each exit tranche to assess the impact of losing such experienced staff and to consider how best to manage the reduction and compensate for any loss of experience and knowledge. We must maximise and develop the skills of those staff remaining and provide succession training and development opportunities to minimise the adverse impact of losing experienced staff with such expertise. The purpose of the voluntary exit scheme is to make reductions to staff costs. There is a need for all the business areas of my Department, and of all Departments, to evaluate their work programmes and to determine the priorities and resourcing required.

**Ms Lo:** The Minister may be aware that I have just come from a Committee meeting with Queen's about funding for the NGO sector, which is facing huge uncertainty, not only this year but more so next year through the new Department. In his briefings to the Committee, the Minister has not given any assurances or explanations of how the savings will be used. Will the Minister give us a commitment that any savings from the voluntary exit scheme will be used to fund the voluntary sector and the likes of Queen's, which are doing the work of the Department in discharging some of its statutory duties?

**Mr Durkan:** I thank the Chairperson of the Environment Committee for her question, but I reject the assertion that I have not given assurances to the Committee of my commitment to the NGO sector. A question is tabled later this afternoon on that precise topic. I recognise fully the value of the work of the NGO sector and have given it assurances of that recognition. I have pledged to work with that sector throughout this year. I recognise and share some of its concerns about what the future may hold in a new Department; that is why it is vital that we work with the sector this year to establish environmental priorities.

The Chairperson is quite correct that I cannot at this stage say what money realised through early exits will be spent on, as we do not know what, if any, money will be realised through these exits. They are an outworking of the Stormont House Agreement, and we have yet to see that implemented and see how it works out. However, while there are other pressures on my Department — the Member previously raised that of road safety, the budget for which I have had to halve this year as a result of the Budget settlement — I am keen to redirect some money to the sector, should money be saved. There is also the rates support grant, which goes to less well-off councils, which have been disproportionately adversely impacted on by this Budget. I would like to reinstate that, not to mention the listed building grant, which has been completely decimated. There are a lot of areas that we have to spend money on and, unfortunately, not a lot of money to spend on them.

**Lord Morrow:** The Minister has intimated here today that the number of staff who have declared an interest in the exit scheme is 459. Is that above or below his expectation? How does that equate in monetary terms?

**Mr Durkan:** Unfortunately, at this stage, I cannot put my finger on how that will translate into monetary terms. As I have said, those staff are from across all grades in the Department.

As to my expectations, the initial figure that I had given was 500 staff, which was then revised to 400, so it is somewhere in between. Clearly, I do not want anyone to lose their post. I outlined in my previous answer to Ms Lo the need to manage these exits in such a way that service remains as was, although perhaps some, including Lord Morrow, would like to see service improved in certain areas in the Department. If money is realised, I will look at where it should be allocated. However, we do not know whether these 400-odd people will leave, whether their bids will be accepted, or whether they will accept the offer made to them.

**Mr Dallat:** As the lone ranger who came to the aid of the DVLA workers in Coleraine, my question is this: will this voluntary exit scheme in any way help those people who still have not found permanent positions?

**Mr Durkan:** I thank the Member for that question. I believe that lessons can be learned and, indeed, were learned from the voluntary exit scheme that was run to deal with the Driver and Vehicle Agency situation in Coleraine last year. In fact, it was almost used by the then Minister of Finance and Personnel as a model for this wider VES scheme. One point I have raised with Executive colleagues is that we should look at the VES scheme as an opportunity to rebalance the distribution of Civil Service posts across the North and that it should not be seen as an opportunity or as an excuse to further centralise functions.

**Mr Cree:** Obviously, all Ministers will have difficulty in maintaining experience levels. When does the Minister hope to know how much money will be available for the voluntary exit scheme?

**Mr Durkan:** I thank Mr Cree for that supplementary question. As outlined in previous answers, we do not know yet. It is hoped that we should know, by the end of June, how much will be realised. At that stage, we will also have a better grasp of when these savings will be realised at different stages throughout the year. At that stage, I will be looking again at how to disseminate that money, and we will, hopefully, in turn, be able to provide a bit more certainty to the likes of the NGOs to which Ms Lo referred and those in other sections of the Department about their budgets for the remainder of this year.

## High Hedge Complaints

3. **Ms P Bradley** asked the Minister of the Environment for his assessment of the effectiveness of the High Hedges Act (Northern Ireland) 2011 as a means of resolving disputes between neighbours regarding high hedge complaints. (AQO 8150/11-15)

**Mr Durkan:** The High Hedges Act (Northern Ireland) 2011 came into operation in March 2012 and, whilst the legislation was introduced by my Department, responsibility for its implementation rests with councils. As my Department does not have a role in the regulation of hedge cutting or in resolving related disputes between neighbours, I am unable to comment on the effectiveness of the legislation at this stage. However, I intend to undertake a review of the High Hedges Act once sufficient time has been given to allow its full implementation within

the new council structures. I anticipate that public usage of the legislation and its effectiveness at helping to resolve neighbour disputes will be an integral part of that future review.

**Ms P Bradley:** I thank the Minister for his answer and for his honesty, and I welcome the fact that the review will take place. If my memory serves me right, the Assembly set down the fee of £350, and that is what I want to lead on to. In my experience, through my office, I have found that that figure has been a great deterrent. When the Minister is looking at his review, will he look at that figure again? Also, is this means-tested?

**Mr Durkan:** I thank the Member for that question. I can assure her that the review will be all-encompassing and comprehensive and will include issues such as the fee and, indeed, whether that fee or any new fee should be means-tested. I am grateful to hear from the Member that it is her view that the fee is a deterrent, because it is evident to me from looking at statistics around the Act that there is at least one deterrent. My Department did liaise with councils during 2013 and acquired initial figures that indicated that around 800 queries about high hedges had been received, but only 8% of those actually materialised into formal complaints. Of that 8%, only 67% resulted in the issue of a remediation notice. I do not know whether that was perhaps due to potential shortcomings in the legislation or, indeed, the fee, or, possibly, a combination of both.

## 2.15 pm

**Mr McElduff:** Go raibh maith agat, a LeasCheann Comhairle. It was brought to my attention within the last week by a lady from the Tamlaght Road area of Omagh that light is being blocked from going into her kitchen, which is having a very detrimental impact on her amenity. What advice does the Minister have for that lady, who cannot afford the £350 fee?

**Mr Durkan:** I thank the Member for his question. Obviously, his interpretation of a high hedge might be different from mine. *[Laughter.]* My advice to the lady in question would be that she contact her local council at the outset. As a constituency MLA, I have often encouraged, and even on occasion facilitated, mediation between neighbours to carry out that kind of necessary work informally.

**Mr Swann:** I can assure the Minister that his interpretation of a high hedge is definitely different from mine. *[Laughter.]* But if he was familiar with the legislation, he would know that it is stipulated there.

Will the Minister commit to reassessing the fee? The same issue has been raised with me. The £350 fee deters many from going through this process to the extent that they see the legislation as pointless.

**Mr Durkan:** I thank the Member for that question. I gave the assurance to Ms Bradley, and I will repeat it: the review will be all-encompassing and will include fees for the pursuit of complaints made under this legislation. It is vital that, when we do manage to get legislation through this House, it is not pointless but matters to people and helps them. Unfortunately, as I said, while the statistics show that we have managed to help some people through mediation and the alleviation of disputes between neighbours, in my opinion, there is a lot more that could be done. It is well known that good fences make good neighbours. You

could just as easily say that high or bad hedges make bad neighbours. It is up to me as Minister with responsibility for this legislation and to the councils with responsibility for implementation to ensure that we make it work as well as we can or change it to make it better.

### Carrier Bag Levy

5. **Mr A Maginness** asked the Minister of the Environment, given the recent cuts to his departmental budget, for an update on the support he is providing to environmental projects from the carrier bag levy. (AQO 8152/11-15)

**Mr Durkan:** My Department has suffered a higher percentage of cuts than any other Department. I am therefore determined to ensure that the carrier bag levy moneys are used to best effect. The net income from the carrier bag levy after administration costs is estimated at £4.2 million for 2015-16.

I have already agreed allocations totalling £2.15 million for environmental grants and schemes, to include £0.52 million for the natural heritage grant programme, £0.6 million for a community waste fund and £0.3 million for local clean-up and air-quality grants. However, further to my pledge to do as much as I can to try to lessen the pain for environment groups, on 23 April, I set up a workshop, which was held in Crawfordsburn Country Park, to discuss how best to allocate the remaining carrier bag funding through a new natural environment fund. The workshop was attended by 22 environment NGOs, and I listened carefully to the concerns that emerged. Those organisations needed more money to tackle the acute environmental priorities facing us in the North, such as safeguarding our most valuable sites and landscape, protecting our priority species and encouraging access to the countryside. For that reason, I have increased the remaining allocation for the fund from £1 million to £1.25 million. The new fund opened for applications on 1 May.

Finally, I also agreed that, of the remaining £0.8 million of unallocated carrier bag income, £0.3 million should be channelled through a new challenge fund targeted at schools and community schemes, and £0.5 million to the listed building grant scheme, specifically targeted at projects that provide facilities for community access and use, including churches.

**Mr A Maginness:** I thank the Minister for his answer. May I commend him for trying to fund as many NGOs as possible, given the very brutal settlement that he received in his budget allocation? Has the Minister put in a bid, in the June monitoring round, to allocate moneys to environmental NGOs?

**Mr Durkan:** Yes, he certainly can take this opportunity to commend me.

I have received significant correspondence and Assembly questions, from all political parties, supporting the funding of environmental NGOs (ENGOS), and I look forward to the same level of support from the same parties as I try to do exactly what the Member has suggested by putting forward a bid in the June monitoring round.

**Mr G Robinson:** Will the Minister give examples of environmental projects in my East Londonderry constituency that might benefit from the funds from the carrier bag levy?

**Mr Durkan:** I referred to £0.3 million of the money going to a new challenge fund that will be open to bids from schools and community groups. It is similar to the previous challenge fund, which was availed of by numerous projects in the East Derry constituency.

As for the other money, I know that the Causeway Coast and Glens Heritage Trust does a lot of work that encompasses some of the Member's constituency and other constituencies. The trust has already been a recipient of carrier bag levy money and is participating in the process in the hope of obtaining further funding from that source.

**Ms Fearon:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Will the Minister clarify whether the Ring of Gullion project, which had its funding pulled, will benefit from the carrier bag levy and, if so, to what extent?

**Mr Durkan:** The Ring of Gullion lost funding altogether as of 31 March in the last financial year due to the funding cycle that it was in. Over the past couple of weeks, I made the decision, and gave the direction, that it be afforded funding for three months from the end of March to the end of June. During that time, those involved in the project are also participating in the process that I established, and I know from engaging with them personally that they are hopeful of a positive outcome. I cannot predetermine the outcome of that process, as I am sure the Member will appreciate.

**Mrs Overend:** I thank the Minister for his responses so far. I had hoped to ask about the June monitoring round as well, so I will adapt my question: does the Minister feel that River Care Ltd in Cookstown, which works in the Ballinderry river, will be eligible under the funding that is now available?

**Mr Durkan:** I have visited some of the projects being done in the area and see it as very valuable work. I am not sure whether the group to which she refers is included in the 22 groups that have participated, and continue to participate, in the scheme. I will check that and get back to the Member as soon as possible.

**Mr Lunn:** I heard Mr Maginness's commendation of his Minister a few moments ago, but I must say that, on the ground, the impression is that the Minister's engagement with environmental NGOs in the run-in to the Budget was haphazard to say the least. Is the Minister satisfied that he fully engaged with those organisations before taking these budget decisions?

**Mr Durkan:** I thank the Member for that question. I have no problem putting my hand up and saying that my engagement with the ENGOS was not perfect. However, I think that I engaged with the sector reasonably well as far back as the draft Budget, when I was the only Minister to vote against it. The ENGOS formed part of the public consultation exercise, to which I encouraged them to respond. They all responded to the draft Budget, and maybe that played a role in changing some parties and Ministers' minds as to whether they supported the Budget. The Member will appreciate the uncertainty facing all Ministers with their budgets and their difficulties juggling them, contracted though they were, and deciding how best to spend the reduced resources at their disposal.

I have been fortunate enough to be able to avail myself of the carrier bag levy money. I think that, subsequent to my

budget being announced and the impact that it was having on ENGOs, they will be reasonably happy with how I have engaged and will continue to engage with them throughout this year in advance of the restructuring of Departments.

### Cyclists: Road Safety

6. **Mr Douglas** asked the Minister of the Environment what measures his Department is taking to improve road safety for cyclists. (AQO 8153/11-15)

**Mr Durkan:** The road safety strategy recognises cyclists as a vulnerable road user group and includes a range of actions that relate to cyclist safety. A new cyclist safety television campaign, Don't Forget, was launched in April 2014. Cyclists and drivers are encouraged to take personal responsibility for their behaviour on the roads and to give other road users due consideration. The core message is to respect everyone's journey. The campaign messages are addressed more fully in the online campaign available on NI Direct, where each scenario in the ad is developed, and more detailed advice is provided to drivers and cyclists alike. The campaign has been supported by outdoor, digital and social media activity.

A cyclist safety education pack based on the television campaign has been developed and made available to all schools and other interested organisations. It includes an eight-minute DVD that provides a wealth of advice for cyclists. Clips from the DVD on the use of cycle lanes and HGV and cyclist blind spots are also available on YouTube.

Each year, my Department offers the cycling proficiency scheme (CPS) to every primary school in Northern Ireland. Following a review of CPS, my Department has developed an enhanced CPS, which began to roll out to schools in February this year. New resources for that have been delivered to all participating schools and are also available on the teachers' network, C2k. The enhanced CPS is being delivered to 542 primary schools.

In anticipation of the launch of the Belfast bike scheme, my Department ran a cyclist safety social media campaign, one of many it has rolled out over the last 12 months, on its Share the Road to Zero social media pages, delivering advice to cyclists and drivers alike as they share the road.

**Mr Douglas:** I thank the Minister for his answer. He mentioned the Belfast bike scheme, and I am sure that he is aware that, when people hire a bicycle, they are not provided with a helmet. On a recent visit to Utrecht in the Netherlands, I saw thousands of cyclists, and I counted four people wearing a cycling helmet. Will the Minister outline the Department's view on cycle helmets?

**Mr Durkan:** I thank the Member for that question. I also take the opportunity to commend the work of my ministerial colleague Danny Kennedy in bringing forward and launching the Belfast bike scheme, which, by all accounts, has been a tremendous success to date.

Obviously, safety is and should be a key consideration when it comes to anyone getting on a bike, and the issue of cycling helmets has raised its head, if you like, before in the Chamber. Predating my time, not only as a Minister but as a Member, there had been attempts to bring forward legislation or a Bill to make it mandatory for cyclists to wear helmets. I believe that that attempt withered on the vine when it looked at how things worked in other jurisdictions

such as Holland, where it was proven that more fatalities occurred when cyclists were wearing helmets.

From a personal perspective, I know that if my son is going out on a bicycle, I will insist upon his wearing a helmet. I believe that it is up to the individual, but if it were up to this individual, cyclists would wear helmets.

2.30 pm

**Mr Principal Deputy Speaker:** That ends the period for listed questions. We will now move on to topical questions.

### Californian Drought

T1. **Mr B McCrea** asked the Minister of the Environment whether he is aware that the drought in California is entering its fourth year, is likely to become more severe and that NASA has predicted that droughts in south-west America will last for 40 years, and whether he thinks that has any relevance to Northern Ireland. (AQT 2471/11-15)

**Mr Durkan:** I thank the Member for the question. I have often criticised topical questions and said that they should maybe be renamed "typical questions", but Mr McCrea's question is certainly far from typical.

I believe that the impact of climate change is global and that therefore it is of relevance to people not just here in Northern Ireland, but everywhere. It is for that reason that I hope to pursue and bring forward legislation on climate change before the end of this Assembly term.

**Mr B McCrea:** I commend the Minister for being able to follow my train of thought. There is a climate change issue. The science is absolutely unforgiving. We have a really serious problem throughout the world, and it is something that Northern Ireland needs to realise it should not reject its responsibilities on. I am interested to hear from the Minister: what specifically can we introduce in Northern Ireland that will play our part in tackling climate change?

**Mr Durkan:** I thank the Member for that question. I think that it is fair enough to say that good work has already been done to mitigate and adapt for climate change. We need change in legislation to give legislative support to those efforts, not just by my Department — although, as Minister of the Environment, I retain responsibility for climate change policy — but by all Ministers and Departments. Everyone in this Chamber has a responsibility. We should start off by practising what we preach. I look at DRD, for example, and wonder whether more could be done to use LED street lights and initiatives such as that so that we can reduce our own greenhouse gas emissions and carbon footprint when we are telling our constituents to do just that.

### Planning Applications

T2. **Mr Hilditch** asked the Minister of the Environment for his assessment of the situation relating to planning applications, given that the Department had introduced a streamlined process in recent years but that there now appears to be a backing-up of such applications with the setting up of the new councils. (AQT 2472/11-15)

**Mr Durkan:** I thank the Member for that question. The transfer of the majority of planning functions to the 11 new councils has been a massive task. We are talking here about the transfer of over 400 staff and over 6,500 live



applications. While, touch wood, the transition has been relatively smooth, I cannot stand here and tell you that it has been seamless. There have been minor issues in places with the transfer of staff and cases. However, I have outlined previously in the Chamber the benefits of planning going to local councils. I believe that, given time — and hopefully it will not take much time — for the new systems to bed in, the Member, all Members and, most importantly, members of the public will see improvements in the processing of planning applications and in the timeliness of their processing.

**Mr Hilditch:** I thank the Minister for his response. However, I know that in my own area of Mid and East Antrim council, there are site visits that are three to four months outstanding at this stage. Will the Minister take an opportunity to look at the situation?

**Mr Durkan:** If the Member, or any Member, comes to me about specific problems with specific applications, I will be happy to follow those up with the relevant council. However, I do not want to be in a position where we are micromanaging councils and constantly looking over their shoulder. I have said on numerous occasions in the House that there would be a need for a degree of hand-holding as the new councils find their feet and get to grips with what is a huge new responsibility for them. It is worth outlining again that we have also transferred 400 highly qualified and motivated planning staff. They are now working for the councils. In many cases, it will be the same planning officers who deal with the same applications. Therefore, I am certainly hopeful and optimistic that they will get the show back on the road very soon.

### Natural Environment Fund

T3. **Mr McQuillan** asked the Minister of the Environment how many applications have been made to the natural environment fund and what criteria will be used to sift them. (AQT 2473/11-15)

**Mr Durkan:** I thank the Member for that question. I refer back to my answer to a listed question from Mr Maginness, and even that was pre-empted by a supplementary question from Ms Lo. Those questions related to the natural environment fund, which opened on 1 May.

To my knowledge, to date, there have been 22 applications, or 22 groups are involved in the process. As for the criteria, we are looking at the work that they do. I am determined to ensure that the carrier bag levy, where the money from the natural environment fund will come from, is used to best effect, particularly in these austere times. We are looking at the management of our areas of outstanding natural beauty, protection of species and access to the countryside, among many other things performed by our valuable and valued ENGO sector.

**Mr McQuillan:** How can we marry that with the numerous wind farms that are being erected around the environment that we are trying to protect? That is where they aim to put most of the wind farms. How can we marry the two together and make sure that both can live together?

**Mr Durkan:** I thank the Member for that question. I have to outline that we do not aim to put wind farms anywhere. Applicants come forward with proposals to put wind farms in certain locations and the DOE, or now, largely, the councils assess whether those locations are suitable. In

assessing the suitability of locations, there are factors that should be considered. If there is an area of outstanding natural beauty or an area of special scientific interest, they will need to consider how much detrimental impact a wind farm or a wind turbine is likely to have. That should also be weighed up against the wider economic and environmental benefits of renewable energy, which are recognised quite categorically in our Programme for Government. There is definitely a balance to be struck. I am confident that that balance can be and is being struck.

### Council Services: Increased Costs

T4. **Mrs Cochrane** asked the Minister of the Environment whether he thinks it acceptable that, in addition to rates increases, some people who have been transferred to a new council area are also being levied additional charges for a council service, particularly in light of the fact that the review of public administration was to ensure better service provision and long-term cost savings. (AQT 2474/11-15)

**Mr Durkan:** I thank the Member for that question. Finance was certainly a consideration and a motivation behind the review of public administration. I have always said that reform was not just about doing things cheaper and that it was also about doing things better. It has to be better not just for local and central government but for the ratepayer and the citizen. I possibly need a bit more detail on the hikes that Mrs Cochrane referred to. My predecessor was able to secure from the Executive some £30 million by way of a rates convergence scheme so that, where two areas with hugely different rates bases come together, one would not face a huge hike in the rates, purely on the basis of convergence. To my knowledge, that has been successful. Obviously, local government has a major role to play here as well. As I said, I would be happy to hear of the examples from the Member.

**Mrs Cochrane:** I thank the Minister for his answer. I appreciate that the rates convergence scheme has cushioned the blow for some constituents, but what advice can you give to those who have been informed that they must now purchase a new bin that will fit the refuse vehicles of the new council area that they now find themselves in, so that they can have their waste collected?

**Mr Durkan:** The collection of waste is a hugely important issue, and where you have councils with different waste policies and waste collection policies converging, this was always going to present as an issue. My Department has been able and will be able, to a much lesser extent this year, to assist some councils as they roll out new waste collection schemes. I think it is important that we look at waste management in even broader terms, rather than on a council-by-council basis. To that end, I have made known my desire or preference to see a move away from the current three waste management partnerships to, maybe, one, which would overlook waste management right across the North.

### NGOs: Funding

T5. **Mr Ó hOisín** asked the Minister of the Environment whether, given the recent removal of funding, he can provide assurances about the future and long-term sustainability of NGOs in the environmental sector. (AQT 2475/11-15)

**Mr Durkan:** I thank the Member for that question. Once again, I am happy to provide him with assurance of my commitment to the survival of this hugely important and, indeed, vital sector. I spoke earlier of the huge environmental challenges facing us as a region. I also spoke of the huge challenges facing my Department as we face into the voluntary exit scheme and the very real prospect of losing skills, expertise and experience from certain areas. In my opinion, that makes the NGO sector and our partnership with it more important than ever.

**Mr Ó hOisín:** I thank the Minister for his answer. Will he and his Department assure us that they will work towards multi-annual funding, so that we avoid a similar crisis at the end of March next year? Go raibh maith agat.

**Mr Durkan:** My Department will still, just about, be here by the end of March next year. This is something that Ministers should not just look at in terms of their own Departments. It is something that all Departments should look at, to be able to give the certainty to groups to allow them to get on with the valuable work that they are doing. You see this in many sectors, not least, I suppose, in neighbourhood renewal areas and projects, where so many worthy projects and organisations are constantly chasing funding. They are spending as much time applying for funding and keeping the wolf from the door, if you like, as they are actually performing the function that they are getting funded for in the first place. To me, that is completely unsatisfactory, not to mention how unsettling it is for the staff of those organisations.

**Mr Principal Deputy Speaker:** I ask Mr Gardiner to please be brief.

## Smoke-free Zones

T6. **Mr Gardiner** asked the Minister of the Environment to explain how smoke-free zones in Northern Ireland are determined by controlled orders. (AQT 2476/11-15)

**Mr Durkan:** I could possibly be briefer than Mr Gardiner, and say no. The designation of smoke-free zones is done in collaboration with local councils. The Member will be aware that it has been the subject of a recent debate in the Chamber, around a cross-border study into the impact of burning fuels. I expect the report to be brought before the House shortly on that piece of work, which is being done in collaboration with the Government in the Republic of Ireland. At that opportunity, I will fill the Member in on the smoke controlled zones.

2.45 pm

## Finance and Personnel

**Mr Principal Deputy Speaker:** I congratulate the Minister of Finance and Personnel and welcome her to her first new Question Time. We will start with listed questions. Questions 2 and 11 have been withdrawn.

### Welfare Penalties

**Mr Beggs:** I, too, congratulate the Minister on her appointment.

1. **Mr Beggs** asked the Minister of Finance and Personnel for her assessment of the consequences of ongoing welfare penalties on public spending. (AQO 8161/11-15)

**Mrs Foster (The Minister of Finance and Personnel):** Thank you very much, Mr Principal Deputy Speaker and Mr Beggs, for your congratulations.

The Executive's 2015-16 Budget is predicated on the implementation of welfare reform halfway through this year and the subsequent return of 50% of the £114 million reduction applied by Her Majesty's Treasury. Delays in implementation will reduce the funding returned to the Executive, while failure to progress the Bill at all will mean that the £114 million reduction will apply in full.

Her Majesty's Treasury has not indicated the level of reductions beyond 2015-16. However, the Social Security Agency's estimates of the forgone UK Exchequer savings of not implementing welfare reform in Northern Ireland are significant and will increase in the coming years, reaching £366 million in 2018-19. Clearly, the removal of those sums will have a significant impact on budgets and would necessitate further cuts at a time when we can least afford to reduce public spending.

**Mr Beggs:** The Minister outlined that a range of other funds were dependent on the Stormont House Agreement being delivered. Can she advise us of the options for presenting a balanced Budget, which, I understand, has to occur before the summer recess, if that agreement is not made? What options exist for the Northern Ireland Executive?

**Mrs Foster:** Of course, we had a balanced Budget when the Stormont House Agreement was made. There were a number of elements to that, not least the implementation of the reduction of corporation tax and the ability to deal with the £100 million that was loaned to the Northern Ireland Executive. At the moment, given that the Stormont House Agreement has not been implemented, there is, as I think my predecessor made clear to the House at the last Question Time, a £500 million hole in the Budget. There is a very short window of opportunity to deal with that. Given that I have been in post for less than 24 hours, that is something that I have grasped pretty quickly. We have around two weeks to deal with the matter, or we will have to look to contingency planning in relation to the Budget. I certainly do not want to go down that route, so we will have to grasp the nettle very quickly.

**Mr McMullan:** I, too, congratulate the Minister on her appointment. Does she understand that the majority of children in poverty live in a household where one or two parents are in work, and, in the light of that, will she ensure that those families are less dependent on welfare by providing those in the public sector with a 1% increase in their basic wage?

**Mrs Foster:** Of course, we want to prevent more people falling into poverty. If we cannot agree a Budget in the House before the summer recess, we will put more vulnerable people into poverty. I think that everyone in the House would agree that that would be totally and entirely unacceptable. We must move ahead with welfare reform, and we must implement the Stormont House Agreement. It is there and it has been agreed, so let us get on with it and let us work to make sure that Northern Ireland has a Budget, like every other part of these islands.

**Mrs Cameron:** I join others in congratulating the Minister on her new role. I am sure that she will do tremendously well. Following on from her last answer, can she tell us whether there is a time limit by which welfare reform must be implemented?

**Mrs Foster:** I indicated that the next two weeks are absolutely crucial. Her Majesty's Treasury has removed £114 million from our resource departmental expenditure limit (DEL) budget this year to compensate for the additional costs being incurred by the Exchequer as a consequence of welfare reform not being implemented in Northern Ireland. That funding will be returned to the Executive this year on a pro rata basis but only following the implementation of welfare reform locally. If we do not agree welfare reform, we have to deal with that penalty and all the other consequences that flow from the fact that we are not implementing the Stormont House Agreement — and there are many of those.

**Mr Allister:** If the punitive intransigence of the Minister's primary partner in government continues, how can she introduce a workable and viable Budget (No. 2) Bill in June? If she cannot, what happens?

**Mrs Foster:** If we get to that stage — I very much hope that we do not and that good sense prevails — as he will know, the legislation allows for contingencies in such a case. If we cannot bring forward the Main Estimates and move ahead with the Budget Bill, there are contingencies in legislation, but I have to say that they are pretty dogmatic and nuclear. If we get to that stage, we will be in a very severe situation. He knows the contingencies that I am talking about, the most dramatic and draconian of which is section 59(1) of the Northern Ireland Act, where the permanent secretary in the Department of Finance and Personnel steps in. I very much hope that the House recognises that that is not a place where we want to be come the end of June.

## Departmental Budgets

**Mr McGimpsey:** I, too, welcome Mrs Foster to her new post.

3. **Mr McGimpsey** asked the Minister of Finance and Personnel whether all Departments, including their arm's-length bodies and non-departmental public bodies, have balanced their budget to prevent overspend. (AQO 8163/11-15)

**Mrs Foster:** It is incumbent on all Ministers to ensure that their Department and the arm's-length bodies for which they are ultimately responsible have balanced their budget and are not at risk of overspend. Indeed, the public expenditure system works on the premise that they will do so. I will know the actual position for 2014-15 only once the provisional out-turn information, which Departments are due to provide me with later today, has been analysed. I will report that to the Assembly in due course. However, I can say, from the latest forecast out-turn information provided, that only one Department — the Department for Regional Development — is forecasting an overspend in its 2014-15 budget.

**Mr McGimpsey:** I refer also to the danger of Departments underspending. There is also the danger in the current financial climate that we may be forced to send money

back to the Treasury. Will she give us some comfort and assurance on those points?

**Mrs Foster:** As I indicated, I await the provisional out-turn data from all Departments, but, if an underspend of the degree reported in the press materialises in the Department of Justice, I will expect full and detailed information on how that occurred. If a Department reports an overspend, it is an issue, but it is also very much an issue for us if there is a significant underspend. As Mr McGimpsey rightly points out, the last thing that we want to do is hand money back to Treasury at a time when we very much should be spending every penny we get.

**Mr G Robinson:** Will the Minister comment on the underspend reported in the PSNI budget? I congratulate her on her new appointment.

**Mrs Foster:** I thank him very much for his congratulations, as I thank all the Members who have taken the time to congratulate me. Some of them more in the know have taken the time to commiserate with me.

The underspend in the PSNI budget was the one that I was referring to in respect of the Department of Justice. If it is as has been reported — obviously, I will wait for the out-turn information coming to me — I will want to understand and get behind how that kind of mismanagement could occur and what caused it to occur. Are there difficulties between the Department and the PSNI with transparency or with how they deal with each other? I will want to understand why that has occurred, if, indeed, it has occurred.

**Mr B McCrea:** May I offer the Minister my commiserations or congratulations, depending on which is appropriate? The Department of Culture, Arts and Leisure has a significant number of arm's-length bodies. Many of those bodies are telling us that they do not yet know how the voluntary exit scheme will affect them, or if it will be available to them, and that that makes it very difficult to budget. When will such information be available?

**Mrs Foster:** I presume that DCAL's arm's-length bodies are included in the general voluntary exit scheme; if they are not, this, obviously, will not apply. Of course, the scheme is predicated on welfare reform and having the money to spend on the voluntary exit scheme. If it goes ahead, and if we have the money, I understand that those who have applied for the scheme will receive letters at the end of May or the beginning of June to tell them whether they have been successful and, if they have been successful, the terms for their leaving the Civil Service or, indeed, their arm's-length body.

## Rates

4. **Mr McGlone** asked the Minister of Finance and Personnel for her assessment of the impact of the review of non-domestic rates on the small business sector. (AQO 8164/11-15)

**Mrs Foster:** It is difficult to give the Member my assessment of the impact of the non-domestic revaluation precisely on the small business sector because, as the Member will be aware, businesses are classified as small or micro with reference to employee numbers — those with 49 employees or fewer. There are almost 118,000 such businesses in Northern Ireland, but only 57,000 rateable commercial properties. However, I can say that many, if not the majority, of small business ratepayers have

benefited from the revaluation. That is particularly the case in the retail sectors, although I readily admit that some are paying more. It all depends on their relative success or decline since the last revaluation, as evidenced in open market rents.

It is also worth pointing out that the Executive have continued to support business ratepayers, despite a shrinking public purse. This year, a package of support worth up to £30 million will see the impact of rates convergence effectively removed from any business ratepayer through an 80% subsidy. Since 2010, over 33,450 businesses have received more than £62 million through the small businesses rate relief; and, since 2012, 375 new businesses have benefited from the introduction of the empty premises rate relief scheme. More than 5,500 businesses, many of which are small businesses, have saved over £330 million in rates since the decision to continue industrial derating was made. All those rate relief schemes have been extended for 2015-16. Likewise, the regional rate set by the Executive has been frozen in real terms.

**Mr McGlone:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I congratulate the Minister, if congratulations are appropriate, on her appointment to the Finance Ministry. I am sure that DETI's loss will be Finance's gain. I want to continue on the review of non-domestic rates on the small business sector. I am aware, and it has been quite public, that some of the elevated rates have been very pronounced — some almost 300%. Will the Minister or, more importantly, her Department, carry out any analysis of how those have gone up so substantially in a number of cases, if, indeed, there is a reason behind it, or what support can be put in place for those who have taken such a substantial hike?

**Mrs Foster:** I hope that I outlined in the main answer that we have put in place a range of supports over the past period. There has not been a revaluation since 2001. We are now seeing that revaluation come in, based on 2013 rental values. Of course, many businesses and individuals will want to appeal the rateable valuations that have been given to them. I understand that they are in process. I am sure that many others will want to do that through the statutory process.

### 3.00 pm

I will, of course, want to look at extreme examples at either end to see if there is a reason why, back in 2001, they were assessed at a particular level and then in 2013 at a completely different level, and what happened in between to make that happen. If the Member has any specific examples, I am more than happy to look at them. Those who are dissatisfied with the new non-domestic rate should appeal. That is absolutely the first thing that they should do to make sure that the appropriate level has been set. Should there be any specific examples, I am more than happy to look at them.

**Mr McQuillan:** I also congratulate the Minister and agree with Mr McGlone that DETI's loss will be Finance's gain. Minister, in your answer, you mentioned appealing. How do people go about appealing valuations?

**Mrs Foster:** They need to appeal through the appropriate statutory process. While I know that some businesses will want to engage the services of other valuers or estate agents, there is no necessity to do that. They should point

out that they do not believe that the rateable valuation is fair and that they want it to be looked at again, and it will be looked at again. If there is disagreement at the end of that process, the issue can ultimately go to the Lands Tribunal for a decision. Nobody likes paying rates — I have heard my predecessor say that on a number of occasions — but we must ensure that the system is fair. It is not a property tax. It is a tax to allow us to reflect services that benefit people, and we want it to be fair.

**Mrs Dobson:** I join in welcoming the Minister to her new role. Minister, you may be aware that I have raised concerns and requested appeals on behalf of small businesses across my constituency with your predecessor. The extent of the rise has come as a sharp shock for too many small businesses. What further measures and actions will you take to ensure that this sharp shock does not become a fatal blow?

**Mrs Foster:** I thank the Member for her comments. It is important that anyone who is dissatisfied with any part of the new assessment enters the statutory process as quickly as possible and not leave doing so for longer than a year, because we do not want them to be unable to gain any back payment if they are successful. So, they should look first at whether it is a fair estimate of what they could have rented their property for on 1 April 2013. If they do not believe that it is a fair estimate, they need to appeal that decision. As I said, if they cannot come to a decision with Land and Property Services (LPS), it will go to the Commissioner of Valuation and ultimately to the Lands Tribunal.

## Financial Transactions Capital

5. **Mrs D Kelly** asked the Minister of Finance and Personnel for an update on the uptake of financial transactions capital. (AQO 8165/11-15)

**Mrs Foster:** A wide range of projects have been allocated financial transactions capital (FTC) funding including the agri-food loan scheme, GP practices, a range of housing schemes, the Ulster University relocation project, the Northern Ireland Science Park, the Arc21 project, and a number of smaller schemes within DETI and Invest Northern Ireland. In addition to those schemes, FTC funding has been set aside for the proposed Northern Ireland investment fund. This means that we have provisionally allocated all available FTC funding for 2015-16.

**Mrs D Kelly:** I thank the Minister for her answer, congratulate her on her new posting and wish her every success in it. It is disappointing that all of the funding has been allocated for 2015-16. What, then, is in the fund for any transactions coming forward for infrastructure improvements?

**Mrs Foster:** The Northern Ireland investment fund is there for infrastructure projects. If they come forward, money can be allocated from the Northern Ireland investment fund. It is good that all of the financial transactions capital has been allocated, because it means that we are not handing any of it back to Treasury. However, it has been allocated provisionally at this stage.

Indeed, if any very good applications come forward, we can look at moving around that financial transactions capital, particularly in relation to the Northern Ireland investment fund. I am happy to have a discussion, if the Member has anything in particular that she is thinking about.

**Mr I McCrea:** I, too, join the choir of congratulations to the Minister. I enjoyed my time as her Assembly Private Secretary in DETI.

Can she give some detail on how the private sector can engage with government to take advantage of the financial transactions capital?

**Mrs Foster:** The financial transactions capital allocations require a sponsoring Department, so a Department has to be involved in any engagement. Should the private sector wish to engage with government on financial transactions capital, it should contact the relevant Department or, indeed, the Strategic Investment Board, which will then engage with the Department on the feasibility of the project. As I indicated to Mrs Kelly, once the Northern Ireland investment fund is operational, there will be a separate process for engagement and accessing its funding for strategic infrastructure or, indeed, any other type of development. It is a very good mechanism to try to channel funds into the private sector, and I think that it will work very well.

### Construction Sector: Economic Performance

**Mr Easton:** I also congratulate the Minister on her new position.

6. **Mr Easton** asked the Minister of Finance and Personnel for her assessment of the current economic performance of the local construction sector. (AQO 8166/11-15)

**Mrs Foster:** Thanks to the Member and, indeed, to all the other Members who expressed congratulations.

There are positive signs of growth in the Northern Ireland construction sector, with an overall increase of 3.9% in output over the last three months of 2014. Housing output increased by 8.5% in that quarter and infrastructure increased by 3.6%. That is the highest level of growth reported for over two years and, overall, marks a 7% increase compared with the last quarter of 2013. The construction industry's turnover in the 12 months to 31 December 2014 was almost £2.2 billion, with over 53,000 people employed in the sector. Our local construction industry has demonstrated great versatility and resilience over the last eight years, with many firms winning major projects in Great Britain and beyond. Approximately 60% of the turnover of the top 20 locally based contractors was generated in Great Britain in quarter 4 of 2013. For the top five contractors, that figure was closer to 90%.

The ability of local firms to compete for and win work outside Northern Ireland is evidence of the quality of the local construction industry. That said, I recognise the challenges that the construction industry has faced in recent years. The positive signs in these latest statistics are welcome, but continued government investment in infrastructure and rises in public-sector expenditure will clearly be important. I note that the Executive's capital budget for 2015-16 is £1.16 billion, and a number of major construction projects are under way. The Omagh hospital, Altnagelvin radiotherapy unit and the Ulster Hospital generic ward block are three such examples.

**Mr Easton:** What measures have been taken to ensure that the procurement pipeline for government infrastructure projects is available to the construction industry?

**Mrs Foster:** That is a very important issue and one that has been raised with me in my former position as Minister of Enterprise, Trade and Investment. It is very important that the construction industry has early visibility of forthcoming procurements to allow it to get ready and, indeed, to work with other companies so that they can make a good bid in terms of the procurement. Central Procurement Directorate published guidelines on 16 April this year mandating publication of information on the system by Departments for the appropriate infrastructure projects. That is a really good step forward. It will allow small and large companies to see what is coming down the line, and they can then work together to bid into the procurement. I think that that will be very helpful.

**Mr Rogers:** I, too, congratulate the Minister on her new position.

Minister, what extra can be done to support and stimulate the SME construction companies? I appreciate that you are only into the job, but this is more of a suggestion than anything else. Given that VAT is zero on new builds, would you consider a reduction in VAT to, say, 5% on home improvements that are, say, under £15,000? That would unlock a lot of capital and do a lot for the smaller companies in the construction industry, but, in the long term, the Exchequer would still get the same money back.

**Mrs Foster:** I only wish that the Executive got the VAT receipts back, but we do not. VAT is a reserved matter dealt with by Westminster, so it would have to be considered in that context. I am sure that the 14 MPs who actually go to Westminster would like to raise it with their colleagues over there.

On what more we can do for small businesses, particularly in the procurement arena, I know, from my former job, that the InterTradeIreland project Go-2-Tender is a very powerful tool that allows companies to bid not only in this jurisdiction but in the Republic of Ireland so that they can get involved in government procurement. That has been really helpful, and it allows companies to network with each other so that they can see opportunities to work together and make that successful bid. That, I think, will grow, and I am sure that the Minister of Enterprise, Trade and Investment will want to continue to support that very powerful InterTradeIreland project.

### Digital Delivery: Public Services

7. **Lord Morrow** asked the Minister of Finance and Personnel to outline how she plans to increase the number of public services delivered through digital means. (AQO 8167/11-15)

**Mrs Foster:** My Department is leading the digital transformation programme, which seeks the complete delivery of 16 digital services by 2016 to achieve 3.5 million transactions by March 2016. The programme is on target to meet those milestones, with seven digital services having gone live since March 2014. As of 31 March 2015, just over two million transactions had been carried out online using the new digital services delivered through the transformation programme. The majority of transactions were made by citizens carrying out family history searches using the Genealogy NI service, with almost 1.7 million free searches and 236,000 paid searches completed.

**Lord Morrow:** I thank the Minister for her detailed answer, and I, too, wish her well in her new Department. Minister, you undoubtedly are aware that there are those who do not have a connection or access to the Internet, and, perhaps, there are those who do not have the skills either. Can you tell us what you propose to do, or what your Department is doing, to address that issue?

**Mrs Foster:** Yes, indeed. He will know that we have been trying to deal with the lack of access to broadband through a number of schemes available through the Department of Enterprise, Trade and Investment, including the broadband fund, which is working its way through the system and will be complete by the end of this year.

As for getting more people online, I understand that 80% of the citizens of Northern Ireland are online and used to working online, but there is still that 20%, so he is right to point that out. The digital transformation service in DFP includes a digital inclusion team, which is working with partners across the public, private and third sector to provide training and support services to those who cannot currently access or use online channels. Where appropriate, services will include assisted digital provision. That entails a trained NI Direct operator completing online transactions on citizens' behalf to allow them to use the provision. We are engaged in work to help those not currently online.

**Mr Maskey:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. In keeping with other Members' sentiments, I wish the Minister well in her new role. Can the Minister outline which public services could be met through digital delivery?

**Mrs Foster:** The 16 x 16 digital transformation programme includes applying for a rate rebate; applying for a driving licence; applying for free school meals and school transport; applying for fishing licences; registering a birth, death or marriage; and online DARD CAP grants, subsidy applications and payments.

**Mr Principal Deputy Speaker:** That ends the period for listed questions. We will now move on to topical questions. Question 3 has been withdrawn.

3.15 pm

## Voluntary Exit Scheme

**Dr McDonnell:** I take this opportunity to congratulate the Minister on her promotion and express the hope that the personal generosity for which she is widely known will show itself in the Department of Finance.

T1. **Dr McDonnell** asked the Minister of Finance and Personnel, in a spirit of goodwill, whether she has had a chance to look at the voluntary exit scheme and how it is progressing and to give the House details of the application rate. (AQT 2481/11-15)

**Mrs Foster:** It is on record that over 7,700 people have applied for the voluntary exit scheme. Obviously, it is all predicated on our having the available money to complete the voluntary exit scheme, which is part of the Stormont House Agreement, and dealing with welfare reform. However, leaving all that aside, if all that is in place, it is hoped that letters will go out to applicants by the end of this month or the beginning of next month to set out exactly what they can expect if they have been successful.

**Dr McDonnell:** You said that 7,000 people have applied. If I recall correctly, the target was in the region of 3,000. How will those people be selected? Will the Minister assure us that large numbers of people in one Department or one section of one Department will not leave, thereby crippling that service?

**Mrs Foster:** The Member has put his finger on the appropriate issue. The business needs of Departments will be right at the top of the agenda when selecting people for the voluntary exit scheme. We will want to ensure business continuity in all Departments and that services to the public will continue, as much as possible, as they were. That is very much what we look at with the voluntary exit scheme.

## Foreign Direct Investment

T2. **Mr Rogers** asked the Minister of Finance and Personnel, given the recent good news about foreign direct investment, which, unfortunately, tends to increase the divide between rural and urban areas, what she is doing to redress that problem. (AQT 2482/11-15)

**Mrs Foster:** That is probably a question for my successor in DETI. As for good news from Invest Northern Ireland, I had the very happy experience of handing over to Mr Bell at the Invest NI staff conference today, where we were told that, against a target of 25,000 new jobs in the Programme for Government, we had achieved over 37,000 new jobs. In the breakdown of assistance to locally owned firms and external firms, the majority of the money goes to locally owned firms. Some of our best-known firms have been working very hard to provide jobs here in Northern Ireland. Some of the most recent jobs have been in Randox in Antrim, with 540 jobs, Dunbia in Dungannon and a new firm, Eishtec, in Lurgan. A good geographical spread of jobs has been provided across Northern Ireland.

**Mr Rogers:** I thank the Minister for that. Has she any thoughts about reallocating Civil Service jobs from the city to rural areas such as south Down?

**Mrs Foster:** Some of those experiences, especially in the Republic of Ireland, have not been particularly positive. As you know, some Departments have been engaged in looking at this issue. Indeed, the Minister of Agriculture and Rural Development hopes to relocate her headquarters to Ballykelly very soon. It is, of course, up to individual Ministers to bring forward proposals for their headquarters, their staff and their agency headquarters, and we will look at that against a business case.

## Non-domestic Rates: Valuations

**Ms Sugden:** I join everyone in congratulating the Minister on her new role. I hope that she can bring the same success to the Department of Finance and Personnel as she did to DETI.

Like Mrs Dobson, I requested a meeting with the Minister's predecessor to discuss the revaluation process of non-domestic rate relief. I hope that the new Minister will not be as reluctant to meet me to discuss that.

T4. **Ms Sugden** asked the Minister of Finance and Personnel to provide her with a scoring mechanism for how we get to the net annual value of each property, as it seems that we currently apply a qualitative process to a quantitative outcome. (AQT 2484/11-15)

**Mrs Foster:** I thank the Member for her comments. As I indicated to Mr McGlone, it is a process whereby valuations are based on the rent payable in 2013. If individuals or businesses feel that that is not a fair rent, of course they should appeal the assessment and take it further. I will not be able to get involved in each of the appeals — at the moment, over 1,000 have been registered — but I will be interested to hear generally about either side of the scale to see what has made that happen, and I am happy to look at those examples.

**Ms Sugden:** Mindful of the number of appeals and the number that have been upheld, is the Minister planning to review the rates revaluation process?

**Mrs Foster:** The Member is probably aware that my predecessor put in place a business rates review, so he is looking at the whole process of rates and whether it needs to be looked at again. Is there a different way of gathering in that money, if I can be so crude, to help us to deal with public services in Northern Ireland? Certainly, I will take that business review forward to see what, if anything, we can do differently.

## Corporation Tax

**Mr Craig:** I also congratulate the Minister on her promotion. Hopefully, she will be equally beneficial to some of my projects.

T5. **Mr Craig** asked the Minister of Finance and Personnel for an update on the position regarding the reduction of the rate of corporation tax in Northern Ireland. (AQT 2485/11-15)

**Mrs Foster:** I thank the Member for his comments. I was happy to help him with the broadband at Annahilt, which was a huge issue for him and, indeed, his constituents.

Royal Assent has been given to the Corporation Tax (Northern Ireland) Act 2015, so it is now in place. Of course, devolution of the tax is contingent on the Stormont House Agreement being implemented in full. Therefore, I am back to the same issue of the implementation of welfare reform and the full implementation of the Stormont House Agreement. The business community, which I have worked alongside for seven years, will not forgive the Assembly or the Executive if we do not achieve the devolution of corporation tax after a very long campaign to bring it here to Northern Ireland and to make a difference not just for businesses in Northern Ireland but for the growth of the economy in Northern Ireland. Therefore, we must grasp that nettle and deal with it in the short window that is available to us.

**Mr Craig:** Thank you, Minister. Will you have further talks with the new Government in Westminster over the issue and how we get around the impasse that we have?

**Mrs Foster:** I will be happy to speak to new colleagues in the Treasury. I look forward to working with the new Chief Secretary to the Treasury, who will be my principal contact in Westminster, and with other colleagues. However, let us be under no illusion: the impasse is here in Belfast in the Assembly, and we need to deal with it and deal with it quickly.

**Mr Principal Deputy Speaker:** Ms Bronwyn McGahan is not in her place.

## Ministerial Meeting: Chancellor of the Exchequer

T7. **Mr Hazzard** asked the Minister of Finance and Personnel, in light of her new role, what requests she will make of the Chancellor of the Exchequer in Britain to meet as soon as possible to discuss the bleak economic outlook that looks to be heading our way as a result of Tory policy. (AQT 2487/11-15)

**Mrs Foster:** I will meet the new Chancellor of the Exchequer for the United Kingdom, who is the same as the old Chancellor of the Exchequer. We will obviously want to talk to him about the settlement for Northern Ireland, and I very much look forward to that engagement.

**Mr Hazzard:** I thank the Minister for her answer. What is her analysis of the touted £30 billion in cuts heading this way for this jurisdiction and what impact that will have on our public services?

**Mrs Foster:** The cuts that are heading this way, as the Member puts it, from the Conservative Government will be nothing compared with the position if we do not agree welfare reform, we do not have a Budget and we have to come to the legislative contingencies that will cover us. I do not think that the public of Northern Ireland will forgive us if we cannot deal with budgetary and welfare reform issues. Many times, we hear Sinn Féin talk about the vulnerable in our society, but everybody will be vulnerable: every person in this country will suffer if we cannot agree a Budget.

## Financial Transactions Capital

**Mr Kinahan:** I congratulate the Minister too.

T8. **Mr Kinahan** asked the Minister of Finance and Personnel whether all Departments applied for financial transactions capital and whether it will definitely all be spent or is there still a bit of leeway. (AQT 2488/11-15)

**Mrs Foster:** I cannot speak for other colleagues, and I certainly will not give a guarantee that it will all be spent, but a number of Departments, principally those with large infrastructure issues, have applied. My former Department in particular applied for some large energy projects, and I very much hope that those will be able to avail themselves of financial transactions capital because that will really assist in moving forward some of the issues in relation to energy.

**Mr Kinahan:** Does that mean, Minister, that none will be handed back and that there are enough people queuing up to use it so that none will ever be given back to the Treasury?

**Mrs Foster:** Again, I cannot answer for other colleagues, but there will be a certain flexibility through the Budget exchange scheme at the end of the year. At the moment, provisionally, all the financial transactions capital has been allocated, so I am hopeful that we will be able to deal with this useful tool for engaging with the private sector in Northern Ireland and allowing it to have access to financial help.

**Mr Principal Deputy Speaker:** Mr Fra McCann is not in his place. Mr Nelson McCausland is not in his place. As the next period of questions does not begin until 3.30 pm, I suggest that the House takes its ease until then.

3.30 pm

## Education

### Sure Start

1. **Mrs McKeivitt** asked the Minister of Education how he will ensure that the quality of the Sure Start service is maintained with the reduction in its budget and the extension of the programme for the 25% most deprived wards. (AQO 8075/11-15)

**Mr O'Dowd (The Minister of Education):** To date, the Executive's Budget has been reduced by the Westminster Government by £1.5 billion over the last 5 years. As a direct result, there are significantly reduced finances to spend on the front-line services provided by the Department of Education. I have protected the Sure Start budget as far as possible so that the original proposed reduction of £2 million has been reduced to £1 million. It is anticipated that the reduction will be realised as far as possible from areas in service delivery where greater efficiencies can be realised, with the aim of protecting front-line services. The focus will be on ensuring that the services that have most impact in achieving better outcomes for children are maintained and protected.

From 2012 to 2015, Sure Start services have been gradually extended to the 25% most disadvantaged wards. During that time, a further £4.4 million has been invested by my Department. Four new Sure Start projects have been created, and 14 projects have expanded their catchment areas to extend services to an additional 21 wards. These services will be maintained. Expansion of service delivery is almost complete. Work is ongoing to effect the expansion of services into the two remaining wards. Funds are available in the budget to enable this work to be completed.

The quality of service provided by Sure Start projects is paramount. The achievement of the objectives of the programme will continue to be closely monitored. An outcomes framework is also in place and is the basis on which DE assigns targets to the programmes, progress against which is an indicator of achievement of the anticipated outcomes of the programme.

**Mrs McKeivitt:** I thank the Minister for his response. Given that over 30% of children present with language acquisition problems in preschool years and the importance of the language development programmes that currently take place, will any of those invaluable language development programmes be under threat as a result of the funding cut?

**Mr O'Dowd:** I have made it clear both to my officials and, consequently, to the deliverers of Sure Start that I want front-line services to be protected. I want the most vulnerable to continue to receive services through the Sure Start programme. I continue to monitor the situation, requesting further information from my officials through the Sure Start programme board, and I will continue to ensure that we protect our services as much as possible at the front line. The reality, however, is this: continuing cuts to the Executive's Budget mean continuing cuts to the education budget. It is frightening to look at the proposals coming from the Conservative Government in Westminster. Their continuing cuts to public spending will have a detrimental impact on all our public services here.

**Mr Weir:** I thank the Minister for his responses so far, and I look forward to working with him. What progress has been made on refining the criteria used, in particular, for over-subscribed programmes in Sure Start to ensure that early intervention is better targeted?

**Mr O'Dowd:** I congratulate the Member on his appointment as Chair of the Education Committee; I also look forward to working with him in the months ahead.

We recently carried out a strategic review of the Sure Start programme. I am currently studying the report, which was carried out in conjunction with the Department of Health, the delivery body for Sure Start. The recommendations cover a wide range of issues, including matters that the Member touched in his question. When I have finished studying the report, I will publish its findings and move forward to see how we continue to improve the delivery of services through Sure Start. We still spend around £24 million on the project. When it was first put in place, the total spend was around £9 million per annum; it is now up to £24 million. That is quite a significant investment. It has had a significant positive impact to date, but we want to ensure that we get value for money in the truest sense of the word in delivering the project into the future.

**Ms Maeve McLaughlin:** I thank the Minister for his answers so far. I note that the Minister is reviewing the findings of the independent review of Sure Start. I will maybe push the Minister on when the review and recommendations will be published.

**Mr O'Dowd:** Unfortunately, I cannot give the Member a definitive date, but it is quite a substantial and detailed report, and it is only right and proper that I give it due consideration before acting on it further.

**Mr Beggs:** I declare an interest as a committee member of Horizon Sure Start.

James Heckman, a Nobel prize-winning economist, has written extensively on the value for money of early years investment. My question to the Minister is this: why has he chosen to cut early years investment, which brings benefits to the entire community, yet he is able to find money for a new post-primary Irish language school for 14 pupils?

**Mr O'Dowd:** I have not chosen to cut funding for early years: that was imposed on us by the Conservative Party, which has a minuscule mandate here. We continue to invest over £200 million in early years projects across the North. My Department is investing quite a significant amount of money in early years projects moving forward. We have seen year-on-year cuts to the block grant, which means that there will be year-on-year cuts to the moneys that the Department of Education has to spend.

I remind the Member and others that just before Christmas 2014 there was a debate in the House that called on the Department of Education to protect classroom spending. I stood at this Dispatch Box and said to everyone gathered that education was much broader than the classroom and was also about early years, youth services and community involvement. In fact, there was an amendment tabled by my party colleagues to that effect. The Assembly voted to protect classroom services, as did the Member. The Member can now stand in front of me and pontificate about early years services, but he voted that classroom services were more important than early years services.



## Certificate in Religious Education

2. **Mr Kinahan** asked the Minister of Education for his assessment of the requirement on teachers in nursery and primary schools in the Catholic maintained sector to possess a Certificate in religious education. (AQO 8076/11-15)

**Mr O'Dowd:** My Department does not employ teachers. It is the policy of the Council for Catholic Maintained Schools (CCMS) that teachers seeking employment in a Catholic maintained primary or nursery school must hold a teachers' certificate in religious education. In 2013, my Department agreed to undertake a review of teaching employment opportunities. The aim of the review was to investigate concerns that the requirement to possess the certificate could lead to inequality in the employment of and opportunities for teachers. Whilst the review concluded that there was no statistical evidence to suggest that the requirement for the certificate had resulted in inequalities of employment, it did, however, identify barriers in accessing the certificate that may lead to inequalities for those who wish to obtain it.

CCMS has since amended its appointment scheme to allow teachers who do not hold the certificate and who would otherwise be made redundant to be redeployed into a Catholic maintained school and then be required to secure the certificate within three years of redeployment.

**Mr Kinahan:** I thank the Minister for his answer. We hear that it is still needed after three years.

The Minister said on 9 February:

*"In the teaching of the sacraments, I believe that there are other ways of achieving that objective and goal for the Catholic sector rather than every teacher having a certificate." — [Official Report (Hansard), Bound Volume 101, p364, col 1].*

That position lasted 24 hours before the Minister completely contradicted it. Who sets the policy? Is it Balloo House or Connolly House, or is he changing his mind?

**Mr O'Dowd:** I wonder what the lines of communication are like in the Ulster Unionist Party. Your colleague Sandra Overend asked me the exact same question at the last Question Time. I know you were all busy with elections and that there was canvassing going on etc, but at least you could talk to each other. I gave an answer to Sandra Overend, and I will repeat it to you: to err is human; to forgive is divine. I made a mistake in my answer to what I believe was a topical question. I corrected it the next day, as I should do and as the Speaker requires of me. Everyone received a letter that day or the following day. That is practically verbatim the response I gave to Ms Overend, I think, four weeks ago.

**Mr Sheehan:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Can the Minister outline what progress has been made in recent years to ensure greater access to the certificate in religious education?

**Mr O'Dowd:** Following the review carried out by my Department, measures have been taken, including the provision of fee reimbursement for distance learning courses for the certificate. Stranmillis University College has been assisted by St Mary's University College to explore how the institutions might collaborate to provide Stranmillis students with the opportunity to obtain the

certificate. Stranmillis has advised my Department that it now provides information on its website on how to access the certificate and that it will facilitate support seminars with designated tutors for students who are completing the certificate through distance learning. Therefore, there have been several significant steps taken since my Department carried out the review following concerns expressed by a number of Members, and those will assist people of all denominations and none to achieve the certificate. I advise Members who continue to have concerns to sit down and talk the matter through with CCMS. It is the employing authority that adopts the use of the certificate, so, if Members have concerns, sit down with CCMS, express those concerns to CCMS and talk the matter out.

**Mr McCausland:** All primary-school teachers receive some element in their training that presumably equips them to teach religious education as part of their normal training. Can the Minister tell us what is contained in the preparation of the certificate in religious education that is additional? Is it purely preparation for the Roman Catholic sacrament of confirmation, or are there other elements involved?

**Mr O'Dowd:** I confess to not being an expert on the Catholic certificate. As I said in my response to Mr Sheehan, if Members have concerns about the Catholic certificate or want to have more information about it and why CCMS believes it to be important to its sector, I suggest that they sit down with CCMS and talk the matter through.

**Mr Rogers:** Following on from Mr Sheehan's question, Minister, what discussions have you had with your DEL colleague to ensure that students in Stranmillis and students who are doing PGCEs have equal access to the certificate?

**Mr O'Dowd:** As I set out, following the review that my Department carried out in 2013, it is clear that both St Mary's and Stranmillis are working together to facilitate people of all denominations and none to obtain the certificate. There is an opportunity for distance learning on the matter as well. I have had no direct discussions that I can recall with Minister Farry on the matter, but, following the review that I commissioned in 2013, there has clearly been cooperation between the teaching colleges and others on it.

## Shared Education: Finance

3. **Mr Lunn** asked the Minister of Education for an update on the proposed £500 million allocation to shared education by the UK Government. (AQO 8077/11-15)

**Mr O'Dowd:** Gabhaim buíochas leis an Chomhalta as a cheist. I thank the Member for his question. Initial discussions have taken place between officials in the Treasury, the NIO, the Department of Finance and Personnel and the Department of Education to establish which projects can potentially be funded under the £500 million capital investment. Discussions will continue, and we hope to achieve a successful conclusion.

**Mr Lunn:** I thank the Minister for his answer. How will he ensure that the money will provide added value through increased outcomes for shared and integrated education rather than be used just to prop up under-pressure capital schemes?

**Mr O'Dowd:** I can assure the Member that, for all parties to the discussions, it is certainly in their mind, if not foremost in their mind, to ensure that we receive value

for money from investing quite a significant amount of capital in our education system. However, any school that we invest in into the future will have to be a sustainable school. It will have to be a school that has shown that it can meet the sustainability figures and will create a sustainable learning environment for the young people attending. All those things are in the melting pot and are being discussed. I just want to reach the point at which we have a successful conclusion and can start using the funds to develop and enrich our education estate further.

I have to say that I do not see any investment or further money coming our way being used simply to prop up a significantly depleted capital budget in my Department. Any money that I use, I will always use wisely.

### 3.45 pm

**Mr Cree:** Her Majesty's Government's contribution of £500 million of new capital under the Stormont House Agreement is subject to those projects being agreed, as I understand it, between the Executive and the UK Government. Can the Minister explain how he thinks that will work in practice, who will be involved in it, and whether, in fact, the Northern Ireland Office and the Executive have to agree together all the projects?

**Mr O'Dowd:** As I said in response to the original question, the NIO, the Treasury, the Department of Finance and Personnel and my own Department are talking to one another about how we set out the parameters of this project and how we deliver it. It is clear from that context that we will all have to agree the broad framework; however, whether we have to come down to agree to each individual project is a matter for further discussion. At this stage, what we want to agree is the broad parameters of how the money can be invested going into the future. Then, we will get down to the fine minutiae of the negotiations, dotting the i's and crossing the t's.

**Mr Dallat:** How can the Minister ensure that shared education goes beyond the annual outing to the Balmoral Show in the same bus and, in fact, genuinely awards schools that bring their children together to work and be educated together?

**Mr O'Dowd:** I encourage everyone to visit the Balmoral Show. It is a fine day out and a good insight into the rural community and the investment that the rural and farming communities give to the economy.

I understand where the Member is coming from. Hopefully, we will bring legislation before the Assembly in the near future. I am preparing a paper to submit to my Executive colleagues, hopefully before the end of this month, which will receive agreement to bring forward draft legislation to set the objectives and goals of shared education. It has to move beyond sharing a bus. It has to move towards talking about and learning from one another and respecting one another's cultural points of view, and the best way of doing that is for young people to learn about one another from one another.

### Primary Schools: Carryduff

4. **Ms Lo** asked the Minister of Education, given the increasing demand for places in Carryduff primary

schools, how he is planning to mitigate the steady increase in demand and the yearly oversubscription to these schools. (AQO 8078/11-15)

**Mr O'Dowd:** Anticipating the educational needs in an area and planning to meet them through a network of sustainable schools is the key objective of the area-planning process. The aim is to ensure that we have the right type and size of schools in the right places to meet pupils' needs.

It is the responsibility of the planning authorities to plan for primary-school provision in the Carryduff area and to bring forward proposals for my consideration. Recently, I have had representations from the local community regarding their concerns about maintained primary provision in this area. I therefore asked the Council for Catholic Maintained Schools (CCMS) in January 2015 to work with the former South Eastern Education and Library Board, and with other sectors in the area, to put a plan in place to deal with the issues raised and to keep me updated on progress.

CCMS has confirmed that, in the last few months, it has reviewed the position in the Carryduff area. It states that the number of unplaced children in the area is not sufficiently high to enable it to bring proposals to the Department for an increase in primary-school provision. However, CCMS will review that position following the end of the admission process for September 2015.

**Ms Lo:** I thank the Minister for his answer. Similarly, in south Belfast, we see a huge shortage of nursery and playgroup places. Is there any plan to address that oversubscription?

**Mr O'Dowd:** First, we need to define "huge" oversubscription. We have just witnessed the first round of placements in preschool settings, and the vast majority of children were placed in that first round. We are now involved in the second round, whereby parents have been provided with a list of available places. We are encouraging parents to respond and to identify places on that list that are suitable for their children. That is the process that we are involved in at the minute.

At departmental level, we are also engaged with the Pre-School Education Advisory Groups (PEAGs) in each of the areas and are asking them to continually monitor the situation and provide us with up-to-date data about where additional places may be required. I have sufficient funding to provide additional places where they are required.

**Mr McKinney:** As the Minister will be aware, Carryduff and the wider area has grown substantially and there is major pressure on school provision there. That pressure will grow even more with further planning permission being granted and further housing planned. What longer term plan is the Minister engaged in to ensure that the provision of educational places is there for those who want to move into that area?

**Mr O'Dowd:** As I outlined to Ms Lo, the responsibility rests jointly with the CCMS and the south-eastern region of the Education Authority. We have an area planning process in place and look forward to the projections of numbers in areas. All managing authorities are under no doubt that they have to ensure that they are planning for educational provision a number of years into the future. We often hear of area planning in the context of schools closing, but it also works in the context of expanding individual schools

or building and providing completely new schools in new areas to meet demand.

There was particular pressure in the Catholic sector in that area and the CCMS has reported back. It stated that, while there is a pressure, it does not, at this stage, need to be dealt with through what is known as a development proposal or a significant increase in places. It may and can be dealt with through temporary variations. We have told the CCMS that it needs to constantly review the situation and plan as much as it possibly can, and it has indicated that it will do so.

### Education Maintenance Allowance

5. **Mr McAleer** asked the Minister of Education how much his Department contributes towards resourcing the education maintenance allowance. (AQO 8079/11-15)

**Mr O'Dowd:** Gabhaim buíochas leis an Chomhalta as a cheist. I thank the Member for his question. The education maintenance allowance (EMA) scheme was jointly introduced in September 2004 by the Department for Employment and Learning and the Department of Education. DEL holds the budget for the payment of the allowance, but I allocated £1.85 million in 2013-14 and £3.6 million each year from 2014-15 to fund the bonus payment element of the scheme. In addition, I have created a small budget that the Department allocates to schools to help fund the cost of administering the scheme. That was £318,000 in 2014-15.

**Mr McAleer:** Go raibh maith agat. Does the Minister believe that welfare reform will have an impact on the EMA eligibility criteria?

**Mr O'Dowd:** No, I do not believe that it will. A refinement of other benefits that are linked to free school meals entitlement may be required if and when welfare reform is agreed, but EMA is based on family income rather than individual income and should be able to fit into any welfare reform that is proposed.

**Ms McCorley:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as ucht a fhreagraí go dtí seo. I thank the Minister for his answers thus far.

An dtig liom iarraidh ar an Aire, ó thaobh sainmhíniú oideachais roinnte de, cad é an tábhacht a bhaineas le grúpaí socheacnamaíocha, chomh maith le grúpaí creidimh, a bheith san áireamh? What is the importance of including socio-economic groups as well as religious groups in any shared education definition?

**Mr O'Dowd:** Gabhaim buíochas leis an Chomhalta as an cheist. I am not sure whether the Member is referring to question 6. Are we moving on to the next question rather than —

**Mr Principal Deputy Speaker:** Question 6.

### Shared Education: Definition

6. **Ms McCorley** asked the Minister of Education what factors, other than religious identity, are included in his Department's current definition of shared education. (AQO 8080/11-15)

**Mr O'Dowd:** OK. The draft legislation definition of shared education, which is subject to public consultation,

references those of different religious beliefs or political opinions, as well as those who are and are not experiencing socio-economic deprivation. Prior to finalising the definition, I am considering the inclusion of political opinion following feedback from the public consultation. 'Sharing Works: A Policy for Shared Education', expands on the legislative definition with a practical description that is based on the definition endorsed by the ministerial advisory group on shared education and that includes all section 75 categories.

**Mr Principal Deputy Speaker:** I call Ms McCorley for a supplementary question.

**Ms McCorley:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Thank you, Mr Principal Deputy Speaker, but it was my mistake. I asked my supplementary question in place of the substantive question. I am happy with the Minister's response.

### Devenish College

7. **Lord Morrow** asked the Minister of Education for a progress report on Devenish College. (AQO 8081/11-15)

**Mr O'Dowd:** In January 2013, I announced the Devenish project to replace Devenish College and facilitate the amalgamation or closure of Lisnaskea High School. The business case for the project has been approved by the Department of Finance and Personnel at an estimated capital cost of £23.2 million. A tender has also recently been approved by my Department to take forward enabling works to facilitate the new build. That work will commence shortly. Procurement is under way for an integrated design team to take forward the design for the new school, and it is anticipated that that team will be appointed later this month. Planning permission and other statutory approvals will have to be obtained before the appointment of a contractor to carry out the build. It is currently expected that the new build will complete in November 2018, and it will provide a modern place of learning and teaching for the future pupils of Devenish College.

**Lord Morrow:** I thank the Minister for his answer. Having listened to it, I think there are some positives in what he said. However, it is still disappointing that he is now talking about 2018 for completion. Of course, the Assembly has about one year of its term still to run, so it will not happen in this term. Can the Minister assure us a bit more definitely that he is real about this programme and that we are going to see this one carried through? It has been on the agenda for a long, long time, as he is aware.

**Mr O'Dowd:** I welcome the fact that I have moved Lord Morrow from a point of believing that this would never happen to one where he thinks that there are some positives in it. I am very positive about this project. It is not unusual for capital programmes to roll from one Administration into another, but you have to plan moving forward. We are awarding the contract; a design team will be appointed in May 2015; and we are moving forward. Completion by November 2018 means that construction work will have to start at some stage in 2016. I have moved this project on more than anyone else has. It has come to the stage where it is definite that it is moving ahead. In fact, some enabling works are already taking place on-site because the topography is quite difficult and we have had to spend a not insignificant amount of money in preparing

it for the new build. I am confident that Devenish College can look to the future with great confidence.

**Mr Principal Deputy Speaker:** Mr Patsy McGlone is not in his place.

### Preschool Places: Lagan Valley

9. **Mr Givan** asked the Minister of Education how many applicants in Lagan Valley did not receive a funded preschool place at the first stage of the allocation process. (AQO 8083/11-15)

**Mr O'Dowd:** The preschool education advisory group of each region of the Education Authority is responsible for ensuring that there is adequate preschool provision in local areas. The chief executive of the Education Authority has advised me that, at the end of stage 1 of the preschool admissions process, 62 children were unplaced in the Lagan Valley constituency area; 1,649 applications were received; 1,552 children were offered a place; and 95 places remain available. A new provider has been introduced for parents to consider at stage 2 of the process and, if necessary, additional sessions can be provided at other settings.

It is important to point out that those figures represent the end of stage 1 of the preschool admissions process only. I have made available sufficient funding to meet the projected need for preschool places for the 2015-16 academic year, and I have strongly encourage parents of children who have not received the offer of a funded preschool place to consider all preschool provision that remains available and to provide a range of preferences at stage 2 to increase the chances of securing a place for their child.

For the 2014-15 admissions year, 99.9% of children whose parents stayed with the admissions process received the offer of a funded preschool place.

**Mr Principal Deputy Speaker:** I ask the Member to be brief with his supplementary question.

**Mr Givan:** Each year, Minister, there is this scenario, particularly in the north Lisburn part of the Lagan Valley constituency. Surely something is going wrong when, every year, this situation is repeated. Will he undertake to review the provision in some of the highly sought-after places that people are applying for in the Lagan Valley constituency?

**Mr O'Dowd:** It is a matter for the PEAG in the area to review the places. One part of me understands why the media concentrates on those children who did not get in, but look at the figures. There were 1,649 applicants, and 1,552 children were offered a place in the first round. None of those parents will come into your constituency office and thank you. Quite rightly, parents who do not get a place will say that it needs to be sorted out.

#### 4.00 pm

We are only at stage 1. There is another stage to go through. We will continue to work with parents in your area and monitor the situation through the PEAGs. I have committed to providing the finance to ensure that, if there are insufficient places, we place children in the nearest suitable location for them and their parents. It is not a case of finance, we have the finance.

**Mr Principal Deputy Speaker:** We are out of time.

**Mr O'Dowd:** We have to go through a very complicated system, and we are continuing to work at it.

**Mr Principal Deputy Speaker:** That ends the period for listed questions. We will now move on to topical questions.

### Nursery Provision: East Belfast

T1. **Mr Lyttle** asked the Minister of Education how many funded nursery schools in East Belfast were oversubscribed for 2015-16. (AQT 2491/11-15)

**Mr O'Dowd:** I know that these are topical questions, but, in fairness, it is impossible for me to have all that information in front of me. I am more than happy to provide the Member with the information. The picture across all constituencies is that the vast majority of children have been placed. In areas referred to as hotspots, we are continuing to monitor the situation through the PEAGs.

As I said to Mr Givan, this is not about finance. We will provide finance where it is required to provide new places, but we are only at the first stage of this process. There is another stage: parents have been asked to come forward with further preferences on a list that has been provided. I emphasise again that all the places on the list will not suit the parents to whom it is sent. It is a generic list that is sent from the regional offices of the authority. I encourage parents to stick with the process, and we will continue to move this forward.

**Mr Lyttle:** I thank the Minister for his response. I can advise him that a number of nursery schools in East Belfast are oversubscribed for 2015-16. After round 1, I received a number of calls from parents seeking help — right across East Belfast, from the Newtownards Road to Dundonald — because their children had not been offered a place. What work is he doing to improve application guidance and provide additional accessible nursery places in East Belfast?

**Mr O'Dowd:** So, neither of us know the number — we can confirm that. However, we know that the vast majority of pupils have been placed. There is a difference between nurseries being oversubscribed and insufficient places being available in an area. It may well be the case that parents do not get the nursery school places that they bid for. Nevertheless, we have made changes over the years. For instance, until a year ago, a nursery school could accept only 26 or 52 children, or perhaps a further three. I have now increased that so that they can take in a further four, if the demand is recognised by the PEAG.

We have also brought in extra community and voluntary places. The community and voluntary sector is an important provider of PEAG places and of broader community and voluntary work. We have to be careful when calling for more nursery school places, because that is often code for taking them off the community and voluntary sector and giving them to nursery schools, which results in a decline in the community and voluntary sector straightaway. It is an important source of income for those providers.

There have been significant changes over the last three or four years. In my first year in office, I carried out a review of preschool provision, and it has improved beyond recognition since then. As I said in answer to the first question, the vast majority of pupils have been placed. Only 25% of that placement, by the way, relates to social

deprivation. The outcry about priority being given to areas of social deprivation does not stack up when you look at the figures. You will continue to be lobbied, and rightly so, by parents whose children have not received places, but we are only at stage 1, and the process has not been completed. As I said, 99.9% of parents who stuck with the system last year had their child placed.

**Mr Principal Deputy Speaker:** Mr Steven Agnew is not in his place. I call Mr Fearghal McKinney.

### GCSE Scoring System

T3. **Mr McKinney** asked the Minister of Education what consideration is being given to changing the GCSE scoring system to match the new system in England, given that many Northern Ireland schools do both English and Northern Ireland board exams, and whether he agrees that a mixed scoring system is confusing for students and employers. (AQT 2493/11-15)

**Mr O'Dowd:** I have in place an examinations review body. I have asked it to carry out further work to look at all aspects of our examination system: its quality; how we compare with other jurisdictions in these islands; and how transferable and portable our exams are. That work continues, and I will continue to take advice from the review body.

I am clearly aware of the changes to the scoring metrics in England, but it will not present a significant problem to our students. Remember this: students from throughout the world travel to universities in this group of islands, so our universities are very used to dealing with different examinations and scoring systems. We will continue to liaise with universities, particularly in England and Wales, on the matter. I am confident that, as we move forward, there will be no detrimental impact on our students.

**Mr McKinney:** While the Minister and the institutions might have confidence, how does that confidence translate to those taking the exams, who may view the resultant decimal as being different from grades A, B or C?

**Mr O'Dowd:** It is a matter of communicating with our schools through careers advisers and senior management. All those things continue to happen. As I said, I will continue to keep the matter under review. I am taking advice from an expert group about the examination system. We have taken each step very slowly — rightly so. The expert group is made up of educationalists, further and higher educationalists, the business sector and others who take a very rounded look at our examination system.

When Secretary Gove was in place in the Department for Education, I said that they had moved too quickly, and I am still of that view. If we take this at an informed pace, there will be no detrimental impact on our students.

### Nursery Provision: Lisburn/Moira Area

T4. **Mr Craig** asked the Minister of Education whether he will give a commitment to review nursery provision in north Lisburn and Moira, given that there has been a lack of such provision for five years. (AQT 2494/11-15)

**Mr O'Dowd:** The Member has taken the unusual step of not being in his place but in somebody else's place.

I assure the Member that these matters are under constant review at PEAG level. Lisburn has thrown up a number of

issues throughout the years, and we have been able to react to them in the short, medium and long term. I have every confidence that we will also be able to react in the weeks and months ahead to those. I undertake to write to the local PEAG to seek further confirmation that it is keeping the matter under constant review and ask what plans it has now and for the future.

**Mr Craig:** I thank the Minister for his commitment. There is something wrong with what the PEAG is doing. If it were a short-term issue over a year or two, I could understand, but, for the past five years, we have had difficulties. People have been told that they have places up to 16 miles away from their locality. Minister, when you speak to the PEAGs, will you be forceful with them on the issue? We need medium- to long-term planning in Lagan Valley.

**Mr O'Dowd:** I reaffirm to the Member that I will engage with the PEAGs on the matter, although I do not think that I have to speak to them firmly. I will press home the concerns that have been raised by representatives in the House today.

### Early Years Funding: East Londonderry

T5. **Mr McQuillan** asked the Minister of Education whether, in light of the recent announcement of cuts to early years funding that sent shock waves through the community, he has any words of comfort to pass on to groups such as the Harpur's Hill Children and Family Centre and the Aghadowey Pre-school Playgroup in East Londonderry. (AQT 2495/11-15)

**Mr O'Dowd:** I do not wish to hand out words of comfort that are meaningless. However, I have my budget under review, and I will be making bids to the June monitoring round. If I secure funding from my budget or the June monitoring round, the item at the very top of the list is early years.

However, we will have to change how we deliver the early years fund. It has operated as a closed fund since 2004, which means that only those groups that were involved in 2004 can continue to apply. There are many organisations within your constituency, mine and those of other Members that cannot apply to the fund, and which are equally deserving of places. I have received criticism of the early years fund from that perspective. I will seek further funding for that project, but it will have to be delivered on different criteria. Certainly it will be targeting areas of greatest need.

**Mr McQuillan:** I thank the Minister for his answer. I agree with what he says; there are other people who need funding. Does he agree that early years funding is very important in a child's education? Maybe it is one of the last places that we should be looking at to cut, no matter what our budget is saying.

**Mr O'Dowd:** When I delivered my budget at the Education Committee, I said that we were now among the sacred cows. There is no fat left in the system that we can go to, trim off and say, "That will have no impact on communities. It will have no impact on education. It will have no impact." I am down to the bone; I am among sacred cows. I am making decisions around funding that I never thought I would have to make. That is why I am so concerned about what is coming at us from the current Conservative Government. If there are further cuts, they will be to the

detriment of our young people and our economy, whether I am in Education or whether there is another Education Minister.

### Lisanelly Education Campus

T6. **Mr McAleer** asked the Minister of Education to provide an update on the Lisanelly education campus. (AQT 2496/11-15)

**Mr O'Dowd:** I am pleased to advise that the Department is making steady and significant progress on the Lisanelly programme. The contract for the construction of the first school on site, Arvalee School and Resource Centre, has been awarded to Woodvale Construction, and work has begun on site. The opening remains on track for September 2016. The main campus, which comprises the five post-primary schools, remains on schedule to open in 2020.

**Mr McAleer:** I thank the Minister for his answer. Given the budgetary constraints, is the Minister confident that the project will be completed on time?

**Mr O'Dowd:** The Lisanelly programme has been within this Programme for Government and previous Programmes for Government. I have no doubt that it will continue into 2020. I have secured funding for this year to move the project forward. I have no doubt that capital funds will be available for it next year. The project is at such an advanced stage and is of such educational, societal and economical significance that I have no doubt it will continue to be in Programmes for Government and that successive Ministers will continue to support it.

### Foyle and Ebrington College

T7. **Mr Middleton** asked the Minister of Education for an update on the Foyle and Ebrington college in the Waterside, Londonderry. (AQT 2497/11-15)

**Mr O'Dowd:** It too is making significant progress. I believe that I am attending an event in the next number of weeks in relation to the opening of the site for development. That is a very welcome development in your constituency, providing new facilities for Foyle and Ebrington.

**Mr Middleton:** I thank the Minister for his answer. I agree with the comments that he has made. There have been a number of complications throughout the project. Can the Minister foresee any other complications that could delay the project further?

**Mr O'Dowd:** Let us hope not, but when you go into a major development, all sorts of things can crop up. I expect that, at this stage, site searches will have been done and, if various varieties of knotweed are there, they will have been identified and that all the problems that can arise when you put a major capital programme on site have been identified. I expect a relatively smooth journey towards completion of the project, and I look forward to the official opening in the next number of years.

**Mr Principal Deputy Speaker:** Time is up. Members may take their ease while we change the top Table.

**Mr McGlone:** On a point of order, Mr Principal Deputy Speaker. I apologise to the House for missing my question earlier. There was no deliberate intent or slight to the House on my part; it entirely slipped my mind.

**Mr Principal Deputy Speaker:** Noted.

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

*Motion made:*

*That the Assembly do now adjourn. —  
[Mr Deputy Speaker (Mr Beggs).]*

4.15 pm

## Adjournment

### Suicide Prevention: Londonderry

**Mr Deputy Speaker (Mr Beggs):** The proposer of the topic will have 15 minutes and all other Members who speak will have approximately seven minutes. As this is the first occasion that the Assembly will hear from Mr Gary Middleton, I remind the House that the convention is that a maiden speech is made without interruption.

**Mr Middleton:** Thank you, Mr Deputy Speaker. It is a great honour to give my maiden speech to the House as the new MLA for Foyle. First, I would like to take this opportunity to thank my party and constituents for their encouragement and support thus far.

Sadly, it gives me no pleasure to discuss the topic of suicide, specifically in my own constituency in Londonderry. The issue of suicide prevention is a matter of huge public importance. Every one of us in this Chamber will have known someone who has taken their own life or attempted to do so. I, of course, am no different. It is something that is close to my heart, and my sympathies go out to all those who have been bereaved through such tragic circumstances.

A 2014 University of Ulster study of 1,671 suicides and probable suicides in Northern Ireland from 2005 to 2011 showed that 77% of those who died were male and 23% female. Just half of those who died by suicide were known to have a mental health disorder. Despite high levels of contact, a considerable proportion of suicidal people appear to be undiagnosed and untreated for their mental health problems. The 2013 figures show that there were 303 registered deaths by suicide, with provisional figures for 2014 showing that there were 268 suicides. Whilst it is welcome that, in Northern Ireland overall, there has been a decline in the number of suicides, some constituencies are seeing a rise and an increase in calls to organisations that help people who have suicidal thoughts.

One death by suicide is, of course, one too many. Suicide is preventable. We all have a stake in suicide prevention. The collective efforts of Departments, local organisations, mental health practitioners and related professionals can reduce the prevalence of suicide in our communities. Evidence suggests that access to crisis support, intervention and education can have a major impact in reducing the levels of suicide and preventing it.

I wish to take this opportunity to thank all organisations that are working with individuals on their mental health and any difficulties that they may be facing in their lives. Thanks also to our health professionals for the essential service that they provide. Many in our society may never require these services; it is only when we need help ourselves that we truly realise and appreciate their importance.

In the Foyle constituency, we are all too aware of the effects of suicide. Lives are lost, families devastated and communities broken. Between January and March this year alone, two bodies were recovered from the River Foyle by Foyle Search and Rescue. They have also taken one individual out of the river alive and 13 away from the river edge and bridges, while also having 17 causes of concern. I am sure that you will all agree that these figures are deeply concerning. Thankfully, with the work of Foyle Search and Rescue, lives are being saved and interventions put in place.

Suicide cannot be fully prevented until we understand why an individual has suicidal thoughts and what the causes are. According to health professionals, most often, suicidal thoughts are the result of feeling like you cannot cope when faced with what seems to be an overwhelming life situation. Individuals face a sort of tunnel vision, where, in the middle of a crisis, suicide appears to be the only way out. Individuals need help and support. Issues such as alcohol and drug abuse, relationship breakdowns, addictions, bullying and even financial difficulties can have a serious effect on our mental health. It is worth noting that any one of us can face these types of issues during our life and find ourselves in crisis. We must work together to ensure that the necessary services and help are available for those who need it.

As Members of this legislative Assembly, I believe that it is our duty to ensure that we do all that we can to assist suicide prevention. I believe that there are a number of ways in which we can work towards that. The first is by publishing the new suicide prevention and mental health promotion strategy. I know that that is under development, and I look forward to hearing from the Health Minister where that is at.

The second is by increasing public awareness through media campaigns. We have seen the impact of those types of campaigns on road safety, and there is no doubt that they have helped to increase the public's understanding around road traffic collisions and therefore helped to reduce the number of traffic-related deaths. We should further develop those types of campaigns in the area of mental health awareness and suicide prevention. Many individual organisations, schools and youth groups have already done so and are actively promoting the importance of looking after your mental health. In my constituency, the Cathedral Youth Club in the Fountain will shortly release a DVD to raise much-needed awareness among the youth sector and to teach our young people that there is always help available no matter how difficult the situation is.

Thirdly, I believe that further safety measures are required along our river edges and bridges to support the work of organisations and, of course, to help individuals. Additional CCTV would be of significant importance, along with additional signage to help those who need assistance and to make them aware of the services that are available. When interventions are made on the river edges, one of the main concerns is what assistance is then available for the individuals affected. Many would say that there are, at times, only two choices: either the A&E department or the police station. In light of that information, I plan to further work with the Health Minister and meet him to discuss the service provision in the Londonderry area for those who find themselves in difficulty and, indeed, whether a detox facility would be feasible. I want to pay tribute to all those

who have been campaigning. There is a strong campaign on the ground in my constituency to raise awareness, seek support for additional services and maintain the services that we have.

I believe that it is now time that we all work together to eradicate suicide. With this being Mental Health Awareness Week, it is timely that we are having this Adjournment debate. I hope that we can take stock from the debate and move forward together towards a brighter future for all.

**Ms Maeve McLaughlin:** Go raibh maith agat. I thank the Member for the opportunity to speak on this topic. However, it is a difficult and emotive subject for all of us but one that, nonetheless, requires the House's reflection and, indeed, action.

I want to take the opportunity to welcome and congratulate the new Health Minister on his appointment. I appreciate his attendance today and look forward to his response on this very important issue.

As the Member said, suicide is an issue that blights and has blighted our island, and almost every city and, indeed, village knows the pain of losing people through suicide. Right across the island and right across our health systems, mental health protection is considerably lower down the importance scale, and that is a challenge for our society in moving forward. The European average spend on mental health is around 12% of the budget, and there is an onus and responsibility on us to bring our budgetary lines into line with that average. It also needs to be reflected that the gap between suicide rates in deprived areas and less deprived areas can be as much as 73%. As the Member pointed out, the child poverty statistics for Foyle highlight that, in some areas, more than 60% of children are living in poverty. There is a direct correlation with some of these issues.

We should reflect on the statistics. In 2011, there were 39 deaths by suicide in the Western Trust. In 2013, there were 51. So, there is a challenge in our city and region. The Member quite rightly mentioned the University of Ulster study, which showed that 77% of all suicides that were looked at were by males and 23% were by females. There was evidence of alcohol consumption in at least 41% of the cases. That is across the Six Counties, but, nonetheless, we need to be mindful of that figure.

Another figure that was quite stark was that just over half of those who died by suicide — 50.1% — were known to have a mental health disorder. That is a direct correlation that needs to be reflected on.

When I reflect on my city, I think that, generally, although addiction is not always linked to suicide rates, it is nonetheless important for us to reflect that the nature of addiction has changed. For many generations, addiction in most cases was to either alcohol or drugs. Now it is polysubstance. Therefore, interventions, responses, rehabilitation and detoxification need to be altered accordingly.

There has been much very vocal debate, as the Member said, about the need for a detox facility for Derry. Detox, however, is only one very specialised part of treating the issue. Our city needs support for early intervention work that tackles the root causes of addiction, and it needs crisis intervention models. We collectively need

to understand and target early the root causes of mental health problems and addiction, and we need to look at models of crisis intervention and at the crisis intervention services when those gaps appear.

Over the last year, Sinn Féin has established an addiction task force in the city. To date, 20 statutory, voluntary and other organisations have signed up to the urgency of that task force. The aim of the task force is very clear: to provide the evidence-based case for the city. In essence, it will examine what works — as the proposer said, a lot of services work — where the gaps are and how we can address them. That intervention is often about a crisis intervention model or what is increasingly being called a safe space model, where a young person can go with trained counsellors in a safe environment until the next intervention is agreed and not missed. That is a similar model to what is proposed through the FASA project in Belfast.

I will make this point about detox: what is ironic about the debate is that Derry has a purpose-built detoxification unit based on our doorstep. The White Oaks facility in Muff in County Donegal was purpose-built for detox in its layout, yet it is not in operation. I appeal to the new Health Minister to bring freshness and a fresh approach to the debate. I throw out an invitation to the Health Minister to visit the facility, which has been purpose-built for that function. I look forward to the Minister's response on that.

Addiction does not respect gender, class, disability, sexual orientation, religion or borders. It is vital that, as part of the debate in dealing with addiction issues, we reflect on and move towards making the facility in Donegal operational.

**Mr Deputy Speaker (Mr Beggs):** A number of additional Members have shown considerable interest, so I ask remaining Members to restrict their comments to five minutes.

**Mr Durkan:** I begin by congratulating Mr Middleton, first, on his elevation, if you can call it that, to the Assembly but, more importantly, for bringing this extremely important and emotive subject to the Floor.

The scourge of suicide is not exclusive to our constituency. However, it is a problem that is extremely pronounced in the city of Derry. Suicide is, as I said, a massive scourge on society today. It takes lives, and it breaks lives. I can and will speak from personal experience of the devastation that a suicide brings to a family and the awful repercussions that it has across communities. Those who lose a loved one to suicide can never have full closure. In the darkness of night or even at random intervals throughout the day, you are haunted by questions to which you will never get answers. Should I have seen something? Could I have done something? Would things have been any different had I said something?

#### 4.30 pm

We, as legislators and leaders in our community, need to do all that we can to ensure that more lives are not lost and that more families are not left with those unanswered questions. We can do something, and we must do something. We must ensure that the groups and services working hard and working well on suicide prevention are supported and that people are made aware of them. Good work is being done by many organisations in our constituency, not least by Foyle Search and Rescue, Zest, Community Action for Locally Managing Stress (CALMS)

and, of course, the Samaritans. There are many others, as well as community-based initiatives such as Sports Against Suicide, for which I recently participated in a fundraising and awareness-raising charity boxing match.

Good work is also being done by the statutory agencies. I, along with my colleague Pat Ramsey, recently met the Public Health Agency to hear about the initiatives that it hopes to bring forward aimed at reducing the harrowing suicide rates in our city. However, that work needs to be told to the public and needs to be sold to the public. Without doubt, the perception out there is that we, as a Government, are not acting and are certainly not acting fast enough to tackle this awful blight.

There is a groundswell of opinion in Derry around the need for a detox centre, and both Members who have already spoken referred to that. That debate has to take place in public, and we need the health professionals to outline and illustrate the services that exist and how they can best be availed of. We have to ensure that our agencies — our statutory agencies in particular — work in a joined-up manner. Recently in our constituency, a young man was rescued from the Foyle Bridge by the police, who just took him home. Twenty-four hours later, he was in the Foyle. There are serious gaps here that need to be filled and can be filled.

Maeve spoke about the need for increased investment in mental health, and, of course, there is a massive correlation between unemployment, economic inactivity and poor mental health. Members do not need to be reminded about the dire economic situation in our constituency. One thing that we can all do — I am not putting the onus on the Minister, as this is something that we all have to do — is work to tackle the stigma attached not just to suicide but to poor mental health. People need to be told and reminded at every opportunity that it is OK not to be OK, that it is OK to ask for help and that there are people whom they can ask to help.

I again congratulate Mr Middleton for bringing the issue to the House. I am keen to work with the Minister on it. I attend regularly the ministerial working group on suicide, and it is something that we all have to work on together across Departments, across parties and across communities.

**Mr McCartney:** Go raibh maith agat, a LeasCheann Comhairle. I add my thanks to Gary Middleton for securing a debate on what is obviously a very important subject. To use his maiden speech in that regard is good testimony to how he sees the issue of people who take their own life, particularly in Derry and the rest of our constituency. It is good to see the Minister here. It is possibly his first engagement with the Assembly in his new role, and that highlights the need for the subject to get this type of attention.

There is absolutely no doubt that the subject of people who take their own life affects many, many people and families. As other Members have said, it is very complex, and we have to be very sensitive and take great care when we discuss it. It is hard to speak for other people, but in our daily work and daily life, we know many people who have been affected directly by it. We see how it devastates families, and Mark H Durkan spoke poignantly and movingly about his personal experiences. To come to a



forum like this and speak in that way is remarkable. I want to put that on the record.

I think that all of us this week would have received the briefing paper from the Bamford Centre at Ulster University. We know from daily life, our work, and particularly those on the Health Committee, that we are bombarded with statistics. While they help us to identify the problem, sometimes, particularly on an occasion like today, statistics may dehumanise what is a personal and human problem.

However, the paper provided an insight into the complexity of people who find themselves in a position where for them the only way out of a problem is to end their lives. When you see the breakdown in the statistics, perhaps there is a tendency for us to make assumptions. There is a complex mix of reasons why people find themselves in that position, so when we are looking for solutions or remedies, we also have to look at that complexity.

Resources will always add to our ability to combat suicide. We have heard from experts such as clinicians and people who work in statutory provision, as well as in the community and voluntary sector, that they all have a common theme, which is early intervention. All of us have a contribution to make, be it supporting clinicians, families or other initiatives to ensure that there is early intervention.

Mark H talked about a situation in Derry when a lad was rescued by the PSNI at the point of taking his own life. However, the police themselves, even in public comment, said that they had nowhere at that time to take that person. It is that type of intervention that we have to turn our attention to.

Mark H Durkan also talked about the stigma of mental health and people perhaps finding it difficult to discuss, even with family or friends. In recent times, we have seen high-profile people in sport, music or other professions talking about suffering from depression and dealing with mental health issues. That allows us all to realise that dealing with that issue is not down to the circumstances that you find yourself in. Depression pervades the lives of many people. Dealing with the stigma does not take much resource, but it can have a great impact.

**Mr Hussey:** I, too, welcome Mr Middleton to the House and thank him for bringing this subject to the Floor.

Like Mr Durkan's, my family has experienced suicide. That word on its own puts a shiver down your spine. I welcome the Health Minister here today and wish him well in his new role.

Is suicide preventable? In some cases, the answer is no, and we have to accept that. Yes, we want a suicide prevention strategy, but we have looked at that over the years. I have quite a few documents here. I will not read them all, Mr Deputy Speaker, as you have given me only five minutes, but I will do my best to get through as many as I can.

Is it a mental health disorder? Is it identifiable? Can you point at somebody and say, "Well, that person may or may not commit suicide"? You simply cannot do it. I have spoken to people who attempted suicide, and they will tell you that at the point when they make their mind up to commit suicide, everything in their world is rosy. They have dealt with all the issues in their head. Therefore, they have tidied everything away, and suicide is the option; they are gone. Of course, for those who are left behind, it

is a horrible experience. My mother, who recently passed away, took the concern she had over my brother's death to her grave. What if she had done something else? My mother could not have stopped it. Nobody could have stopped it; but that stays with the family.

What are the causes? If we knew all the causes, we would know all the answers. Certainly, bullying is one of them. There are also legal highs, alcohol, depression, debt, marriage breakdown and work-related issues. We will see that more and more as post-traumatic stress disorder (PTSD) sets in to members of the security forces, for example, or perhaps to those who were involved in various actions over the years. People then have time to reflect, and some of their actions or some of the things they have seen come back to haunt them.

Sexuality is another one of the points that can cause someone to decide to commit suicide. I had a look at the Rainbow Project, which is based in Londonderry and in Belfast, because I decided when I was going to research this that I was going to look up as many documents as I could. It has a very interesting document by Malachai O'Hara called 'Through Our Minds: Exploring the Emotional Health and Well Being of Lesbian, Gay, Bisexual and Transgender People in Northern Ireland'. It states:

*"The policy context in Northern Ireland relates to the historic Mental Health Promotion Strategy 2003-2008 and the current refreshed version of the Suicide Prevention Strategy – Protect Life, which ran from 2006-2011 and has been refreshed from 2012-2014."*

Therefore, we have the various strategies. There is the shOUT report, 'The Needs of Young People in Northern Ireland who Identify as Lesbian, Gay, Bisexual and/or Transgender'. It says that they are at least three times more likely to commit suicide or to attempt suicide, two and a half times more likely to self-harm, five times more likely to suffer from depression and 20 times more likely to suffer from an eating disorder than their heterosexual counterparts. Northern Ireland Statistics and Research Agency (NISRA) figures show that, in 2013, 14,968 deaths were registered in Northern Ireland and that, of these, 303 were suicides, the second-highest number on record in Northern Ireland.

I looked at some of the debates that have taken place in the Chamber. In one, it was mentioned that each year around 300 people commit suicide in Northern Ireland, with the figure increasing every year since 2006. Some 72 teens and young men took their own lives in Northern Ireland in 2011, while 165 died by suicide in the Republic. A report by the Samaritans shows that the age range starts at 10 to 14 and that the majority of the people who commit suicide are between 16 and 40. We know all these facts and figures, but that does not bring us to a resolution.

Mental health issues have been raised, and people will say that suicide is caused by a mental health disorder. That is perhaps the case at the point when they commit suicide, but, up to that point, it is invisible and will not be seen. Again, I thank Mr Middleton for bringing this to the House this afternoon, and I thank the Minister for his attendance.

**Mr Clarke:** I join others in thanking Gary Middleton for using this opportunity for his Adjournment topic, and I think that it is fitting, given the topic, that so many Members are present.

This is not necessarily a constituency-based concern; indeed, it is a concern across the Province. I did not want to say this, but I have to say that I am glad that it was a young man who proposed the topic, because the tone of the Chairperson of the Health Committee disappointed me. Two other contributions, by Mark Durkan and Raymond McCartney, talked about stigmatising people. Much of the contribution of the Chairperson of the Health Committee was about drug and alcohol abuse and addictions.

I suffered from depression about 26 or 27 years ago. I was neither an alcoholic nor a drug addict, but I went for help and sought the help that was required. For me, this typifies some people's attitudes towards suicide, and labelling and stigmatising those who suffer from depression and people who are on the brink of taking their own lives.

I wanted to speak today because, when I looked at social media this week, I learned that a young girl in my constituency had committed suicide. I do not believe that she had alcohol or drug problems. She was a young girl, I am sure, who was living with the pressures of life. I have to say that her family were very brave. They said to the minister, "Give a sermon that will help people understand exactly what the family and friends are going through, so as to try to prevent other young people doing the same". What worried me today when listening to the Chairperson was that we are stigmatising. The sooner we can get away from that, the better.

#### 4.45 pm

I would never look at it from the point, as Ross said, that, if someone is on the point of suicide, there is nothing you can do and they have got their things in order; I do not think we should ever stop trying. We should never stop trying, because one death is one too many. Gary referred to his constituency, but this is right across the Province. In my constituency, it was just one after another last year, all of them young people. I definitely would not stigmatise them. They are all going through the pressures of life. You can talk about statistics and you can talk about reports, but what we need to do is try to reach out to these people and not write them off.

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

**Mr Clarke:** I will give one way in one minute.

We should encourage them to go to each and every agency. If they have not got help from one agency, they should go to another. After one of the deaths in my constituency last year, the young people themselves organised all the aspects from the health agencies, and all the different organisations were there. Some made the criticism that they were difficult to get. We all have a job to do and a role to play. The more we can do to encourage people to seek those organisations out, the better. We should never write them off. I give way now.

**Mr Durkan:** I thank the Member for giving way. He mentioned social media and, more latterly, a spate of suicides involving young people. Quite a few years ago, a lot of work was done on media guidelines and how suicide had been reported in the Derry area. My concern was that there had almost been a deification of young people, in particular, who had taken their own life. The media have tightened up on that, but would the Member share my concern about the understandable outpouring of grief from other young people through the medium of

social media, be it on Facebook or Twitter? Some young people who might never have had a nice thing said to them or about them see lots of nice things being said about a contemporary and think, "Maybe if I died, people would say nice things about me".

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

**Mr Clarke:** I accept what the Member says. There is a danger with that. Of course, social media can also be used as a form of bullying.

I am trying to be positive and focus on the outcome. Where we get that message, we need to encourage people to be positive. We need to remind people that taking their life will not help those who are left behind. I did not know the individual I read about last week, but I was led to read her story about how the family bravely went to the clergyman and encouraged him to tell the story as it is to the young people it affects. Yes, they may have fixed their problem, but they have increased the problem coming behind them tenfold. They have brothers and sisters, a mother and a father and a wider circle.

**Ms Maeve McLaughlin:** Go raibh maith agat. I thank the Member for giving way, but I question his analysis of what I said. Those were Ulster University figures, and they were used to reflect the fact that only 41% of the cases looked at involved alcohol consumption. I make that point. The issue about addiction was raised in the context of the case made by the Member who introduced the topic about detoxification for Derry. The very point that was made was that detox is only part of a solution, and, if the Member reflects on my comments, he will find that they were very clear about early intervention and crisis.

**Mr Clarke:** I appreciate your clarification. Your party colleague hit it on the head much better. My concern was that your contribution was more about alcohol. I appreciate and accept your clarification that it is not only about alcohol or drugs. There are many aspects.

Really, what is key for me in all of this is the need to prevent any stigmatising of this illness. We need to assist people, give them direction and support them wherever we can and encourage our young people. For me, Gary Middleton as a young man should be seen as a peer for young people and someone to look to for securing this debate. It was very courageous of him to do so in his first contribution here today.

**Mr Campbell:** I, too, pay tribute to my colleague Gary Middleton for his maiden speech. It is an exceptionally important but exceptionally difficult topic on which to make a maiden speech.

I wish to say a couple of things. Very often in the Chamber, we engage in very important topics that divide. The divide is sometimes subtle, sometimes very stark. This is a non-divisive issue that transcends communities and crosses all sorts of boundaries and communities.

Down through the years and in recent times, I have had to go to a family home after a young man or young woman — pre-eminently, it is young males — has taken his or her life. Inevitably, the conversation in the wake house, as we call it, turns, usually at the instigation of the family, to the fact that they saw nothing, detected nothing and saw no change in behaviour. They saw nothing that could have given them an early alert that something was wrong. They

just did not see coming what hit them in the early hours of the morning or at whatever time they were told of the passing of their son. It seems to me that, as a society, we need to reflect on that and do whatever we can.

Hopefully, the Minister will refer to the suicide prevention strategy. We all need to understand that those facing suicide are in an exceptionally dark place and feel that there is no way out. We have heard discussions about what might be the root of the problem, but the main issue is that, whatever the problem, they feel that there is no solution. That is usually, but not always, why they end up taking their life. They need to know that, whatever their problem, somebody will be there to help them — whatever it is, there will be someone there to help them.

I will conclude with this, as I do not want to delay the proceedings. I came across the issue at first hand, as many of us have. I was not as close to it as, for example, Mr Durkan; I know that he has personal experience. Many of us have had second-hand experience. I had direct experience about two years ago when, out for an evening stroll along the Peace Bridge in Londonderry, a young man, before my eyes, tried to take his life by going into the river. I saw the excellent work that Foyle Search and Rescue did in coming to his aid and bringing him out, but I also saw the trauma felt by all of us who were doing whatever little we could do to help as we saw the drama unfold: someone trying to take their life. As they struggled in the water, there was nothing any of us could do because there was such a distance and height between us and the person in the river. Then the boat came to his rescue. Only when that happens to you do you begin to see the extent of the trauma that there would have been had that suicide attempt been successful. It has been replicated on hundreds of occasions.

I feel that this has been a worthwhile debate and hope that the Minister will respond positively. I hope and pray that we all, as a wider community, offer the prospect of hope and help to all those afflicted by the potential of suicide.

**Mr G Robinson:** As a member of the Health Committee, I congratulate Gary on securing this debate on a very emotive and important issue and on his very commendable maiden speech. I express my heartfelt sympathy to all families who have been affected and left behind by a loved one whose death was in the most tragic circumstances. In the debate, we must all be mindful of those relatives.

I recently saw figures that showed that two bodies were taken from the River Foyle this year. There were numerous operations by Foyle Search and Rescue and its colleagues in Bann Rescue, which saved the lives of other individuals. I express my sincere thanks to those in Foyle Search and Rescue for the difficult and dignified work that they carry out so efficiently and professionally.

The Northern Ireland Statistics and Research Agency figures make grim reading. One figure shows that, in 2013, there were 303 suicides in Northern Ireland, with 115 in the western part of Northern Ireland, including my home town of Limavady. In 2013, there were 56 road deaths, but the resources targeted at minimising the road death figures are wisely spent and value for money, as proven by the fact that, in 2000, there were 171 road deaths. That proves that adequate resources made available to prevention and education campaigns can have a positive effect on highly specific areas of difficulty. Can we find similar resources to

help to address the appalling figure of people taking their own lives? That would benefit all of Northern Ireland, not just Londonderry.

I also believe that we may be able to utilise voluntary organisations to help on the ground with a local approach to suicide prevention. Indeed, we should employ every possible resource to tackle that growing problem. Remember that behind every tragedy is a human story and a human being. It is the ongoing effects of tragedy that make me realise how important it is that we address suicide. The distress for everyone begins with someone's decision to end their life, so that has to be the starting point. For me, prevention is better than seeing lives lost and families forever changed by an event that we may be able to avoid.

In my constituency of East Londonderry, suicides have increased and, as in Londonderry, there are river bridges. Perhaps we should take note of places that are used for this purpose and in some way provide a monitoring service at those locations — CCTV, perhaps, if none is already there.

The reasons why people end their lives are sometimes told by a note, or the reason may be apparent. If trends can be found as to what leads individuals to end their life, we must try to ensure that preventative help is available at all costs.

The entire topic of suicide has no easy answer, as individuals appear not to discuss their feelings with families or friends. Could organisations be available to step in? The organisation that comes to mind is Samaritans, whose work has saved many lives over many years. It should be congratulated on its specialised and traumatic work.

In conclusion, I repeat my thanks to the voluntary organisations and their staff, who do excellent and difficult work. I also appeal to anyone who has suicidal tendencies to come forward and speak to someone — maybe a relative, an organisation, a doctor or a social worker — who, hopefully, can help the individual.

**Mr Hamilton (The Minister of Health, Social Services and Public Safety):** I begin by joining colleagues on all sides in congratulating Mr Middleton on bringing this difficult but important subject to the Floor. I consider it an honour, in my first business as Minister of Health in the House, to be able to respond to Gary's maiden speech. I look forward to many similarly good contributions from Mr Middleton down through the years.

As was made very clear through contributions from all sides, suicide is a major concern not just for the people of Londonderry but for society right across Northern Ireland. Unfortunately, we have around 280 deaths each year as a result of suicide. Academic research estimates that, for every suicide, there are at least six members of the close family who are deeply affected and up to 60 other people who know the deceased and are touched by the death. That indicates that, over the past 10 years alone, some 17,000 people in Northern Ireland have been profoundly affected by suicide, and at least 10% of our population know someone well who has died by suicide. Sometimes it is perhaps easy just to talk about figures and statistics like that.

#### 5.00 pm

I have to pay particular tribute to the contribution by Mr Durkan, who has an all too real personal experience of

this. I think that we are all very grateful for the very difficult contribution that I am sure it was for him to make to the House on this subject. Indeed, others highlighted their own experiences as well. We do not have to go too far. Sometimes I think that people look at us up at Stormont here and think that we do not have the experiences that the wider world would have. I think that Mr Durkan's experience and the experiences that were highlighted by Mr Hussey, Mr Campbell and others show that we do understand, we do know and we do see it in our own lives and communities.

Suicide is a burden which impacts unequally, given the fact that the suicide rate in the most deprived areas is almost twice the Northern Ireland average and three times that of the least deprived areas. The link with deprivation is well known and may go part of the way to explaining why Londonderry, together with north, west and east Belfast, experiences higher suicide rates than the rest of Northern Ireland. Emerging evidence also indicates a link between the legacy of decades of violence in Northern Ireland and high levels of suicidal behaviour here. Those areas that experienced the worst of the Troubles tend to correlate now with the areas that have high suicide rates.

I should add that there is also a gender aspect to this — again, an issue that was highlighted by many Members. Men are three times more likely to die by suicide than women. Indeed, the majority of people who die by suicide are not known to mental health services. We all know that men are reluctant to seek help, and one of the biggest challenges that we face is encouraging men who are experiencing emotional or mental problems to seek appropriate help.

Provisional figures for 2014 show an 11% reduction in suicides in Northern Ireland. Whilst this is encouraging, taken with the fact that suicide rates did not rise here over the recent recession, and may be an indication that our prevention efforts have had some success, we need to be cautious as rates can fluctuate from year to year and, clearly, the number of deaths remains much too high.

Suicide is a hugely complex issue, as Members have discussed at length. The factors that lead someone to attempt suicide are likely to have their roots in a chain of events and experiences that have begun years previously, which are themselves shaped by broader socioeconomic influences. Suicide is the result of highly complex interactions amongst various risk factors and protective influences which vary from one individual to another. The key to reducing suicide in our society is to minimise the risk factors and maximise the protective factors. This means addressing issues such as poverty, unemployment, substance misuse, family breakdown, violence, bullying and mental health stigma. It also requires building greater social connectedness, improving educational outcomes, promoting tolerance and enhancing mental health from the very early years.

Clearly, this goes way beyond the health sector. Indeed, there is a wide range of activity ongoing across Departments to address these issues. This activity is reported and updated at the regular meetings of the ministerial coordination group on suicide prevention, which Mr Durkan referenced. Suicide prevention is now on the radar of practically every Department in Northern Ireland, and it is essential that this approach continues to be strengthened.

The overriding aim is to improve the social circumstances and emotional resilience of potentially vulnerable individuals, thereby equipping them to deal with adverse life events in ways which are not self-destructive. There is also a broad range of programmes in place under the Protect Life strategy to tackle suicide and self-harm. Training is provided for GPs and those who are likely to come into contact with people who are vulnerable to suicidal behaviour. The aim is to identify those who are at risk at an early stage and ensure that they receive the help that is necessary to overcome their difficulties. This help can be provided by mental health services, addiction teams, primary care or the community and voluntary sector, according to the individual's needs.

The reduction of stigma remains a critical part of our strategy. People who have suffered from poor mental health often cite the associated stigma as one of the main barriers to recovery. We therefore work with the media to encourage responsible reporting of suicide and mental health. There is no doubt that inappropriate reporting can contribute to the general sense of hopelessness that is felt by vulnerable people. Media guidelines are in place to prevent this, although we still struggle to get it across to many people in the public eye that the term "commit suicide" is itself inappropriate and hurtful to bereaved families. I will use this opportunity to highlight that the more sensitive term "die by suicide" is preferable when discussing this topic.

We also take steps to make mental health services as safe as possible through learning from adverse incident reporting and implementing the recommendations from the National Confidential Inquiry into Suicide and Homicide. Timely, comprehensive and accurate data on suicide and self-harm is essential to identify trends and inform the development and delivery of prevention services. The self-harm registry is in place at every hospital emergency department in Northern Ireland. The registry provides valuable information on all aspects of self-harm and that information has been used to improve the response to patients who self-harm.

A sudden death notification process, which was developed by the police and the health sector, is now in place. This unique system provides early notification of suspected suicides, with the aim of providing bereaved families with immediate access to information and support. The sudden death notification process is being tested in the rest of the UK, with a view to making it a national surveillance mechanism. The process was developed out of early work between health care and the PSNI in Londonderry that was designed to provide a multi-agency response to suicide clusters in order to prevent further deaths. This multi-agency approach has broadened and there are now suicide cluster community response plans in every trust area in Northern Ireland. The latest activation of a community response plan in the Londonderry area was in March in response to a number of deaths on the river.

It is important that we turn specifically to Londonderry, and there is a clear need to address the reputation that the River Foyle is attracting as a suicide location. Previous investigations into technical options to improve safety at the Foyle Bridge proved inconclusive. However, the Public Health Agency has been working with partners to consider how technology, culture, arts, recreation and innovation could be used to change local people's perception of

the river and its bridges to encourage a more positive interaction. I am pleased that a very innovative bid has been made to the UK Technology Strategic Investment Board for a £2 million grant to implement the first phase of a project drawing on experience from work on a bridge in South Korea, which, unfortunately, had prevalence for suicide. We await the outcome of that bid, and I am hopeful that it will be successful.

We remain aware of the high level of need within the Londonderry area. For example, Lifeline has responded to crisis calls from some 1,300 people from the area in the past three years alone, over half of whom were referred to crisis counselling. Recent statistics from the self-harm registry have also shown particularly high rates of hospital treated self-harm in the Derry area.

To address that need, almost £5 million has been invested in mental health promotion and suicide prevention initiatives in the Western Trust over the last five years. The majority of those programmes have been available to residents in Londonderry and the wider trust area, rather than being focused on one particular setting. That has included the SHINE community-based self-harm project, which has informed the commissioning of self-harm prevention across Northern Ireland. Planned investment for 2015-16 comes to almost £600,000, although budgets have yet to be confirmed. Other local developments have included the establishment of a liaison and support service for families who have been bereaved by suicide and the state-of-the-art crisis treatment centre Grangewood, which was opened in 2012.

The Public Health Agency has invested over £200,000 on direct initiatives to address the issue of suicides at the River Foyle. This has included substantial investment in Foyle Search and Rescue to support its work on suicide prevention, as well as rescue and recovery. The fact that Foyle Search and Rescue has stopped over 2,500 potential suicides and rescued over 300 people directly from the water is a credit to that charity and I join with other Members in paying tribute to it.

Looking ahead, a new initiative has been established to bring the 2019 International Association of Suicide Prevention biennial conference to Londonderry. My predecessor and the First Minister and deputy First Minister have supported that. The issue of a detox centre was raised by many Members. I do not have time to go into as much detail as I would like to, but it is certainly an issue that I want to familiarise myself with, along with some of the issues and opportunities that the Chair of the Health Committee mentioned.

I would argue that it is not possible to treat suicide in the way that we treat an illness. Suicide is a behaviour; it is not a condition. However, it is not an inevitable behaviour. We in the health sector can treat some of the underlying risk factors, such as depression, addiction, and intoxication. Others can help address the wider societal risk factors. Only by acknowledging that and working across government and in partnership with other sectors will we defeat suicide.

*Adjourned at 5.09 pm.*



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# Northern Ireland Assembly

Monday 18 May 2015

*The Assembly met at 12.00 noon (Mr Speaker in the Chair).*

*Members observed two minutes' silence.*

## Assembly Business

### Speaker's Ruling: Respect

**Mr Speaker:** Before we commence today's business, I would like to return to remarks that were made in the Chamber last week by Mr Campbell, which resulted in two points of order being raised. I agreed to review the Official Report and refer back to the matter should it be necessary.

There was nothing technically out of order in what was said. I am, however, of the mind that not so much in his particular words, which I suspect were carefully chosen, but in the tone and nature of his contribution, Mr Campbell crossed a line by referring to decisions that were made by a deceased Member who, obviously, can no longer speak for himself. Deliberately or inadvertently, he ignored other Members' reaction and, even when given the opportunity, failed to clarify his remarks to make them more acceptable to the House.

I have been considering the standard of debate over recent weeks and I have now decided, therefore, to make a new ruling to make it very clear to Members what I expect in this Chamber. In 2009, my predecessor ruled on standards of debate, making it clear that he would no longer make judgements on the basis of particular words or phrases but would, instead, judge Members' remarks against the standards of courtesy, good temper and moderation. This approach has stood the test of time, and, since being in office, I have been pleased to see most Members adhering to these high standards, expressing their views forcefully but ensuring that the nature of their remarks does not become ill-tempered or discourteous.

Unfortunately, not everyone has risen to this challenge and, from time to time, particularly in recent weeks, a few Members have made remarks that fell below the expected standards of courtesy, good temper and moderation. In making these comments, Members failed to show respect for other Members and this is unacceptable in a modern debating Chamber. The Members in this Chamber represent a society of diverse views and cultures. If we do not treat each other with respect in here, what example are we giving to wider society? That is why I want to build on the standards of courtesy, good temper and moderation by setting out an additional requirement of respect.

Every elected Member has the right to be here, the right to hold his or her own views and the right to express those views in the Chamber. This does not mean that they cannot challenge and probe each other effectively, but they must do so in a way that shows respect. Members have shown that they are well able to take and listen to

contrary arguments, probe them through interventions, and then articulate their own approach without shouting down other Members, finger-pointing, or talking loudly to their neighbours in their seats to demonstrate that they are not prepared to listen to what others have to say.

From today, my focus will be on Members showing one another respect in this Chamber, creating a space that allows Members to express themselves, probe others and hear answers without it degenerating into schoolyard name-calling and grubby attacks on personal integrity. This does not mean that debate will be stifled. Rather, it will allow Members to speak and be heard, make their views known and defend them when scrutinised. That is appropriate and robust debate, and it is what I want to see in this Chamber.

I will conclude by saying that Members should be in no doubt that, if they fail to show respect, I will ask them to reconsider their actions and move to impose sanctions if they do not.

For the benefit of those Members not in the Chamber, I will issue a copy of this ruling by letter to all Members this afternoon. Let us move on.

### Committee Membership

**Mr Speaker:** As with similar motions, the motion on Committee membership will be treated as a business motion and there will be no debate.

*Resolved:*

*That Mr Jim Wells replace Mr Peter Weir as a member of the Committee for Finance and Personnel; that Mr Gary Middleton replace Mr Peter Weir as a member of the Committee for the Environment; that Mr Sammy Douglas replace Mr Gary Middleton as a member of the Committee for Social Development; that Mr Jim Wells replace Mr Alex Easton as a member of the Public Accounts Committee; that Mr Paul Givan replace Mr Sammy Douglas as a member of the Committee on Procedures; and that Mr Tom Buchanan replace Mr Sammy Douglas as a member of the Committee on Standards and Privileges. — [Mr Weir.]*

## Assembly Commission: Membership

**Mr Speaker:** Following the appointment of Mr Peter Weir as Chairperson of the Committee for Education, a vacancy exists on the Assembly Commission. The next item on the Order Paper is a motion to fill that vacancy. It will be treated as a business motion, so there will be no debate. Before we proceed to the Question, I advise Members that this motion requires cross-community support.

*Resolved (with cross-community support):*

*That, in accordance with Standing Order 79(4), Ms Paula Bradley be appointed to fill the vacancy on the Assembly Commission. — [Mr Weir.]*

## Executive Committee Business

### Statistics and Registration Service Act 2007 (Disclosure of Patient Registration Information) Regulations (Northern Ireland) 2015

**Mrs Foster (The Minister of Finance and Personnel):** I beg to move

*That the Statistics and Registration Service Act 2007 (Disclosure of Patient Registration Information) Regulations (Northern Ireland) 2015 be affirmed.*

Members of the Assembly should know that this regulation, which is under the consideration of the House today, is 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 new non-ministerial department, known as the Statistics Board, to provide 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 regulation allows the Northern Ireland Statistics and Research Agency (NISRA), through the board, to access simple demographic information from the medical card register. It follows similar legislation in Great Britain. Although the regulations will allow access to personal information, it is forbidden to publish any information that could identify an individual, and the information must be held under conditions of strict security.

The data will be used solely to help produce population statistics and inform the delivery of the next census of population. The regulations were considered by the Committee for Finance and Personnel and the Committee for Health, Social Services and Public Safety, and no objections were raised. Therefore, I recommend that the regulations be affirmed.

**Mr McKay (The Chairperson of the Committee for Finance and Personnel):** Go raibh maith agat, a Cheann Comhairle. I thank the Minister for her opening remarks. Indeed, I congratulate her, as this is the first time that I have spoken since her appointment. On behalf of the Committee, I wish her well in the time ahead.

As the Minister outlined, the regulations will enable DHSSPS to disclose selected demographic information from patient registration records to the Statistics Board and onwards to NISRA for the purpose of producing population statistics and assessing census returns. The information disclosed under the regulations will not include the health or condition of, or the care treatment provided to, any patient.

The policy proposals contained in the rule were considered by the Committee on 4 March. Given the role of the Health Department in the rule, the Committee agreed to copy the initial briefing paper on the proposed rule to the Committee for Health, Social Services and Public Safety for comment. That Committee noted that at its meeting of 11 March. Having received no further comments, the Finance and Personnel Committee proceeded with its scrutiny.

The Committee formally considered the statutory rule at its meeting on 29 April, together with the accompanying



report from the Assembly's Examiner of Statutory Rules. The Examiner raised no issues by way of technical scrutiny. The Committee agreed to recommend that the Statistics and Registration Service Act 2007 (Disclosure of Patient Registration Information) Regulations (NI) 2015 be affirmed by the Assembly. Therefore, I support the motion.

**Mrs Foster:** I thank the Chairman for his remarks on my appointment and for his work and that of his Committee and the Health Committee on scrutinising the regulations. That will assist us in deciding on population numbers, and it will also help us to prepare for the next census, which is really the focus of the regulations.

I thank Members for their support, and I ask them to endorse the regulations.

*Question put and agreed to.*

*Resolved:*

*That the Statistics and Registration Service Act 2007 (Disclosure of Patient Registration Information) Regulations (Northern Ireland) 2015 be affirmed.*

## Private Members' Business

### Community and Voluntary Sector: Funding Cuts

**Mr Speaker:** The Business Committee has agreed to allow up to one hour and 30 minutes for the debate. The proposer will have 10 minutes in which to propose the motion and 10 minutes in which to make a winding-up speech. All other Members who are called to speak will have five minutes.

**Mr Swann:** I beg to move

*That this Assembly notes the important role of the community and voluntary sector across Northern Ireland in providing effective, efficient and value for money front-line services; accepts that, as a consequence of the 2015-16 Budget, decisions are being made by individual Executive Departments with no consideration of the impact on these services or the effect that they will have on the vulnerable in society; further notes that the ambiguity surrounding the European social fund has also forced many organisations to reduce their staff and their operations; and calls on the Executive to act in a coordinated manner to ensure that the sector and its organisations receive the required level of support and funding allocations.*

The motion is not about political point-scoring in any way; rather, it is about trying to raise the real concern in our voluntary and community sector at the minute that a lack of apparent coordination across different Departments and organisations is leaving it without the support or recognition that it feels that it warrants. The work that it does should be realised. It was summed up by an email that I received this morning — I know that other Members did as well — from a gentleman from my constituency who works in the voluntary and community sector. I will read it out, because it sums up the feeling behind the motion.

**12.15 pm**

He said:

*"I've been involved in working and volunteering in the community and voluntary sector for almost 20 years. In that time, I have come to see some of the phenomenal work that is achieved by people with a passion for helping those in need. At a time when things are getting harder for many in society, regrettably, it seems that those who are in a position for help are in fact the ones who bear the brunt of the cuts. The uncertainty within the sector is having a profound effect on people's well-being and motivation. This should not be.*

*As I sit on a number of other committees and working groups, I hear on a regular basis how the community and voluntary sector are supporting their colleagues in health, education, etc. Any further cuts to the community and voluntary sector will have a knock-on effect to these services also. It is generally recognised that the community and voluntary sector delivers services that have significant benefits that far offset the costs involved.*

*In closing, I have no doubt that the Assembly will agree with the motion; however, it is positive affirmation*

*through the action that people want to see, not mere platitudes."*

I think, Mr Speaker, that that sums up why we have brought the motion at this time. It is to give that voice to the voluntary and community sector and to show that there is a willingness in the House, the Committees, the Departments and the ministerial team to show that the community and voluntary sector is being and will be recognised for the valuable work that it does.

It was Gandhi, I think, who is alleged to have said that the true measure of any society can be found in how it treats its most vulnerable. That is part of the phrasing we used in our motion. I think that the House has to realise the recognition that we give to those who support the most vulnerable in our society. It reflects a concordat that was signed between the voluntary and community sector and the Northern Ireland Government, albeit in the last mandate.

I think one of the things that brings it home and that again sums up the frustration that the organisations and individuals in the voluntary and community sector feel is that covered in point 4 of the concordat, which lays out the foundation for a partnership based on mutual trust and respect. That is why I ask the Minister today, through the motion, to try to work with his ministerial colleagues, Members and the voluntary and community sector to try to re-engage with a community and a sector that feels that some of that mutual trust and respect has been lost. Many of the organisations now feel that they are being seen as the low-hanging financial fruit within the budget lines and that they are easier cut off. That is because their voices will not be heard or because three job losses in a small voluntary and community organisation, or four in another somewhere else, will not be as significant as the loss of 100 or 80 jobs or have the overall impact that a large number of job losses has.

It is about the cumulative effect that the voluntary and community sector is feeling at this time and the desire to see that there is a recognition and realisation within the Executive and in this place that the services that it is delivering are vital to Northern Ireland society at this time. Many of the services that it is providing are the preventative services that do not put strains and stresses on the reduced budgets that are coming into our corporate services within health, justice and education.

Some of the examples that many Members are well aware of and that they have raised at numerous times with many Ministers are those in the early years sector, from where £2 million has been cut. It is the voluntary early years services that are suffering the most, and those voluntary organisations are often in the areas that are in most social deprivation and need.

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

**Mr Swann:** I will, yes.

**Mr Dallat:** Just on the very point that Mr Swann is speaking on, Lifestart was one of those programmes that gave hope to families with children with special needs that their children might well leave school being able to write and to have basic skills. Does the Member agree that that programme, and others in the voluntary sector, was the key to pointing to real equality in Northern Ireland between not Protestants and Catholics but people who had what they needed and others who did not?

**Mr Swann:** I fully agree with Mr Dallat. I think that is why we are bringing the motion. Many of those organisations that are working across all sectors in Northern Ireland have seen a small amount of money lost that was enabling them to do the work that they did. They were also levering money from other funding streams, other Departments and from outside, such as European money. That money enabled them to do their work and prevented additional costs being put into our corporate services in, as I said, education and health, as well as in the justice sector. The work that NIACRO did through the European social fund (ESF) in preventative justice has now been lost as well.

So it is putting additional burdens on the justice system. A large swathe of organisations that help those not in education, employment or training (NEET) are looking at cuts to their core funding, which puts an additional strain on our colleges, schools and wider society. When those young people have no motivation and nowhere to go, the rest of society and the diversionary services, including the police, are left to pick up the costs. There is a large section of work.

In the Minister's replies at Question Time — I think that it was last week or the week before — he showed what I believe is an understanding of what these organisations want and need. However, they do not see a collegiate approach by our Executive to small cuts in funding for one Department that have knock-on effects to another. A recent example that the Committee for Employment and Learning saw was the Bytes Project, which is delivering a vital service in the IT sector across all Departments for young people not in education, employment or training. Its main funder was the Youth Council, but the Department for Employment and Learning made up part of the funding. It was rumoured that the Department was going to reduce its funding, so the Youth Council was looking at its funding. It looked as though that organisation was in jeopardy because of a careless phrase or an inappropriate email. Luckily, the Minister for Employment and Learning changed that decision, which has allowed the Youth Council to put in work. That, however, may be a temporary solution to allow it to prepare an exit strategy.

Among the things that many organisations told us about were the lack of time given by and communication from Departments or the Civil Service that would not allow for an exit strategy or alternatives to be put in place. Take the Pathways to Success EMA. Two days before its funding was due to cease, it received a letter stating that funding would no longer be in place. It was not able to prepare the young people or put other measures in place to support them. It comes down not only to communication between civil servants and the community sector but to a communication problem between Departments about the knock-on effects.

There has been a lot of talk out there about the decimation of the voluntary and community sector. Decimation is a 10% cut. The voluntary and community sector faces far more than a 10% cut. Many in the sector would be happy if they faced a cut of only 10%. I am not building up the Minister just because he is here, but I know that he has an understanding of the work that these organisations do on the ground. I am glad that he is here to represent the Executive in responding to the motion. The voluntary and community sector is looking for a bit of honesty, respect and wider communication. NICVA met OFMDFM two weeks ago, but it is about respect across all Departments

and in the Civil Service. In some but not all cases, such small amounts are involved that Ministers may not be aware of the cuts and their knock-on effect on some voluntary and community organisations.

As for the European social fund, I could go on for the length of another debate —

**Mr Speaker:** Your time is almost up.

**Mr Swann:** — and I am sure that that sentiment would be repeated by many Members round the House today. I thank the Minister for coming to the debate and ask Members to support not just the motion but the voluntary and community sector in Northern Ireland.

**Mr Douglas:** I speak as a fairly new member of the Committee for Social Development. I think that I have been on it for 14 minutes. *[Laughter.]*

**Mr Storey (The Minister for Social Development):** You are as knowledgeable as the Minister, then.

**Mr Douglas:** Yes. As somebody said, I am just as knowledgeable as the Minister. *[Laughter.]* I have been involved in the community and voluntary sector since the 1970s, and I certainly welcome the motion. I got involved in community and voluntary work by accident in the 1970s. During the conflict, I worked with prisoners, ex-prisoners and members of my community. For the past 25 years, I have been involved in community and voluntary activity in east Belfast. So, I have a bit of experience, and I certainly empathise with the fears expressed by many of the groups that they will lose out. Ultimately, some will collapse. I pay tribute to organisations such as the Northern Ireland Council for Voluntary Action, which has raised the profile of these groups and informed us of exactly what is happening, as have other groups.

The voluntary and community sector in Northern Ireland is an integral part of the economy. It not only provides employment but works with those from disadvantaged backgrounds, provides support to those who wish to change their life and helps them to fulfil their potential. The organic growth of projects and the ability to be responsive to needs of its communities mean that the voluntary and community sector can often be more responsive than Departments or government officials when it comes to working at a local level. Last week, I was cycling along the Newtownards Road and passed the Ballymac Centre. At 9.15 pm on a Sunday night, young youth workers were there working on a voluntary basis with some of the most disadvantaged people in our communities. I pay tribute to those people, who work day in, day out in the most disadvantaged communities. As I said, there is a real fear that groups could lose out and disband as a result of this.

I got an email last Friday. I welcome some of the comments from the Chair of the Committee for Employment and Learning. Like him, I got a letter from Greenway Women's Centre. Let me read it out:

*"Dear Sammy, I am writing both as a concerned constituent and on behalf of my organisation about the effects of the cuts on the community and voluntary sector, in particular the women's centres, groups and organisations. As a director of Greenway Women's Group, I am aware that Ministers and Departments are under intense pressure to cut money."*

There is recognition that things are difficult. Groups out there realise that they are going through times of austerity. It goes on to say:

*"I understand that, as a society, we all have to face considerable restraints. However, it is our opinion —"*

I agree with this.

*"— that cuts to the community and voluntary sector as a whole are unfair and disproportionate, and we write to urge you to consider the impact that this will have on our local community."*

That is a big message to us all. There is a sense that we need to do something about this urgently.

**Mr Newton:** I thank the Member for giving way. Will he agree with me that government cannot, on its own, deliver all the services that the community requires and that, if we do not have a volunteering approach and an innovative and cost-effective approach, society as a whole will lose out through the cuts to this budget in particular?

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

**Mr Douglas:** Thank you, Mr Speaker. I thank the Member for his intervention. I certainly agree with him. One of the groups that I am sure he is thinking about is Bloomfield Community Association on Hyndford Street, which has been involved for many years. I am sure that you are aware, Mr Speaker, that Van Morrison is from that street. That group is working tirelessly day in, day out, and it has a real fear that it will go out of existence.

**Mr Humphrey:** I thank the Member for giving way. Given the point that his colleague from East Belfast made about a joined-up approach, will he agree with me that it is vital that the councils, as they now have a greater resource, work in collaboration with the Assembly and the community and voluntary sector to deliver a lot of these services?

**Mr Douglas:** I thank the Member for his intervention. I certainly agree with that. As our current Prime Minister says, "We're all in this together". We are all in this together, and we need to work together to ensure that these groups survive and exist in the future.

As I said, these groups were about throughout the conflict. Many of the groups, the women, young men and others, held their communities together at times when Northern Ireland was falling apart. Last Thursday, when I was at the count, people from the Dee Street playgroup came to see me. The playgroup has been going since the 1970s, and there is a threat to its funding from the Department of Education. I met the Minister of Education, and he has empathy with those groups. I understand the cuts that he is facing, but we need to work together to ensure that the most vulnerable groups in our society get a fair hearing and an opportunity to put their proposals to us so that we can help and support them.

I know that the Minister will reply later, but I just want to pay tribute to him. As my colleague said earlier, he gets it when it comes to the community and voluntary sector. He was out with us recently on the Newtownards Road, and the work that he is doing in supporting some of our most disadvantaged people in society is very encouraging. I welcome the motion and encourage all Members to support it.

**12.30 pm**

**Ms McGahan:** Go raibh maith agat. I support the motion and thank the Members who brought it forward to the House. I want to say at this stage that I will not be taking any interventions. The newly elected Tory Government in London are wedded to austerity. That presents severe challenges to society and citizens in the North of Ireland. Cuts to our block grant by David Cameron's cabinet of millionaires are having drastic consequences for many of our constituents.

Only last week, I received detailed correspondence from a cross-community playgroup in Benburb, County Tyrone, which is most concerned about its operational plans for the next few years and the number of places it can offer, given the cuts that are being made in early years funding. That, in turn, will effectively curb the playgroup's essential fundraising efforts, with cuts to places ensuring a smaller pool of parents and carers to draw from for active support. I have also been lobbied by parents of children attending the Woodland Adventure playgroup in Augher, who have the same issues and who make an important contribution to the rural community in Augher. Those are just two of our much-valued community and voluntary groups that have been in contact with my constituency office regarding concerns on the effective delivery of much-needed services in local communities across Fermanagh and South Tyrone.

Tory cuts to our block grant are putting a massive strain on our community and voluntary organisations and groups. In many areas, rural and urban, that is having a negative effect by setting back much good work that has been progressed to tackle societal and economic disadvantage, as well as groundbreaking attempts to tackle social isolation faced by disadvantaged and marginalised groups.

On the back of David Cameron's election speeches, we await more destructive cuts to the North's budget and to the social welfare system, as well as a referendum that could remove the North from the European Union, with obvious negative effects for all the people of this island. As part of its election manifesto, the Conservative Party pledged to cut another £30 billion, with £12 billion of that impacting on welfare, including child benefit.

We are only just coming out of a period when strong representation had to be made to the Minister for Employment and Learning regarding decisions on whether to allocate much-needed European social fund moneys to community and voluntary organisations and groups such as the First Steps women's centre in Dungannon, which has a strong record of delivering quality training programmes for women from across south Tyrone, which, in turn, boosts their confidence and self-esteem and encourages their return to the labour market.

Sinn Féin's immediate focus is to work with others to confront these challenges. The outcome of the recent Westminster election presents enormous dangers to Ireland, North and South. During their first five years in office, the Tories, under Cameron, largely disconnected from the peace process and our political institutions. When they did engage, it was almost entirely in a negative way, creating significant difficulties for the Executive and cutting huge amounts of funding from the block grant.

So, what happens next? All the parties in the Executive and the Assembly need to urgently develop a common

approach to address the challenges presented by the new Tory Government, especially their attacks on public services and jobs, as well as the good work carried out by our community and voluntary sector, which we pay tribute to today.

Martin McGuinness has taken the first step; he has called on all the Assembly parties to unite against austerity and to seek the additional powers from London to grow the economy. That will be the battlefield for the next term of British Tory rule. Equality, not austerity, is Sinn Féin's way forward.

**Mr Rogers:** The community and voluntary sector makes an extremely important contribution in its efforts to deliver front-line services. The stringent cuts to that sector are one of the reasons why our Minister has consistently voted against the Budget. The cuts to the community and voluntary organisations are unfair and disproportionate, with little, if any, evidence of an assessment of the impact of the cuts. The cuts come at a terrible cost. We are trying to address the problems that arise for people relying on the services provided by the sector. This is not just an issue for the sector that the Executive can wash their hands off. Many of those cuts directly contradict Executive policy and will cost the Executive in the long term as they struggle to meet the targets that they have set.

For example, there is the Delivering Social Change project, and I remind the House of the objectives of that framework: a sustained reduction in poverty and associated issues across all ages; and an improvement in children and young people's health, well-being and life opportunities. How can the programme work with community and voluntary organisations to tackle social problems within communities if the sector faces wipeout? From a strategic point of view, that is completely illogical.

To make matters worse, cuts in early years and Sure Start programmes will, despite promises, hit front-line services. Right across our constituencies, groups such as the Dunnaman Children's Centre on the Scrogg Road in Kilkeel in my area make a real difference to children, families and the community at large. Less funding means fewer staff means less support and — something that the Minister was very strong on in his previous role as Chair of the Education Committee — less early intervention for our children, increasing the problems of numeracy and literacy and, indeed, social skills in our schools.

Take, for example, the view of the Newry Confederation of Community Groups, which is a subregional community development organisation that provides support to a large number of local community and voluntary sector groups throughout the area. It has its finger on the pulse, and it is confirming that a continual and disproportionate level of cuts has been applied to the community and voluntary sector to date.

Mr Douglas talked about women's organisations. Women's centres, groups and organisations deliver a wide range of front-line services to the most disadvantaged in the community. However, in order to deliver those services, they must secure different packages of funding from up to eight Departments. Each of those Departments and, in turn, their agencies, has imposed cuts of varying degrees to their budgets. The cumulative effect of all those cuts on organisations will result in the withdrawal of services, including the training and education budget for women,

which includes childcare provision; and the support for additional childcare staff and additional staff that enables crèches to take referrals from social services to place vulnerable children in need of care. That knock-on cumulative effect will really hit front-line services.

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

**Mr Rogers:** I will.

**Mr A Maginness:** The Member, quite rightly, raises questions about early years and women's services. However, there is another crucial service, and that is the one carried out by NIACRO in relation to the resettlement of offenders. NIACRO's cut is in the region of 33% — £1.4 million — and the loss of European funding is very significant. That means less-safe communities; that means that ex-offenders are less likely to gain employment, and there is a huge social deficit in that.

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

**Mr Rogers:** I thank the Member for his intervention. I agree fully with him. Furthermore, those groups and projects are not only suffering because of red-marker cuts; they bear the brunt of departmental inefficiencies. We talk about European social funds and the unspent money there that must be returned. From community education to women's centres, thousands of people rely on and benefit from the vital services that the community and voluntary sector delivers. That unspent money has an enormous knock-on effect for the people employed by those organisations and those who avail themselves of them.

Organisations are experiencing delays in funding from DEL due to the fact that the EU Commission has suspended its funding for the third time due to auditing processes. The Minister must address that urgently. It is unacceptable that moneys that those projects and organisations depend on are not materialising due to inefficiencies. That is something that, one assumes, could be easily rectified.

I urge the Executive to recognise the vital work that the community and voluntary sector does. Whilst it has shown itself capable of doing more with less, it is approaching breaking point. Many of the Executive's own policy priorities and targets will not be met without the support of the community and voluntary sector.

Community and voluntary organisations across Northern Ireland provide a lifeline for local people. We need the delivery of local services in our communities to ensure the health and well-being of those most in need and that our children have the right start in life and access to all opportunities.

As the proposer of the motion said, it is positive action, not platitudes, that we need.

**Ms Lo:** I welcome this debate. As one who worked for many years in the community and voluntary sector, I stress its importance as part of our society and a key provider of services.

In many respects, it is more efficient and effective in interventions on the ground and in the delivery of specific services than government would be directly. That is recognised in a concordat between the sector and the Executive, although it could probably go further.

I sympathise with the frustrations being expressed by the sector in relation to budget cuts. I also recognise the

concerns that the sector is disproportionately bearing the brunt of cuts and the cumulative effect of cuts from various sources. An example of that is the Ballynafeigh Community Development Association in my constituency.

**Mr Lyttle:** I thank the Member for giving way. She spoke about the cumulative impact of cuts. Would she agree that the Executive must be more strategic in budgeting and that Departments must communicate with one another to be more aware of the scale of that cumulative impact of departmental cuts on individual organisations?

**Ms Lo:** Absolutely. I totally agree.

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

**Ms Lo:** Thank you. There has not been a very strategic approach taken by the Executive, in particular by the DUP and Sinn Féin, to decision-making, coordination and budget setting. However, it is important that we do not generalise and say that all Ministers have taken the same approach or made similar decisions that have impacted on the voluntary and community sector. I know that the Minister of Justice and the Minister for Employment and Learning value the sector and rely on it for core aspects of the aims and objectives of their Departments.

However, counterproductive actions have been taken by others. Cutting early years funding entails that the most crucial intervention — at the beginning of education — is undermined, as others alluded to. In education, everything seems to get sacrificed rather than dealing with a segregated system. While I appreciate the large-scale cuts to the budget of the Department of the Environment, I question the rationale of 100% cuts being passed on to many environmental NGOs. Although, under pressure, the Minister has somewhat reversed his position, it will not be until the end of June that many groups will receive clarity on funding. It was also very much a top-down approach, with little consultation with partners in the sector.

There is a focus in this debate on the European social fund. The fund has not experienced a cut. In fact, the current funding round is bigger than before. However, it is under greater pressure due to cuts elsewhere.

The current round was 1.8 times oversubscribed. Also, due to cuts in spending in other Departments and issues around the formation of the new councils, there may be problems with organisations securing match funding.

#### 12.45 pm

Secondly, the funding is allocated under an open and competitive process. No organisation should have gone into the process with an automatic expectation of funding. Inevitably, this competitive process means that some organisations will be funded and others may not.

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

**Ms Lo:** Yes.

**Mr Swann:** I appreciate the points that the Member is making on behalf of the Minister. Like me, she has sat through many presentations from ESF organisations to the Employment and Learning Committee which have been expressing that this is not the case. They say that the problem is with the openness and transparency of the application process and with the appeals and scoring mechanisms. There is nothing that the Member has said

that has not been taken into account, but there is an awful lot more around the ESF application process that is leaving organisations frustrated.

**Ms Lo:** Surely. I was about to say that timings of the process are inevitably difficult. The Northern Ireland operational programme was approved by the European Commission in December 2014, and we were one of the first regions across the EU to obtain that approval. Decisions to allocate funding to 65 projects were made before the end of March, allowing for continuity from 1 April, where relevant. Sixty-eight projects have been funded, which amounts to £112 million over three years.

**Mr Swann:** Will the Member give way again?

**Ms Lo:** No, sorry. I am running out of time.

Sixty of the projects are related to the community and voluntary sector. That funding will support over 10,000 young people who are not in education, employment or training, over 7,000 people with disabilities, almost 25,000 people who are unemployed or economically inactive, and it will help over 2,000 families in need.

**Mr Wilson:** I do not want to go through the long list of organisations in my constituency that have been affected by the reductions to their budgets. Needless to say, whether it is Bookstart, which helps with early literacy, or Good Morning Carrickfergus, Good Morning Larne and Good Morning Newtownabbey, which help people who are isolated by giving them some contact on a daily basis with those who check on their well-being, or community transport, all of them have been affected.

I want to make something very clear at the start. I know that Sinn Féin and the SDLP especially love to put all of this at the door of Tory cuts, but let us look at some of the facts. The £900,000 cut to the arts budget is half the amount of money that we lose each day in Northern Ireland because of the ideological position adopted by Sinn Féin and the SDLP to welfare reform. All of the money that has been lost in early years amounts to one day's repayment to Westminster that we must make as a result of the intransigence on the other side of this House on welfare reform. So, before we start putting the blame on somebody else, let us start looking at the problems that we cause ourselves because of the ideological positions that have been adopted by two parties that have buried their heads in the economic sands and will not recognise the damage they are doing to a lot of the voluntary sector.

The whole budgetary process, where Ministers are advised by civil servants on how and where reductions in budgets need to be made, is biased against those who are outside the statutory sector. It is very unlikely that Ministers are going to receive advice from civil servants that funding to core departmental services should be cut, regardless of whether they are less or more efficient or effective than some of the services created by outside bodies. Ministers are not going to get that kind of advice, and so we get a disproportionate impact, and that is across Departments.

**Ms Lo:** Will the Member give way?

**Mr Wilson:** I will give way, yes.

**Ms Lo:** Will you agree that the voluntary and community sector is seen as an easy target and a lazy option for cuts?

**Mr Wilson:** Very often, it is seen that way, and I will give you an example. The DRD budget was cut by 5%, yet

community transport got a whack of 37%. The Education budget was reduced by, I think, 2%, yet early years got a reduction of nearly 50%. It is an easy option.

**Ms Sugden:** Will the Member give way?

**Mr Wilson:** Yes, I will give way.

**Ms Sugden:** Will the Member agree that, although it is based on the advice of civil servants, the buck does stop with Ministers and that all Ministers are responsible for making these cuts? I agree with Ms Lo that the community and voluntary sector has been an easy target in this.

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

**Mr Wilson:** Of course the responsibility stops with the Minister at the end of the day, but I am trying to show that the budgetary process is biased towards keeping money within Departments rather than looking at whether other organisations deliver the services more effectively, more efficiently, more cheaply, more flexibly and everything else. I believe that we should be keeping on top of Ministers about that issue through questions in the Assembly and through Committees.

It is one thing to rant and rave about these reductions, but what are the kinds of things that we can do? We cannot magic money out of thin air. If it is not there, it is not there. That is why I believe that the first thing that we ought to be doing is challenging some of the budget cuts — even budget cuts made by Ministers from our own parties. It is disappointing that Anna Lo, for example, feels that she has to defend her own two Ministers. Her own two Ministers are as guilty of this as the Ministers in all other parties. Indeed, the motion has been presented by the Ulster Unionists, and the Minister from that party is as guilty as Ministers in other parties. Sometimes, as Back-Benchers, we need to be able to challenge this.

Secondly, we should be looking for alternative forms of money. It will be difficult to get more money from the block grant, but there are new and innovative ways. There is the social investment bond, which I know that the current and previous Ministers of Finance were looking at, whereby we bring in private money along with public money. There are huge business organisations that are queuing up to give money into a social investment bond, and I think that the Assembly does need to look at alternative forms of finance when it comes to this.

The last thing is that there should be an honest assessment of the value of organisations outside the statutory sector, whether those are voluntary, community or whatever. Lastly, some Ministers need to look at their priorities, and I have to say that I find it very difficult that, at a time when we are trying to improve literacy, things like Bookstart are closed down by the Minister of Education while he opens a school in Dungiven for 14 youngsters. All of that money would have paid for the whole of the Bookstart programme.

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

**Mr Maskey:** Go raibh maith agat, a Cheann Comhairle. It is a bit unfortunate that, following on from the rest of the very positive contributions, we have now had two Members who have introduced discordant notes into the debate. I would have thought that this was an opportunity for all of us to put our colours to the mast in supporting the community and voluntary sector in its quest to have some

certainty and stability around future funding. Obviously, in some cases, there are funding deficits in the very near future, which have resulted in the closure of a number of very important and key projects in our community.

In the first instance, I will say, as my colleague Bronwyn McGahan said, that we support the motion. We do not necessarily agree with everything in the motion, but we certainly agree with the substance and the general intentions of it. I do not think that it goes far enough because, first of all, it does not address the problem. I think that, if we are to solve any of these issues, we have to address the core problem, and I think that the motion falls short of that. As I said, we support the motion, because it does give us an opportunity to raise this on behalf of those in the community and voluntary sector and the communities that they work for, represent and, very often, work in. It is important that, generally speaking, we keep the motion and the debate as positive and constructive as possible, because what we are trying to do is to support the community organisations that are trying their level best, sometimes through very challenging circumstances, to provide essential services in a range of communities that are very often, but not always, disadvantaged.

Ms Lo made a point in defence of her Ministers. That is fair enough, but, if she wants to bring that note into the debate, I will have to say that one of her Ministers, Mr Farry, took a unilateral and arbitrary decision on the funding of teacher training colleges. It was a disgraceful and a purely political and ideological decision, and I told him that in a meeting I had with him.

I do not want to stand here and namecheck every organisation in my constituency and nor do I want to identify individual Ministers, because I think that there is a range of problems. However, just for the record, our party's ministerial team, led by Martin McGuinness, met NICVA recently to hear its concerns, which we share. Obviously, all MLAs from all parties have been working to defend organisations, often in their own constituency but not always just on that selfish constituency interest basis, rather on a wider, regional basis and beyond. Flowing from that, there were discussions in the Executive. The Executive, to their credit, have appointed the two junior Ministers to hold discussions with NICVA and examine what the cumulative effect of the cuts across all Departments will be. The starting point has to be that having a cocktail of funding from different Departments creates a cumulative impact for the better. Clearly, if local organisations can draw money from one Department or another, they can often do a lot more, thus getting a bigger bang for their buck in local communities.

I look forward to the report from the junior Ministers and the Executive's consideration of it. I hope that the Executive come up with firm recommendations on how to go forward with funding for the community and voluntary sector. The sector has to be able to move away from constantly chasing a cocktail of funding, which often makes the organisations unstable, as the staff and members who deliver the services have to devote a lot of their time and energy to seeking funding.

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

**Mr Maskey:** No. Sorry. Seeking a cocktail of funding takes an awful lot of their time and energy away from the delivery of services. I therefore hope that the Executive are able

to come up with a fundamentally changed environment for those organisations, because the community and voluntary sector faces very significant challenges, as a result of budget cuts but also the transfer of powers to local government. There is a lot of uncertainty and instability in the sector.

I have been speaking to Mervyn Storey since he took up office, and I want to place it on record that there is one Minister — I do not want to comment on all the others, because I have not directly engaged with them as I have with this Minister — who has, in my view, endeavoured to take a broader view of the impact of the cuts and did his best to make sure that they were minimised. I have no doubt that he has not been able to satisfy many organisations and that we will do battle with him in the time ahead.

The Assembly has to address the core problem, which is cuts, cuts and more cuts from London. The welfare part of that is an insignificant, small amount when set against the rest of the cuts to the block grant. Therefore, any penny spent thus far by the Executive to support welfare recipients is in the pocket —

**Mr Speaker:** Thank you. I call Mr Sydney Anderson.

**Mr Maskey:** — of welfare claimants. It is not going into some black hole in London.

**Mr Anderson:** Thank you, Mr Speaker. I welcome the debate and support the motion. It covers a wide range of funding sources and Departments, and I look forward to my colleague the Minister for Social Development responding on behalf of the Executive.

As an MLA, I am all too aware of the extremely valuable contribution made by the voluntary and community sector to the quality of life of many in Northern Ireland. I could cite many examples of front-line services provided by the sector that are now under severe threat due to cuts. Our Prime Minister, David Cameron, has been an ardent supporter of the vision of the Big Society, which aims to empower local communities to encourage voluntary and community groups to play an ever-increasing role in our society. That is a commendable idea, but we are now witnessing severe financial pressures on the sector, and those pressures are not only stifling its potential growth but threatening its ability to deliver existing services. No one in the sector that I know of is pleading for special treatment; indeed, they accept that cuts are inevitable in the current financial climate. However, with regard to the European social fund, there is a feeling in the community that cuts are not always made fairly or consistently. That leads to much discontent.

#### 1.00 pm

As a member of the Employment and Learning Committee, I want to focus briefly on the second part of the motion, which draws specific attention to the confusion surrounding the European social fund. We face something of an administrative and bureaucratic mess, and, in my view, there is no justification or excuse for such a mess. Back in February this year, my party colleague Diane Dodds MEP highlighted problems and inconsistencies over applications for the European social fund, a fund that is such a help to community, voluntary and women's groups. Across the sector there was a sense of injustice. It seemed that some applications were being rejected on what

appeared to be very flimsy grounds, while others appeared to be treated more favourably.

I appreciate that European-funded schemes can be extremely bureaucratic, but there is really no excuse for the Department for Employment and Learning's poor handling of applications. I do not have time to go into all the details, but there are many failings that left reputable groups in a state of confusion. Many of those groups presented to the Committee. Some were shocked to be told that their paperwork had not been properly completed, and, to cap it all, the subsequent appeal process seems to have been poorly managed. All that has led to a massive loss of confidence in the sector. It has jeopardised jobs and the delivery of much-needed skills and personal development training to disengaged and disadvantaged sections of our community.

I may be wrong, but I am not sure whether the Employment Minister has openly acknowledged his Department's failings in the matter. I note what Ms Lo said when she focused on the ESF, in the sense that it was oversubscribed with funding applications, but I believe that that was maybe an attempt to deflect attention away from the Employment and Learning Minister. I think that the Chair hit on it when he said that it was all about the openness and transparency of the process, rather than the oversubscribing. Indeed, I note that, at the Employment and Learning Committee on 29 April, the Minister took issue with Ms Sugden when she suggested that the process was flawed. Last week in the Chamber during questions for oral answer, the Minister dealt with four questions on the issue in one answer, but I do not really think that he addressed the failings of the process.

ESF is a vital and valuable funding stream that can help in the development of better jobs and a range of vital skills. It opens doors for many who would otherwise struggle. It provides opportunities for people, often young people from disadvantaged backgrounds, to obtain skills that enable them to compete in the job market and therefore helps to stimulate economic growth. All those are key targets of the Executive and of DEL in particular.

**Mr Douglas:** I thank the Member for giving way. He mentioned ESF. All research shows that the early years programme is a valuable programme that makes a major impact. Does he agree that it will be disastrous for those groups across Northern Ireland if that fund finishes in August?

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

**Mr Anderson:** I thank the Member for that intervention. I certainly agree that that would be a devastating blow for those groups, the children and their families. It would be a great loss to them and their communities going forward if that funding was to cease.

We must maximise the ESF's potential and not end up, as we have done, in a spider's web of bureaucratic confusion. Confidence in the integrity of the ESF has been damaged and must be repaired. I know that the process is now complete, but the Employment Minister and his officials must engage in an assessment of what went wrong so that lessons can and should be learned, we can get back on track and everyone, including the Minister for Employment and Learning, as well as other Ministers and Departments, works and supports each other in ensuring that community

and voluntary groups do not suffer any loss or can minimise the loss of funding.

**Mr A Maginness:** I think that the motion is very balanced. Mr Swann and his colleagues are attempting to create room for manoeuvre in the Executive rather than allocating blame and, as it were, over-criticising individual Ministers for their decisions. They are also highlighting the ambiguity surrounding the European social fund, which has had a very negative effect on many community and voluntary organisations in relation to staff reductions and, indeed, their operations. It is an attempt to ask the Executive to bring about a more coordinated approach to funding and the disproportionate impact that those cuts are having on the community and voluntary sector. The arts sector, for example, accounts for 0.6% of the overall Budget, yet we see the devastating and disproportionate impact that the cuts have had on arts organisations across Northern Ireland. That cannot be right.

I would prefer to concentrate on the impact that the cuts have had on women's centres throughout Northern Ireland. The Training for Women Network (TWN) is one of Northern Ireland's largest networks promoting women's training and development. Almost half of the applications to the European social fund by those organisations were rejected at the first phase of the process: 98% of women's sector funding applications were rejected at the very first stage of the process. That translated into a loss of 35 full-time jobs, 100 part-time jobs and over 2,400 training places. That is very disturbing, and it could lead to the total wipeout of the training and education services provided by the women's sector. That is not just one hit. Add that to the Education Minister's cuts to the vital early years — colleagues mentioned those — and the disproportionate detrimental effect on women is exacerbated.

The Minister for Social Development will be relieved to know that I am seeking clarification from the Minister for Employment and Learning and asking him to explain how his attempts to create a level playing field have benefited the private sector. Many of the private companies that were successful in securing funding have contacted TWN's partners to recruit participants. Imagine that. The Minister needs to explain how those groups were awarded funding without demonstrating that they could reach those groups. The Minister should also address the issue of formal freedom of information requests being ignored by the managing authority. The Minister really has to take that into account.

I take some of the points that Mr Wilson made, although he made them in a very adversarial manner. We do need an overall rain check on different Departments. It is not all down to budget cuts.

**Ms Lo:** Will the Member give way?

**Mr A Maginness:** Yes, indeed.

**Ms Lo:** Does the Member accept that that is not a funding cut? It is an EU programme with an open and competitive process.

**Mr A Maginness:** I accept that, and the way in which it has been managed has been criticised right across the Assembly today. The weight of criticism is such that I think that the Minister really needs to reconsider what has been happening with that.



**Mrs D Kelly:** I thank the Member for giving way. I paraphrase your comments and Mr Wilson's comments about all Executive Ministers having a more collaborative approach to community and voluntary sector funding and looking at the outcome of that so that we have a more holistic approach to supporting those projects that do sterling work in areas that are most in need.

**Mr A Maginness:** Indeed, and I accept that point. To be fair to Mr Swann and his colleagues, the motion states:

*"the Executive to act in a coordinated manner to ensure that the sector and its organisations receive the required level of support and funding allocations."*

It is a balanced motion that is fair to all Departments and to the Executive, but it asks the Executive to look at the issue again.

The TWN has also experienced delays in receiving funding to the sum of £400,000, which has been owed since March 2014. This is the third delay of the ESF because of the Department's audit process, and it has had a detrimental knock-on effect on funded projects. Small organisations that have had no money for a number of months have been put into a desperate situation. They are struggling to pay inland revenue and pension payments, and, consequently, face fines and overdraft costs that DEL does not cover. These organisations do vital work and projects cannot sustain without this funding. This is why I support calls for an emergency fund to be set up and put in place to allow a six-month extension —

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

**Mr A Maginness:** — to allow these projects to finish what they started. Without staff in place, DEL would have to hand back up to £6 million of EU funding. There is a risk here of a cost to government and a very real human cost.

**Mr Buchanan:** I apologise for not being here for the earlier part of the debate. I was caught up in another event. I welcome the opportunity to speak in the debate. The community and voluntary sector across Northern Ireland is the lifeblood of the Province. Those organisations play a strategic role in their respective communities, yet it is so easy for Departments to cut and hack at their funding without due care and consideration, and without thinking through the implications for the organisations and the people who use them.

The community and voluntary sector, through a small amount of funding, is able to provide an invaluable service for those in most need, especially in isolated rural areas. We are all well aware that Departments have suffered funding cuts and that they have to live within their budgets. Nobody is denying that. However, it appears that the community and voluntary sector is the easy target. They are the people being targeted by Departments. I believe that Ministers could look within their own Department to see whether funding could be cut from other areas without having the same knock-on effect, but it appears that some Ministers and Departments are prepared to take the easy option and cut where it will hurt the most.

Of course, there is an added problem here. We are being fined £2 million weekly because Sinn Féin failed to honour its commitment to the Stormont House Agreement and sign up to welfare reform. That situation costs the Executive £2 million a week, friend. It costs £2 million

a week — maybe we should say it again so that Sinn Féin gets to understand how much its failure to honour its commitment is costing the Executive. Sinn Féin, of course, is using this as a smokescreen in a sense. It is saying that it will not sign up because it is protecting the most vulnerable. Friend, who is being affected today by the community and voluntary sector cuts? It is the most vulnerable in society.

I want to focus very briefly on three areas that I have been lobbied on. One is early years. It takes £2 million to run early years. Of course, that £2 million cut is having a serious effect on early years and the services provided for young and preschool children. That cut came about without prior notification, engagement or consultation by the Department. What effect will it have? It will mean the loss of a local service in 153 communities in the most disadvantaged parts of Northern Ireland; a loss of 177 jobs, mainly among women and focused in areas of disadvantage; a loss of 2,500 early childhood places that were directly benefiting from the fund, including places for the most vulnerable children, and so on and so forth.

A Minister can build a school for 15 Irish language pupils at a cost of millions of pounds while taking £2 million from early years, where it would have the most benefit for our children, and, of course, the most benefit for education as they move forward. Let us remember that the early years service picks up on autistic disorders, speech and language therapy and all of that, which, in turn, saves the Department money in the longer term.

#### 1.15 pm

We also have the issue of £60 million being cut from transport. What is that doing? It is affecting Easilink, especially in west Tyrone, where, again, the most vulnerable in society are being affected. Some £190,000 has been taken from the Easilink service in west Tyrone. The elderly are being affected, as are the disabled and those with learning difficulties as the transport services that take them to the places they need to go are being cut.

The ESF funding —

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

**Mr Buchanan:** — has been mentioned. The Minister for Employment and Learning needs to take a close look at that issue.

**Mr Agnew:** Having worked in the community and voluntary sector, specifically on homelessness, I am keenly aware of the services that are provided and the efficiency of those services. When you bring in the help of volunteers, you can stretch resources that bit further. Undoubtedly, the cuts are counter-strategic. Many Members who have spoken made the point about early years provision, and I echo that.

I am glad that a bit of tension was created in the debate. I do not agree with some of the comments that Sammy Wilson made, but I certainly agree that there is a political debate to be had. This debate ran the risk of turning into, "Good things are good and bad things are bad. The community sector is good and the cuts to it are bad." The reality is that the cuts are the result of political choices that are being made by the governing parties in Northern Ireland. Yes, we have to face the reality of Tory cuts, but

there is also the reality of the self-implemented cuts that are being made by the Northern Ireland Government.

We often hear parties here boasting that they have kept rates down and that this is a low-tax economy. When you make that boast, you have to recognise that you also boast that you are happy to starve services of resources, to implement cuts, and to give tax breaks, often to those who can afford to pay more and to the wealthiest in our society. When you do that, you are saying that you are happy to accept cuts that will impact on the community and voluntary services that the most vulnerable in our community rely on.

The most stark example is the consensus across the five parties of the Northern Ireland Government on the implementation of further cuts through the reduction in corporation tax. Everyone who supports that policy and says that it will be good for our economy should go to each of the community and voluntary sector bodies that will, again, be the most vulnerable to those cuts because, as has been pointed out, they are seen as the easy target. They should go to those sectors and say, "Here is why £300 million-plus of extra cuts per year is a good idea. Here is why the loss of your services is acceptable so that we can implement a massive tax break for big business. Here is why, despite the fact that we trumpet being the most successful region of the UK in bringing in foreign direct investment, our income gap with the rest of the UK is increasing and we are in a worse position than other UK regions."

I will give way to Mr Wilson.

**Mr Wilson:** I know that the —

**Mr Speaker:** Before you do that, we are running out of time, and I have to go to the Minister at 1.20 pm. It is your decision whether you want to give way.

**Mr Agnew:** I will give way, Mr Speaker.

**Mr Wilson:** I will be brief. Does the Member accept that these reductions are nothing to do with the introduction of corporation tax, which is at least three years down the line? To argue that they are a consequence of the devolution of corporation tax is totally false.

**Mr Agnew:** My argument is that further cuts will have to be made if we reduce corporation tax to the level that is proposed and that the community and voluntary sector will be most at risk. The decision to freeze rates, the decision to cut air passenger duty and the decision not to introduce water charges are all political decisions that have consequences. We had a 100% cut to our Budget. We did not seek in any way to raise revenue with the powers that we have. I agree that austerity is the number one cause of the problems we are facing, but the reality is that the Northern Ireland Government have chosen to add further austerity through these tax freezes, tax breaks and funding cuts.

As has been pointed out, the community and voluntary sector is not looking for special dispensation, but what has been clear, and what has been echoed throughout this debate, is that there has not been an evaluation-based approach. We have not cut the services that were performing least well; we have cut the services that were easier to cut. We have to produce a new Budget. We have had emergency Budget after emergency Budget through the funding rounds and the one-year Budget. We need

a long-term Budget that sets out a strategic vision, and, where cuts have to be made when they are not self-imposed, they should be based on evaluation and not on top-slicing.

**Mr Storey:** I thank the Members for tabling the motion. I listened with interest to all the contributions, and I want to set out a number of issues that are, for me, key as I respond to the debate. In doing so, I want to set out my vision of the relationship between my Department and the voluntary and community sector; the approach that we had to the 2015-16 Budget round; the relationship between government in Northern Ireland and the community and voluntary sector; and, I think most importantly, how we might best move forward.

I take the point made by a number of contributors: that those who watch the debate today will not really be interested in the platitudes and words about commending everybody but in how we will address a very serious situation. We can look at many organisations, and reference has been made to issues in early years and with community transport. I know of issues from my constituency, with organisations like Can Can Recycling in Ballymoney and the Greenlight Gateway project, and other matters around community transport. Another issue that has been raised with me in recent days, which is being pursued by the Education Minister, is that of the long-term future of the Youth Council and its voluntary activities. That raises serious concerns about the whole issue of volunteering, which is something that we all value and we all see the huge benefits to society that flow from it.

My response today will primarily draw on the experience of my Department during the 2015-16 Budget and the decision-making processes that we followed. It is also based on my responsibility as lead Minister for relationships between government and the voluntary and community sector. I am sure that you will understand that I am unable to respond and provide any information on allocation policies and processes followed by other Departments, but I will come back to that point as I continue, following on from some correspondence that we recently forwarded to OFMDFM.

As Minister for Social Development, I fully recognise the significant contribution that the voluntary and community sector makes to civic society in Northern Ireland. I want to see a strong, vibrant, enterprising and sustainable sector within the community. I think that that is also emerging out of these recent days, but that is also the aim and objective of many of the organisations in the community and voluntary sector. Where changes can be made and where effective collaboration can be brought forward, I believe that the voluntary and community sector has proved in the past, and will continue to prove in the future, that it is more than capable of being able to address that issue. However, when it is faced with a funding crisis, it makes it much more difficult for the sector to be able to progress other issues that it would like to.

I remain committed, as does my Department, to working closely with the sector as it provides support to the most vulnerable in society and ensures continued access to much-needed services.

I welcome the representatives of NICVA in the Public Gallery. They know that this is something that I have said to them and to many organisations that I have met

as a Member and since becoming Minister. There is a challenge for the Executive: if the organisations that are in real financial difficulties go out of existence, who picks up the services that were delivered by those organisations?

I spent some time in Ballycastle in my constituency just last week and saw first-hand the work of the Greenlight Gateway project. As Chairperson of the Committee for Employment and Learning, the proposer of the motion will know about that project. The reality is that the cost of the service that will now have to be picked up by the Department of Health, Social Services and Public Safety and others is more than what is currently being provided for by that organisation. That raises serious issues for us all when we talk about prudence and best value for money.

**Mr F McCann:** Will the Minister give way?

**Mr Storey:** Yes, I will.

**Mr F McCann:** You highlighted one of the big problems that has been there for many years: how we look at the worth of the community and voluntary sector and about the attitude that prevails in many Departments. We have to have that debate because many of us who have been involved in the community sector understand and appreciate the wealth of talent and work that goes on in communities. However, that is lost on Departments when they look at that type of work and, with the stroke of a pen, wipe away years of work in helping people in communities.

**Mr Storey:** That is the case. I wish, however, that when Ministers make those decisions they would always be consistent in the outworking of the results of their decisions. The Hansard report of this debate will be made available to my ministerial colleagues. As I will explain in a moment or two, I am committed to ensuring that the Executive give due diligence and attention to the issue.

During my time in office I have met voluntary and community sector representatives regularly to discuss the implications of Budget cuts to the sector. I heard their concerns first-hand when I attended the February joint forum meeting between government and the voluntary and community sector. It would be untrue to maintain a position that the strain on public finances in 2015-16 has not had a significant impact on the financial relationships between government and the sector. With that in mind, I instructed my officials to ensure that, where possible, during the Budget allocation process, resource allocations across the Department would be prioritised, transparent, accountable and evidence-based. The outworking of this has meant that, in determining the 2015-16 Budget allocation, my Department sought to minimise the impact on the wider voluntary and community sector by prioritising, as far as possible, funding to support the sustainability of the sector and to maintain support for key services such as generalist advice services, neighbourhood renewal, Supporting People, volunteering and childcare.

Before I turn to the issue of relationships between government and the voluntary and community sector, I want to reiterate the process that I use in my Department. For the first time, I have come to look at the issue of how a Minister deals with the point that was made by my colleague, Sammy Wilson. We are enveloped by a considerable number of officials who come to us, day and daily, with a raft of issues, and it would be very easy to take the normal trend of those briefings. However, I ensured that we not only looked at my budget priorities

and at all the issues of accountability, but, looking at some of the budget streams in particular, we ensured that we cross-referenced them with other offices in the Department to ensure that we had done the best possible task that we could. We were in very difficult circumstances where we made decisions knowing that we had lost a considerable amount of our starting point in the allocation of our budget in the first place.

**1.30 pm**

Coming back to the issue of relationships between the Government and the voluntary and community sector, I strongly believe that the Government are working with the voluntary and community sector in partnership. We will strengthen that relationship as we move forward on managing these issues.

**Ms Maeve McLaughlin:** Go raibh maith agat. I thank the Minister for giving way. In relation to that relationship between the community and voluntary sector and the Government here, would the Minister consider lobbying his Executive colleagues, particularly in Finance and Personnel and Enterprise, Trade and Investment, on the introduction of the Social Value Act into the North of Ireland?

**Mr Storey:** That has been discussed along with a number of issues. I am going to come on to the discussions I have been engaged in with my ministerial colleagues in the Executive in a minute.

I am conscious of time, but I want to come to the issue of the concordat. It has been referred to, and I just want to make sure that Members know what it is. Here we have a copy of it. We can let everybody see that all Ministers signed up to a process and a concordat. I consider that the concordat between the Northern Ireland Government and the voluntary and community sector is the formal shared vision of the partnership and reflects the commitment to work in partnership in building a participative, peaceful, equitable and inclusive community. However, I think that all Ministers and Departments would do well to revisit the concordat to see how they have engaged in its delivery.

The concordat very clearly and transparently lays the foundation for partnership working. The joint forum, with membership drawn from the voluntary and community sector and the public sector, provides structured and managed opportunities for increased collaborative working and joined-up action in areas of mutual interest such as outcomes-focused funding, addressing excessive bureaucracy, procurement, policy development and development of best practice. Surely, those are the areas that organisations want us to be engaged in and the discussions they want us to be involved in. As we have said, all Departments, including my own, are signatories to the concordat. I feel confident that the approach followed by my Department in the 2015-16 Budget allocation process was consistent with the values and principles contained in the concordat.

From the motion, and the debate that has taken place on it, I believe that there is a clear recognition of the need for closer collaboration in our partnership working. We need to ensure that unintended consequences resulting from our decision-making processes are minimised. My colleague Sammy Wilson referred to the impact we have seen in relation to DRD and community transport, for example. We

have all been lobbied on that issue because of the serious consequences it has across a whole raft of other elements of government services, particularly in rural communities.

I want to bring the House up to date in relation to the fact that the joint forum held a single-issue meeting on Friday past that focused on the cuts to the sector. To ensure that my Department is clearly sighted on the issues being raised by the sector representatives, I asked senior officials from the Department to attend and hear at first hand the detail being raised. The concordat will be successful with real commitment across the public and voluntary and community sectors. I would like to underline the importance of Departments complying with the values and principles.

Let me move on to the discussions with the First Minister and deputy First Minister. After recent discussions with voluntary and community representatives, I wrote to OFMDFM to offer my Department's assistance to the overview being undertaken by OFMDFM junior Ministers on budget decisions across Departments.

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

**Mr Storey:** Yes.

**Mr Beggs:** Would the Minister accept that the late decision-making process that has pertained in Northern Ireland for a number of years particularly, and adversely, affects the community and voluntary sector and that that sector is there for last-minute savings and that its value is not being regarded appropriately?

**Mr Storey:** We always have this issue in relation to budgets and the mechanisms that we use. It has been discussed in the House a number of times. We have embarked on the overview. Given that NICVA raised the issue with OFMDFM and it was raised at the Executive, I subsequently met representatives from NICVA, and I will continue to have that engagement with OFMDFM junior Ministers. All those issues need to be looked at.

I also want to raise the issue that I raised without prejudice in correspondence with OFMDFM: the possibility of developing some form of transition assistance for the voluntary and community sector as it adapts to transformed funding arrangements. Here is where we have to be honest. It has been raised for different reasons. It was interesting that one Member opposite did not want to take any interventions; that was because it was clearly an attack on the Government at Westminster and the cuts that are going to come. There will be reduced moneys in the future. We have to find a way to manage that.

**Mr Speaker:** Thank you.

**Mr Storey:** That is why, as Minister for Social Development with responsibility for welfare reform, I find it difficult to stand in front of this desk today —

**Mr Speaker:** Thank you, Minister.

**Mr Storey:** — and talk about vulnerable communities when I realise that, because people have not fulfilled —

**Mr Speaker:** I call Roy Beggs —

**Mr Storey:** — the Stormont House Agreement —

**Mr Speaker:** — to conclude and wind up.

**Mr Storey:** — we are in a far bigger financial crisis.

**Mr Speaker:** Another Member has the Floor.

**Mr Beggs:** I declare my involvement and interest in a number of groups: I am chair of the Carrickfergus children and young people's locality group; I am a committee member of Horizon Sure Start; I am a Boys' Brigade officer; I am treasurer of Carrickfergus community drugs and alcohol advisory group; and I am on the Carrickfergus road safety committee. Those of us who are aware of things on the ground learn lessons and get to see things from different sides, so let me very clearly put it on record that I value greatly the role of the voluntary and community sector. Frequently, it reaches vulnerable individuals and gets solutions that the statutory sector cannot. We all have to recognise that. It also often carries out preventative work that, all too often, is not valued to the degree and extent that it should be. I think that virtually all Members have recognised the important role that the community and voluntary sector plays, but financial outcomes in the process have not been delivered.

It is important that we recognise that, for volunteers to work, there needs to be a degree of support. It may be simply by ensuring that they have the necessary training so that they can carry out their contribution in a safe and protected manner. It may be simply by ensuring that there is appropriate insurance cover, because, sometimes, without it, volunteers cannot work, because they put themselves and their group at risk. It is important that that little bit of seed money is looked at very carefully to ensure that it is provided.

When I look at my constituency in recent times, I am very encouraged by the work of Ledcom in its community development activity in the Craig Hill area and in its educational outreach in a number of areas in Larne and Carrickfergus that was successfully reaching individuals whom, previously, the statutory organisations, including the further education colleges, failed to reach. Without the involvement of the community and voluntary sector, government objectives were not achievable. I think, too, of how the women's forum in Carrick has played a very constructive role working with Women's Aid to give confidence back to individuals who may have suffered so that they can start to attend education courses. Again, however, funding has been cut. What for the future? I do not know. Frequently, the burden will fall on statutory agencies that are already overstretched.

My colleague Robin Swann highlighted the apparent lack of appreciation by the Executive of the community and voluntary sector. At the moment, the community and voluntary sector certainly feels that the outcomes of the budgetary process mean that its work is not being valued. Although I welcome the Minister saying that the Department will take a fresh look at this, the current status is that the work of the community and voluntary sector has not been valued to the extent that it should be.

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

**Mr Beggs:** Yes.

**Mr Storey:** Here is the point that I have found difficult when listening to the debate: it seemed as though it is an issue for everybody, as long as it was not their Minister's issue. Is the Member saying that every Member, irrespective of party affiliation, should collectively say that every Minister has to sign up to and deliver on the concordat and ensure that we do something across the concordat and ensure that we do something across the concordat? Is that what the Member is saying? I know that the

Member who proposed the motion tried to ensure that that was the case, but let us have clarity around the issue.

**Mr Beggs:** I have no difficulty with that. All Ministers need to look at how funding has been allocated and value the important work that the community and voluntary sector carries out.

One thing jumped out at me when I learned more about what happened with NIACRO and European social funding. We have DEL bringing an abrupt end to the service that was provided. Meanwhile, the justice system — like DEL, it has an Alliance Minister — did not know how to react and suddenly pick up the pieces. Where was the transition? Where was the planning? Where was the recognition of the valuable work that was being carried out to help resettle offenders, to lessen the likelihood of reoffending and to lessen the likelihood of them coming back into the justice system and bringing about pain in our community, which will potentially suffer criminal activity should those people not be reincorporated into society? There are also the additional costs to the justice system, the courts and the prisons. Therefore, it is vital that such gaps do not happen. We need to look carefully at our processes to ensure that that does not happen again.

It has also been highlighted by the community and voluntary sector that some of the processes that have been put in will work against it, with it having to work at risk. Of course, they do not have the financial backing to work at risk, and that potentially excludes much of the good work that has happened in the past. They do not have a pool of funding to set aside should they not be able to achieve all the objectives that may be set for them by Departments. That may, of course, be tackled by the private sector, but, again, will the private sector be able to attract the necessary people to courses to achieve their objectives? I suggest that the community sector is best placed to reach many of the vulnerable members of our community.

Sammy Wilson blamed everything on welfare reform. I think he said that the cut to the arts budget was equivalent to a day and a half of welfare reform fines and the cut to early years funding was equivalent to two days of welfare reform fines. That is a viable comparison. We have to accept that choices are being made.

I am astounded at the approach taken by Bronwyn McGahan, who is not in the Chamber. In her speech, she said that this was all the Tories' fault. We are a devolved Assembly. We have to take decisions based on the hand that is given to us, and we must take decisions to try to better our community. Frankly, why are you involved in politics if you are going to blame somebody else for everything? We have to be responsible for ourselves, and we have to operate within our Budget.

Steven Agnew said that he wished to raise taxes to raise additional money to fill some of the voids. At least that is a mechanism that would work. Again, there are choices to be made there, but I wonder whether, in the long term, some of them could end up adversely affecting more people, because, if we do not ensure that we have more people working and contributing, there are huge risks of there being even more vulnerable people in our community.

**Mr Agnew:** I thank the Member for giving way and for his comments on my contribution. The point that I make is that we can raise taxes only if they are progressive; that is, if they fall heaviest on those who can afford them, not on

the most vulnerable. Otherwise — the Member is right — they would be counterproductive to what we are trying to achieve.

**Mr Beggs:** Yes. It was also said during the debate that we could not magic money. That is very true. We have our Budget, and we have to live with it or raise additional moneys in whatever manner we wish to agree on.

#### 1.45 pm

**Mr Lyttle:** I thank the Member for giving way. Given his last comments, will he put forward suggestions about where additional money can come from to meet some of the gaps that our community and voluntary sector is suffering?

**Mr Beggs:** Like the Member, I have been encouraging welfare reform to be moved along. That would remove some of the difficulties of huge and mounting fines, which will increase. I also recognise that huge administrative burdens will ultimately arrive when the old computer system eventually crashes. That is one very easy way of dealing with it.

It is important that we try to improve the choices that we have. I welcome the Minister's suggestion that it is important to work in partnership with the community and voluntary sector and the fact that he quoted the concordat. However, Minister, I again highlight that that is not what the community and voluntary sector feels at this time.

I suggest that our Budget process results in very late decision-making with no real discussion about the knock-on effects of a draft Budget and how it will pan out on the ground, and it leaves little room to readjust, manoeuvre and change. Making decisions very late gives organisations no notice of change. We have no transition funds. I certainly welcome the suggestion that there should be a transition fund of some sort to try to stop that happening in the future. That would be welcome. It is important that we look at our process to ensure that the community and voluntary sector's contribution is recognised. I suspect that civil servants do not currently recognise the true value and the cross-cutting nature of much of the work that the sector does in the budgetary process and therefore one Department can easily cut funding to the community and voluntary sector at the expense of many others.

**Mr Speaker:** Thank you.

**Mr Beggs:** I ask you to support the motion.

*Question put and agreed to.*

*Resolved:*

*That this Assembly notes the important role of the community and voluntary sector across Northern Ireland in providing effective, efficient and value for money front-line services; accepts that, as a consequence of the 2015-16 Budget, decisions are being made by individual Executive Departments with no consideration of the impact on these services or the effect that they will have on the vulnerable in society; further notes that the ambiguity surrounding the European social fund has also forced many organisations to reduce their staff and their operations; and calls on the Executive to act in a coordinated manner to ensure that the sector and its organisations receive the required level of support and funding allocations.*

## Psychoactive Substances

**Mr 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. One amendment has been selected and is published on the Marshalled List. The proposer will have 10 minutes to propose the amendment and five minutes to make a winding-up speech. All other Members called to speak will have five minutes.

**Mr Easton:** I beg to move

*That this Assembly expresses its concern at the impact of legal highs and in particular at the number of resulting deaths; and calls on the Minister of Health, Social Services and Public Safety to continue his work with the Home Office to ensure the introduction of new legislation across the United Kingdom to ban new psychoactive substances.*

The use of legal highs is a growing problem in drug misuse. Officially known as new psychoactive substances, legal highs are synthetic drugs that are self-administered and produce an altered state of mind. They are often created in laboratories in Asia and sold to European markets before authorities have time to ban them. Legal highs can be bought online and in shops known as head shops. The online marketplace adds further complexity, because these drugs can be more accessible to younger people and can be promoted through social networking sites.

Legal highs have become adopted as recreational party drugs, and they mimic the effects of drugs such as cocaine and Ecstasy. However, legal highs are not controlled in Northern Ireland and the rest of the UK under the Misuse of Drugs Act 1971 and are therefore legal to possess. Legal high substances can be bought lawfully by anyone over the age of 18. However, the Public Health Agency (PHA) in Northern Ireland suggests that professionals working in the area of drugs report that many young people, including those of post-primary age, are taking legal highs. The number of UK deaths linked to so-called legal highs or new psychoactive substances has risen in recent years from 10 in 2009 to at least 68 in 2012. That number is increasing. The latest death, in Newtownards in April, was that of Adam Owens, a young person who came from my constituency.

The term "legal highs" is misleading and instils a perception that these substances are safe and legal to sell for human consumption. That may not always be the case. These new substances are not yet controlled, because there has not been enough research into the substances they contain and how safe they are.

Legal highs are considered illegal to sell for human consumption under the Medicines Act 1968, but, in order for sellers to get around that, products are cleverly packaged as bath salts, incense, pond cleaner or plant food, with a warning label: "Not for human consumption". That enables producers to subvert the law and avoid sanctions from the Medicine and Healthcare Products Regulatory Agency. Often, no ingredients will be listed on the product packaging. They come in various pill and powder forms. Some legal highs may also contain ingredients that are illegal to possess, such as class B

drugs like amphetamines. Side effects include reduced inhibitions, drowsiness, paranoid states, coma, seizures and strokes. Legal highs can even cause death, and the effects can be exacerbated by alcohol or other drugs. Part of the difficulty is that the chemicals that they contain have, in most cases, never been used in drugs for human consumption before, so research on their composition is limited, and the substances have not been tested to show that they are safe. In turn, users can never be certain what they are taking or what the effects might be.

The sheer volume of and speed at which new legal highs are appearing on the market makes the policing of those substances particularly challenging for law enforcement authorities and policymakers alike. In addition to the classification of drugs listed above, a further new classification called temporary class drugs banning orders is in place to tackle legal highs. Furthermore, the Department of Justice, the Police Service of Northern Ireland and the Public Health Agency have introduced an informal early warning system known as the drug and alcohol monitoring and information system (DAMIS), which seeks to identify new substances or drug trends at an early stage and provide information and advice to key stakeholders. The Public Health Agency drug and alcohol monitoring and information system has been receiving reports of people across Northern Ireland experiencing unpleasant and potentially dangerous side effects after smoking synthetic cannabinoids, with a number of users having been hospitalised. The Public Health Agency is using its early warning system to raise awareness of the risk of specific groups of new emerging substances and is urging those who feel unwell after taking those drugs to seek medical help urgently. Currently, 107 different synthetic cannabinoids have been identified across Europe, and potency is hugely variable. They are often a lot stronger than cannabis and may even have completely different effects.

In Northern Ireland, the issue of legal highs has received much media attention. However, there is no official recorded information, including information on hospital admissions, about the use or prevalence of legal highs at a local level. Nevertheless, the Public Health Agency suggests that professionals who are working in the area of drugs and alcohol in the community report that many young people, including those from post-primary age, are taking legal highs. The Department of Health, Social Services and Public Safety also stated in 2012 that, given the number of issues, it is difficult to get a clear picture of the level of misuse. A number of information sources show their level of impact, but that may underestimate the overall scale of the problem.

In 2013, the Home Office appointed an expert panel to consider how best to tackle new psychoactive substances (NPS). In the Government's written ministerial statement at that time, it was made clear that they were prepared to enhance the UK-wide legislation framework to ensure that their law enforcement agencies had the best available powers, sending out the clearest possible message that trade in those substances was reckless and that the substances are dangerous and can be fatal. The Government have been proactive in tackling those new drugs over the last few years. Indeed, the UK has a range of approaches that are recognised as world leaders. The UK has already banned 350 substances and been quicker to respond to the challenges than many other

countries. It has continued its commitment to the forensic early response system, which enables it to identify new substances swiftly. That has led to successive communication campaigns to raise awareness of the risks of so-called legal highs among young people; work with law enforcement agencies on a concrete programme of action; and the international effort to tackle the availability of those new drugs. Front-line services have also made an important contribution by raising awareness of the problems of NPS and by rapidly developing clinical and other responses to them.

The Misuse of Drugs Act 1971 has remained the cornerstone of the response to the most harmful drugs, where the evidence of prevalence and harms or potential harms are justified by that level of control. I, therefore, urge the Minister to continue his work with the Home Office to ensure that new legislation is introduced across the UK to counteract and ban these substances as soon as possible.

Finally, there is an amendment on the Floor, and although I am willing to accept that, I must say that it takes away from the motion, because we need new legislation. However, I am willing to accept what you have put down, because the issue is far too important to be argued or fought about by anyone in the House.

**Mr Speaker:** As Question Time begins at 2.00 pm, I suggest that the House take its ease until then. The debate will continue after Question Time, when the next Member to speak will be Mr Fearghal McKinney, who will move the amendment.

*The debate stood suspended.*

2.00 pm

*(Mr Principal Deputy Speaker [Mr Newton] in the Chair)*

## Oral Answers to Questions

### Health, Social Services and Public Safety

**Mr Principal Deputy Speaker:** I inform the Chamber that questions 1, 6, 12 and 15 have been withdrawn.

#### Ambulance Service: Personnel

2. **Ms Sugden** asked the Minister of Health, Social Services and Public Safety, given the reliance on private ambulance services, whether he plans to increase the number of Northern Ireland Ambulance Service personnel. (AQO 8177/11-15)

**Mr Hamilton (The Minister of Health, Social Services and Public Safety):** The Northern Ireland Ambulance Service (NIAS) is not reliant on using private ambulance services. Private ambulance providers are used only in exceptional circumstances such as those that arose during the recent periods of industrial action on 13 March and from 27 April to 10 May. The use of private ambulance services on those occasions was under the NIAS resource escalation plan to support the Ambulance Service's resources. The private ambulance services were engaged primarily to deal with non-emergency calls in order to protect capacity for Northern Ireland Ambulance Service staff to be deployed in response to 999 calls.

**Ms Sugden:** Given the recent news reports of increased pressures on public service ambulances, has the Minister any plans to alleviate that and, if so, what are they?

**Mr Hamilton:** Issues that were highlighted by the recent industrial action have been dealt with, and I am confident that the escalation plans that are in place in the trusts are appropriate to deal with that. At the minute, there are roughly 94 vacancies in the Ambulance Service, and many of those posts have been for emergency medical technicians. Around 90 of those positions have been offered to ambulance care attendants. I hope that the filling of those vacancies could help to alleviate some of the pressures that manifested themselves during the recent industrial action but which can also be seen in intervening periods when there is pressure on existing resources. Many constituents of mine and many constituents of other Members will have reported difficulties with the slowness, sometimes, of response times in the Ambulance Service. I hope that moving to fill those vacancies might help to address some of those pressures.

**Mr G Robinson:** Will the Minister state how the number of paramedics working in the health service in Northern Ireland has changed over recent years?

**Mr Hamilton:** If you go back to the beginning of the current Assembly term — roughly the end of March 2011 — the number of paramedics employed in the Ambulance Service in Northern Ireland was 379. If you fast-forward to March 2015, that number has risen. Even though I pointed out to Ms Sugden the vacancies that exist, which we are trying to

fill, there are currently 415 paramedics, and that includes 80 rapid-response vehicle paramedics. In that four-year period between 2011 and 2015, there has been a 9.4% increase in the number of paramedics, and that has to be warmly welcomed. I appreciate that, even with that additional complement, there are still pressures on the service and that there can still be difficulties, but it is testimony to the work of my predecessors in post that, even at a time when resources have been under severe pressure, as we all know, investments have been made in the front line. The Ambulance Service is a front-line service, and our paramedics and our care attendants are incredibly important to the overall service, so a near 10% increase in the number of Northern Ireland Ambulance Service paramedics over that period of time is testimony to the commitment that we have made to the front line in that period.

**Mr Dallat:** I preface my question by paying tribute to the Ambulance Service, certainly in the northern and western areas. Does the Minister agree with me that, when someone makes that 999 call, they expect a response?

Given that there are 94 vacancies, would the Minister agree that that in itself is an emergency?

**Mr Hamilton:** I agree. I join with Mr Dallat in paying tribute to the work that staff in the Ambulance Service do on behalf of us all; it was remiss of me not to do so earlier. Our citizens should expect the highest standard of service from them as from all in the health and social care sector.

There are issues with response times that I have been familiarising myself with, as you can imagine, over the last number of days. Unfortunately, sometimes some targets, particularly the eight-minute response time for life-threatening calls, or category A calls as they are called, are not being met. That is in spite of the investment that I outlined to Mr Robinson to increase the number of paramedics.

We all appreciate the range of pressures. Going back to the original question asked by Ms Sugden, we are, thankfully, able to use private and charitable providers, such as St John Ambulance, the Order of Malta and the Red Cross, to alleviate some of the pressure so that Ambulance Service staff can deal with life-threatening calls and emergency situations, so that when somebody, unfortunately, has to make the call, they are getting responded to appropriately and in the appropriate time. We know that, when they do get responded to, they get the best of care.

**Mr Allister:** In terms of the adequacy of ambulance provision, would the Minister undertake to look again at the provision of air ambulance services in light of the events on Saturday at the North West 200, where a spectator had to be airlifted to hospital? Can he comment on the fact that, although the severe trauma unit is at the Royal Victoria Hospital, there is no facility to land a helicopter at that hospital, adding to the delay in transporting severely injured personnel?

**Mr Hamilton:** The Member is right to raise the incident at the weekend. It again highlights the issue of air ambulance provision in Northern Ireland. We were all shocked by the severity of the incident at the North West 200. Pictures in the press today showed how serious it was. We pay tribute to the staff who responded, and obviously our thoughts are with those still in hospital who are being cared for. We wish them a speedy recovery.

The Health and Social Care Board submitted a report to my Department on the feasibility and appropriateness of establishing a dedicated helicopter emergency medical service in Northern Ireland. I am awaiting the report of the emergency aeromedical support services group that was established by the Republic of Ireland's Department of Health to consider the provision of a dedicated service in that jurisdiction. I imagine that will include recommendations in relation to the potential for the expansion of the geographical reach of that service to include the whole of the island. When the report is received, I will consider those recommendations in conjunction with the Health and Social Care Board study before making a final decision on the matter.

Mr Allister is also right to point out one of the practical difficulties in the provision of air ambulances. I do not think anybody would dispute that, where we had appropriate resources, it would be a good thing to do on our own or with our neighbours to the south. However, that would require investment in not just a helicopter but staff, maintenance, upkeep and infrastructure changes to ensure there is an appropriate place to land a helicopter. That is one reason why, at this stage, even if we had an air ambulance, it would not necessarily be working to its optimum performance.

There are a lot of points to consider. It is on the agenda, and the events of the weekend highlight it all the more.

**Mr Hussey:** Like Mr Dallat, I pay tribute to the Northern Ireland Ambulance Service. I had the misfortune of having to travel recently in an ambulance with my late mother to the South West Acute Hospital. The paramedics who dealt with my mother were excellent.

Does the Minister know how much compulsory overtime ambulance drivers and paramedics have to undertake because of the 98 paramedic vacancies, or whatever number it is?

**Mr Hamilton:** I don't is the simple answer, but I am happy to provide that information to the Member in due course. It is worth pointing out that Ms Sugden's question was a useful one in that it highlighted the provision being provided by others in support of the Northern Ireland Ambulance Service. That support is primarily for non-emergency situations where patients are moved from hospital back to their home or from their home to hospital for appointments. It is worth noting the work being done on our behalf by other providers, and I hope that there is an acceptance around the House that it is a good thing that we are able to call upon that resource as appropriate.

I do not have the specifics on the amount of overtime being paid, but I am happy to provide that information to the Member in due course.

### June Monitoring Round: HSSPS Bids

3. **Mrs Overend** asked the Minister of Health, Social Services and Public Safety to outline his planned bids for the June monitoring round. (AQO 8178/11-15)

**Mr Hamilton:** The final budget for 2015-16 is exceptionally challenging for my Department. Indeed, even after delivering substantial savings of almost £160 million, some £30 million to £40 million of unfunded pressures remain to be addressed. In addition, there is no funding to invest in a range of new service developments.



I am also fully aware of the difficulties of the overall Northern Ireland financial position and the need to urgently get a resolution to the welfare reform issue. In such a constrained financial context, my Department will seek additional funding from the Executive through the in-year monitoring processes to avoid service consequences and provide additional services and treatments for patients.

I assure Members that, if successful, additional income from June monitoring would enable me to address a range of critical front-line service pressures in elective care, mental health, learning disability, specialist drugs, children's services, Transforming Your Care, public health and unscheduled care.

The June monitoring bids are being developed for my consideration and, in line with normal practice, will be discussed with the Health Committee prior to final submission.

**Mrs Overend:** I congratulate the Minister on his new position. He will know more than most about the uncertainty surrounding the monitoring round. Can he detail the most recent estimated funding pressure for his Department this year? In particular, what service in what trust is he most concerned for?

**Mr Hamilton:** I thank the Member for her congratulations. I hope that in roughly a year's time she is still able to stand on her feet in this House and congratulate me.

**Mrs Overend:** So do I. *[Laughter.]*

**Mr Hamilton:** I think most people do.

As I hope I outlined in my response to the first question, even before taking up this post I was well aware of the financial pressures that the Department of Health is facing. Even though I am very pleased and, I suppose, proud of the fact that, in my previous post, I was able to ensure that 3.4% uplift in departmental expenditure in the Health Department this year — £203 million or £204 million — that still left considerable pressures and the need to realise significant savings from the budget. We are committed to delivering, and we expect to deliver, a further £160 million worth of savings through efficiencies throughout the health system this year.

However, there remain roughly £30 million to £40 million worth of unfunded pressures in the system. Those pressures will be spread right across the system and are being faced in various trusts and other services like the Public Health Agency and so forth that we are providing.

Those are the immediate pressures that the Department faces that we need to deal with in-year through a range of measures if that money is not found through the monitoring round process. We are all concerned with the situation and the stand-off on welfare reform, what will happen with the monitoring round process and whether it will be a monitoring round process where money can be distributed or whether the Executive will face further pressures on funding.

So, there are £30 million to £40 million of unfunded pressures, but that is before we get into service development. I am sure that everybody in the House will receive, as will I now that I am in this post, requests for service development, such as more spending on mental health, learning disabilities and elective care and so on and so forth. As things stand, I will not be able to fund

those service developments because of the pressures that still exist in the budget.

**Ms Maeve McLaughlin:** Go raibh agat, a Príomh-LeasCheann Comhairle. I thank the Minister for his answer. Given his previous comments on the budgetary spend in Health and the Chief Medical Officer's comments today in relation to a very clear need to radically review the system, what needs to change? Go raibh maith agat.

## 2.15 pm

**Mr Hamilton:** The Health budget, as the Member, and indeed the House, knows is by far the biggest that the Executive have. At £4.7 billion, it is close to half of the total Budget. It is a lot of money. Given the Member's position as Chair of the Committee, she will appreciate, probably more than most, that while, on the face of it, you would think that spending that amount of money would be sufficient to provide the highest standard of health and social care for a population of 1.8 million, we are facing a range of pressures around an ageing and growing population, the pressure of technological advances and the rise of chronic illnesses, to name just three. We do need to "radically review", to use her term, or the term she has borrowed from the Chief Medical Officer, if we are to ensure that the investment that the Executive have given to the Health budget, which the House has voted to support down through the years, gets the highest standard, the highest safety and the highest quality of care.

I believe that we do need to make transformations in the way we deliver the services that our citizens require. There will be change, and sometimes that change will require difficult decisions. The Chief Medical Officer's comments, following on from Sir Liam Donaldson's report will, I hope, provoke some conversation around this issue. There has been reasonable consensus across the political spectrum on the need to reform, but perhaps not always on the detail of how that reform unfolds. I am pretty sure in my mind that, as we move forward and address the need to transform our health service and our social care system, we need to have an open and honest conversation, and we need to reach broad political consensus in this place if we are to make it work. It is no good just me coming forward with it. I can preach a mantra about the need for transformation all I want, but, if I am the only person doing it and it is not accepted by others, we will not go too far.

**Mr Principal Deputy Speaker:** I remind the Minister of the two-minute rule.

**Mr I McCrea:** I join those who have congratulated the Minister on his new post. He has gone from calling for Departments to make efficiency savings to having to do so himself. In that vein, what efficiency savings has the Department managed to achieve in recent years to allow the Minister and his predecessors to invest in front-line services?

**Mr Hamilton:** I thank the Member for his congratulations, and I know for sure that, if I do step out of line, he will be one of the first who will tell me that I have done so. I thank him as well for reminding me. Most people move from a poacher to a gamekeeper role, but I think that I am more moving from a gamekeeper to poacher role in the change of office last week.

In my previous role, I was well aware of the savings that have been made across the health system over the last

number of years. I can recall from various Budget debates that, when there was criticism of the health service and of inefficiencies in our system, I was always very keen to remind the House of the savings and efficiencies that had been delivered over the last number of years. I think that they are often forgotten about: eaten bread is soon forgotten, of course.

I think that the numbers are quite impressive. Between the 2011-12 and 2013-14 financial years, nearly half a billion pounds, £490 million, of savings and efficiencies were realised across the health system. We anticipate that, in the last financial year, 2014-15, there will be roughly £170 million of additional savings. As I mentioned before, there was a commitment for the current financial year, 2015-16, to reach a target of £160 million of savings. That is roughly two thirds of a billion pounds already that has been saved, with an estimate of around £800 million by the end of this Assembly term. That is approximately double the savings that were achieved in the last Assembly term, and I think that it is an impressive record of driving efficiency through the system at a time when that system is under considerable pressures.

I want to ensure, as I am sure everybody in the House does, that the approximately £4.7 billion that we are investing in the health and social care system in Northern Ireland is providing people with the care they require and is not being spent unnecessarily on administration and other aspects of bureaucracy.

**Mr McKinney:** I too congratulate the Minister on his new role. Minister, considering that the Transforming Your Care plan was predominantly funded through monitoring rounds, can you update the House on its status in relation to upcoming bids? Can you also detail whether the Transforming Your Care plan remains your Department's core strategic plan in reforming the delivery of healthcare from institutional settings to the community?

**Mr Hamilton:** The short answer to the final question from the Member is yes: the principles of Transforming Your Care remain priorities for this Department. I am aware that, in his report, Sir Liam Donaldson recommended a timetabled implementation plan. As the Member pointed out in the first of his several questions, resourcing is a factor. I have heard the Member criticise TYC in this place before — sorry, he was against it before he was for it. He has more latterly been in support of it, his party having previously criticised TYC.

TYC envisaged an investment of £70 million and a shift left in service provision that would release savings to the value of £83 million. To date, around £26 million has been allocated to TYC initiatives. It is not that TYC is not moving forward, even if that is the perception of some. For example, all 17 integrated care partnerships have agreed their action plans and submitted proposals for service changes. The primary care infrastructure is also starting to be put in place; Banbridge, Ballymena and Omagh are moving forward. Procurement processes are being taken forward for Newry and Lisburn. There is a lot of work being done. By the end of this financial year, we will, we anticipate, have driven a shift left of £45 million. It is moving forward, although perhaps more slowly than we would have liked because of resourcing pressures, which is why I will bid in the June monitoring round for funding for Transforming Your Care, so that we can continue to realise

the efficiencies and, more importantly, the better standard of care that will result.

## Heart Attacks

4. **Mr Douglas** asked the Minister of Health, Social Services and Public Safety what progress has been made in providing access to life-saving treatments for people who have had a heart attack. (AQO 8179/11-15)

**Mr Hamilton:** Since September 2014, the primary percutaneous coronary intervention (PPCI) service for patients suffering the most severe form of heart attack has been provided to the entire Northern Ireland population from two centres, in the Royal Victoria Hospital and Altnagelvin Hospital. PPCI saves lives, reduces complications, speeds recovery and shortens the hospital stay. The service has benefited around 1,060 patients in Northern Ireland since its roll-out in September 2013. My Department has also invested in 10 cath labs at four sites in Northern Ireland provided by the Belfast, Southern and Western trusts. We have also developed a community resuscitation strategy to improve the survival rate for those who suffer an out-of-hospital cardiac arrest by increasing the availability of CPR training and the number of automated external defibrillators across Northern Ireland.

**Mr Douglas:** I thank the Minister for his answers thus far and also offer my best wishes to him in his new role. This scheme is obviously very successful and has been rolled out across Northern Ireland. Can he remind us of the numbers who benefit from the scheme?

**Mr Hamilton:** The Member is right to point out that this has been a great success for the people of Northern Ireland. As I said, cardiac catheterisation labs are of enormous benefit to patients who have had a heart attack, because they can save lives, reduce complications, speed up recovery and significantly shorten hospital stays, to the extent that, whereas in the past somebody who had suffered a heart attack might have expected to be in hospital for a number of days or, indeed, weeks, they can now be out in just a few days.

Around 1,060 patients have benefited from this service since the roll-out in September 2013, and we should welcome the fact that this specialist service at the sites that I have outlined, and the emergency work being done in the Belfast trust area and in Altnagelvin as well, is proving so successful, justifying the faith that was put in this service and the investment that was made.

**Mr McElduff:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Can the Minister, either now or in writing, detail the life-saving treatments and services that will be available at the new local hospital in Omagh following the transfer of services from Tyrone County Hospital that is expected to take place early next year? Can he detail the treatments that will be available in an area where many people, through being in a rural setting, are very distant from an acute hospital?

**Mr Hamilton:** The Member is right in his prediction that I will have to provide the information in writing. He has been typically cheeky by slotting in a question about the West Tyrone constituency to a question tabled on the issue of coronary care. It is nonetheless an important question, and I will provide him with sufficient detail in writing.

**Mrs Dobson:** I also welcome the Minister to his new post. Can he provide an update on what discussions his Department has had about incorporating cardiopulmonary resuscitation training into education in post-primary schools? Does he support the British Heart Foundation as it rolls out its free training to schools?

**Mr Hamilton:** The Member will be aware of the publication, in July 2014, of the community resuscitation strategy, the objective of which is to increase the number of people of all ages — not just adults but young people — who are trained in CPR skills.

I am aware that there was an event in the Assembly today — unfortunately, I was not able to make it — hosted by the British Heart Foundation and involving some local schools. I understand that MLAs were also being taught how to perform CPR, although hopefully none will be required in this place, but you never know when those skills might be useful.

I know that the British Heart Foundation is doing the sort of work that it highlighted and showcased in the Assembly today. It has been doing that in many schools around Northern Ireland, and I very much encourage it in that. CPR is the sort of skill that, once developed, one will always have. There is no better setting to do that than in schools, particularly with there having been so many unfortunate examples in recent years of those involved in sporting activities having cardiac arrests. CPR should not be seen as something that just adults do but something that can affect young people. Therefore, training and support, where appropriate, is a good thing to do.

### Blood Donations from Gay Men: Ban

5. **Ms Ruane** asked the Minister of Health, Social Services and Public Safety what implications the recent European Court of Justice ruling will have on the current ban on blood donations from gay men. (AQO 8180/11-15)

**Ms Ruane:** I add my comhghairdeas — my congratulations — to the Minister in his new post. We look forward to working with him.

**Mr Hamilton:** The lifetime ban on blood donation applies to men who have had sex with men. It is based on sexual behaviour, not sexual orientation. In the case of Geoffrey Léger v the French Ministry of Health and the French Blood Service, the European Court of Justice concluded that the permanent deferral from blood donation may be justified in limited circumstances. In Northern Ireland, the judgement in the judicial review case on the matter is the subject of an appeal. The Northern Ireland Court of Appeal is aware of the Léger case. The appeal is due to be heard in October. In the meantime, it would not be appropriate to comment in detail on a matter that is before the courts.

**Ms Ruane:** It is very important, and I am sure that the House agrees, that we ensure equality for all our communities, including our LGB community. Will the Minister comment on whether he will be moving to lift the ban?

**Mr Hamilton:** As I tried to point out in my initial response, the original judgement in the case means that it is not my job to decide on the matter: the jurisdictional responsibility rests with the Secretary of State for Health in London. That is in part why an appeal has been taken: to try to establish authority in the Northern Ireland Assembly and in my hands. If the appeal is successful and establishes that I am responsible, I have made it clear so far in post that the

science and medical evidence guides me, and will guide me, in the matter.

I disagree with the Member. It is not an equality issue. In fact, I agree with the Irish Minister for Health who, whenever the Léger judgement was made public, pointed out, rightly, that it is a matter of patient safety, and only of patient safety. We must ensure that patients have an assurance that the blood being provided to them is safe, wherever it comes from. I will, as I said and will repeat, be guided by the science and the medical evidence. There is an emerging body of evidence on this, particularly from Great Britain. I will monitor, examine and carefully look at that and take my decisions accordingly.

### 2.30 pm

**Mr Principal Deputy Speaker:** That ends the period for listed questions. We will now move on to 15 minutes of topical questions.

### GP Training Places

T1. **Mr Boylan** asked the Minister of Health, Social Services and Public Safety whether he supports a recent report on general practice that recommended that at least 80 GP training places be created by August 2015 and, if so, whether he will ensure that funding be made available for the places. (AQT 2501/11-15)

**Mr Hamilton:** I am well aware of the issue. If I was not aware of it, I am becoming increasingly aware of it. I was lobbied, like many Members, by local GP practices on the issue over the last number of months. I am well aware of and recognise the current challenges that primary care across Northern Ireland faces. I am supportive of the critical role that our GPs provide as a front-line service to our citizens. My Department and I remain committed to working with the British Medical Association and others to identify opportunities to address the current and future challenges that primary care faces.

By way of our commitment to primary care and the work that GPs do in their surgeries across Northern Ireland, up to £15 million has been invested in primary-care services this year. That was announced at the start of this financial year. I think that that investment is a clear signal of the esteem in which we hold GPs, the work that they do and the vital role that they perform in meeting everyone in Northern Ireland's current and future needs.

**Mr Boylan:** I thank the Minister for his answer. I also pass on my regards and wish him well in his new role. I appreciate that there has been an investment of £15 million in the sector, but does he agree that it falls short of the £33 million that the sector actually needs to bring it up to the same standard that there is in Scotland and Wales? Go raibh míle maith agat.

**Mr Hamilton:** I do not disagree. I am glad that the Member welcomed the £15 million investment, and I hope that GPs and primary-care practitioners also welcome it. I am sure that they will. That money is there to help them to modernise their services and to provide better support and care for our communities.

I would love to have more money to invest in a range of services. However, as the Member will be aware, that is inhibited not only by the broad, general Budget situation, whereby our spending as an Executive has not kept pace

with inflation over the last number of years, which is set to continue for at least another two or three years, but by the fact that the Assembly is losing £2 million a week — £9.5 million a month — because of our failure to move forward on welfare reform. That is not our failure; rather, it is Sinn Féin's. I am not saying that I would get all the £114 million that we are paying out in penalties or that my Department would have got all the £100 million that has been lost already because of welfare reform penalties, but I think that a Department like Health, which is everybody in Northern Ireland's first or second public spending priority and which has consistently been the priority of the Finance Minister and others in the House, would have received the lion's share of that money. It could have been invested not just in primary care but in mental health, Transforming Your Care or a raft of different areas, which would have provided much-needed care, support and help for people across Northern Ireland.

## Residential Care Homes

T2. **Mr Beggs** asked the Minister of Health, Social Services and Public Safety whether he will take a fresh look at the statutory residential care homes issue and ensure that the ban on new permanent residents is removed in order that those homes can have some hope for the future, reflecting the vital role that they play in our community, particularly given that, tomorrow, the Health and Social Care Board is meeting to consider the five proposals from each of the trusts for the future of statutory residential care homes. (AQT 2502/11-15)

**Mr Hamilton:** Before coming in for the commencement of the previous debate, I heard the Member speak in the debate prior to that on funding for voluntary and community services. I cannot remember exactly what he said, but he was talking about the difficult decisions that are going to be required in the current environment that we are in. This is one such area in which difficult decisions may be required.

I am well aware of the sensitivities about statutory care homes. I thank the Member for raising the issue, because it gives me the opportunity to make one particular point clear. Whatever decisions are made — we await the outcome of tomorrow's board meeting — the message that Edwin Poots gave when he was in post, which was reiterated by Jim Wells and which I am happy to reaffirm today, is absolutely critical: no resident of any statutory care home that is earmarked for closure at any point in the future will be moved out of their home against their will. It is incredibly important that, when this debate happens, as it inevitably will at some stage in the future if not in the next number of days, current residents of those care homes understand that they will not be moved out of their homes against their will.

Unfortunately, a lot of things were said in the past that scared people and caused grave concern. I accept that the issue was not handled well. I hope that, whatever decision the board takes, it will be treated with the sensitivity and respect that it deserves and that that important assurance that I have given, which my predecessors put in place, that no one will be moved out of their home against their will, will be received and understood by residents and their families.

**Mr Beggs:** Does the Minister recognise the vital role that such homes play in providing local respite care and an additional facility in supporting our hospitals during the winter pressures when even more elective surgery would otherwise have had to be cancelled? Will he widen his guarantee to include supported living accommodation, such as the one attached to Lisgarell statutory residential home, whose residents were delivered letters a number of years ago saying that they would have to find a new home? Will he ensure that those residents will be able to live in the supported housing that is attached to the residential home for as long as they wish?

**Mr Hamilton:** I am not aware of the details of the case that Mr Beggs raises, but I am happy to look at it and communicate with him. I accept his point that there is a role for statutory care homes in step-up and step-down provision in the multifunctional use of care homes. It is important to remember that. That service will continue to be provided. We sometimes focus too much on structures without concerning ourselves with the important services that are meant to be provided and recognising patterns of care. Many citizens want to remain in their homes a lot longer and live their lives out in their own properties. We want to continue to support that sort of independent living.

As I said, the issue has caused concern in the past. Whatever decisions are taken by the board, I want the matter to be handled with appropriate sensitivity and care and better than it was previously, and to ensure that all people who are affected understand that they will reach their own personal decision about where they want to be and whether they want to remain in a home or to move to other residential care. No one — not me or anybody on the board or in the trusts — will tell those people that they should move out of their homes, because those are their homes. We will always want to do what is best for people in residential care.

**Mr Principal Deputy Speaker:** Question 3 has been withdrawn.

## Health: Ministerial Challenges

T4. **Mr Douglas** asked the Minister of Health, Social Services and Public Safety what key challenges he faces as the newly appointed Health Minister, given that all Members will recognise the great job that he did in his previous role as the Minister of Finance and Personnel, with the many challenges that he faced then. (AQT 2504/11-15)

**Mr Hamilton:** I do not think that I have sufficient time in two minutes to outline the full extent of the challenges that face the Health Department. I thought that I had a hard job until I moved into this one. There are many issues. My first week in post has highlighted the multitude of challenges that face the health and social care system in Northern Ireland. Those challenges are not unique to Northern Ireland and are faced by states, countries and nations right around the world.

The one thing that I will prioritise in my time in office is what I referred to in my previous response to the Chair of the Committee: the need for transformation, reform and change in our health and social care system.

We have just had a discussion about statutory care homes. I know that talk of change can be frightening for many and

that people have emotional attachments to facilities. That is understandable: I have many such attachments, and I am sure that everybody here does as well. However, in the time that I have in office, I want to move on the need to transform our health service.

I have read Sir Liam Donaldson's report and, indeed, the comments by the Chief Medical Officer today, and it is very clear that, in many respects, Northern Ireland has the capacity to have a world-class health and social care service. We talked previously about coronary care, which is a really good example of where we have a world-class specialist service, and there are other examples. In many respects, we are very good, but I want us to be good in everything and to be world class. We need change to achieve that, but the point that I want to make is that, whilst we face change, and change is inevitable in our health and social care sector, it must be always be change for the better. That is what I want to lead on and ensure that it becomes a reality during my time in office and beyond.

**Mr Douglas:** On the theme of challenges, what impact will the failure to implement the Stormont House Agreement have on your health budget?

**Mr Hamilton:** That was teased out a little in my response to Mr Boylan. It is not having an effect on this year's health budget yet. A Budget is in place, and all Departments are operating to it. However, that Budget will unravel very quickly if the finances and flexibilities that flowed from the Stormont House Agreement are not secured.

The House will probably be most familiar with the £200 million for the voluntary exit scheme. My Department, like many Departments, is relying on making pay bill savings in-year through the use of that £200 million to let some people exit the system early. If that does not happen, we will be into a crisis situation, not just with my Department's budget but with the budgets of every Executive Minister.

Where one could argue that it is having an impact is that we are needlessly losing £9.5 million each and every month because of our failure to move forward on welfare reform. I think that we have sometimes glossed over or forgotten the impact of the loss of £114 million this year, which is the total fine, and the £100 million that has been lost to date. If that £9.5 million was received by my Department, it would allow me to help to provide 1,800 hip operations or 2,100 knee operations. It is the cost equivalent of 900,000 prescriptions items, 264,000 GP consultations, 16,000 weeks of nursing home care or 233,000 physiotherapy treatments. I hear some argue, in this place and in the media, that, by resisting welfare reform and incurring these penalties, they are helping the needy and the vulnerable in Northern Ireland. There are no more needy and vulnerable people than those on the waiting list for hip or knee operations —

**Mr Principal Deputy Speaker:** I ask the Minister to come to a conclusion.

**Mr Hamilton:** — or those who need nursing home care or physiotherapy.

## Home Accident Prevention

T5. **Mr Anderson** asked the Minister of Health, Social Services and Public Safety what action is being taken to reduce domestic accidents and improve home safety. (AQT 2505/11-15)

**Mr Hamilton:** In February, my Department launched a new 10-year strategy for home accident prevention. The strategy's vision is that the population of Northern Ireland has the best chance of living safely in a home environment in which there is negligible risk of unintentional injury.

The strategy sets out four main objectives, which I will share with the House, each of which is supported by a set of strategic priorities. The objectives are to empower people to better understand the risks and make safe choices to ensure a safe home with negligible risk of unintentional injury; to promote safer home environments; to promote and facilitate effective training skills and knowledge in home accident prevention across all relevant organisations and groups; and to improve our evidence base.

**Mr Principal Deputy Speaker:** Time is up.

2.45 pm

## Justice

**Mr Principal Deputy Speaker:** Questions 8 and 14 have been withdrawn.

## Fuel Laundering

1. **Mr Irwin** asked the Minister of Justice, in light of the ongoing and serious problem of the sale of laundered fuel locally, for his assessment of whether current legislation is strong enough to deter a filling station operator from acquiring and retailing laundered fuel knowingly. (AQO 8191/11-15)

**Mr Ford (The Minister of Justice):** Fuel excise evasion and the related legislation is a reserved matter and is the responsibility of HM Revenue and Customs and the Treasury. Between February and May this year, HMRC consulted on a discussion document relating to penalties, which is the first stage in a wider review aimed at making it hard for a dishonest minority to cheat the system, including, of course, filling stations selling illicit fuel. In addition, they are continuing to look at legislative issues regarding naming and shaming filling stations where laundered diesel has been found: something that I have been pursuing with them.

My Department and HMRC are organising a seminar on fuel laundering to be held in June. It will involve all relevant agencies and will be a forum to discuss whether there are areas in which more can be done.

**Mr Irwin:** I thank the Minister for his response. Given that a fairly recent survey identified that up to 50% of filling stations in Northern Ireland are selling laundered fuel, does he feel that legislation is in place to deal with the problem? Naming and shaming filling stations is one thing, but surely it is a criminal offence to sell illicit fuel.

**Mr Ford:** Yes, of course it is a criminal offence, and prosecutions are the responsibility of HMRC. Members need to be careful when quoting the number of filling stations that may be committing this offence. That was not particularly helped by a press release issued some time ago by HMRC that referred to the number of filling stations involved in selling laundered fuel, as opposed to the number of occasions on which detections had been made. The number with multiple offences means that the number

of filling stations that have actually been engaged in that process is significantly lower. My understanding is that, in the last two years, the number of individual retail sites that were found to be in possession of illicit fuel were 33 in 2013-14 and 45 in 2014-15; a lot less than half.

**Mr Lynch:** Go raibh maith agat, a LeasCheann Comhairle. Is the Minister satisfied that all necessary steps are being taken to ensure that only legal diesel is being sold at filling stations?

**Mr Ford:** No. That is why I am in constant contact with the Treasury to seek to ensure that action is taken robustly. There are issues around the confidentiality of individuals' tax returns that are entirely different from protecting the public where illicit fuel is being sold in petrol stations. That may happen even where the nominal ownership of a petrol station may change hands, leaving individuals vulnerable even if there are prosecutions against those who perpetrated the crime in the first place. I believe that a lot more needs to be done and I will continue to pursue it with the Treasury.

**Mrs Overend:** This is a very serious issue and it is ongoing even in my constituency of Mid Ulster. Can the Minister state what impact the National Crime Agency (NCA) being able to operate in Northern Ireland is likely to have on measures to break up the criminal gangs responsible for fuel laundering?

**Mr Ford:** I am always encouraged when Members want to highlight the benefits of the NCA. Of course, on the specific issue of non-devolved crime, which includes evasion of excise duty, there is no additional benefit, although we are aware that gangs that launder fuel are also engaged in other varieties of crime, some of which is a devolved matter. Therefore, I have no doubt that, when the NCA becomes operational next week, it will add to our overall fight against organised criminals generally.

**Mr Byrne:** Will the Minister state what discussions have taken place with the mainstream oil companies who import oil to this island? What advice does he have for those who want to run a legal filling station but who cannot compete with the contraband sellers?

**Mr Ford:** I have not had direct discussions, although I will shortly be having discussions with those who operate in the legal trade. Mr Byrne makes an entirely valid point about ensuring that people are able to support only those selling legitimate fuel. One of the key issues, of course, is the fact that the new marker is now in place. That makes it significantly easier to ensure that the fuel cannot be laundered without considerable expense. I think that that will certainly assist in the fight against organised criminals. Certainly, within a very short time, all diesel sold across the UK and Ireland will have the new marker in it. That is a key area.

The fact that we are having not only our own conference but a Europe-wide conference in Northern Ireland this year is an indication that we are leading the fight. However, we clearly need to ensure that we use every possible means, and I believe that naming and shaming will be a key part of that.

## Prisoners: Transfer

2. **Mr Sheehan** asked the Minister of Justice what impact the EU Council framework decision on the transfer of sentenced persons 2008/909/JHA has had on the transfer of prisoners from this jurisdiction. (AQO 8192/11-15)

**Mr Ford:** To date, my Department has not repatriated any individual, either into or out of this jurisdiction, under the new compulsory return arrangements that were introduced by the EU Council framework decision on the transfer of sentenced persons. Rather, we have continued to rely on the terms of the original 1983 convention, which provided for agreed repatriations. Since April 2010, we have repatriated 11 individuals and accepted two into this jurisdiction from EU member states.

**Mr Sheehan:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as ucht a fhreagra ansin. Is there a time frame for resolving this issue completely?

**Mr Ford:** I am not sure that this issue needs to be resolved in that sense, on the basis that the original arrangements are working well in this jurisdiction. They provide for repatriation in a way that aids rehabilitation and reduces the likelihood of reoffending. On the specific issues, whilst a majority of EU member states have signed up to the new proposals, Ireland in particular has not and, therefore, it is not possible to use the compulsory arrangements for repatriation with the Republic of Ireland. At the moment, I have no reason to believe that the current use of the original 1983 convention is inadequate.

**Mr Campbell:** Given the ongoing changing nature of the EU and the possible change that may come over the next few years, has the Minister had any discussions with his counterparts in the rest of the United Kingdom should the compulsory element be required?

**Mr Ford:** No, I have not yet had any discussions with those who bear these particular responsibilities in Westminster, or in Whitehall, to be more specific. I will wait and see what further proposals there may be, depending upon what discussions the UK Government have with the EU.

**Mr A Maginness:** I thank the Minister for his answers. Have there been any discussions with the Minister for Justice and Equality in the Republic of Ireland in relation to the current position of the Republic's Government on prisoner transfers under the EU arrangements?

**Mr Ford:** No, I have not had the opportunity to discuss that particular issue with Frances Fitzgerald since it arose, but I will meet her shortly and expect that it will feature at that meeting.

## Ballymena Courthouse

3. **Mr Swann** asked the Minister of Justice for an update on the proposed closure of Ballymena courthouse. (AQO 8193/11-15)

**Mr Ford:** The consultation on the rationalisation of the court estate ran until today, 18 May. The responses to the consultation will be analysed and recommendations will be prepared. I have met a number of MLAs, local councillors and community representatives, including a delegation from Ballymena, to discuss the consultation. No final decisions on any of the proposals will be made until the autumn.

**Mr Swann:** I appreciate that, as the Minister said, the consultation closes today, but will he reassure us that the consultation is not just dressing and that the decision has not already been taken to close Ballymena courthouse? That is the perception among practitioners, the judicial system and everybody else who is involved with Ballymena courthouse at present.

**Mr Ford:** The DOJ's record on consultations, for example, the one on prisons some time ago, which the Members for East Londonderry will recall — there is one staring straight at me at the moment — is an indication that, when the DOJ does consultations, it listens to their contents. I was slightly surprised, given that I wrote to the chief executive of Mid and East Antrim Borough Council on 26 March about contacts on possible community uses of Ballymena courthouse, which had been suggested at my meeting with the council, to discover that, in last week's local papers in Antrim and Ballymena, there was a report that the council was demanding to get names of people to speak to in the DOJ from me, despite the fact that they were told of it on 26 March. I am keen that those discussions should happen.

**Mr McKay:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Again, will the Minister ensure that this is not a consultation with a predetermined outcome as has been the case before, as the previous contributor said? Is he taking the rural impact into consideration? How will this decision be rural-proofed when he reaches his conclusions?

**Mr Ford:** I am not sure how many times I have to say that this is a consultation and there are no predetermined answers, but, if Mr McKay likes, I will say that this is a consultation and there are no predetermined answers. Those who have read the consultation document will have seen references to things like travel times. There are clearly issues that have some effect, but the key thing for me is to ensure that people get the best possible facilities when they reach a courthouse. It is not necessarily about there being a courthouse close at hand but that there is a fit-for-purpose courthouse within a reasonable travelling distance.

**Mr Allister:** Some of us might be surprised to hear the Minister speak of the efficacy of the Department's response to consultations, bearing in mind his "I know better" response to the overwhelming rejection of his foetal abnormality consultation. On this consultation, can he tell us whether there has been a single response supportive of closing Ballymena courthouse? Certainly, there was not at the public meeting that was held.

**Mr Ford:** Of course, in the case of fatal foetal abnormality, the view that I took was that those who know most about this — the medical professions, the nurses and the midwives — know better than I or others do.

This consultation has not closed, and I have not seen the report of responses; therefore, I cannot answer on what the responses to this consultation are.

**Mr Dallat:** I am not directly involved in the popular campaign to keep Ballymena courthouse open. However, given that socially deprived people without transport are over-represented among those who appear in court, does the Minister think that his policy of closing courthouses across the North, particularly in Limavady, was a bright idea?

**Mr Ford:** I do not think that the cuts that were imposed on my Department's budget were a particularly bright idea, but I have to live with them.

**Mr Dickson:** Minister, would you agree with me that the effective and efficient running of our Court Service should be paramount in determining any use of the court estate, particularly when it comes to the use of the court estate for victims and ensuring that there are victim-friendly courthouses with appropriate facilities in them?

**Mr Ford:** Yes; that is a point that I tried to make earlier. The important issue is that we have the best possible facilities for people who are using courthouses, not that they are necessarily close at hand. We are not in the days when the resident magistrate rode around on his pony to assorted courthouses in the backrooms of hotels, community halls and whatever. We have to ensure, for example, that victims get properly treated, that young people are segregated from adults and that all those issues are better done in some of our more modern courthouses, as indeed I inspected at Laganside just last week. The challenge is to ensure that courthouses are fit for purpose, not that they are at every street corner.

### Community Policing: North Down

4. **Mr Dunne** asked the Minister of Justice for his assessment of whether the new community policing structure within North Down is fit for purpose. (AQO 8194/11-15)

**Mr Ford:** The community policing structure in North Down is an operational matter for the Chief Constable, who is accountable to the Policing Board. However, I have every confidence in the Chief Constable and his senior officers to put appropriate structures in place in all the new policing districts.

**Mr Dunne:** I thank the Minister for his answer. As Justice Minister, does he recognise the need for the continuation of community policing locally in North Down in places like Holywood and Bangor and the need to have police available not eight or 10 miles away but in the area where they know people, communicate and build vital relationships?

**Mr Ford:** As I made clear, Mr Dunne's question is about operational matters for the Chief Constable. However, faced with the budget cuts that have been imposed on DOJ, a large measure of which have had to be passed to the police, even though they have been protected compared with other areas of justice spending, it has been for the Chief Constable to determine how he prioritises. He clearly has to prioritise certain elements of his work over others that, we might all agree, are desirable but are not necessarily essential at a time of difficulty.

### Keir Starmer: Independent Review

5. **Mr Eastwood** asked the Minister of Justice for his assessment of the independent review conducted by Sir Keir Starmer of the prosecutorial systems and processes in relation to three interlinked cases involving sex abuse and terrorist-related charges. (AQO 8195/11-15)

**Mr Ford:** I am unable to give an assessment of Sir Keir Starmer's independent review, as the report of his findings has not yet been published.

### 3.00 pm

**Mr Eastwood:** That brings me nicely to my supplementary question: when will the report be published?

**Mr Ford:** That is a very reasonable question, but, since Sir Keir Starmer was preparing the report for Barra McGrory, the Director of Public Prosecutions (DPP), and not for the DOJ, I am not entirely clear on that point. My understanding is that it is likely to be published within the next week, but it is in the hands of Sir Keir and the DPP, not me or anybody to do with the DOJ.

### Stormont House Agreement: Progress

6. **Mr Lunn** asked the Minister of Justice what progress has been made in implementing those aspects of the Stormont House Agreement that fall to his Department. (AQO 8196/11-15)

**Mr Ford:** I am committed to implementing the elements of the Stormont House Agreement that fall to my Department as promptly as possible. Under the agreement, my Department is responsible for the establishment of the new historical investigations unit (HIU) and improving the legacy inquest function. The HIU will be an independent body to take forward investigations of outstanding Troubles-related deaths. The legislation required to set up the HIU will be progressed through a Westminster Bill. Drafting is at an advanced stage, and I expect the Bill to be introduced in Parliament in the autumn. My intention is to establish the HIU by summer 2016 and for it to be operational by the autumn of next year. In developing the legislation, my officials have been working closely with key stakeholders, including victims and victims' groups. The early recruitment of the HIU's director will be taken forward by OFMDFM in consultation with my Department. Plans are under way to have the post filled by December this year.

To improve the way in which the legacy inquest function is conducted, a number of changes are being progressed, including the allocation of cases to a higher judicial tier to case manage and hear legacy inquests. To allow that to happen, it has been agreed that the existing County Court judicial complement will be increased. I will also meet the Lord Chief Justice to discuss when he will assume the role of president of the Coroners' Court, in accordance with the Legal Aid and Coroners Act (Northern Ireland) 2014.

My Department has been set a challenging agenda by the agreement, but work is well under way to deliver the necessary changes.

**Mr Lunn:** I thank the Minister for his answer. I note his confidence that the HIU will be set up and be operational by autumn 2016, but does he share my fear that the lack of agreement on other matters — in particular, welfare reform — presents a real risk to the interests of the victims, families and survivors who have placed their hopes in the Stormont House Agreement?

**Mr Ford:** Yes, I agree with my colleague. There is no doubt that good work has been done, to a certain extent at the party leaders' meetings and certainly in terms of the work being done by my officials. I also acknowledge the work being done by officials in the Northern Ireland Office, who will be responsible for the Bill at Westminster in conjunction with my officials. It is clear that there are many other aspects of the Stormont House Agreement, most particularly around welfare reform, that have not yet been dealt with and have the potential to derail the entire process, which would do real damage to the victims

who have invested their hopes in the Stormont House Agreement delivering for them.

**Mr McCartney:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a fhreagraí go dtí seo. I thank the Minister for his answers to date. Irrespective of what works out in terms of the Stormont House Agreement, will the autonomy and independence of the inquest system remain unchanged?

**Mr Ford:** Yes, I assure Mr McCartney that the legacy inquests will remain entirely unchanged in terms of autonomy. Assigning judges from a higher tier to take responsibility for some of the legacy inquests will, we trust, ensure that matters proceed more speedily, more effectively and more efficiently, particularly for the benefit of those who were bereaved and have been seeking a full and proper inquest, as they see it, for some considerable time. As I said, I will discuss that issue with the Lord Chief Justice shortly when looking at his responsibilities. I hope that we will see significant progress around that area, but there is the matter of legislation going in one single Bill at Westminster that may be derailed by other matters.

**Mr McGlone:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Mo bhuíochas leis an Aire as a fhreagraí go dtí seo. I thank the Minister for his answers up to this point. Dealing with and expanding on Mr Lunn's theme, particularly in relation to legacy and historical inquiry issues, is the Minister satisfied that there will be enough funding to deal with those important matters?

**Mr Ford:** The precise detail of funding is not entirely clear at this stage. It depends on how much is done at what pace. Mr McGlone raises an entirely reasonable question. In very rough figures, we are now offered £30 million a year for five years by the Treasury, on top of what was probably in the region of £10 million going from the existing justice system, for something that could cost up to £50 million a year. That detail will have to be worked through. My officials have started a considerable amount of work on that, but, of course, until we get wider agreement on other issues, it is not guaranteed that we will receive that money from the Treasury, although it is clear that we need that money and we need it rapidly.

### Firearms Certification

7. **Mr Hilditch** asked the Minister of Justice to detail the number of personnel employed in the firearms certification process. (AQO 8197/11-15)

**Mr Ford:** The certification of firearms is a matter for the Chief Constable. I am advised that he has a complement of 35 members of staff in the firearms licensing branch at police headquarters to process firearms certificates. There are also 29 locally based firearms enquiry officers who are involved in the licensing process. I have a small team that processes firearms appeals and prohibitions in devolved cases, as does the NIO for non-devolved cases.

**Mr Hilditch:** I thank the Minister for his answer. I suppose the crux of the question is all about efficiencies and improvements to service. It appears that there are quite lengthy turnaround periods at times. I have been quoted several months. Has the Minister had any discussions on how that could be improved?

**Mr Ford:** There have been discussions for a considerable period. We are obliged to adopt a full-cost recovery model



by DFP. It is clear that the current payments are not covering the costs, which is why there is a proposal for a fee increase. I am also keen to see that that proceeds in as efficient a way as possible. Indeed, my officials had a meeting just last week with representatives of elements of the gun trade and others and discussed how that might apply. I believe that some progress was made around fees. We also looked at other issues, like a banded system that would provide further benefits for those who shoot.

## Prisoners: Employment Prospects

9. **Mrs Cochrane** asked the Minister of Justice for an update on the work of the Prison Service to improve the employment prospects of prisoners on release. (AQO 8199/11-15)

**Mr Ford:** The Prison Service employability strategy is a public commitment to support individuals in custody to develop qualifications, skills and experience linked to labour market needs in order to increase their potential for gaining employment on release. The strategy aims to expand the opportunities for individuals to gain practical work experience whilst in custody that mirrors the expectations of employers and better prepares them for the workplace. Significant progress has been made, including engaging with employers to dispel some of the myths around employing people who have offended, increasing the number of placement opportunities available for prisoners as part of the pre-release process and establishing a corporate and standardised approach to working with employers.

Alongside the employability strategy, work is progressing to improve the levels of educational attainment amongst prisoners and provide them with specific skills aimed at supporting employment. When responsibility for learning and skills in the prison establishments transfers to Belfast Metropolitan College and the North West Regional College, an accredited course in employability skills will be offered to all prisoners. The course is designed to support an individual to successfully gain employment and progress in their chosen field, prepare them for further study where necessary and support the development of techniques required for successful independent living.

I am confident that through the implementation of the employability strategy and our work to improve skills, we will significantly increase the opportunities available to prisoners on their release and support desistance from crime.

**Mrs Cochrane:** I thank the Minister for his answer and welcome the strong focus being placed on improving the employability prospects of prisoners and the resulting impact on reducing reoffending rates. What more can the Prison Service do to engage with the private sector to seek its support in this important initiative?

**Mr Ford:** Work has been done on engaging with the private sector over the last year or two, which has seen significant progress. Last year, 53 new employers were engaged and committed to working with the Prison Service to provide placement opportunities across Northern Ireland for those in custody and being released from custody. In November last year, the Prison Service held a Recruit with Conviction event for employers to raise awareness and understanding of community sentences. The Prison Service has also been working in conjunction

with the UK-wide organisation, the Employers' Forum for Reducing Re-offending, to help establish a similar strategic employer network local to Northern Ireland. Placements are now actively being provided for prisoners in all three establishments, and I believe that it shows that a significant amount of good progress is being made.

I am extremely grateful to employers who have seen the benefits in that, including, of course, some that are nationally-based and have previously worked in Great Britain to provide opportunities for prisoners.

I trust that we will see further work going through, particularly as we look at learning lessons from the Employers' Forum for Reducing Re-offending.

**Mr Ross:** I think that everybody in the House would rather see ex-offenders getting proper jobs when released from prison rather than living a life on welfare at the cost of the taxpayer. How much more difficult is it to achieve that goal when budgets are being cut for organisations such as NIACRO, which does so much good work with former prisoners and employers to try to find them meaningful employment?

**Mr Ford:** I certainly agree with Mr Ross that it is more difficult when some of our voluntary sector partners are losing money, particularly funding from the European social fund, which NIACRO was unsuccessful in securing this year. The reality is that we are seeking to manage things as best we can by looking directly to a range of private-sector employers, as well as through the good work that was being done by organisations such as NIACRO and Extern. However, it is all part of living with the difficult Budget settlement that we have. We are seeking to make the best job of it that we can, despite the cuts.

**Mr Beggs:** Will the Minister acknowledge that the Worktrack programme run by NIACRO had very successful outcomes? However, as a result of loss of funding, some 36 experienced workers in the sector will have lost their job. What gives him confidence that that good work can be replicated by the further education colleges?

**Mr Ford:** A number of different strands go together. I fully acknowledge, and I repeat to Mr Beggs, that there are problems with the cuts that have had to be made, from a variety of different backgrounds, on organisations such as NIACRO. The direct work that is being done with employers and the work that will be taken forward by the two further education colleges, including specific formal skills, will all assist. However, it is a key issue that requires a lot of effort, and it is difficult to do all that we would wish to, given the cuts being imposed on the Department. That is the unfortunate reality.

## Abortion: Guidelines/Legislation

10. **Ms Lo** asked the Minister of Justice for his assessment of the recent comments from the First Minister that termination for fatal foetal abnormality can be dealt with by guidelines rather than the proposed changes in law. (AQO 8200/11-15)

11. **Ms Ruane** asked the Minister of Justice why legislation is required to deal with cases of fatal foetal abnormality. (AQO 8201/11-15)

**Mr Ford:** With your permission, Mr Principal Deputy Speaker, I will take questions 10 and 11 together.

The recent remarks by the First Minister on the subject of guidelines for abortion contradict previous statements by former DUP Health Minister Edwin Poots, when he said, on more than one occasion, that guidelines were unable to deal with cases of foetal abnormality and that such cases would require an amendment to the criminal law, which was a matter for the Department of Justice. It is therefore hard to understand the reasons for the First Minister's comments.

As I have said previously, guidelines can only define the law at the present time; they cannot change it. It is simply not correct to say that we can resolve the tragedies of women carrying foetuses with fatal abnormalities by changing the guidelines. Currently, in the circumstances of fatal foetal abnormality, a woman can have an abortion in Northern Ireland only if there is a risk to her life or a risk of serious permanent or long-term injury to her mental or physical health. Where a woman does not meet that test but feels that she cannot continue with the pregnancy, she is prevented by our law from having an abortion in Northern Ireland.

Following consideration of responses to the recent consultation, I am proposing a change in the law to provide a statutory exemption to allow for a lawful abortion to be an option for a woman who has received a diagnosis in pregnancy of a fatal foetal abnormality. Those tragic circumstances can be addressed only by a change in the criminal law, which will provide clarity for practitioners and for women faced with the devastating diagnosis of fatal foetal abnormality.

**Ms Lo:** I thank the Minister for his response and for his work on this very difficult issue. Can he advise the Assembly whether he intends to proceed with taking his proposal to the Executive? Does he believe that the Executive should allow the Assembly to consider rather than block legislation on the issue?

**Mr Ford:** Yes. The answer is simple: I gave a commitment that there would be a paper to the Executive from the Department of Justice on the issue, recommending that, in this narrow area, abortions be allowed in circumstances of fatal foetal abnormality. That is the commitment that I gave, and that is what I have instructed officials to do. I trust that we will have a paper prepared in the very near future that will go to the Executive. I also trust that those who said that they do not think that such a measure could pass in the Assembly will allow the Executive to put it to the Assembly so that the views of the representatives of the people of Northern Ireland can be tested in the Chamber.

3.15 pm

**Mr Principal Deputy Speaker:** That ends the period for listed questions. We will move on to topical questions.

### Young Offenders: Early Intervention

T1. **Mr Ross** asked the Minister of Justice what collaborative actions he has taken with the Minister of Health, Social Services and Public Safety and the Minister of Education to help to identify those children most at risk of offending and to have the appropriate interventions in place to ensure that they do not enter the justice system

in later life, given that, last week, NIACRO hosted an informative event in Parliament Buildings at which the guest speaker, Karyn McCluskey, the director of the Scottish violence reduction unit talked in particular about the importance of early interventions with children and the fact that, as we are all aware, it is sadly too easy to identify those children who are at most risk of offending. (AQT 2511/11-15)

**Mr Ford:** I am happy to confirm the general tenor of my Committee Chair's question. In a sense, there are two issues that we need to talk about, one of which is early intervention in the context of interventions in early childhood to help children who might otherwise have difficulties in their family. There are then early interventions for those who, perhaps in their early teenage years, are in danger of getting sucked in to criminal activity. The former is clearly not particularly the DOJ's responsibility. Indeed, we can look at the lifestyles of some of the families with whom a number of voluntary groups are working in projects like those that I have seen in the west Belfast and Shankill community interventions. There are benefits to health and social care within a year or two of getting involved in such a project, benefits to education in two or three years and benefits to justice in 10 years. That is why it is more difficult for us to justify it at a time of limited expenditure. Nonetheless, the Department is participating in some of those projects and will continue to do so, as well as continuing the work that we are doing on diversionary activity for young teenagers.

**Mr Ross:** I thank the Minister for that answer. It is a stark reality that between 55% and 65% of young people who are offending have some sort of communication issue that may well have led to the circumstances that they are in. Back in September 2013, the Minister, along with the Health Minister at the time, funded a speech and language therapist for Woodlands. Given that funding for that has been cut, would the Minister consider doing that again to help those young people to try to turn their life around?

**Mr Ford:** Yes. I am grateful to Mr Ross for pointing that out. Members will be aware of my intention to provide a full-time speech and language therapist for the Youth Justice Agency, principally for those in Woodlands but potentially also for some in the community. The reality is that, with the current budget arrangements, it has not been possible to provide that post. I have asked officials to look at what may be possible as developments go through and as the Youth Justice Agency looks at its overall budgeting in the future, but, unfortunately, it has not been possible to get that position filled at this stage. It is clearly an issue, given that so many young people in custody have problems in speech and language. Of course, we see issues in mental health as well.

### Legal Highs: Council Actions

T2. **Ms Lo** asked the Minister of Justice whether he welcomes the work of Belfast City Council and other councils in using the powers at their disposal to tackle the sale of so-called legal highs and whether he will encourage other councils to follow suit. (AQT 2512/11-15)

**Mr Ford:** I am happy to endorse the good work that Belfast and, I think, Larne and Omagh councils did in addressing those so-called head shops that were selling so-called legal highs. New psychoactive substances (NPSs) is a

more accurate description. I have also been in contact with the Home Office about the issue and hope to have a meeting with the relevant Home Office Minister when individual Ministers' responsibilities are sorted out. That is because, as Members will be aware, the specific issue of the Misuse of Drugs Act is a reserved matter. It is clear that a number of councils in Northern Ireland have done good work. That was clearly a step forward, but I believe that we need the law to be more comprehensively joined up in the future.

**Ms Lo:** It is very welcome to hear that the Minister will engage with the Home Office again on the matter. Will he involve the Irish Government in banning the sale of those substances?

**Mr Ford:** As part of a study in the latter part of last year, the Home Office specifically looked at the Irish legislation, which seems to me to have been a major bonus, and its potential benefits. The fact that the relevant shops were, by and large, closed down almost overnight in the Republic whereas, in Northern Ireland, we still have the problem of having to take individual action is an example that we can learn from, which is not always the case in social matters from our neighbours across the border. The key issue will be to persuade the Home Office of its responsibilities across the UK as a whole, to learn the lessons and to ensure that we and other parts of the UK get the benefit.

**Mr Principal Deputy Speaker:** Question 3 has been withdrawn.

### Prisoners: Reoffenders

T4. **Mr Byrne** asked the Minister of Justice, following his answer about NIACRO and the budget cuts, what consequences he sees for the number of people who might end up in prison as reoffenders. (AQT 2514/11-15)

**Mr Ford:** I do not think that it is possible to say what we would see as a direct consequence. I regret the fact that the Department of Justice has had to cut back some grants to the voluntary sector, particularly because, faced with a difficult budget settlement from 2010 to 2014, the Department of Justice was able to prioritise front-line services, including those provided by our voluntary sector partners. Significant reductions were made in the back office, which continue to be made this year, but the reality is that the ongoing difficult budget settlement becoming even more difficult this year means that we can no longer protect our voluntary sector partners as we had sought to do for the first four years of devolution.

**Mr Byrne:** I thank the Minister for his answer. Does the Minister still have full confidence in NIACRO and its work in trying to rehabilitate offenders? What implications does it have for the Probation Board, given that it also plays a vital role with young offenders?

**Mr Ford:** I am not sure whether it is appropriate that I should say that I have full confidence in any body, particularly those that are not directly accountable to me, but I have significant confidence in the good work that is being done by a range of voluntary sector partners, not least NIACRO. I do not wish to start to have to name all of them, but NIACRO seems to have featured a number of times in questions today. We have had a good working relationship. A lot of good, positive work has been done by our NGO partners.

I also have significant confidence in the work being done by the Probation Board and the Youth Justice Agency, as the key elements of the formal justice system, in comparison with what I see of probation services in England and Wales, where privatisation and financial incentives do not seem to have delivered anything like the quality of service provided by the professionals and professionally qualified social workers who work in probation here. We should be very grateful for that. I have, therefore, sought to protect the budgets to those front-line services, whether statutory or voluntary, as far as possible, but, unfortunately, I cannot protect them entirely.

**Mr Principal Deputy Speaker:** Question 5 has been withdrawn.

### Prison Service: Staffing

T6. **Mr Anderson** asked the Minister of Justice for his assessment of the current level of staffing in the Northern Ireland Prison Service. (AQT 2516/11-15)

**Mr Ford:** Clearly, the level of staffing in the Prison Service is less than we would hope for at this stage. A number of vacancies are being covered by overtime, and recruitment issues are being looked at again against the difficult budget settlement, which has seen significant reductions in the Prison Service budget for this year.

**Mr Anderson:** I thank the Minister for that response. Following a recent fire and act of arson in Maghaberry prison as recently as 26 April, do you agree that those radical reductions in staffing levels and the pressures that have been placed on existing staff might have played a part in the fire? Do you further agree that it throws into serious doubt the ability of the directors of Maghaberry to manage the prison on the basis of the current staffing levels, bearing in mind that, over the last five years, there has been a reduction of some 800 staff?

**Mr Ford:** We need to take care when we simply quote numbers of staff. The numbers that Mr Anderson gave are slightly larger than the exact numbers of reductions. Specific new blocks, for example, do not require anything like the same number of staff for supervision. The reduction in escorting lower-risk prisoners around Maghaberry has also resulted in a reduction in numbers, but it is clear that there is a difficult management problem in Maghaberry, which is probably the most complex prison in the United Kingdom, given the number of groups of prisoners that are housed there.

I believe that good work is being done in Maghaberry, but it is an ongoing challenge. The shortage of staff and the number of staff on sick leave make that particularly difficult.

**Mr Principal Deputy Speaker:** Question 7 has been withdrawn.

### Specialist Forensic Unit: Victims' Concerns

T8. **Mr Brady** asked the Minister of Justice what steps he will take to address victims' concerns raised in the BBC 'Spotlight' programme on Tuesday 12 May, which dealt with the specialist forensic unit in Special Branch. (AQT 2518/11-15)

**Mr Ford:** Clearly, there are public concerns, but we need to be careful in this place when dealing with issues of a

number of years ago. I understand that the specific unit in Special Branch that was referred to was wound up some time before the devolution of justice to here. There are issues of significant concern relating to the death of police officers and civilians, and those are matters for investigation by the Police Ombudsman, who has the formal remit to do that. I am not sure that I should say much beyond that while we allow the ombudsman's office to carry out its enquiries.

**Mr Brady:** I thank the Minister for his answer. Given that the show identified issues of police integrity, will the Minister now publicly encourage former and current members of the PSNI/RUC to cooperate fully with the Police Ombudsman and the historical investigations unit?

**Mr Ford:** I have no problem with repeating Mr Brady's point. I have always encouraged those who serve or have served in the Police Service or the RUC to give whatever help they can to the ombudsman's office in carrying out its investigations. I note that that point has also been made by a number of retired officers on different occasions. It is clearly the best way of enhancing confidence in policing, alongside the good work that is being done by the ombudsman and the work that has made the PSNI a very different body from the RUC when a number of those difficulties were happening.

### Maghaberry Fire: Damage Costs

T9. **Mr Cree** asked the Minister of Justice for an update on the cost of damage caused by the recent fire in Erne House in Maghaberry, given that media reports have estimated £800,000. (AQT 2519/11-15)

**Mr Ford:** I cannot give Mr Cree a precise figure at this stage, though, clearly, work has to go on to establish that. However, do not necessarily believe everything that you read in the Sunday papers. People say, "They suggest £400,000, so assume that you double that."

**Mr Cree:** That is why it is always good to have the facts. By way of a supplementary, may I ask the Minister to give us an assurance that he is working to address the concerns of the Prison Service staff in Maghaberry, who have low morale? Just to be in no doubt, who exactly is in charge?

**Mr Ford:** The answer is very clear. The director general of the Prison Service is in charge, the governor of Maghaberry is in charge of Maghaberry and individual governors are responsible for their particular areas of responsibility. There is clearly a staffing issue there: for example, there is a very high level of sickness absence in Maghaberry at present. However, it is important to ensure that we do not undermine the good work being done and that we seek to ensure that the reform programme, which has produced some significant benefits in recent months at Hydebank Wood, with the transformation to the college, and at Magilligan also proceeds apace at Maghaberry.

**Mr Principal Deputy Speaker:** Mr David McIlveen is not in his place. Time is up.

## Question for Urgent Oral Answer

### Health, Social Services and Public Safety

#### Pneumococcal Disease Outbreak at Harland and Wolff

**Mr Principal Deputy Speaker:** Mr Phil Flanagan has given notice of an urgent oral question to the Minister of Health Social Services and Public Safety. 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.

Mr Flanagan asked the Minister of Health, Social Services and Public Safety for an update on the work being carried out to protect employees and assess the current and future risk to workers following the recent cluster outbreak of pneumococcal disease at Harland and Wolff, Belfast.

3.30 pm

**Mr Hamilton (The Minister of Health, Social Services and Public Safety):** The Public Health Agency (PHA) has been coordinating the response to the cluster of cases of pneumococcal disease at Harland and Wolff. There have been four confirmed cases, with onset dates between 28 April and 6 May. All have been treated in hospital.

It has been recognised for some time that there is an increased risk of invasive pneumococcal disease associated with welding. The green book, which is the UK's authoritative guidance on vaccination, provides specific guidance about protecting those at risk of frequent or continuous occupational exposure to metal fumes, including welders. The key preventative measures are pneumococcal vaccine, prophylactic use of antibiotics and measures to limit exposure to metal fumes and dust.

The PHA led a risk assessment process at Harland and Wolff, which identified the workers at immediate risk requiring public health intervention. They are being offered antibiotic prophylaxis and pneumococcal vaccine. About 450 workers were given antibiotics and vaccine over the weekend, with a further 150 being seen today. The Public Health Agency expects to complete this work at Harland and Wolff by 9.00 pm today, and that no further clinics will be needed.

Vaccination may reduce the risk of invasive pneumococcal disease but it does not replace measures to prevent or reduce exposure. Ongoing prevention is primarily a matter for Harland and Wolff's occupational health department, with support and guidance from the Health and Safety Executive of Northern Ireland.

**Mr Flanagan:** I thank the Minister for his answer. I commend the PHA and the Health and Safety Executive (HSE) on their efforts to deal with this matter, in conjunction with the trade union.

I thank the Minister for that information, but can he give us an assurance that, even though he expects this to be

completed by 9.00 pm, representatives from the PHA and the HSE will continue to work with representatives and the organisation to make sure than any future risks are dealt with in a time-appropriate manner?

**Mr Hamilton:** I join the Member in commending the Public Health Agency and its health protection service on their rapid response. The fact that they dealt with 450 workers over the weekend and into today shows the extent of their work and their skill.

I am content to give an assurance that, should it be required — I hope it is not — the PHA will be there to assist Harland and Wolff and its staff as appropriate. Hopefully now that these measures have been taken, with vaccinations and so forth, there will be no further incidences of this disease.

Obviously, we will continue to monitor the situation, but as I pointed out in response to the main question, a lot of the work from here on will be carried out by the Health and Safety Executive to ensure that, with the heightened risk to welders of contracting pneumococcal disease through metal fumes, whatever preventative work needs to be done with Harland and Wolff's occupational health service and health and safety processes will be carried out. I am sure that the Minister of Enterprise, Trade and Investment will ensure that that is provided to Harland and Wolff.

**Mr Easton:** Is the Department taking this outbreak seriously, and has it been able to identify its source?

**Mr Hamilton:** I understand that the source is the metal fumes. As I said in my initial response, there is an accepted and acknowledged heightened risk to welders of getting this disease from metal fumes. That is believed to be the source of this outbreak.

We have been taking this matter incredibly seriously. One role of the Public Health Agency is to lead the response to clusters and cases of outbreaks of infectious diseases such as this. The health protection service within the PHA has been working with the Belfast Trust, Harland and Wolff and others to prevent further cases. Having identified those at risk, they have, over the weekend, been ensuring that workers were vaccinated and provided with antibiotics.

The Department, the PHA and the health protection service have shown that, in this unfortunate outbreak of pneumococcal disease, they have the capacity and capability to respond appropriately to problems such as this and do a very good job.

**Mrs Dobson:** I also congratulate the PHA and management of Harland and Wolff for appearing to act so quickly and decisively on this infection. What is the Minister's assessment of how well prepared our services are to cope with any future outbreaks compared with other regions of the UK?

**Mr Hamilton:** I do not have a comparator for other UK regions. She is right, and I join her in congratulating the PHA for its response to this outbreak. It was able to respond quickly when it became clear that a cluster was developing and get on the ground in Harland and Wolff, in conjunction with the management there and working with the Belfast Trust and others, to ensure that the 450 people, which is a sizeable workforce, have received antibiotics and vaccinations. That that has been completed over a very, very short time is testimony to the good work that the PHA is able to do in instances like this. I hope we do

not have many more examples where we can test our readiness for this, but this has been a very good example of where the PHA has been able to do the job that we ask of it and do it very well.

**Mr McKinney:** Given that the cause was fumes, surely that points to either a failure of equipment or non-provision of effective equipment. What assurance can the Minister give the House that those who are employed directly in this work are getting the proper equipment to prevent these fumes causing such damage?

**Mr Hamilton:** I am not in a position to make the assessment that the Member is encouraging me to make, nor would it be appropriate for me to do so. That issue, if it has any impact on the set of circumstances in this outbreak, is one for Harland and Wolff to deal with. I assure the Member and the House that the Health and Safety Executive is continuing to work with Harland and Wolff to ensure that those very issues are addressed. If there are problems associated with this outbreak in respect of equipment and the standard of it, I am sure that the HSE will be able to deal with that in conjunction with Harland and Wolff.

**Mr Lyttle:** I extend my thoughts to the workers and the families who have been affected by the outbreak and wish them a speedy recovery. I also commend Harland and Wolff for the prompt way in which it responded to the incident. I ask the Minister to confirm that his Department will be doing all it can to support Harland and Wolff to ensure that workers are provided with all the advice and treatment that they need to protect their health and safety and that the company will be able to get the assistance to manage this infection and maintain operations.

**Mr Hamilton:** I absolutely can give that assurance. I hope that the work that has been conducted over the last number of days illustrates that we are prepared not only to provide the necessary treatment but, as that treatment has been given, to give reassurance and explanations to members of staff as to what has been going on. We will continue to do that as appropriate, although, as I said, I hope that the operational side of our response is complete by this evening and that we will not be required any further. Should it be the case that we are required, I assure the Member that we will respond appropriately.

**Mrs Cameron:** I thank the Minister for his responses so far. Will he tell us whether he is considering the introduction of a population vaccination programme for this disease?

**Mr Hamilton:** Pneumococcal vaccination programmes are in place but are targeted at specific demographic cohorts; namely, babies, people aged 65 and over and anyone between the ages of two and 65 with a long-term health condition. That is a national policy, and it is based on advice and recommendations that come from the UK Joint Committee on Vaccination and Immunisation. So, that is in place for those specific groups of people in the wider population. That is obviously then added to by outbreaks such as this, where there are clusters of pneumococcal disease and vaccinations are issued as appropriate.

## Private Members' Business

### Psychoactive Substances

*Debate resumed on motion:*

*That this Assembly expresses its concern at the impact of legal highs and in particular at the number of resulting deaths; and calls on the Minister of Health, Social Services and Public Safety to continue his work with the Home Office to ensure the introduction of new legislation across the United Kingdom to ban new psychoactive substances. — [Mr Easton.]*

**Mr McKinney:** I beg to move the following amendment:

*Leave out all after "Office" and insert*

*“;and to work with his counterpart in the Republic of Ireland in order to consider the benefits of banning the supply of psychoactive substances regardless of chemical composition.”.*

I welcome the opportunity to contribute to the debate, and I rise in support of the SDLP amendment, which calls for greater cooperation with the Republic in implementing effective legislation to deal with the issue. I thank the proposer of the motion for his consideration of the amendment, and, hopefully, he will find the remarks that I make later helpful.

Over the last number of years, legal — or, should I say, lethal — highs have been an ongoing and increasing problem in our society, and it is our responsibility in this Chamber to do everything possible to limit and restrict the availability of these substances and educate those who may come in contact with them to be aware of the significant dangers that they present. We are now only beginning to form a clearer picture about the impact that psychoactive substances are having on society, but, worryingly, we still have incomplete data on the prevalence of these drugs and a lack of understanding about the acute and longer-term health implications of their use.

We know, for example, that in the UK 251 new psychoactive drugs were identified that were legal and being used by the population in 2012. The Public Health Agency tells us that, on average, one new drug is developed every week. Statistics also show us that drug-related deaths have increased from 102 in 2011 to 115 in 2013, and, locally, we have witnessed the devastating effects that those drugs have on individuals and their families. Twenty people needlessly lost their lives to lethal doses in 2013, and, as was highlighted earlier, just in April, there was, of course, the death of Adam Owens in Newtownards. Our sympathy goes out to his family.

As has been described, these substances are marketed as technically legal in the eyes of the law, but their availability is as a result of a loophole, if you like. They fall under the remit of the Medicines Act, which makes it illegal to sell, supply or advertise them for human consumption, but sellers, of course, have a number of tactics to get round this. They have been able to manipulate the market simply by putting a label on the package that says, “Not fit for human consumption”. They still go on the shelves and are still sold. To compound the issue, the Misuse of Drugs Act 1971 does not specifically prohibit the sale or use of technically legal substances, despite the fatal effects that they have on users. It bans psychoactive substances on

an individual basis, but, where there is an inevitable time lag between new drugs coming onto the market and those new drugs becoming controlled under the Act itself, that is the very gap. It is a reactive response, and we need a preventative one. The problem is that manufacturers and sellers have been allowed to get around the Act and have altered the chemical composition of certain drugs. In doing so, they also make them more potent.

So it goes on and on. The drugs are ever-changing, and the landscape in which they operate is shrouded in a sort of semi-legality. Ban follows change follows ban. Given that backdrop, it is crucial that we can quickly pursue the most appropriate legislation to control these substances. In that context, I commend the innovative and imaginative approach taken by Belfast City Council and, as we heard from the Justice Minister earlier, the approaches taken in Larne and Omagh. They use the general product safety regulations in counteracting the sale of these drugs, and that enforcement activity has led to the courts granting forfeiture orders against head shops.

These regulations are intended to regulate the market rather than shut down a certain section; but this is only a number of councils. What more could we be doing, and what could we be doing regionally?

#### 3.45 pm

There is a better way, however, and this is at the heart of our amendment. A review of psychoactive substances was conducted by the Home Office, which appointed an expert panel to look at the issue. It set out to find the best ways to police legal highs and find the best ways to send a clear message to those involved in the trade that these drugs are reckless and dangerous. The panel made a number of recommendations that we hope Westminster will take forward immediately and that this motion and amendment, if agreed, will support.

The report also considered national and international best practice and responses and concluded that the UK should adopt legislation similar to that in the Republic. The Government there listened to the public outcry, acknowledged the health implications and went some way towards limiting the availability of these drugs. Through an Act in 2010, it was made illegal to advertise, sell, or supply for human consumption psychoactive substances not controlled under existing legislation. They effectively moved away from dealing with these drugs solely on an individual basis — the problem we are confronted with — and imposed a blanket ban on all new psychoactive substances.

The benefit of that approach can be witnessed from the fact that 102 head shops were shut down almost overnight, making a dramatic difference. The legislation removed the innovation element, limited demand, provided enforcement agencies with the necessary powers and, ultimately, helped protect the public by reducing antisocial behaviour, deaths and non-fatal health implications. So, the benefits of such legislation in the UK are apparent and they have action to deal with blatant profiteering at the cost of young people's lives and livelihoods.

Too many young people lose their lives needlessly, while others experience great anxiety and varying degrees of depression. Sadly, some take their own lives. We have only to look at the inconsistencies that have arisen from

the lack of legislation on this issue to know how big the problem is.

We cannot simply say any more that this matter is not devolved. We need to make a racket at Westminster to ensure that legislation is enacted that is consistent with the Home Office review, so that we can quickly follow in their footsteps and, once and for all, make a real effort to end this lethal trade, which impacts so negatively on our young people. In that context, as I say, more needs to be done at Westminster. The SDLP's three MPs will be there pushing for such action, and I encourage all other MPs from here to do the same. The route map has been spelt out by the Republic, and, if pursued, would mean that we would have an all-island initiative to disrupt the supply chain for these dangerous drugs and, ultimately, protect life and public health.

The Health and Justice Ministers must work together with their counterparts in the Republic to consider further adopting such legislation, so that we put ourselves on a par with the Republic and increase awareness of the dangers of such legal substances. We cannot continue to bury our heads in the sand and wait for Westminster to act. After all, the public will ask us at some point to do something through devolution. Do we simply wait on Westminster to enact or do we lead a charge from here by saying to Westminster, "Look, there is a route map. Follow your Home Office advice; take the initiative"? The message from here, if we endorse the motion and amendment, as I hope we will do, would be very clearly in favour of following an initiative that is proven to work, has helped to save lives, has helped to put those who are trading in these illicit substances out of business and that has thwarted their profiteering, by which they have contributed to the deaths of many young people whose potential in life has been crippled or ended.

**Ms Maeve McLaughlin:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I thank the proposer of the motion. This is a topic that we as a society all grapple with to develop our understanding and, primarily, support our children and young people.

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

As has been spelt out, it is the stark reality that Ireland has the highest use in Europe of these so-called legal highs. Much of that has resulted in death and grief for many families, across all our communities. There is no doubt that the issue is affecting our communities, right across the island and further afield. It has brought untold grief and pain to many families.

The fact is, as has been pointed out, that the current law is inadequate and that we need to move to enhance the legislation to a general ban. In dealing with the motion and the amendment, both of which I support, it is right to reflect on the fact that the key piece of legislation is the Misuse of Drugs Act 1971, which remains the responsibility of Westminster. We need to move, with a degree of urgency, on the recommendation from the expert panel that we need a general ban to be enacted. We need to learn from others and, as the proposer of the amendment has quite rightly outlined, the 26-county Government responded to community and public outcry by introducing the Criminal Justice (Psychoactive Substances) Act 2010. It is right to reflect that that Act banned a long list of drugs: somewhere in the region of 200. The new law passed to prohibit the sale, in general, of any dangerous or harmful psychoactive

substance and, as a result of that work, overnight and in the few weeks following that Act, 150 head shops closed: a very positive outcome for community safety and in upholding the health and well-being of our children and young people.

We look, for example, at a similar fashion in Poland, which passed a new law last year eliminating the open sale of these drugs, and while we can and should reflect on and praise the endeavours of Belfast City Council in relation to the general product safety directive, they have taken that initiative. In my city, Derry City Council, in partnership with the PSNI and the environmental health agencies, has moved to carry out a number of initiatives around head shops, resulting in the closure of one. All that work is very welcome. Through the north-west addiction task force, there have been a similar number of operations resulting in the closure of local premises, and I have no doubt that here is a huge amount of work ongoing across our communities. Organisations locally, such as HURT and Divert, are invaluable in getting the message across, but what makes the issue increasingly serious is that these drugs are purchased online. Quite simply, the young people who I engage with on a fairly regular basis can tell me that these drugs are simply delivered to their door.

We have a duty of care to respond with appropriate legislation. We have seen models of best practice in other places, and we have a duty of care to protect the health and well-being of our children and young people. We need to move with a degree of urgency on this very complex and dangerous issue. I support the motion and the amendment.

**Mrs Dobson:** I would like to start by expressing my personal sympathy, and that of my party, to young Adam Owens, who recently lost his life in Newtownards as a result of these substances. It is such a terrible loss of a young life. While he was by no means the first, I suspect that, even more tragically, he will not be the last.

Families across Northern Ireland have been ripped apart as a result of these drugs, and we must never forget them, nor the continuing anguish that they are going through. The substances are not safe, and many are not legal. That is why I welcome the mindset of moving away from calling them legal highs, especially as many come with the effects associated with illegal products.

The repeated emergence of new psychoactive substances is very worrying. Taking any substance that has not been properly tested, is made up of unknown ingredients or has not been prescribed comes with major risks. I am sure that I am not the only Member who has asked on different occasions why the Assembly does not just simply ban them. Aside from it being a reserved matter, it has already been said that the people behind the production of the substances are well aware of the only minor tweaks that they sometimes need to make to the ingredients to stay ahead of the law. However, although a flaw in the current law might keep them from being arrested, in my eyes, those who produce the products, knowing that it will often be children and young adults consuming them, are no better than any drug-related criminal. They may be free to generate pain and misery in return for profit at present, but the gap in the law is starting to close.

The previous Government had their expert panel investigate the issue, and I now fully expect the new

Government to take the next step and introduce legislation to ban all psychoactive substances. Of course, banning will be only part of the solution. As we know through bitter experience, illicit drugs are still widely available to anyone who is determined enough to go out and look for them. Given the often younger audience that the substances are aimed at, warning of their dangers, especially through education, is essential. The notion that these drugs are legal, safe and something of a thrill must be ended. Current drug awareness programmes across our schools must be modernised to reflect these particular drugs.

Unfortunately, the task of educating young people about the danger of these drugs is made more difficult because they are widely available from a range of shops, and even takeaways, in towns across Northern Ireland. Putting the tagline "Not for human consumption" on the packaging may help to keep their producers one short step ahead of the law, but, in reality, some young people are now so acquainted with those types of products that they do not even notice that being there.

Local councils do have an important role to play in clamping down on their sale and distribution. The actions taken by Belfast City Council, the former Larne Borough Council and the former Omagh District Council have already been mentioned, but I wish to ask the Minister for his assessment of what other local councils are doing to tackle the sale of those products. This is not the first debate in the Assembly on the issue, and I suspect that it will not be the last. It would be a tragedy, however, not only for the family of young Adam Owens but for all the others who have been affected by those drugs, if we were to leave the lobbying to someone else. Change is required, and we must not be found wanting in achieving it.

**Mr McCarthy:** I am grateful for the opportunity to support the motion. Like everyone else in the Assembly, I was shocked and saddened by the tragic death of young Adam Owens from Newtownards in my constituency, who is the latest victim to lose his life from, as we understand it, so-called legal highs or new psychoactive substances. I take this opportunity to offer my total sympathy to the family and friends of young Adam. Their loss must surely be totally devastating. It is incumbent on us as legislators to act as soon as possible to outlaw the availability of those deadly substances so as to prevent further tragedies and heartbreak for everyone in our community.

I also wish to put on record my thanks and appreciation to those organisations out in the community that work so hard to prevent those disasters from happening in the first place, and I totally condemn the merchants who ply their evil trade.

At our Health Committee meeting recently, just after Adam's death, I asked the Committee to seek information from the former Minister of Health on what action can be or is being taken to tackle the issue. His response, dated 7 May, contains two and a half pages of actions, warnings and a determination by his Department, along with the Department of Justice and the PSNI, to sort it out at an early date. I have no doubt that the new Health Minister, who is with us this afternoon — I put on record my congratulations to him and, indeed, to his new assistant, who was a valued member of our Health Committee — will continue with the contents of the response that we got from the former Minister.

#### 4.00 pm

In that letter, the Minister told us that the Executive's agreed strategy recognises the new psychoactive substances as an emerging issue and seeks to direct some £8 million each year to implement the new strategic direction, which is phase 2. While that is very welcome, I believe that the most obvious and effective recourse is through legislation. That will require changes to the Misuse of Drugs Act 1971. In that regard, the Assembly should continue to press the Home Office for changes in the legal regime at a very early date. I know that our Minister of Justice, David Ford, has been pressing the Home Office about the issue, and I am sure that he will continue to do so with the new Government. In fact, during questions for oral answer last month, Mr Ford committed, as he did again today, to taking this up with the new Government. I am sure that he will continue to do so and that progress will hopefully shortly be made to put an end to this blight on our community.

Any legislative response has to be comprehensive. Simply adding new drugs to the existing list of banned substances risks this approach being subverted by small changes or tweaks to ingredients that bypass specific bans. As the former Minister's letter says, the Home Office in London has established an expert panel to look at the UK's legislative response to the issue. Its main recommendation was that the UK Government bring forward a ban on the sale of new psychoactive substances. I say this: "Bring it on now".

The authorities need to avoid playing constant catch-up in a game of constant modification by those making such drugs. In that regard, we can look to the General Product Safety Regulations 2005, and in particular we can commend the actions of Belfast City Council, as other Members have done, and, indeed, other councils. As far as I know, my own council for Ards and North Down has done similar work. Vendors, sellers or whoever simply cannot dismiss responsibility for the use that their products are being put to. That would, indeed, be shameful.

Finally, I believe that education is essential. That will require collaborative working across a number of agencies. The Public Health Agency, with appropriate funding, should have a central role in devising and articulating the core campaign warning young people in particular of the dangers of these substances and the impact upon their lives. There is also an important role for schools, further education colleges and universities to ensure that the relevant messages are being passed on to students. Those organisations working with young people who are not in education, employment or training also have a role.

**Mr Deputy Speaker (Mr Beggs):** The Member must draw his remarks to a close.

**Mr McCarthy:** We urgently need new legislation from Westminster, supported by the Assembly, to see an end to this scourge in society. That is why we in the Alliance Party will support the motion.

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

**Mr McCarthy:** We simply cannot wait.

**Mr G Robinson:** Last week in the Chamber, thanks to my DUP colleague Gary Middleton, we debated suicide. Today we are debating legal highs. I am forced to wonder whether there could be, in some cases, a connection



between the two. Do legal highs lead to suicide or fatal outcomes in a minority of cases? I believe that they do.

This debate is all about people — people who think that it is acceptable to sell highly damaging drugs for personal profit without regard to the damage that is caused to other individuals and families. One report that I read described how a happy teenager was transformed into a suicidal teenager by legal highs. Does any Member present believe that that is an acceptable situation? Is it morally correct that, in Northern Ireland, we continue to let children as young as 11 have access to such dangerous substances? For me, the answer is a definite no to both questions. We must therefore act to stop these substances being made available, especially on the Internet, which, I was shocked to learn, still makes buying these deadly drugs relatively simple.

Some websites even tell visitors which legal highs are already banned and cannot, therefore, be purchased.

Reading of the aftermath that these drugs have for individuals and families is a distressing requirement for the debate, but the facts are also a reality for many families in Northern Ireland. Legal highs ruin lives, end lives and destroy families. I believe, therefore, that they must be made illegal.

I appreciate the fact that my colleague the Health Minister has just taken up his post, which I congratulate him on, but I ask him to continue the work of his predecessors on psychoactive substances so that, at the earliest possible moment, we can take definitive action against the sale of these deadly drugs. I most definitely support this very worthy motion.

**Ms McCorley:** Go raibh maith agat, a LeasCheann Comhairle. Ba mhaith liom tacú leis an rún seo inniu agus leis an leasú fosta. I support the motion and the amendment. The issue has been debated in the Assembly before. We have talked about it, and the connection with suicide has been mentioned. We are all only too aware that the issue has to be dealt with. We cannot just go on allowing it to happen. Action needs to be taken.

One aspect of these psychoactive substances that I find absolutely insidious is the title “legal high”. That is very misleading and misleads young people into thinking that they are not so serious. The names that are given to the substances also sound quite innocent. I find all that shameful and despicable, because it allows the sellers to get away with selling products that have such damaging effects on people. They use a convenient disclaimer that the products are not fit for human consumption, but it is a fact that they are sold only for human consumption. It is imperative that we deal with this.

The other aspect — it has been mentioned already — is that, because the substances are unregulated, they are not tested or approved. Their content is totally unknown, and young people do not really know what they are taking. The devastating result is that, the more that people use the substances, the more their physical and mental health is in danger. The side effects are numerous and range from increased anxiety to problems with breathing, loss of consciousness and hallucinations. We have also heard people speaking about the many deaths that have occurred as a result of taking the substances.

This is a reserved matter and is governed under the Misuse of Drugs Act 1971, but there are limitations on the

powers of that Act. That is not enough for us, and we need to seek our solutions in the North so that we can tackle the problem head-on.

There have been positive advances. It was mentioned that Belfast City Council had responded innovatively by using existing regulations. That was a good step forward. It utilised the General Product Safety Regulations 2005, which resulted in the successful prosecution of a number of individuals who faced charges of supplying a dangerous product — new psychoactive substances — from a city centre shop. Under the terms of the court order, those people are prohibited from selling those substances anywhere in the North. Other councils have followed suit, and more are expected to take the same action. My colleague Maeve McLaughlin talked about the legislation in the South of Ireland, which has had very positive outcomes in addressing the issue. At the same time, it is a very manipulative process. New substances come out week on week, and you can never take your eye off the ball. We all need to live up to that and deal with it. We can never be complacent; it is a problem that will always seek new ways to reinvent itself, and we need to be ahead of the game.

My constituency of West Belfast has a huge and growing problem. The impacts have been devastating. Many organisations have been mentioned today, but a local one, the Falls Community Council, has been at the forefront in tackling substance abuse and its effects on young people. Day and daily, it sees the damage that results and how young people become victims of the trade. Its work has very positive impacts, and it works to help young people to move away from the use of all kinds of drugs.

A while back, I attended a public event organised by the West Belfast district policing and community safety partnership (DPCSP) as part of the west Belfast féile. It focused on legal highs —

**Mr Deputy Speaker (Mr Beggs):** Will the Member draw her remarks to a close?

**Ms McCorley:** — and their impact on the community. I would like to mention Mothers Against Drugs, which is an organisation that was set up by a group of mothers who have been impacted by this. Their work in taking action on the issue has to be commended. I commend the motion.

**Mr Buchanan:** I welcome the opportunity to speak on this important matter. It is right that we take a moment to remember the families who have been torn apart and the young people who have lost their life as a result of these substances in Northern Ireland.

It is good that, since I last brought the subject to the Floor of the House for debate in November 2014, changes have happened, albeit slowly. In my constituency in West Tyrone, a shop that was openly selling psychoactive substances, commonly referred to by the misleading name of “legal highs”, was closed down as a direct result of a court order banning the sale of these substances in a Belfast shop. That development has had a ripple effect throughout the Province, as named individuals and a limited company were prevented from selling substances from premises in Belfast and right across Northern Ireland. As a direct result of the court order, premises in Omagh were closed down.

While I am delighted with that outcome, I am concerned that these products are still being openly sold on the streets of Omagh, which the PSNI seems to be powerless to curb. In Omagh, however, anecdotal evidence suggests that a list of regular users of these substances now receives deliveries of their chosen drugs to their home. The ease with which customers can order the drugs and have lethal substances sent to their home is alarming. Taking a quick glance through the numerous websites that offer the substances for sale, I see that they boast that home deliveries will be inconspicuously packaged in an unmarked envelope. Students in our universities and colleges are getting the drugs delivered to their room. It is the sharp rise in the easy availability of the drugs that is extremely worrying.

Why is it that the Government are always playing catch-up with the manufacturers of the drugs? The UK Government lag behind other jurisdictions that are leading the way in this fight. While I am delighted that we have had some small victories along the way, such as Belfast City Council tackling the matter outside the Misuse of Drugs Act by approaching it from a safety perspective, it is but a small drop in the ocean in comparison with the sales of the substances. The UK Government at Westminster need to look at proactive models for tackling these substances rather than always reacting and playing catch-up with the drug manufacturers, who have the ability to produce a new unregulated product very quickly after a ban comes into play. Legislation needs to be introduced to make it an offence to sell, import, export or advertise unregulated psychoactive substances, alongside the ongoing controls on identified substances under the existing misuse of drugs legislation.

As a result of the introduction of the Criminal Justice (Psychoactive Substances) Act 2010 in the South of Ireland, as already mentioned today, nearly all the head shops were closed down, and the national drugs unit was established to tackle online sales, which is obviously another very important issue. It is imperative that the UK Government make provision in any new legislation to tackle the ease with which sales of these products happen online. Domain names of websites that sell the products need to be reported to a dedicated branch in the PSNI.

#### 4.15 pm

Just because the products are not banned through the Misuse of Drugs Act, that does not mean that they are safe. They are unregulated and no one, not the customer nor the medical professional who may have to deal with the dire consequences of their use, knows what is in them or what the consequences will be. Psychoactive substances have potentially harmful effects ranging from numerous side effects to death. The extent of the risk to individuals across Northern Ireland, particularly young people, is huge. Far, far too many of our young people are being caught up with these substances —

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

**Mr Buchanan:** — and finding themselves in extreme difficulties. I am delighted that Belfast City Council did not rest on its laurels but instead chose to tackle the problem. I urge the Minister to continue to take this forward in a way that will —

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

**Mr Buchanan:** — have a sustained effect in Northern Ireland.

**Mr Middleton:** I begin by joining others in thanking my colleagues for tabling this important motion.

There is no doubt that this is a serious issue in our communities and that psychoactive substances are having detrimental effects right across Northern Ireland. Misuse of the substances has become a worryingly popular trend that many young people and community members believe to be morally and legally acceptable because there is no penalty for obtaining them. That is why we need to address this as a matter of urgency. We must stand together to let our communities and our precious youth know that these substances are neither morally nor legally acceptable. We must act out of care to protect our communities from the use of the substances. The misconception of such substances being known as "legal highs" must be tackled because many psychoactive substances contain illegal elements.

The dangerous use of drugs is an ever-growing problem in our society. Many of our young people are becoming addicted to substances and drugs at a very young age. It has to be said that the effects of the drugs on all members of our society and increasingly among the youth of our communities is devastating. Once individuals are addicted, they often need to feed their addiction by trying new substances with even greater life-threatening risks. Sadly, it has been noted that, as a result of substance and drug abuse, communities begin to see an increase in antisocial behaviour and burglaries as people seek to fund their addiction.

Psychoactive substances negatively affect our communities. Many parents, as other Members have mentioned, have been left devastated because of the unpredictable reactions of their son or daughter as a result of taking the drugs. It is a problem that many families in my constituency have faced and, indeed, that families throughout Northern Ireland face daily. This is a serious and real concern as, in many instances, the ingredients contained in these substances are unknown and unregulated.

As the proposer stated, they are packaged so as to bypass the system and current legislation. Sadly, the substances are readily available in head shops in our towns and cities and on the online market. With such easy access to these perilous so-called legal highs, there needs to be a strategic approach to getting them off our streets and out of the marketplace. I commend the work of some councils and, indeed, the PSNI, which my fellow member for Foyle mentioned, in our constituency in tackling the head shops. I hope that similar methods can be implemented throughout all our council areas. As my colleagues have said, the Home Office must do all that it can to introduce new legislation across the United Kingdom to ban these substances.

Whilst it is important that we make the substances illegal, the problem must be tackled at its source. In reality, the majority of so-called legal highs are bought online from suppliers outside the UK and, indeed, outside Europe. As I mentioned, the ingredients are often unknown and what is written on the packaging is very different from what is in the substance itself. Such unlimited global online access to these products is deeply concerning and means that very many people are accessing them.

Just last week in the Chamber, we discussed the sensitive topic of suicide prevention. As a result of legal highs, individuals' characters are changing and their mental health is deteriorating, sometimes resulting in them taking their own life. As with tackling suicide and promoting mental health, there needs to be cross-partnership working at all levels to ensure that the necessary help is available to prevent suicide and to support those who have addictions.

I hope that the new Government in Westminster and our Health Minister will do all they can to finally take action that will help to save lives and ensure a safer environment for all our citizens. I wholeheartedly support the motion and the amendment.

**Mr B McCrea:** I wrote to the Minister of Justice last month about the issue of legal highs. As has been mentioned in the debate, the response was that it is not a devolved matter. However, he said that a number of successful strategies are being used by the health service and the local councils, including using consumer legislation, to deal with the matter.

The reason why I wrote to the Minister of Justice, and the reason why I am speaking today, is that I was contacted online by a lady called Grainne Woods, who mentioned to me the tragic death of Adam Owens. She said, "Basil, something urgently needs to be done to protect our young people from legal highs. This lad pleaded for help. Can you help raise this concern?"

I wanted to talk today to not just implore somebody to do something but to say that there is a real issue: people who know that they have a problem and are seeking help are not able to get it. I am struck by the description of Adam. He was 17, and he died in Newtownards. He had been to a house party with friends. He had known that he had a problem for about three years. He kept saying that he was going to turn his life around. Perhaps part of our attention should be placed on how we give advice and support to people rather than just saying, "These are illegal".

I was also struck last night; I came across a really tragic situation in Dublin. It is not quite the same, but it is pretty close: the sudden death of a 19-year-old who took some form of ecstasy that had been adulterated with poison. The real problem was that, although they got medics to her, they were not able to do anything. The doctor said — this is the issue with legal highs as well — that the problem is that there is such a cocktail of drugs in the tablets now that nobody really knows exactly what is in them. There is simply no way to provide the appropriate medical attention.

All that leads me to conclude that the issue of drug culture in our society is perhaps one that we have to deal with. Even now, there is discussion about whether there are health benefits from cannabis, what exactly the effective ingredients in it are and whether it is something that we should be looking at with regard to medicinal use. The whole issue is about understanding exactly what the active ingredients are. I am really sorry for the families of Adam Owens and Ana Hick, who saw the tragic loss of their children. We, as legislators, maybe need to think about how we engage in a proper debate about the drugs culture. It is one of the more significant issues affecting our society.

It is not really necessary for me to prolong the debate. Speaking at this stage in the Chamber, much of what has to be said has been said, but it is perhaps worth saying that

we need to do something and not just implore others to do something. It is not possible for us to do anything through legislation on matters that are not devolved, but I suspect that it would be a good thing if the parties with MPs were to use their good offices to try to deal with the matter.

I would be interested to hear what the Minister has to say about how we provide support to people struggling with an addiction to dangerous substances. Frankly, whether they are legal or not is irrelevant; the fact is that those things do a lot of harm. It is part of the fabric of our society. It is not the right way forward for young people, but telling them that it is not the right way forward is not going to change anything. We need creative, effective intervention that will explain to our people, "These are the risks that you are facing". On that, Mr Deputy Speaker, I conclude my remarks.

**Mr Hamilton (The Minister of Health, Social Services and Public Safety):** Thank you, Mr Deputy Speaker. I begin by thanking Mr Easton and Mrs Cameron for bringing the motion to the Floor. Indeed, I thank everyone who has spoken today.

One of the most important public health challenges facing us is the need to prevent and reduce the harm that alcohol and drug misuse causes to individuals, families and wider communities. Episodes, such as the major incident that occurred at the Odyssey last year, or, more tragically, the number of potentially drug-related deaths that have occurred recently, serve to highlight the real consequences of substance misuse. I join others in passing on my condolences to all families who have, tragically, been affected by the issue.

Worryingly, a new challenge has arisen through the availability and use of so-called legal highs, an issue that has, unfortunately and sadly, been brought to the fore again by the recent tragic death of Adam Owens, a 17-year-old former pupil of my old school, Regent House, who died in Newtownards in April. I extend my sympathy to Adam's family and pass on my condolences to them.

These are substances that have a psychoactive effect but which are not classified under the UK-wide Misuse of Drugs Act 1971. However, the term "legal highs" is misleading. We should, therefore, try as best as we possibly can to refer to them as new psychoactive substances (NPS). The key message that needs to come from the Chamber today is that these substances are not safe. They are marked, "Not for human consumption" for a reason, as the sellers are trying to get round our existing drug laws and regulations.

Let us be absolutely clear, Mr Deputy Speaker: taking any substance that has not been prescribed for you comes with real risks. These new psychoactive substances have not been tested, they do not go through quality assurance, there is no way of knowing what they actually contain, and, therefore, they are potentially more dangerous than drugs such as Ecstasy or cannabis. In fact, they may not even be legal. Test purchases conducted by the police and forensic services across the UK, in 2013-14, showed that almost 20% of NPS contained drugs controlled under the Misuse Of Drugs Act 1971. So, in fact, one in five substances sold as so-called legal highs is not legal, and anyone purchasing them could be arrested for possession of a controlled substance.

Given the nature of the issue, it is difficult to get an accurate picture of how prevalent the misuse of these substances is. However, a survey in 2010-11 indicated that 2% and 2-4% of the population had taken the then legal Mephedrone and new psychoactive substances respectively. Things may have changed since then, and that survey is being rerun to give a clearer picture about the current extent of use. In 2013-14, figures from our treatment services also indicated that 15% of those in treatment reported the use of the now banned Mephedrone.

I move now to tackling supply. As many highlighted today, the key legislation, the 1971 Misuse of Drugs Act, is a reserved matter and is led by the UK Government at Westminster. Therefore this is an area that my Department has raised through the British-Irish Council and the North/South Ministerial Council, and I will ensure that it remains on the agenda of those key groups.

The enforcement of the Misuse of Drugs Act is the responsibility of the PSNI. My Department also helps to address the issue through the enforcement of human medicines regulations. Where the sale of new psychoactive substances breaches either of those pieces of legislation, enforcement activity can be, and is, undertaken.

In addition, Belfast City Council, supported by a range of key agencies, has undertaken enforcement activity against so-called head shops using the general product safety regulations. That has resulted in a forfeiture order. Further action has led to an injunction against one premises selling these substances anywhere in Northern Ireland. That is to be broadly welcomed. I know that other councils have been watching Belfast's approach, and I hope that that will encourage them to take similar action in their areas. I recognise and acknowledge reference made by many Members today to some councils and the action that they are taking.

In 2011, following approaches from various stakeholders, including my Department, the UK Government amended the Misuse of Drugs Act to incorporate a new classification for placing drugs under temporary control for up to 12 months. It is worth acknowledging that those temporary banning powers were primarily a result, I understand, of pressure from Northern Ireland because of the prevalence of the use of psychoactive substances here.

#### 4.30 pm

This temporary banning power is aimed at tackling the threat that new substances pose to public health by responding on a cautionary basis. It has been a good first step in addressing the issue. So far, temporary or permanent bans have been imposed on more than 350 substances, and, when combined with enforcement activity, help us begin to tackle the issue. However, we have to do more. New substances continue to emerge at the rate of one new drug a week. That is why previous Ministers at my Department have regularly raised this issue with the Home Secretary, in seeking a more robust and consistent approach.

Following that lobbying, the Home Office established an expert panel to look at the UK's legislation. The panel reported in late 2014. Its main recommendation was that the UK Government bring forward legislation to undertake

a general ban on the sale of psychoactive substances, while providing exemptions for existing products, such as alcohol and prescription medicines. I understand that this proposal is similar to legislation already brought forward in Ireland. To refer to the amendment, I am content to continue to work with colleagues across the border and learn from their experience, particularly in outlawing psychoactive substances. I am pleased that Her Majesty's Government have broadly accepted the recommendation. The Home Office is working with us and the other devolved Administrations to develop appropriate proposals. I hope that legislation can be brought forward early in the life of the new UK Government. My officials and I will continue to work with the Home Office to see it brought forward as soon as possible, and I ask all parties' MPs to support this work as it goes through the legislative process at Westminster.

As some Members mentioned, the Internet also plays a role. Although addressing sales in head shops may be only part of the solution, it would be an important step. The availability of these substances on our high streets has the potential to change social norms; therefore, stopping these sales will send a clear message that drug misuse is not acceptable and not part of everyday life. However, I recognise that we also need to work with our UK Government and other EU member states to address the issue in a broader context, including working with agencies such as Interpol to tackle international sales.

To improve local information, we have also set up an early warning system in partnership with the PSNI, the Public Health Agency and the Department of Justice. The drug and alcohol monitoring and information system seeks to get information, identify new substances and provide advice as soon as possible. The system has been used to disseminate information about a range of substances, and the Chief Medical Officer has issued a number of alerts based on its information. It is also used to feed into the permanent or temporary banning processes and to inform policy and practice. My Department and the Public Health Agency will continue to use this information to raise awareness of the dangers of these substances and to put appropriate treatment services in place.

We commission and provide a range of treatment and support services across Northern Ireland, from education and information, through early intervention and harm reduction, up to specialist treatment and, to refer to Mr McCrea's comments, support services. These services are detailed on the Public Health Agency website. Although none of these services deals with new psychoactive substances in isolation, they are all equipped to deal with alcohol and drug misuse generally. From a treatment perspective, while these substances are new, they often mimic existing drugs, therefore treatment services should be able to deal with those presenting under existing treatment models. It should be noted that the PHA is currently in the process of re-tendering for a range of services that are due to come on stream in July 2015. The new services will be tasked with addressing emerging issues including new psychoactive substances.

The PHA is working to develop the alcohol and drug misuse workforce, including rolling out training on NPS and other substances. New evidence and research will also feed into treatment models and guidelines as appropriate.

That is an overview of the work being taken forward on new psychoactive substances. However, we recognise that there are no easy answers. There are considerable gaps in our knowledge and understanding of psychoactive substances, and there will remain a range of residual and future challenges that will need to be addressed, as there is with illicit drug use. However, we remain committed to tackling this issue. We need to ensure that we continue to get the message out that taking any drug that has not been prescribed for you has real risks for your mental, emotional and physical well-being. In fact, as we have seen recently, it has the potential to have tragic and fatal consequences.

**Mr Byrne:** I welcome the opportunity to wind up on today's important debate. I rise in support of the SDLP amendment and welcome the support across the House for it.

As Members have said, the issue of legal highs or new psychoactive substances is complex and difficult, but there is no doubt that action can be taken so that we can go some way in attempting to tackle the issue. The public are looking for the Assembly to take some action. It is understandable that most of us are increasingly concerned about the growing availability of substances that are sold as legal highs. We need to discourage the use of that term because, unfortunately, it leads people to assume that they must be safe when they are not. As many Members have rightly said, a number of deaths in Northern Ireland have been linked to taking such products. We saw 20 people die from taking one substance in 2013 alone, and, as others have mentioned, there was another death just last month in Newtownards.

We have had a number of important cases in Omagh to do with the problem as well. Recently, in the local newspaper, the 'Tyrone Herald', an example was given of a tradesman who is responsible for training young joiners:

*"He recounted the experience of a 27-year-old Omagh man who he knows personally. 'He is mentally scarred for the rest of his life, he will never be right again,' he claimed. He said the parents of the man contacted him several months ago asking for help. 'We spent hours with him trying to talk with him, but it was going in one ear and out the other. He just couldn't take it in, he wasn't all there. We were trying everything to get him off it. His mother was in a terrible state, she had nowhere to turn to for help'".*

Mr McCrea referred to that. The article continues:

*"The devastation this causes to families is unbelievable. When this young fella was on these drugs, his family couldn't even stay in the house.' Eventually health professionals agreed to intervene, but only when accompanied by police officers. That intervention came several months ago and according to the joiner, the 27-year-old has been kept under medical care since. 'He's lost all of his faculties, he's not all there now'".*

That is the tragedy of what is happening.

Although the control of drugs is a reserved issue, the challenges that emerge from these new substances should be of more concern to the Assembly. Great work has been undertaken by Belfast City Council and, indeed, some other councils, but, as Mr Buchanan said, he raised the issue here months ago because of the plight and concern of some parents and families.

In our amendment, we have asked for cooperation with the Government in the Republic. We need that sort of cooperation. In Omagh, we had the situation of a head shop that was owned by someone who also had a shop in Letterkenny. When the Letterkenny shop closed as a result of the legislation in the South, all the sales were coming through the Omagh shop. We had a situation where students would be queueing up in the evening to buy some of these legal highs in their uniforms, and they were also able to resell them to their classmates and friends. Again, the authorities were slow to recognise the plight and the difficulty that that was posing for parents and teachers.

These drugs do, to some degree, also fall under the remit of the Medicines Act 1968, which makes it illegal to sell, supply or advertise them for human consumption. Manufacturers and sellers have been able to manipulate the market to the detriment of our young people. All they need to do is label the package with the disclaimer, "Not fit for human consumption". The Minister referred to the fact that these drugs are not fit for human consumption. The problem is that young people will often take things that are not fit for human consumption if it gives them this high experience. However, the high experience is so high that it causes mental damage. Many Members have referred to the fact that we have major mental health problems as a result of the use of these illegal substances. It is causing massive pain.

The time has come for action. There has been obfuscation by the Minister of Justice and others, hiding behind the fact that primary legislation is required. The reality is that action could have been taken earlier. Let us have the action now.

**Mrs Cameron:** I welcome the opportunity to make the winding-up speech on this very important matter today and take the opportunity to welcome Minister Hamilton to his new and very difficult role of dealing with the health service in Northern Ireland.

As everyone in the House has recognised, the need for greater control on new psychoactive substances has never been more important, and, along with the Home Office, we must continue to press for tighter controls on this reserved issue as a matter of urgency. New psychoactive substances, or legal highs, are on open sale across the United Kingdom, and I believe that a joined-up approach is long overdue.

The obvious disparity in drug regulation has led to a shift in social attitudes surrounding misuse and, in many ways, has normalised the taking of those substances among young people. Through the media and television, we are all familiar with the images of seedy drug deals taking place on street corners and in dark alleyways. Although the drugs are rightly prohibited under the Misuse of Drugs Act 1971, we are dealing with an epidemic of substances being dealt in plain sight in so-called head shops across Northern Ireland and openly through the Internet. The substances have not been tested. There is no quality assurance, and there is no way of knowing what exactly they contain, as often what is listed on the packaging is far from the actual chemical components making up the product.

Anecdotal evidence suggests that the effects can be much worse than those of other illegal drugs such as cocaine and Ecstasy, simply because the components regularly

change as compounds are identified and banned. It is particularly worrying that the substances are very often taken in polydrug usage, combined with a cocktail of alcohol and other illegal drugs or prescription medications. That combination of stimulants, hallucinogens and depressants can lead to breathing difficulties, anxiety, collapse and, in the worst cases, even death.

In 2013-14, 20 deaths were linked to new psychoactive substances in Northern Ireland. My fear is that the figure may be much greater than that owing to the difficulties with forensic identification. In addition, I am concerned that people are putting their long-term mental and physical health at risk. There have been many reported cases of psychotic episodes following periods of prolonged use, with some occurring long after the user has stopped taking the substances. It has also been documented that infection with HIV and hepatitis B and C is higher among users of those substances, as they may be more prone to entering into unprotected sexual encounters or sharing needles.

At this point, I want to refer to some of the comments made in the Chamber today, which were many. I will start with the proposer of the motion, Mr Easton, who spoke of the accessibility of legal highs. He talked about the misleading term "legal high", which makes the substances sound safe or legal for human consumption. He spoke about the sheer volume and speed with which the substances appear on the market and also about the various organisations that are attempting to tackle the use of legal highs, including local government. He stated that, in 2013, the Home Office appointed an expert panel to consider how the issue of new psychoactive substances could be addressed. He accepted the amendment from the SDLP but stressed the need for legislation to deal specifically with the issue. He added that the issue of legal highs is too important for us to play politics with.

Mr McKinney moved the amendment, and he spoke of the need for individuals to be aware of the danger of legal — or "lethal", as he said — highs. He talked about how the number of drug-related deaths has risen and said that substances marketed as technically legal by sellers can manipulate the market by stating that they are not fit for human consumption.

Ms McLaughlin talked about the stark reality that Ireland has the highest use of such substances in Europe. She also mentioned the untold grief and pain that has been brought to families. She talked about the enhancement of legislation to a general ban and about the need to move on the recommendations from the expert panel. She welcomed the closure of the very many head shops.

#### 4.45 pm

Mrs Dobson spoke about the families across Northern Ireland that have been ripped apart as a result of these drugs, and she welcomed the move away from the description "legal highs". She mentioned that it is a reserved matter and said that those who produce these products are no better than drug dealers. She also said that change is required.

Mr McCarthy said that he was shocked and saddened by the death of Adam Owens, and I know that Adam Owens was mentioned a number of times during the debate. Mr McCarthy spoke of the Minister and the Department's response to previous similar issues, and he said that,

for him, the most obvious and effective recourse is the introduction of legislation. He talked about the fact that David Ford has raised the matter in his capacity as Justice Minister, and he also said that education is essential.

Mr Robinson asked whether there is a link between suicide and the use of legal highs. He spoke about how these highly damaging drugs are being sold for personal profit without regard to the damage that is caused to individuals and their families. He spoke passionately and asked whether it is morally right that Northern Ireland continues to let children as young as 11 have access to such dangerous substances. He called for those substances to be made illegal.

Ms McCorley supported the motion and the amendment. She said that the issue needs to be dealt with and that the description "legal high" is misleading. She also said that the people who sell the product are shameful and despicable.

Mr Buchanan said that it is right that we remember those who lost their life through the use of these substances. I am sure we can all echo that across the Chamber. He was concerned that the products are being sold openly in Omagh, and he spoke about the ease of accessing the drugs. He said that the sharp rise in this type of drug use is extremely worrying and that legislation needs to be introduced. He said that the drugs are unregulated and that their contents are unknown.

Mr Middleton was in no doubt that it is a serious issue and that the misuse of these substances is a worryingly popular trend. He said that the substances are not morally acceptable and that many young people are becoming addicted to drugs like this. He said that communities are seeing an increase in antisocial behaviour, and he talked about the global and unlimited access to these drugs.

Mr McCrea said that he had written to the Minister of Justice on the issue and was told that it is not a devolved matter. He also mentioned the tragic case of Adam Owens. He talked about the cocktail of drugs and the fact that we have no way of knowing what exactly is in them. He mentioned the provision of support to those suffering from addiction and said that there should be some creative intervention on the matter.

Whilst other areas can learn from the inroads made by Belfast City Council and Omagh council in policing the sale of these products through the General Product Safety Regulations 2005, and although the Home Secretary has moved to introduce temporary drug banning orders, I believe that more must be done to remove this blight. The volume of these substances reaching our streets is truly frightening, and the speed with which new formulations are being developed is staggering. As we play cat and mouse with commercial chemists and those who wish to profit from the misery of others, the people of Northern Ireland who take those substances are putting their life at risk.

I am aware that the Minister's predecessors have been working with the Home Officer to introduce UK-wide legislation to ban new psychoactive substances. As the Minister begins his new role, I trust that he will continue the work to ensure that we are doing all that we can to remove these dangerous substances from our streets. I will do all that I can, personally and as a member of the Health Committee, to support that work. I wish my colleague every success in this matter, and I give him my best wishes

going forward in his new ministerial position. I support the motion.

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

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

*Resolved:*

*That this Assembly expresses its concern at the impact of legal highs and in particular at the number of resulting deaths; and calls on the Minister of Health, Social Services and Public Safety to continue his work with the Home Office; and to work with his counterpart in the Republic of Ireland in order to consider the benefits of banning the supply of psychoactive substances regardless of chemical composition.*

*Adjourned at 4.50 pm.*





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# Northern Ireland Assembly

Tuesday 19 May 2015

*The Assembly met at 10.30 am (Mr Speaker in the Chair).*

*Members observed two minutes' silence.*

## Ministerial Statement

### **Children in the Justice System: A Scoping Study and an Update on the Sentencing Framework**

**Mr Speaker:** Order. The Minister of Justice wishes to make a statement.

**Mr Ford (The Minister of Justice):** Thank you very much, Mr Speaker. With your permission, I wish to make a statement on children and the justice system.

When we removed under-18-year-olds from adult custody at Hydebank Wood, in line with the recommendation in the youth justice review, I gave a firm commitment that that would be underpinned by a change in legislation. First and foremost, I want to emphasise that that commitment remains. I also want to stress at this point that no child has been held in Hydebank Wood since November 2012, and nothing I have to say today will change that.

There is still a need to introduce legislative provision to underpin that commitment, but I intend to do that in a way that improves and simplifies the current system rather than merely adding to its complexity. For that reason, last November, I informed the House that I had made the decision to pause the work and instead to take it forward as part of a wider examination of how we deal with children already in or on the fringes of the criminal justice system. At the heart of this decision is my belief that there is a way to create better outcomes for children, victims and the community.

It is clear that many people agree with me. During the public consultation that we undertook around custodial arrangements for children, the conversations that took place, and the formal responses that we received, majored far more on the need for systemic changes and enhanced community provision than on custody. That is significant; hence my decision to look at custodial sentencing in a far wider context.

Since the decision to pause was taken last November, my officials have been in discussion with key statutory stakeholders across the youth justice system to take soundings as to the nature, scope and structure of this exercise. I now wish to outline to the Assembly the arrangements that I am putting in place for taking it forward.

I am commissioning a scoping study to consider whether the legislative, strategic and structural architecture surrounding the youth justice system is adequate to address the many and complex needs of the children who

come into contact with it. This work will be undertaken with the aim of simplifying the system and ensuring that we can deliver more focused interventions that help to improve outcomes for children and young people across the whole of the justice system, not only those who experience custody. In doing so, we can also create better outcomes for the wider circle of those affected by offending behaviour, including families, victims and communities.

As Members will know, over the past few years, my Department, criminal justice organisations and cross-governmental groups have been taking steps to deliver on the various recommendations in the youth justice review. The progress made, and the changes seen as a result, afford us this opportunity to widen our horizons and create an innovative and progressive youth justice system. For example, the review emphasised the need for the Northern Ireland Executive to focus more clearly on early intervention and to secure funding for investment in this vital area.

There is no doubt that, through the Delivering Social Change framework and its signature programmes, the issue of early intervention is now firmly on the agenda and is being addressed at Executive level. As part of Delivering Social Change, my Department is working with other Executive Departments on the funding, development and delivery of a range of innovative projects through the early intervention transformation programme (EITP). This cross-governmental programme is intended to deliver services and support to children and young people through early years interventions for the very young age groups and early stage interventions for children of any age who need additional support to prevent them from taking a path, perhaps unwittingly, that may adversely affect the rest of their lives.

Developments such as those are precisely what allow our review to encompass issues around prevention, diversion and pre-court options; specifically, the way the system organises itself to respond to the needs of those children and young people who are on the verge of offending behaviour.

My Department is leading on an innovative early intervention project, which has been allocated £450,000 from the EITP over the next three years. That will pilot a project enabling the Youth Justice Agency to deliver meaningful interventions and wrap-around support for children to prevent future offending behaviour. I can point to further examples, such as the roll-out of police discretion and the development of youth engagement clinics, both of which fulfil youth justice review

recommendations, which have provided additional options for dealing with children in the system.

These changes have shown that Northern Ireland has the vision and the ability to progress and adapt and that our criminal justice organisations can work in partnership to develop and deliver interventions that are timely, proportionate and effective and which meet the individual needs and circumstances of children. Such principles will be central to the forthcoming exercise, and I intend to build on the success and effectiveness of such interventions. The focus will be on examining the system to ensure that it is easier for everyone, but in particular for the children and victims involved in it, to understand, so that they are clear about exactly what is expected of them and why. In doing so, we will be looking at how we can ensure that the principles espoused in the UN Convention on the Rights of the Child are applied across the system.

We are already amending the statutory aims of the youth justice system to ensure that a child's best interests are fully considered throughout the process. The forthcoming work will allow us to take our compliance with international obligations a stage further. It will examine ways in which children who come to the attention of the criminal justice system can be dealt with at the earliest opportunity and the lowest possible level, without having to resort to formal proceedings unless appropriate. It will also reduce any unnecessary use of custody by maximising the community and restorative justice options that are available. My Department will also look at options to address any overuse of the juvenile justice centre at Woodlands for non-sentenced children.

In short, we have the opportunity to create a system that is fully compliant with children's rights and uses custody as a last resort. Where custody is necessary, my Department will use the learning and experience of the focused consultation to feed into that aspect of the work and in designing any new sentencing framework.

I hope that this statement has given Members a good grounding in why we are undertaking this scoping study, what will be covered and what we hope to achieve. In terms of how it will be structured, I have asked the chief executive of the Youth Justice Agency to take the lead. He will chair a steering group comprising senior figures across the criminal justice system, including the Courts and Tribunals Service, the Probation Board and the Police Service. Invitations will be extended to other key stakeholders, such as the Public Prosecution Service and the judiciary. I am very pleased that the Commissioner for Children and Young People has agreed to play a key role in scrutinising the process.

Given the vital role that other Departments play in the lives of our children and young people, I will also be writing to a number of my ministerial colleagues to invite representation from them at official level. The steering group will provide overall direction and oversight and will coordinate the commissioning of subgroups to research, benchmark and provide evidenced proposals to the main group.

I know that we are fortunate in Northern Ireland in having a very strong children's sector with a wealth of experience, and that will be invaluable in informing the work over the coming months. Each subgroup will liaise with stakeholders across all sectors as they draw together their proposals to ensure that the steering group is fully

informed when formulating its conclusions. Children and young people will, of course, play a key role in this process. Who better to tell us what works than those who have experienced it first-hand? Once the scoping study is complete, the steering group will provide me with its analysis and recommendations, which I will present to the Assembly by the end of this mandate.

Members may already be thinking about the cost of such an exercise and the financing of any future changes to be made to the system. There is no doubt that we face difficult times financially, but this should not be a reason for delaying or preventing change and progress. Indeed, as the Lord Chief Justice expressed during a recent discussion with the Justice Committee, rather than using austerity as an excuse to do nothing, it should be used as a catalyst to take a critical look at how we do our business and what we want to achieve. I echo those thoughts completely and I firmly believe that there are savings to be made by reducing duplication and streamlining the system, savings that can be reinvested to support children and their families and to prevent young people in future generations from entering the youth justice system.

I appreciate the opportunity to set out my Department's plans for this scoping study. Some people may question the need for yet another youth justice review. Really, it is a continuation of the work begun by the review team. It set out a path for the future of youth justice in Northern Ireland, and we are still on that path. We have implemented its recommendations and have seen changes in the system; changes that have created further opportunities for us to work better together, to think smarter and to intervene earlier. Now is the time to take a radical look at how we can take this review to the next level, and that is what the scoping study is intended to do.

I have covered a lot of ground in this statement, so I will summarise briefly what I intend to do. I will commission those involved in the youth justice system to come together to develop proposals that will look at the system from end to end to reduce the number of children entering the formal justice system through appropriate use of prevention, diversion and pre-court engagement, and to ensure that, for those who do enter the system, the sentencing framework is straightforward, flexible and effective, with only the most serious and persistent offending resulting in custody. It will, I hope, provide the platform to set an innovative and exciting agenda for action on youth justice matters, to make a real difference to the lives of children and young people and to create a better system for them, their victims, their communities and for society as a whole.

**Mr Ross (The Chairperson of the Committee for Justice):** I welcome the statement. Indeed, it uses much of the language that I too have been using around focusing on outcomes, early interventions, developing a smarter justice system, innovative approaches and using the squeeze on public finances as a springboard for doing things differently. Indeed, that has been the focus of the Justice Committee in recent times as well.

I hope that the Speaker will give me the flexibility offered to the Chairman to ask a couple of questions. First, when does the Minister expect to see actual changes on the ground? Will he give a commitment that, where innovative ideas and practices have been identified and have been evidenced to work, he will implement those in conjunction

with the Committee for Justice immediately rather than waiting for a final report from the steering group?

Secondly, on a point that I raised with him during Justice questions yesterday, I very much welcome the investment in early interventions that he outlined in his statement, as I believe that it is the right approach to take. However, much of the early intervention work will have to fall to other Departments, such as Education and Health. How can the commitment of those Departments to this work be maintained, given the budget pressures that they face, and how can some of these issues be mainstreamed rather than funded through individual specified projects?

Finally, I support much of the work on discretion and diversion; I think that it works much better. How can we ensure that victims are part of that process to ensure that they feel that they are seeing justice being served rather than what is sometimes, I think unfairly, described as going soft on justice?

**Mr Ford:** I congratulate my Committee Chair for what I think was about four questions when he described it as two. I thank him for his welcome for the statement, and I restate my commitment to continue to work as best we can with the Committee. I believe that we have worked well between the Department and the Committee over five years.

#### 10.45 am

Actual changes, if they require legislative change, are unlikely before the next mandate, but I had given a commitment to report by the end of this mandate. Certainly, I am keen that what can be done without the requirement for legislation will be implemented as soon as possible. Indeed, we have already seen that in our work on statutory time limits, for example, by looking at what can be done administratively in advance of formal legislation. I entirely share the view that Mr Ross expressed that we need to ensure that work is done to get the best possible innovations in place as soon as possible by whatever means that can be done.

In terms of early interventions with other Departments, I highlighted yesterday in my response to him that, even in the context of early years interventions, the DOJ believes it has a role to play, although other Departments clearly have a larger role in those early years, rather than in early stage intervention processes. I think that he makes a very valid point about mainstreaming, which is where we need to look at the wider use of central Executive funds, rather than depending purely on existing departmental resources being deployed. Two of the key ministerial level partners in the work that will be done on this process will be my colleagues the Ministers of Education and Health, Social Services and Public Safety. I will write to them later today inviting their officials' involvement at every stage of this work. I believe that we will see that.

In answer to his final question about meeting the needs of victims, the good work that is being done to implement the charter and our European obligations and that we hope to see coming to fruition if the Justice Bill proceeds through its final stages before the summer recess will clearly have ramifications in youth justice, as well as in adult justice. It is, of course, also the case that a lot of the Youth Justice Agency's work on restorative practice involves engagement between young offenders and their victims. That is the kind of good work that can produce

very positive results by making young people aware of the effects of their actions on other people and by giving victims the sense that their voice is being listened to. I have no doubt that that will continue to feature in the work of the Youth Justice Agency.

**Mr Speaker:** Thank you and well done, Minister. It is up to you to decide whether you will pick up all the questions.

**Mr McCartney:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as an ráiteas seo. Thank you very much, Mr Speaker. I thank the Minister for his statement and, indeed, welcome it. I know that the departmental officials will be in front of the Committee shortly to brief us, and we will tease out some of the wider aspects of this. I look forward to that.

The Minister, in one of the paragraphs, posed the question of whether people will consider this a review of a review. I am just wondering how best he can offset that. Perhaps it would be best for him and the Department to ensure that we know what is going to be done, when it is going to be done and how it is going to be done. I wonder whether the Minister agrees with that.

**Mr Ford:** Mr Speaker, in response to your first point, I am, of course, always happy to ingratiate myself as fully as possible with the Chair and Deputy Chair of the Committee. I will do my best to keep on their right side. I welcome that the Deputy Chair also welcomed the statement.

In terms of whether this is a review of a review, we are now looking at a continuation of the youth justice review's work, which set some high-level work but left a number of recommendations to be worked through in detail, in particular when the issue arose of stopping the use of Hydebank Wood for the under-18s. It opened up wider issues, which we need to look at. For example, youth custody under the PACE and alternative accommodation are all key issues that mean that we need to take a wider look. I think that this is a matter of the Department at official level putting into practice some of that work in consultation with other Departments and the other justice agencies and by involvement through the subgroups in the relevant NGO partners, with which we have already had some informal discussions. We have the opportunity to show that this is following through on the youth justice review by putting the detail on the way the Department and its agencies will operate in future. I have no doubt that the Committee will continue to play a part in keeping the Department on its toes in that respect, and I also have no doubt that the Committee's meeting this week will be very productive on that.

**Mr A Maginness:** I warmly welcome the Minister's statement. I think that it is very important that we pursue vigorously ways and means of preventing young people, and children in particular, from being put into custody. In particular, I welcome the involvement of the Commissioner for Children and Young People. That is very important.

How long does the Minister envisage the steering group will take to come to conclusions that have, in many ways, been prefigured in the youth justice review?

**Mr Ford:** I appreciate Mr Maginness's positive words for the statement. Just to repeat the point: the commissioner felt that she had an appropriate role to play slightly at arm's length from the review, but I have no doubt that she will

provide a very valuable challenge function, and I am very grateful to her for offering to carry that through.

The expectation is that I will be back before the end of the mandate to give a statement on the detail of the conclusions. Mr Maginness is, perhaps, being marginally unfair by saying that everything was prefigured in the youth justice review. There are a lot of details that need to be worked out, which now falls to the Department to do rather than asking the external review. That is what I want to see: that we carry forward the good work of the review; look at the wider issues that have emerged, such as PACE remands; and ensure that we use the opportunity to reduce the number of young people in custody ever further.

There is no doubt that we have a specific issue of young people on remand; sometimes a greater number of remands at weekends because it appears that Woodlands provides a suitable facility that makes it easy for people to refer there. We need to ensure that we use the facilities that we have, whether custodial or in the community, to the best possible effect. That is what I want to see the review doing, and to put in place, as soon as possible, whatever can be done, whether that be administratively in the next few months or legislatively in the next mandate.

**Mrs Overend:** I thank the Minister for his statement, and I fully appreciate the importance of seeking to reduce the number of young people entering the formal justice system. I know very well the good work of the PSNI in my constituency. They work with young people on the verge of offending behaviour, as the Minister has referenced.

Can the Minister assure us that the notions of punishment and deterrence will retain a key role in the system?

**Mr Ford:** There is clearly a need to ensure that deterrence is a key factor in the way the system works. We need to be very careful when we talk about punishment in the context of those who are particularly young. The reality is, even with the current low age of criminal responsibility in Northern Ireland, that the very small number of young people who become involved in that at the lower ages are treated largely through care means, rather than through criminal sanctions means. We need to ensure that we deal effectively in a way that reduces future offending. There is no doubt that custody remains an option, and that other aspects of reparative justice are not easy to deal with. They will be seen as significant sanctions by those who have to carry them through.

There is no doubt that punishment is part of it, but we need to ensure that we do not elevate punishment to the point where it is seen as the sole purpose of the justice system, if it is ineffective in reducing future offending. What I am keen to do is see that we build on the youth justice review and find the most effective way of dealing with young people on the verge of offending, and those who have offended, to ensure that we cut the cycle of reoffending at the earliest possible point.

**Ms Lo:** I welcome the Minister's statement and the important work that is being planned. Can he confirm his absolute determination to continue the process whereby under-18s are detained at Woodlands, not Hydebank? I know that stakeholders will want to hear that loud and clear. Can he also confirm that stakeholders will be involved in the process of the scoping review?

**Mr Ford:** I thank my colleague for her welcome. I think that makes five out of five, which is not always the case with justice statements.

On the specific issue, I am happy to confirm that the only place where under-18s can be held in custody is now Woodlands, not Hydebank. That is the practical reality. Some of our NGO stakeholders said that they accept that because they accept the current arrangements in the Department, but they want to ensure that it is underpinned in legislation for fear that a future Minister might reverse that policy. I will ensure that legislation progresses — but it will not be reached before the next mandate — to ensure that that is put in place, and, in the meantime, administratively, that will be the position.

In terms of engagement with stakeholders, the stakeholders across the justice system will be fully part of the steering group. The various subgroups will engage with relevant NGO stakeholders as well. We have a good relationship. I already mentioned to Mr Maginness the role of the Commissioner for Children and Young People. We will certainly continue to work with stakeholders, but it is now a matter of the Department putting into practice the fine detail and fine tuning of what has already been done by the youth justice review. We will continue to engage with others, though the responsibility will effectively lie with my officials, to ensure that proposals are put that can be carried through, either administratively in the Department or in future legislation in the Assembly.

**Mr Douglas:** I, too, welcome the Minister's statement this morning. The Minister will be aware that the Justice Committee has been hosting a number of justice seminars aimed at promoting innovation and collaboration within the criminal justice system. The Minister states that recommendations in the youth justice review:

*"afford us this opportunity to widen our horizons and create an innovative and progressive youth justice system."*

He also referred to savings that can be made by reducing duplication and by streamlining. Does that mean that the Minister accepts that the current system has duplication and is not efficient? Will the Minister now acknowledge that the issues surrounding duplication could have been tackled much earlier?

**Mr Ford:** Ach well there always has to be a sting in the tail, Mr Speaker. It is certainly the case that as we look at, frankly, I suspect, every part of our system of government but certainly across the justice system, there are elements of inefficiency and duplication. To suggest that that could all have been achieved much earlier is, I suspect, not practical reality. We needed the youth justice review to set the overarching framework for the changes that we are making. We need to ensure that the different agencies of the justice system, which retain their independence, also recognise their interdependence to ensure that we cut out the duplication. I am certainly heartened by the conversations that I have with leading members of the relevant aspects of the justice system to ensure that that will be the case in the future. We are only five years old. We have not been able to do everything that the Department of Justice would have wished to do in five years, but give us another five.

**Mr Agnew:** As much as I enjoy challenging a cosy consensus, I have to welcome the Minister's statement and, indeed, his direction of travel. I recently attended a very good NIACRO event at which Karyn McCluskey from the Violence Reduction Unit of Scotland spoke. She made a point along the lines of this: a child in school is a child out of prison. What work is the Minister doing, or will he do, with his counterpart the Minister of Education to look at the Glasgow model, where they have effectively stopped school exclusions?

**Mr Ford:** First of all, I thank Mr Agnew for now making it six out of six. It is always good to know that we can actually manage a consensus about some of these difficult issues in the justice system from different sides of the House. The specific issue around education in Woodlands is something that I have been in contact with the Department of Education on. My officials in the Youth Justice Agency have been in contact as well, and I will be having further discussions in the near future with the Minister of Education as to that.

As for the Glasgow model and the issue of school exclusion, I suspect that that is rather more the responsibility of DE than of DOJ, but I am very happy that we continue to discuss its application to young people who are involved in or on the fringes of the justice system to ensure that we make the best possible arrangements to help young people to stay out of criminal activity.

**Mr Rogers:** Thanks to the Minister for his statement. Following on from that, I was somewhat surprised that there was little mention of education in the statement. I think that Mr Ross asked a question and you responded. Many of our young people who are in the youth justice system believe that they have been failed by our education system, particularly in literacy and numeracy. In the scoping exercise, what will the input be from the likes of the Education Authority, schools and the Department, with specific reference to getting our young people to reconnect to education?

**11.00 am**

**Mr Ford:** I certainly appreciate Mr Rogers's point. As I said in an earlier answer, ministerial engagement will be at a key level with the Minister of Health, Social Services and Public Safety and the Minister of Education, because I entirely recognise that, frankly, many of those who end up in custody in particular, never mind those who end up in contact with the youth justice system in the community, would be seen by some to have been failed by the education system. Very few who are currently in Woodlands had previously been attending school. That is a key issue, where non-engagement with school is part of a pattern of behaviour that frequently also leads to offending. I have no doubt that the role of the education representative on the steering group will be crucial as we start to look at some of those points.

## Private Members' Business

### Defibrillators: Interactive Map-based Register

**Mr 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. One amendment has been selected and is published on the Marshalled List. The proposer will have 10 minutes to propose the amendment and five minutes to make a winding-up speech. All other Members who wish to speak will have five minutes.

**Mr McMullan:** I beg to move

*That this Assembly calls on the Minister of Culture, Arts and Leisure to conduct a feasibility study into the potential for an interactive map-based register of defibrillators across the range of service providers within her Department, including arm's-length bodies; and further calls on the Minister to bring the findings from the feasibility study to the Executive and to ensure compatibility with the Northern Ireland Ambulance Service systems.*

Go raibh maith agat, a Cheann Comhairle. I thank the Business Committee for selecting the motion. The Sinn Féin motion before the Assembly is of the utmost importance. With the Assembly's support, we will take the first steps to setting up a register of all defibrillators, mobile or standing, in the North of Ireland, where they are located and who is responsible for their use and maintenance.

I first became interested in the importance of defibrillators when I, as chairman of my local disability group, got involved in helping to set up a first responders scheme in the mid-glens. First responders groups are set up with guidance from the Northern Ireland Ambulance Service (NIAS). The criteria that are used for an area to qualify for a first responders scheme are the number of emergency calls from that area, where existing ambulance stations are located and the availability of volunteers. The most important criterion of all is whether the area proposed lies outside the eight-minute response time that is set down by the Ambulance Service. That is why most of the areas selected are rural, such as my area in the mid-glens. In fact, the area that I represent, East Antrim, has two.

At present, the Ambulance Service has selected eight community first responders schemes. They are in Islandmagee, Slaughtneil, Cookstown, Loughguile, Enniskillen, Foyle, mid-glens and our only inhabited island, Rathlin. All these areas use automatic external defibrillators (AEDs), which are located in kiosks or boxes. In the glens, for example, we have three units: two are located outside local businesses, and the third is in the local nursing home. All volunteers have keys to the boxes to use when needed. All volunteers are trained to the standard laid down by the Northern Ireland Ambulance Service. Their aim is to provide emergency life support until an appropriately equipped paramedic vehicle from the Ambulance Service arrives. It is now recognised that early intervention by first responders can and does increase the survival rates for out-of-hospital heart attacks by as much as twofold to threefold.

At a recent meeting of the Committee for Culture, Arts and Leisure, a group called Defibs4Kids made a presentation. Their campaign was launched in June 2013 by the then Health Minister, Edwin Poots, and the Education Minister, John O'Dowd. Defibs4Kids was founded by schoolteacher and present chairman, Mr Art Kernan, and Martina McConville. Their vision is to increase the survival chances of those who suffer out-of-hospital heart attacks through early intervention and early recognition. They also want to have mandatory CPR training for children and teachers as part of the school curriculum, improve the availability of AEDs in schools, sporting organisations and all public places and create an online database of all mobile and static defibrillator locations. Their campaign has been supported by sports stars such as Mary Peters, the GAA's Joe Kernan, soccer's Jim Magilton and rugby's David Humphreys. Prior to the campaign launch, it was estimated that approximately 30 schools had defibrillators. Since the launch, the figures show that 196 schools have defibrillators. I want to put it on the record that this organisation deserves great credit for the work it has put in and for the success it has achieved and continues to achieve.

The main reason for the register — this is what shocked me when I researched the issue of defibrillation — was the lack of knowledge of where all the defibrillators are located. We know that there are hundreds out there, but there is an argument that there could be thousands. We do not know the exact figure. The Northern Ireland Ambulance Service knows only a fraction of the locations, and that is the main problem. At present, there is no onus on anybody who buys a defibrillator to register its sale, its ownership and, most importantly, where it will be kept. I will come back to that.

As part of my research, I recently spoke to the chief medical officer in the Northern Ireland Ambulance Service, Dr David McManus, who assured me of his full support for a register. He told me that time was the most important factor when dealing with cardiac arrest, and he went on to say that it was vital that the Ambulance Service had a register of all defibrillators and their locations, not only to support the service but to get treatment to patients as quickly as possible to give them every chance of survival. It is also worth stating that he said that registration and responsibility for the register should lie with the Ambulance Service.

Sports clubs have been to the fore in promoting the use of defibrillators. It is recognised that the sudden death of GAA star Cormac McAnallen and his family setting up the Cormac Trust has popularised the use of defibrillators. The Owenbeg GAA facility outside Dungiven has three units on its premises, and their importance was seen recently when Derry star Kevin McCloy collapsed during a local league match. Kevin's heart stopped for a few minutes, and one of the defibrillators was used to restart it. I am glad to say that he is making good progress towards a full recovery. We have also seen young rugby players, referees and soccer players collapsing during games. All those who survived owe their life to the defibrillator. Unfortunately, some of those who were treated did not survive.

We in the Assembly must show the way forward. The motion calls on all Departments and their arm's-length bodies to carry out an audit of their provisions, in case there are no defibrillators within their estate, and provide training for staff in the use of the equipment.

At some stage, the majority of the public will use recreational facilities provided by their local authorities. Those facilities include swimming pools, football pitches and gyms etc. We must ensure that the new councils that have been set up have equipment and staff trained in the use of the equipment. Indeed Members, I would further say — I am sure you will agree with me — that any organisation that encourages the public to use its facilities, such as airports, ferry terminals, train stations, supermarkets etc, should have defibrillators on its premises and staff trained in their use.

The motion is about setting up a register of defibrillators, but that will be only part of the solution. For the register to be successful, all purchases of defibrillators must be registered with the Northern Ireland Ambulance Service. That will save time. I go back to what I said earlier: at present, there is no onus on people to register a defibrillator. That should happen now, because fire extinguishers, which are a vital part of keeping the public safe, are mandatory in all public buildings. Defibrillators should be mentioned in the same breath as fire extinguishers in public buildings and other buildings that encourage the public into them. Having defibrillators will save time, and, with heart attacks, time is the difference between life and death.

I go back to how I originally became interested in defibrillators. Disabled children and adults have all been born with heart problems. Children with Down's syndrome, for example, all have heart defects in common. Other children have respiratory problems.

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

**Mr McMullan:** We must protect those children when they go to youth clubs or other public places. I ask Members to support the motion. Let us start the journey of setting up a register. England, Scotland and Wales do not have one, so let us be the first to do so.

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

*Leave out all after "Leisure" and insert*

*"in conjunction with her Executive colleagues, to conduct a feasibility study into the potential for an interactive map-based register of defibrillators across all Departments, including arm's-length bodies; and further calls on the Executive to devise a strategy that will see an increase in provision of defibrillators in public buildings and to ensure compatibility with the Northern Ireland Ambulance Service systems."*

The issue around the provision of and public access to defibrillators has been discussed in depth by the Committee for Culture, Arts and Leisure. I had hoped that the Committee would table a motion on the topic in the near future. However, I am happy to have the light shone on the issue through all means, so I very much welcome the motion tabled by my Committee colleagues.

The amendment would modify the motion in two key areas. By supporting it, we would ensure that the feasibility study was widened to include all Departments and arm's-length bodies and, furthermore, that the Executive would devise a strategy that would see an increase in the provision of defibrillators in public buildings.

There are thought to be over 1,000 automated external defibrillator machines available outside of hospitals in

Northern Ireland. However, there is no comprehensive record of who has an AED machine, where the machines are located, who has access to them, who is trained to use them or whether they are regularly maintained. Through the community resuscitation strategy, the Northern Ireland Ambulance Service is charged with encouraging owners to register their defibrillators with it. This is a good opportunity for local sports clubs and businesses to register so that the Health Department becomes aware of the location of defibrillators. It will aid the development of a new first responder scheme.

The Assembly also has a responsibility to carry out a study that will note the location and maintenance details of defibrillators in Departments and arm's-length bodies and to back the register by the NIAS. The SDLP supports a feasibility study that would detail the potential for an interactive map-based register of defibrillators, but, rather than have the study focus solely on the Department of Culture, Arts and Leisure and its arm's-length bodies, we would take the opportunity to broaden its scope. Indeed, it would be remiss of the Assembly not to take up the opportunity to assess the feasibility of establishing a map-based register that would look at the availability of defibrillators across all Departments. Yes, that might mean that the study took a little longer or cost more, but would it not make more financial sense to authorise one whole study that covered all Departments rather than look at each Department individually?

The Department of Culture, Arts and Leisure takes the lead on sport. There has been an increasing number of incidents in which young people suffer cardiac arrest while participating in a sport. It would make sense that the Department take the lead on the development of an interactive map-based register, particularly at a time when the provision of defibrillators is on the rise.

#### 11.15 am

I am delighted that a number of sporting organisations, such as the GAA, the IFA, the IRFU and many others, have drastically increased the number of defibrillators available at training sessions and matches, along with trained personnel to use the equipment. This is a positive step in the campaign to increase survival rates, and I hope that the levels continue to rise.

I am working with Newry, Mourne and Down District Council to install a portable automated external defibrillator at council-owned sporting grounds in the South Down constituency, particularly the Derryleckagh playing fields, where there has already been one sudden cardiac death. Oisín McGuinness, a young 16-year-old lad from Newry, was a neighbour of mine, and his family campaigned tirelessly after his death to help to support the community. They raised funds to help young children to have heart tests to see whether there was an underlying problem, as well as to increase the use of defibrillators. They donated a defibrillator to Páirc Esler, and, only a number of weeks later, it was used to save the life of a referee, Mr Tumelty. The family and community are very proud of that, and the story can be retold in communities across our districts.

While it is of the utmost importance for sports clubs and organisations to have a ready-for-use defibrillator on-site, a person can suffer a cardiac arrest in any place and at any time. Cardiac arrests are not limited to football fields or hockey pitches. The charity Defibs 4 Kids is working

to increase the provision of defibrillators in schools, and I personally would like to see defibrillators in our libraries, police stations, fire stations, museums, GP offices and many other public places. Furthermore, I hope that the locations will be detailed on a map-based register that is accessible to the general public.

Francis Bacon once said that "Knowledge is power." If the general public are knowledgeable about the location of defibrillators, they could have the power to save lives in the event of an emergency. When a person suffers a cardiac arrest, time is of the essence. For every minute before defibrillation, the chance of survival drops by 10%. In most areas, the chance of an ambulance arriving in less than eight minutes is very low. Even if it arrives within eight minutes, it may be too late. That is why we should extend the study to include all Departments and all arm's-length bodies.

The Department will, of course, change in the next year. While that should not necessarily delay the feasibility study being carried out, in order to future-proof any interactive map-based register and maximise the use of public funds, it would make sense for the development of such a register, if found feasible, to take place after the new Departments are arranged.

The amendment further calls on the Executive to devise a strategy to increase the provision of defibrillators in public buildings. This is an important addition to the motion and, if supported, will demonstrate the Executive's commitment to widening the provision of and access to defibrillators.

The community resuscitation strategy undertaken by the Minister of Health, Social Services and Public Safety aimed to increase the survival rate of those who suffer an out-of-hospital cardiac arrest to the highest level that can be achieved across Northern Ireland. The strategy is ongoing, and objective 6 details some ways to improve access to automated external defibrillators already in place across Northern Ireland. The onus of creating the register and detailing the whereabouts, maintenance and service of existing defibrillators in Northern Ireland, as well as developing first responder schemes, is placed on the Northern Ireland Ambulance Service, a service that is already overworked and under-resourced. I am unsure whether any funding has been provided directly for the implementation of this strategy to date, but I have submitted written questions to the Minister responsible to find out this information.

I wish to clarify for all Members here present that the community resuscitation strategy is not a strategy to increase the provision of defibrillators in all public spaces: it does not detail the increase of provision as an objective; rather, it focuses on the formulation of the register by the Northern Ireland Ambulance Service. Therefore, by supporting the amendment, you would not be facilitating a duplication of work.

According to the figures from the community resuscitation strategy in Northern Ireland, each year, over 1,400 people suffer an out-of-hospital cardiac arrest. The early use of CPR and defibrillators really can make the difference between life and death. The current survival rate for out-of-hospital cardiac arrest in Northern Ireland is 7.5%. Research proves that using a defibrillator along with CPR can increase the survival rate to over 70% while allowing time for paramedics to arrive on the scene. Under government regulations, non-domestic properties must

have annually maintained fire extinguishers on site and a fire exit policy. Fire kills two people in the UK every year. Compare that to the 270 people who die daily from sudden cardiac arrest. Fire extinguishers are now commonplace. Why not defibrillators?

We should follow the example set in other jurisdictions. Senator Feargal Quinn set a fine example by bringing a private Member's Bill to the Senate to amend the Public Health (Availability of Defibrillators) Bill 2013. There is so much that the Assembly can do to improve survival rates even further. For instance, my colleagues and I hope to bring a motion to the Floor in the near future to make CPR compulsory on the curriculum for all post-primary schoolchildren. We hope to achieve this vision of many to create a nation of lifesavers, but that is a matter for another day.

Today, I am asking for support for the amendment before us. Increasing the provision of defibs will bring added financial cost to our financially burdened House. I am very aware that we are in a dismal financial situation and that it may not be the best time to call on the Executive to spend money on providing defibs, but we can call on the Executive to show a commitment to growing the provision of defibrillators and to devise a strategy to this effect that can be implemented when we are in a better financial situation. This is the time to build momentum so that, maybe not today or tomorrow or even next year but one day, many public offices and perhaps private firms too will have a working defibrillator on site. This may be an aspirational dream, particularly at a time of deep financial hardship, and I would not wish to put —

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

**Mrs McKeivitt:** — our business community and organisations under further financial pressures. However, I do hope that it can work so that, one day, the survival rate of cardiac arrest is closer to 100%.

**Mr McCausland (The Chairperson of the Committee for Culture, Arts and Leisure):** I welcome the opportunity to speak on the motion and do so as Chairman of the Committee for Culture, Arts and Leisure. This is an issue that the Committee has been considering over a period of months. The Member who spoke previously made reference to that, as indeed did the proposer. I am sure that Members will have noted that some of the correspondence to the Committee and from the Committee on this issue is contained in the information pack that the Library has so helpfully put together. It is true to say that all the different political parties right across the Committee have taken a keen interest in this. There has been a unanimity of purpose and interest and strong support for the provision of defibrillators as widely as possible.

The Committee's interest in defibrillators stemmed from a briefing that members received some months ago from a group called Defibs4kids. This group has campaigned tirelessly for defibrillators to be placed in every school. As Members will be aware, the Education Minister put this out to tender, and schools can now access defibrillators at a much reduced cost. Members of the Committee also heard from Defibs4kids about its campaign to have defibrillators in public spaces as well as sports clubs and grounds. The Committee agreed that there was compelling evidence that defibrillators can be the difference between life and death

in cardiac arrest situations. Members heard that every minute wasted reduces the chances of recovery by 10%.

The Committee agreed to gather evidence on the bodies that hold defibrillators and how many people are trained in their use. Members wrote to all the Executive Departments and their arm's-length bodies, the Ulster branch of the Irish Rugby Football Union, the Ulster branch of the GAA and the IFA. The Churches and the main uniformed organisations for young people were also approached. The aim was to ascertain whether they had defibrillators and, if they had, how many staff were trained to use them.

The Committee also attempted to pin down whether there was a Minister responsible for the regulation of defibrillators and whether there were any plans to put them on a mandatory footing similar to fire extinguishers. The Committee discovered from the correspondence and inquiries that there are lots of defibrillators out there and lots of people trained in their use. However, it became apparent to the Committee that there was no coordinated approach towards defibrillators across Government, with no one Department taking the lead. There are lots of initiatives. Indeed, the Committee will receive a briefing this Thursday from Health officials about that Department's community resuscitation strategy. The Committee is interested to hear how defibrillators and other forms of resuscitation might be embedded in communities.

I am pleased that the members of the Committee who brought forward the motion were inspired by what the Committee has heard about defibrillators and have therefore called for the mapping exercise. It is clear that the production of an effective guide to defibrillator locations would make a difference in saving lives. I am not in a position to express Committee support for the motion as the Committee has not actually discussed that particular point and has not yet come to a Committee view. However, I know that, like me, other members of the Committee will be listening with interest to hear the Minister's response and to see whether the idea can and should be taken forward by DCAL. Obviously, if that is the case, the Committee will undertake its statutory scrutiny role of any mapping scheme for defibrillators.

Speaking personally, it seems that, if we are focusing purely on one Department, we are missing the wider picture. There are so many other locations where defibrillators would be appropriate and beneficial. It seems that the idea of broadening that out more widely is the more appropriate approach.

**Mr Speaker:** Mr McCausland, we did not have notice that you were going to speak on behalf of the Committee, so I apologise that there was no lectern.

**Mr Cree:** This is a very timely motion that seeks to address a major issue facing society. The original motion is worthy of support, but it is too modest in its scope; it focuses only on the Minister of Culture, Arts and Leisure. We should surely be seeking to broaden this initiative out across all Departments and their arm's-length bodies and to place the onus on the Executive as a whole. That is why, today, I will be supporting the SDLP amendment.

Only yesterday, the British Heart Foundation (BHF) organised a CPR demonstration in Parliament Buildings. It was most informative; it enabled MLAs to get a quick overview of CPR and to meet a local school already doing CPR training and to meet survivors. MLAs had the



opportunity to take part in the British Heart Foundation's Call Push Rescue challenge, which is aimed at helping Northern Ireland to become the first country in the UK to create a generation of lifesavers. Unfortunately, due to urgent Committee business yesterday, I was unable to attend the event, but I am in full support of the initiative.

I have studied the data, and the statistics are quite shocking. We know that there are over 1,400 out-of-hospital cardiac arrests per year. The British Heart Foundation has printed statistics that state that if you suffer a cardiac arrest out of hospital in Northern Ireland, you have less than a one-in-10 chance of surviving. I think that Karen made that point. The British Heart Foundation is leading the fight to change that by creating a nation of lifesavers. Currently, the BHF in Northern Ireland provides free CPR skills training to approximately 65% of secondary schools locally, but we must help it to get the support of the remainder to register for the Call Push Rescue training kit, which, I understand, is provided free. It is in all our interests to ensure that our young people can gain the practical skills needed to help to save a life.

The motion and amendment refer to the CAL Minister in the first instance. That is understandable given the number of incidents, often involving very fit and healthy young people, that have taken place on sporting fields. In December 2013, 45 schools from across Northern Ireland were presented with defibrillators at a special ceremony held at Stormont as part of the legacy of the 2013 World Police and Fire Games. That is all the more reason to have even more defibrillators outside the hospital environment and for a register of their availability to be kept.

It has been established that the presence of first responders can increase survival rates by twofold or threefold. There are many reasons why qualified personnel need to be available in specific areas to carry out vital first aid and use the defibrillators. The motion seeks to conduct a feasibility study into the potential for an interactive map-based register of defibrillators across all Departments and arm's-length bodies. In light of the British Heart Foundation's groundwork, research and training with schools throughout the Province, I suggest that the Department of Culture, Arts and Leisure meets it again, initially as part of its feasibility study.

As a member of the Culture, Arts and Leisure Committee, I would be particularly interested in establishing a link with the BHF and others related to the issue.

### 11.30 am

The motion calls on the Executive to devise a strategy that will increase the provision of defibrillators in public buildings and ensure compatibility with the Ambulance Service systems. It makes good sense to do so. I am very pleased to see defibrillators strategically positioned throughout Parliament Buildings, with a number of staff trained to operate them.

Several Departments have a clear role to play, not least the Health Department, Culture, Arts and Leisure, which has responsibility for sports, and Education. Northern Ireland is not a geographically large place. We have a population of 1.8 million people. It should be possible, given sufficient political will, to do so. We must provide the best first-aid and medical services possible to address these problems.

I am pleased to have been able to speak on the subject today, and I am heartened by the vital work that is already being undertaken by the British Heart Foundation. I look forward to more research and outreach as a result of the debate. I reiterate, at this point, the Ulster Unionist Party's support for the amendment.

**Ms Lo:** First, I thank the Members who brought the motion and the amendment for raising awareness of this very important issue, not only in the House but in the media.

I think it is important to stress again that, every year, in Northern Ireland, over 1,400 people suffer an out-of-hospital cardiac arrest. Sadly, less than 10% of them will survive. We know that early resuscitation and a defibrillator shock are vital to a person's chances of surviving a cardiac arrest. However, CPR should be started as soon as possible while waiting for an ambulance or the delivery of a defibrillator machine from nearby.

It is heartening to see increasing awareness of the importance of defibrillators, with sporting associations and other community groups leading by example. I welcome the motion urging Departments to follow suit.

Like other Members who have spoken, I pay tribute to the Defibs4kids organisation, which was started by a parent and a teacher from St Colman's Primary School two years ago. Defibs4kids has been doing fantastic work in raising awareness, promoting CPR and working towards ensuring that CPR training becomes a mandatory part of the curriculum for all children and trainee teachers. It has been improving the availability of automated external defibrillators in schools, sporting organisations and public places across Northern Ireland as well as helping to create and maintain an online database of mobile and static defibrillators' locations, which, I am sure, provided some inspiration for the motion.

Currently, there is no national database in the UK or the Republic of Ireland. That is something that certainly needs to be addressed. Defibs4kids estimates that, throughout Northern Ireland, around 30 schools had defibrillators prior to the launch of its campaign. The latest figures show that 196 now have defibrillators, with 41 schools using the newly created education board tender during the first term of this academic year. Its vision is tried and tested and, apparently, working. It makes sense that we roll it out.

There is already an interactive map showing defibrillators in schools around the country, which is a worthwhile initiative. It allows you, at a glance, to see where the nearest defibrillator is. With so many people reliant on their smartphones nowadays, that is a very good idea. However, a quick sample of 10 marked locations on the map showed that only half had sufficient information on the address, geographical coordinates, location of defibrillator and opening hours, all of which should be given when you click on the specific location. For it to be effective, it is vital that that information is kept up to date. It seems that a number of them do not provide such information. The time spent travelling to a location, only to find that a defibrillator is not installed or that the premises is closed, could have devastating consequences. Ministers must bear this in mind when installing equipment. Training needs to be rolled out in conjunction with this. I would not have the confidence to use the equipment and would probably opt to wait for an ambulance, should I find myself in such a situation.

I support the motion and amendment because we should be doing all we can to save the lives of those who suffer a cardiac arrest.

**Mr Dunne:** I, too, support the motion. Anything that can help reduce the risk of dying from cardiac arrest across Northern Ireland is to be welcomed and encouraged. A lot of good work has been done over recent years by sports clubs, schools, charities, businesses, community groups and many other organisations in helping to tackle this problem. Many of them have taken the initiative by providing practical support through defibrillators being installed in many places across Northern Ireland.

Every year, more than 60,000 people in the UK suffer out-of-hospital cardiac arrest. Each week, in the UK as a whole, 12 young people die of sudden cardiac arrest. Each year, 1,400 people in Northern Ireland suffer an out-of-hospital cardiac arrest. Sadly, and quite shockingly, fewer than 10% survive to be discharged from hospital — an alarming statistic indeed. Early resuscitation and a defibrillation shock are vital to a person's chance of survival. We are aware, sadly, of tragic cases of local young people suffering an arrest while playing their sport and many not surviving. This confirms that a real issue exists and much more work must be done.

I commend the many local organisations that have helped fight this battle, including charities such as the British Heart Foundation, and Defibs4kids in schools, for the good work they have done, particularly with sports clubs. They have done a tremendous job in helping to prioritise work in this area. Education is a vital part of the process. There is room for joined-up working in this sphere; one practical example of which is a recent joint initiative by the British Heart Foundation and Asda. Asda has a defibrillator for public use in every one of its UK stores. That is a positive, practical example of the private sector getting involved in the health and well-being of the public.

**Mrs McKeivitt:** I thank the Member for giving way. On the point you have just made about what the economy can do: the only manufacturer of automated external defibrillators in the UK and Ireland is the Belfast-based company, HeartSine. Does the Member agree that any strategy by our Executive to increase the availability of defibrillators would not just save lives but would potentially create jobs in a Northern Ireland-based firm?

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

**Mr Dunne:** I am obviously supportive. Speaking as a member of the Enterprise, Trade and Investment Committee, which is to get a briefing on jobs created, I am very supportive of the point made by the Member.

As with many areas in the health and well-being sector, early intervention and education are key. The community strategy launched by former Health Minister Edwin Poots last year was a welcome development. It helped raise awareness, create targets and focus everyone to aspire to meet those targets. It was interesting to note that during a recent Committee for Culture, Arts and Leisure visit, Sport NI headquarters had no defibrillators in place. However, it is to be welcomed that it has since ordered two life-saving machines that are now in operation.

It is important that people across our communities are suitably trained and equipped with the skills to operate these machines. Maintenance of defibrillators is vital.

They need to be checked weekly and serviced regularly to ensure that they are serviceable when needed.

An interactive map-based register of defibrillators should help tackle what is a growing problem, and any further work between the Minister and her Department must follow a joined-up process that will support the Northern Ireland Ambulance Service to help pump new life into the project and to ensure awareness and good communication between all involved.

**Mr McElduff:** Go raibh maith agat, a Cheann Comhairle. Tá mé an-sásta tacaíocht a thabhairt don rún seo, agus don leasú chomh maith. I very much welcome the motion and commend my colleagues for taking the initiative to table it. I also welcome the amendment, which certainly adds value and increases the amount and type of action that needs to be taken and will be taken to save lives.

I strongly support the mapping of defibrillator provision in DCAL, its relevant agencies and, indeed, all the other Departments, as is referred to specifically in the amendment. I am pleased that the Minister of Culture, Arts and Leisure is in attendance, and I note from the Research and Information Service (RaISe) document that has been provided to all MLAs that, in correspondence from the Minister to the Committee in February of this year, she stated that she would welcome and support a strategic response across all Departments on this important matter and committed DCAL to taking action.

I am familiar with the work of the Cormac Trust. Following the tragic death of Cormac McAnallen in 2004, there was a lot of focus — understandably so — on the need to provide automated external defibrillators to communities and to train people in their use. Other Members referred to other sporting individuals who died or nearly died in various scenarios. I am pleased to note that, in my county of Tyrone, the Cormac Trust initiative has been rolled out to every club and every community. Just yesterday evening, I visited my own club rooms in Carrickmore to see that there is a dedicated, accessible building clearly marked with “defibrillator” on it. I had a discussion with parents who were waiting to collect their young ones from training about their knowledge of that defibrillator and spoke to some people who had been trained in its use. In the Carrickmore community in mid-Tyrone, a first responders organisation has been established as well. It is made up of volunteers who live or work in the area, and they have been trained to attend certain 999 calls in support of the Ambulance Service.

Some other issues have been thrown up with rural locations, such as the value of having house numbers on display and making sure that name signs for roads are clear in rural communities. In my constituency, I am aware that, in the recent past, the absence of proper signage at Retreat View and Granagh Lane led to emergency services going past those locations and having to come back. Can you imagine if that were to happen in the case of someone needing a defibrillator?

The GAA, the IFA, the rugby authorities and other sporting bodies are all playing their part in a very impressive way. Earlier this month, when Tyrone won the All-Ireland Under-21 Championship title at Parnell Park in Dublin —

**Mr Speaker:** When was that?

**Mr McElduff:** I am not sure whether you noticed that or not, Mr Speaker.

At that match, a tragic situation developed close to half time where two people in the stand required the use of a defibrillator. Unfortunately, one gentleman died, but one life was fortunately saved. This is a matter of life and death, and it would be good to have this type of register across all public buildings and to have the involvement of all Departments.

I commend the Department, the Minister and the Committee for Culture, Arts and Leisure, which has taken a very strong interest in this subject.

**11.45 am**

**Mr Hilditch:** I support the motion as amended. Members have certainly been doing their research, as we heard on a number of occasions about the 1,400 cardiac arrests each year and the poor 10% survival rate for those who, unfortunately, have taken ill outside the hospital. Therefore, it is important that the Department of Culture, Arts and Leisure proceeds with a feasibility study. Those are quite shocking figures, which, I guess, the public are not totally aware of. I hope that the first step is to raise awareness in our communities about the victims and the importance of saving lives through resuscitation training and about how defibrillators have the potential to make a huge difference.

Back in 2013, when Mr Poots was Minister, he announced the development of the regional Northern Ireland community resuscitation strategy. We thank the Minister and his Department for that work, which was completed in July 2014. I understand that, since then, subgroups have been formed, with membership from the trusts, the Northern Ireland Ambulance Service, Northern Ireland Chest, Heart and Stroke and the British Heart Foundation, to name but a few. The group met in February and is progressing work streams and structures. We look forward to the new Minister's update from its next meeting, which, I believe, is due to take place in early June.

Let us hope that the new strategy implementation group, along with the Department of Culture, Arts and Leisure, can help to connect the gap that exists between what resources are needed and what is already out there and, at the same time, ensure compatibility with the Northern Ireland Ambulance Service.

There is no doubt that available defibrillators are located in organisations and public bodies that are under DCAL's remit, but local communities maybe just do not know of their whereabouts. A DCAL feasibility study for a defibrillator register will aim to rectify that by informing the public of the exact locations where the equipment can be found in an area, whether it be in the local theatre, sports grounds or wherever.

Nevertheless, before an effective register can go ahead, some major difficulties need to be addressed during a feasibility study. Recently, I heard from Janice Bisp from Bisp Training, who runs a very successful first aid and training consultancy throughout Northern Ireland. She highlighted some of the hurdles to me. She informed me that this simply cannot be a paper exercise. She has experienced many situations where she has gone out to complete first aid training, and brand new defibrillators were sitting in back stores still in their boxes covered in the original polystyrene,

but there was no intention of them being used. I have no doubt that the majority of us here today, as Anna Lo said, would be nervous about using a defibrillator because of our apprehension about not being able to help the victim or because we are aware of even being sued for not being able to help or for using the defibrillator wrongly. That is despite the fact that most automated external defibrillators are now easy enough to use.

The new register cannot simply be a tick-box exercise that organisations complete. People must be educated on using the equipment with competence, confidence and assurance, while communicating with the right people at the time of an urgent incident. To date, the strategy implementation group's work has recognised that and has supported the current community CPR training initiatives, particularly in schools. We appreciate that funding has been secured throughout 2015-16. Let us hope that future funding can be awarded for this and for the training of community resuscitation development officers.

With regard to the insurance side of things, we need to consider what safeguards will be put in place to indemnify those prepared to act beyond their planned or insured remit to extend their duty of care. Most countries include the good faith use of the automated external defibrillator (AED) by any person under the Good Samaritan laws. Good faith protection under Good Samaritan laws means that a volunteer responder not acting as part of one's occupation cannot be held civilly liable for the harm to or death of a victim by providing improper or inadequate care, given that the harm or death was not intentional and the responder was acting within the limits of their training and in good faith. AEDs create little liability if used correctly.

The last point that I will raise relates to the administration side of the register. Updating the database of contact details will need tight controls. Who will have overall responsibility for it? Will the position be potentially tendered out? How will it be allocated? The name of the first point of contact, their details, telephone number, the times they work and their availability will all need to be logged and properly looked after.

I support the motion and the amendment and look forward to the Minister's response.

**Mr D Bradley:** Go raibh míle maith agat, a Cheann Comhairle. Tá mé thar a bheith buíoch díot as an deis chainte a thabhairt domh ar an rún tábhachtach seo atá ag iarraidh ar an Aire Cultúir, Ealaíon agus Fóillíocht staidéar féidearthachta a chur ar bun ar fhorbairt learscála idirgníomhaí de dífhibrileoirí agus na háiteach éagúla ina bhfuil siad lonnaithe. Thank you very much, Mr Speaker, for the opportunity to speak on the motion. Tacaím leis an rún agus leis an leasú. I support the motion and the amendment.

At the outset, I want to remember a neighbour of mine, Mary Mooney, who died at the age of 18 as a result of sudden adult death syndrome. Mary's death was a huge tragedy for her mother Kathleen, her brothers, her friends and her neighbours. I pay tribute to Mrs Mooney for her courage in turning tragedy into something positive through her efforts at fundraising to provide defibrillators in sports clubs and primary schools in the Newry area. I was honoured to help in whatever way I could with Mrs Mooney's efforts, and I was inspired by her courage in the

face of great sadness and her selfless desire to save the lives of other people.

I support the amendment and the motion, which seeks to provide Northern Ireland with a fully interactive map-based register of defibrillators while further securing the greater provision of such life-saving defibrillators for a broader range of public buildings. Today, we are calling on the Executive to recognise the need to explore the issue in greater detail and for them to recognise the lives affected and the lives that can be saved with the greater provision of defibrillators in Northern Ireland. Today, I hope that the Assembly will recognise the need for a comprehensive interactive map-based register across all Departments; a register that will detail who has external defibrillators, where they are located and who is trained to use them. Such a register is essential for providing the public with better information on where they can access automated external defibrillators and to ensuring that they are regularly maintained.

It was through the efforts of families like the Mooney family, the McAnallen family, other families and the many cardiac groups that we have seen the clear benefits that the installation of portable defibrillators has brought to the people of Northern Ireland. Many lives, including those of John Dobbins, Kevin McCloy and many others have been saved through the intervention of on-site defibrillators. To my mind, every life saved only lends greater strength to the need for a robust study into the potential of having defibrillators across all Departments and public buildings.

I am very pleased that there is agreement across the House today on the motion and the amendment which, I believe, as Mr McElduff said, increases the value of the motion. I sincerely hope that the Minister, in her response, will add to that by clearly outlining where she sees the future to be in relation to this important issue, which obviously impacts on all those who play sport and on the population in general.

I thank all Members who contributed to the debate, and I look forward to the Minister's positive response to the motion and the amendment.

**Ms Ní Chuilín (The Minister of Culture, Arts and Leisure):** Go raibh maith agat, a Cheann Comhairle. Ba mhaith liom mo bhuíochas a chur in iúl daoibhse as an rún. Ba mhaith liom tacaíocht a thabhairt don rún agus don leasú.

I thank both the Members who brought the motion and those who brought the amendment, both of which I fully support. I have listened very carefully to the views expressed. It is delightful to see not only cross-party support but a genuine collaborative approach to tackling an issue which many Members have spoken very well on.

I would also like to congratulate the many Members who have paid tribute to the work that is already under way, particularly, though not exclusively, that which has been pioneered by families who, regrettably, were urged on by the loss of a loved one or, probably, the near loss of a loved one. Incidents in sports, or among those attending sporting events, where people suffer heart attack or cardiac arrest, are, thankfully, not that frequent, but when they occur great distress is caused to everybody involved. When tragedies happen, they raise public awareness and generate debate about the need for different defibrillators and proper provision of CPR training.

Most of the Members who spoke today raised high-profile examples. Many people, including sports clubs and the governing bodies — primarily the Ulster Council of the GAA, Ulster Rugby and the Irish Football Association — and the work that they have done, in conjunction with many health charities, have to be commended. As Minister for sport, I want to see more people engaged in sport and leisure activities: that is a given. However, I also want to do all I can to ensure that there is safety for people when they participate in activities which, at times, involve strenuous exercise.

We have also to bear in mind that training in the use of defibrillators, and keeping them maintained — I think that that was raised by David Hilditch and other Members — is very important. We have also to be very mindful of the issue that has been raised of their geographical spread across the North. That applies to urban areas but, perhaps, as some Members have said, it is more critical in rural ones.

We have a simple and affordable device, invented by one of our very own citizens, Professor Frank Pantridge, which can quickly help people if a heart attack happens. Immediate action, through the defib and CPR, can improve the chances of survival following a heart attack. Every Member who has spoken thus far has mentioned the rates — in the region of 1,400 people — that this has affected. The need for the defibs, and the knowledge of how to use them, is an issue not just for my Department but for everybody involved in sports and arts groups. The need exists right across our communities, and access is critical as people go about their daily lives, should it be in shopping centres, cinemas, the workplace, places of worship, school buildings and, indeed, as has been mentioned, government buildings and those of arm's-length bodies. Given that diversity, and the range of places where the defibrillator can prove useful and lifesaving, it is right and proper that there is a strategy for their provision and a database which shows where each device is located and information regarding who can use it. That is critical.

With regard to the use of defibrillators and the ability to perform CPR, we must not forget about the importance of providing proper training. Again, this has already been mentioned. It is critical. Anna is not on her own; I have had CPR training, including training in the use of defibs. Many people are frankly afraid to use them but, as David Hilditch has pointed out, some of the more modern ones actually take you through each step. It is important that we break down any myths and that people feel confident and have access to this training and these devices. We are making progress. More and more devices are being provided and installed in clubs and venues, but we have still some way to go to catch up with other countries. For example, in Japan, a change in the law to allow the use of defibrillators by the general public led to a countrywide installation in public places.

Many of those defibs are held in vending machines to address problems relating to access for the general public when an emergency occurs. We need to learn lessons from other places that not only have done it well but are exemplars. Last year, my health colleagues' community resuscitation strategy, which was mentioned by many Members, considered public access to defibrillation. The Ambulance Service has been tasked with carrying out 10 actions regarding objective 6 of that strategy, one of which is to assess the feasibility and potential value of establishing and maintaining a register of defibrillators. I

have been asked in this instance to take a lead, and I am happy to do that. It is important that I work with colleagues across the Executive. The first place I would go to is Health and, after that, Education to see what we can do. We all agree that technology is a wonderful thing. It opens up all sorts of opportunities, not on the same theme but just in health promotion.

### 12.00 noon

I was recently at the launch of the IFA's child safeguarding app, which my Department funded. It provides coaches and parents with instant access to information and contacts to help them handle any type of incident. This is on the same principle: we need to know where the devices are, their details, how they can be accessed and how training can be made available. This is about safeguarding people as best as possible.

DCAL's role with other Departments and organisations should be to survey and gather data, as defined by the Ambulance Service, and provide it in a format that is compatible with the system being developed with the Ambulance Service. That is crucial. DCAL has already made a start by providing defibrillators in some of its buildings and associated training, as well as providing funding for organisations to purchase defibs.

As Members know, my Department is responsible for a number of arm's-length bodies. Buildings used by three of those bodies are equipped with defibrillators, namely the Waterways Ireland headquarters, Armagh Observatory and the Sports Institute. Sport NI and Foras na Gaeilge have undergone a procurement exercise for the supply of defibrillators at locations including the House of Sport, Tollymore National Outdoor Centre and Foras na Gaeilge venues in Belfast. Libraries recently completed a procurement exercise to supply, deliver, commission and provide training in the deployment of 40-plus defibrillators in libraries. They envisage that those will be placed in the busiest locations and that two staff will be trained in their use in each location. Museums has four defibrillators across its sites for events that attract large audiences. It also engages with first-aiders from the Red Cross and St John Ambulance to ensure that defibrillators are available. Although Sport NI does not yet hold a list of clubs with defibrillators, it has agreed to support Defibs4Kids and the Northern Ireland Sports Forum and to undertake a mapping exercise of the provision of defibrillators across the sector.

As mentioned, the legacy from the 2013 World Police and Fire Games, in partnership with HeartSine, gifted 45 defibrillators for distribution across local schools. The IFA purchased 75 defibrillators as part of a health programme funded by DCAL through promoting equality and tackling poverty, and they were distributed to senior, intermediate and junior clubs across the North, along with the delivery of associated training. I know that, in the past 10 years, the GAA has invested significantly in buying defibs. They have been distributed to clubs, and arrangements have been made to train members in their use. Approximately 80% of clubs are now equipped. While progress has been made, there is clearly a need to continue to increase the number of defibs and the places in which we can get access to them.

Sport NI and DCAL have been represented on the group that is chaired by David McManus, the medical director of the Northern Ireland Ambulance Service. Dr McManus has expressed his desire to avoid duplication in the mapping of

defibrillators. It is important that we do not have duplication and that the matter is sorted out as best we can, so we are taking a collective approach.

I am very supportive of these measures to protect life, as well as the activities of groups such as Defibs4Kids, which appeared before the CAL Committee in February. My Department has supported and encouraged Defibs4Kids because education and building confidence at a young age in the use of CPR and defibrillators are crucial.

Another bit of good news, which some Members mentioned, is the role of the private sector. My officials recently met the Henderson Group to hear the details of a community-based initiative that will see the siting of 420 defibrillators at Spar and Vivo shop outlets, which, as Members will know, are largely based in rural areas. It is that type of initiative that demonstrates a desire at community level to make this emergency assistance available and accessible. I applaud the innovation behind the scheme, and I will continue to monitor that development and the opportunities that may emerge to make widespread defibrillator provision a reality. I am willing to play my part in extending access to provision across the North, not only for the benefit of sports participants who may suffer a cardiac arrest but for the whole community. I want to underline my commitment to seeing more people engage in a full range of sporting and leisure activities, and I will do all in my power to ensure their safety whilst participating. However, this is a wider issue for us all across the North, and the challenge exists on a number of levels, as we have heard today from all the Members who spoke.

I will also ensure that my Department gives the Ambulance Service full cooperation and assistance in meeting the requirements of the community resuscitation strategy. I encourage all Departments to deliver on their respective roles in extending the availability of and access to defibrillators and to provide the details of such provision to the Ambulance Service. We will take the lead on this and play our full role.

Finally, I thank Members not only for raising awareness of this important health issue today but for the opportunity to provide assurance that my Department will do all it can to play its role in supporting the development of a map-based register of defibrillators and making it a reality. I thank you all for the motion and the amendment.

**Mr McKinney:** I welcome the opportunity to contribute to today's debate. As Members have already articulated — I see no need to reiterate the figures — cardiac arrests are extremely dangerous, but they are treatable with early intervention and defibrillation, which is why our amendment recommends wider provision, a point that was agreed by Mr Cree, Mr McCausland and the Minister. Most importantly, chances of survival dramatically increase if defibrillation is delivered quickly. Equally, they decrease with every second that passes where treatment is delayed. We all know the cases where defibrillation was not delivered quickly enough to prevent sudden death. Mr McElduff referred to the tragic death of Cormac McAnallen and the deaths of others since 2004, and they were also referred to by my colleague Mr Bradley. Also mentioned were the great efforts made by many, including those people's families, to have preventative steps adopted and defibrillators installed. However, the argument is that, without a marked register of defibrillator location and an

accepted knowledge of those who are trained to use them, the reality is that such incidents could still happen.

Many of these life-saving devices are located in health centres, hospitals or fire stations. We even have one here in Parliament Buildings. Those are places where you might expect to find them or where you would first go to look for them, but there are also many in urban and community settings. We have seen many businesses and agencies over the last number of years installing defibrillators, a point emphasised by Mr Dunne. However, we have no idea of the number of machines or where they are located, so it is important that we ensure they are mapped so that, should an individual suffer a cardiac arrest, the location of a machine is known and we can provide vital and timely treatment, which significantly increases survival rates. That is an obvious point to make, and it was made by the proposer of the motion.

I will draw on some international comparisons that were not made by Members. Canada, the USA, Hong Kong and even Japan have made many advances recently in implementing strategies to provide greater public access to defibrillators. We have some way to go to match New Zealand, which, with a population similar to that of Scotland, has just under 4,300 publicly available defibrillators. Most importantly, they have an online interactive map that clearly displays exactly where they are, and they are where they need to be. They have been innovative in embracing new technology and even have a mobile app for download that locates the closest defibrillator through GPS. I am aware that there is an online system here that details the location of defibrillators, and I commend the great effort that those behind the scheme are making, but the initiative is in its infancy, with only school defibs being mapped. I refer to the contributions from Ms Lo and the Minister, who both praised the good work of schools in that regard.

In comparison, I was online this morning, and the website AED Locations showed me exactly where defibrillators are located in any part of New Zealand. I cannot tell you where they are located in Belfast or anywhere else in Northern Ireland. There is a fundamental disconnect here, and we lag behind.

We could pat ourselves on the back about the fact that we have installed more defibrillators in the past five years than we have had before, but we still cannot say categorically that we have done everything to protect our young sportsmen, sportswomen and children — in fact, anyone who suffers a cardiac attack in a public place. Mr Hilditch made the point that there has to be real action and that it cannot be just a paper tick-box exercise. He also touched on cost, and, obviously, there will be a cost included in an interactive mapping register. However, surely this an exercise primarily, at least in the first instance, in information gathering rather than of capital spend. The SDLP would like to see an exercise by the Executive to establish cost and initiate a process that will create an interactive register of defibrillators here. As I mentioned earlier, we need look no further than Gareth Jenkin, who set up the New Zealand website. He had no money, but he had the ambition and the determination to help save lives. He set up his website with the help of a technology company, and we need that type of ambition here.

The fact that defibrillators can save and have saved lives is the reason that motions such as this are to be welcomed

and supported, and I commend all colleagues who have joined in supporting it. However, we cannot continue to take a haphazard approach, with Departments working in silos, implementing and supporting their own departmental initiatives. That goes to the heart of our amendment. We need that interdepartmental collaboration in seeking to map out where these important machines are all across Northern Ireland, and, alongside that process, we need to raise awareness. Crucially, we need to set out the action that is required to increase the availability and accessibility of these life-saving machines. I hope that the motion and the amendment, if agreed, will go some way to helping pursue that objective.

**Ms McCorley:** Go raibh maith agat, a Cheann Comhairle. Ba mhaith liom a rá go bhfuil mé lán-sásta an díospóireacht seo a thabhairt chun deiridh inniu agus ba mhaith liom a rá fosta go bhfuil muid sásta tacaíocht a thabhairt don leasú. I am happy to wind on the debate and to say that we support the amendment as well. We see it as a natural extension of the spirit of the motion, and we have no difficulty with that.

As all Members who have spoken said, this is a very important debate, and it highlights the reality of the role that defibrillators can play in saving lives. Many people talked about the statistics, so I do not need go back over them, but it is fair to say that fewer than 10% of people will survive coming out of hospital if they do not have access to CPR and a defibrillator. It is vital that we take all of that on board. It is also important that we should save life where we can, and we have an imperative to do that. We need to take responsibility for that.

I want to highlight the work of the Defibs4Kids campaign, which is an excellent initiative that was started by Martina McConville in St Colman's Primary School in Lambeg. There are other initiatives that I want to commend. The Minister of Education and the Minister of Health launched the interactive website in 2014, and that was about having defibrillators available in schools and making that knowledge known. At the time, there were 30 schools involved, and I believe that there are now 196. I visited one of my local schools recently, St Oliver Plunkett Primary School, where staff talked to me about their plans to have a defibrillator. I also want to mention that the sporting fraternity has been pivotal to the campaign, and that is because many people in that world have lost their life. That is tragic, and cases such as those of Cormac McAnallen highlight the need to have the equipment available.

#### 12.15 pm

I also want to mention the community resuscitation strategy, which is very important in taking forward this work. That strategy highlighted the need for early recognition by the public of what a cardiac arrest looks like, for early access to CPR and defibrillators and for training in their use. I would go further and say that there is a need for as many as possible to access training in the use of defibrillators, just as people generally feel that it is important to access CPR training.

I will point out a couple of wee examples. Apparently, Crossgar is a very safe place to have a heart attack, if you are going to have one, because there is a defibrillator in a local phone box. That shows you the importance of local initiatives and ingenuity in making our communities safer places.

I pay tribute to the Ambulance Service and its excellent work. It is important that we support that. The first responder scheme is an excellent part of the support that the Ambulance Service needs, and we should all support it. It is also worth highlighting the case of Lynda Donaldson, who took a heart attack on the street. Michelle, who was driving by, gave her CPR, and another passer-by, Phil, who had a defibrillator in his car, also stopped. Together they saved her life. That flags up the importance of having the knowledge, the equipment and the training in how it is used. Many Members made similar points, and I am happy to say that everybody has been supportive of the motion and has made very positive contributions to the debate.

Oliver McMullan talked about the first responders scheme in the glens, where he comes from, and the importance of the Ambulance Service knowing where defibrillators are located. That highlights the need for mapping. It is as vital as having fire extinguishers available. Karen McKeivitt talked about this being a good opportunity for businesses and the work that she does in her constituency with local people and local councils. She mentioned the Páirc Esler case, where the life of a local referee was saved by the use of a defibrillator — sorry, I cannot say that very well. Nelson McCausland, speaking as Chair of the Committee, mentioned a recent presentation that Defibs4kids gave to the Committee and pointed out that schools can access defibrillators at a reduced cost. He also said that no Department had yet taken the lead but he looked forward to hearing the Minister's comments.

Leslie Cree highlighted an initiative to create a generation of lifesavers. Anna Lo highlighted the number of people suffering cardiac arrest, the Defibs4kids campaign and the high number of schools that have installed defibrillators as a result. Gordon Dunne commended the many local organisations and charities that have taken initiatives in this regard and highlighted the need to ensure that defibrillators not only were available but were regularly maintained. Barry McElduff talked about the Cormac Trust, which was started by the family of Cormac McAnallen after his tragic death in 2004. He also highlighted the fact that the GAA, the IFA and rugby all play their part in promoting the use and availability of defibrillators. David Hilditch commended the community resuscitation strategy and the good developmental work that has arisen from that. He also highlighted the need for training in the use of defibrillators. Dominic Bradley talked about the tragic death of another local person, Mary Mooney. He found it inspiring that the family has been involved in very positive work. It is often the case that, out of these tragic circumstances, there are inspirational examples of leadership in our communities and issues such as this being highlighted.

The Minister fully supported the motion and the amendment. She was delighted that there was cross-party support. She paid tribute to the work being pioneered by families and highlighted her responsibility to ensure safety for people in the sporting world. She felt that access was critical in all public places. She highlighted the importance of the community resuscitation strategy and of learning lessons from places like Japan that lead the way. She gave an account of the current situation with defibrillators in her Department and arm's-length bodies, and she stressed the importance of not duplicating any of that work when we create a map-based register.

Fearghal McKinney wound on the amendment and talked about New Zealand, where 4,300 defibrillators are publicly available as well as full mapping information and a mobile app. In the North, you cannot get information on their location, which highlights the need for an interactive website so that everybody can access the information at the touch of a button and we can become like Japan and New Zealand in having the most up-to-date and important information to save lives.

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

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

*Resolved:*

*That this Assembly calls on the Minister of Culture, Arts and Leisure in conjunction with her Executive colleagues, to conduct a feasibility study into the potential for an interactive map-based register of defibrillators across all Departments, including arm's-length bodies; and further calls on the Executive to devise a strategy that will see an increase in provision of defibrillators in public buildings and to ensure compatibility with the Northern Ireland Ambulance Service systems.*

**Mr Speaker:** The Business Committee has arranged to meet immediately after 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. Thank you, Members; that was a very good debate.

*The sitting was suspended at 12.22 pm.*

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

2.00 pm

## Oral Answers to Questions

### Regional Development

**Mr Deputy Speaker (Mr Dallat):** I have to tell Members that questions 3, 6, 8, 9 and 10 have been withdrawn.

#### Road and Drainage Maintenance Criteria

1. **Mr McAleer** asked the Minister for Regional Development for an update on the criteria issued to Transport NI staff regarding maintenance of the road and drainage networks. (AQO 8206/11-15)

**Mr Kennedy (The Minister for Regional Development):** Mr Deputy Speaker, with your permission, at the outset, may I express my sympathy and, I am sure, that of the whole House, to the Nicholson and Attwood families on their recent sad bereavements.

To answer question 1, as Members will be aware, my Department is facing a £60 million resource budget pressure in 2015-16, more than half of which will fall to Transport NI. That budget pressure has created an immediate impact on the delivery of routine maintenance services and, as such, I have had no option other than to agree to a skeleton service, at some financial risk to my Department, until June monitoring.

There is no funding available to employ external contractors. However, my Department's internal work force will endeavour to keep the road network in as safe a condition as possible. Roads will be inspected as normal and repairs will be prioritised as far as resources permit. Defects will be prioritised for repair depending on their severity, but it is likely that non-urgent defects will not be repaired on low-traffic rural roads. Grass will be cut once in all areas between April and October, with sight lines at bends and junctions being cut more frequently as required. The emptying of gullies will be targeted to known problem locations in an attempt to reduce the impact of flooding and maintain road safety. There will be limited weed control and maintenance of white lines, and only one quarter of the required resource available to repair street lighting outages.

I will make a strong bid for resource funding in June monitoring to return routine maintenance services to normal levels, and I hope that the Member and the House will support my Department's bid.

**Mr McAleer:** Go raibh maith agat. I thank the Minister for his response. He said that the roads would be inspected as normal. Will he elaborate on that, please?

**Mr Kennedy:** The Member will be aware that roads are inspected on a regular basis and defects are identified. I am simply highlighting the fact that it will not be possible to address all the defects as quickly as we would do normally or as we would like. That is not a situation that I want to be in, but it is a consequence of the financial challenges that my Department is facing.

**Mr Byrne:** I thank the Minister for his answer so far and for his explanation of the situation. Can he state what bid he is making in the monitoring round? How hopeful is he about getting something, particularly to improve roads maintenance in the two counties of Tyrone and Fermanagh, which greatly rely on upgrading and roads maintenance?

**Mr Kennedy:** I am grateful to the Member for his question. We will indeed make a very strong bid. Obviously, it is important that I share that bid with the Regional Development Committee, of which you are a member, as are other Members. Essentially, it is to deal with the challenges of the resource budget and to address the need that there is and the clear gaps that there are in the maintenance that we seek to do in emptying gullies, maintaining street lighting and grass cutting — all the important services that people expect my Department to carry out on a day and daily basis. I hope that members of the Committee and Members of the House will give support to trying to get more resources to my Department to meet those challenges.

**Mr Clarke:** I also thank the Minister for his answers. However, Minister, given that there seems to be a reluctance in your Department to fix some of the worst potholes, are you already seeing a rise in the public liability claims for those?

**Mr Kennedy:** I am grateful for that question from the Member, who is, of course, the Chairperson of the Committee for Regional Development. There has been no upsurge in claims at this point. I do have a concern that, as the situation continues in which defects on roads are not repaired either as quickly or with proper speed, that could give rise to claims. It lends itself to a false economy if we end up having to pay compensation, which, obviously, comes out of the departmental budget, when we would be better to get money to carry out the proper maintenance activities that are required and which people demand. The Member makes a very good point. I very much hope that he and the Committee will continue to support bids in the current situation.

**Mr B McCrea:** The Minister, in his original answer, mentioned the reduction in grass cutting to those areas where it is strictly necessary. Will he take the opportunity to do something positive for bees and other things that enhance our environment by trying to reduce the amount of grass cutting that is actually done and moving it further back in the season because, as he will know, the bee population is under severe pressure and needs to have as many flowering plants as possible in verges?

**Mr Kennedy:** I am grateful to the Member for that slightly unusual angle. Clearly, he gets a buzz out of these things.

On a very serious point, I am concerned about any reduction in grass cutting at verges and particularly where sight lines are involved. There are attendant dangers. Irrespective of the bee population and other environmental issues, I think that the public expect grass cutting to take place. They want to see potentially dangerous verges cut back to avert potential accidents. Public safety has to override all things, even the environmental concerns that the Member has raised.



## Knockmore Link Road

2. **Mr Lunn** asked the Minister for Regional Development for an update on the Knockmore link road. (AQO 8207/11-15)

**Mr Kennedy:** I am meeting members of Lisburn and Castlereagh City Council tomorrow to discuss the development of the Knockmore/M1 Sprucefield link road.

The Knockmore link has been identified in the Belfast metropolitan area plan 2015 as a non-strategic road scheme that is to be developer-led and funded either in full or in very substantial part. In the current economic climate, it is unlikely that public-sector funding will be available to deliver this road scheme. Available funding is rightly directed at improvements to the strategic road network. It is up to developers to fund delivery of the road, particularly as it is closely linked to unlocking development potential in the area.

Any contribution towards the scheme from my Department's Transport NI would be subject to detailed economic appraisal, the availability of funding and inclusion within the major works programme. Transport NI has no plans to provide or fund any part of this road.

**Mr Lunn:** I am glad to hear about the meeting tomorrow. I suppose that I should try to improve communication between myself and my council group. That is good news.

The Minister said that it is a non-strategic project. That surprises me, but I suppose that, in strictly legal terms, that is what it is. Would he not agree that a lot of strategic values are involved here with Blaris Road, the Maze, Sprucefield and connectivity to the M1, the A1 and the airport? It may not be strategic in strict terms, but it is a very important piece of work.

**Mr Kennedy:** I am grateful to the Member for his supplementary question. It may well indeed be a matter for him to pursue that with council colleagues and update his diary requirements.

His point is not unreasonable, and I have some sympathy with it, but, in strict terms, the project does not feature as part of the strategic road network, and it is seen as developer-led. I am happy to encourage the project with developers as necessary and in conjunction with members of the council. I see the benefits of extending or improving the network in the region, but, in strict terms, the project does not meet the criteria for the strategic network.

**Mr Deputy Speaker (Mr Dallat):** Members, the questions are getting longer and longer and longer.

**Mr Givan:** One of the expansion programmes for the strategic network is an improvement of the M1 at the Sprucefield junction. Would there be any merit in the Minister asking his officials to review its strategic importance vis-à-vis what we regard as the very strategic route of the Knockmore-Sprucefield link, with a view to identifying the latter as requiring public funding? It is a chicken-and-egg scenario with developers: without unlocking this site, we will not get the development.

**Mr Kennedy:** I think that the Member also makes a fair point, and it may be that we can explore that at the meeting with the council tomorrow. In strict terms, the Department is clear that this project should be developer-led. However, there are other strategic road issues in the area that, with collaboration and cooperation, could be explored to

the benefit of the whole area. I am certainly open to that discussion to see whether opportunities can be brought forward.

## Weed Spraying: North Down

4. **Mr Dunne** asked the Minister for Regional Development what plans are in place to carry out weed spraying on pavements in residential areas in North Down. (AQO 8209/11-15)

**Mr Kennedy:** Due to the budgetary pressures in 2015-16, my Department is able to provide only a skeleton routine maintenance service at present, and even that is being carried out at some financial risk to my Department. As a consequence, weed control is one of the areas affected. This will impact not only in North Down but right across Northern Ireland

My Department will not be able to control weeds chemically, either by the use of external contractors or its internal workforce. Where resources and other higher priority work permit, my Department's internal workforce will manually scuffle localised areas to control weed growth. The Department will, however, continue to treat noxious weeds.

As I said in reply to an earlier question, this is not the service that my Department wishes to provide. However, it is a direct consequence of the challenging budgetary situation. As I indicated, I will bid in the June monitoring round for the resources required to provide normal routine maintenance activities. I trust that the Member will support that bid.

**Mr Dunne:** I thank the Minister for his answer, but will he advise us what his message is to ratepayers? They look after their properties, pay their rates, cut their grass and control their weeds, yet, when they go out onto the public roads, they are at risk because weeds are not controlled and grass is cut only once a year. As the Minister, surely you are concerned about the real issues of road safety, especially sight lines on places like the Bangor road.

**Mr Kennedy:** I am grateful to the Member for his question. I know that he will understand the difference between ratepayers and taxpayers, but I am interested —

**Mr Dunne:** They are all paying.

**Mr Deputy Speaker (Mr Dallat):** Order. Nobody should shout from a sedentary position.

**Mr Kennedy:** — in ratepayers and taxpayers and the service that we are expected to provide and need to provide.

I do not dispute the need for the service to be maintained at a proper level. In fact, I am fighting very hard to try to ensure that that happens. My Department faces a very challenging economic situation — £60 million in real terms — and that has to be managed. I cannot spend money that I do not have. I am stretching the finances until we see the outcome of the June monitoring round.

The Member will also know that the Executive are losing £2 million a week. Shamefully and disgracefully, that is because of Sinn Féin's refusal to move forward on welfare reform. That money, if spent in my Department, would make a very useful contribution to dealing with the issues that I have and that the Member mentioned today.

**2.15 pm**

**Mr Brady:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his answers so far. He has answered most of my question; I was going to ask him whether he has restricted weed spraying and grass cutting in North Down and, indeed, in other constituencies.

**Mr Kennedy:** I refer the Member to my original answer, in which I made it clear that there has been an impact not just in North Down but all over Northern Ireland. I do not want to be in this situation. Again, I make the point to the Member that, if the issue of welfare reform could be resolved, the very dark cloud that hangs over the Assembly, the Executive and these political institutions could be lifted, and perhaps we could then have sensible and reasonable discussions about how we can afford the things that we need to do, particularly from my budget and the other Executive budgets that are so badly impacted as a result of Sinn Féin's current stance.

**Reservoirs: Sale/Disposal**

5. **Mr Cree** asked the Minister for Regional Development for an update on the sale or disposal of redundant reservoirs owned by Northern Ireland Water. (AQO 8210/11-15)

**Mr Kennedy:** In accordance with the terms of Northern Ireland Water's operating licence, it has an obligation to dispose of assets that are no longer of use. Twenty-five reservoirs have been identified for potential disposal during the current financial year, and these are detailed in the annual land disposal return for 2015-16, which was submitted to the Utility Regulator on 1 April 2015.

Northern Ireland Water appreciates the potential for local community use through continued public ownership and agreed, in the first instance, to offer these reservoirs to the public sector to determine any expressions of interest, prior to advertising them for sale on the open market. Expressions of interest were invited from the public sector during 2014, in accordance with the Department of Finance and Personnel's 'Disposal of Surplus Public Sector Property in Northern Ireland' guidance document. Expressions of interest were received from local councils for three reservoirs: Altmore and Cappagh in the Dungannon and South Tyrone Borough Council area; and Portavoe in the Ards and North Down Borough Council area. The councils are considering the feasibility of procuring those assets. NI Water hopes that ownership of the assets can be transferred to the councils within the current financial year.

Following an active marketing exercise during 2014, Northern Ireland Water agreed the sale of Knockbracken reservoir in Belfast and Craighulliar reservoir in Portrush to private purchasers, and contracts are progressing with solicitors. Neither of these assets attracted any public-sector interest. The remaining impounding reservoir sites will be assessed for development and recreational potential and advertised on the public market accordingly.

**Mr Cree:** I thank the Minister for his full response. He will be aware that many of these reservoirs have fishing licences, some of them for five-year periods. Is that any encumbrance to the sale of the redundant reservoirs?

**Mr Kennedy:** I am grateful to the Member for his supplementary question and for his interest in the matter. He will know that, effective from 18 December 2014, the

responsibility for fishing rights at the 28 reservoirs at which angling is permitted has been transferred to DCAL to manage under the terms of a service level agreement with NI Water, which will be incorporated into the conditions of any sale. That will allow for existing recreational activities to continue. I am content that DCAL will handle that appropriately, in accordance with the agreement with NI Water.

**Mr Clarke:** Has the Minister done any work on the likely cost of bringing all the reservoirs up to standard to suit the so-called Reservoirs Bill?

**Mr Kennedy:** I am grateful to the Member. My Department's interest in reservoirs is increasingly limited because NI Water no longer uses them or draws water from them to serve the local population. To that extent, they are redundant as a water supply. On that basis, it is more sensible to look at opportunities to offload or sell them.

We initially checked out what interest there was among local government in particular, as the reservoirs have recreational benefits. However, as they no longer serve the local population with water, NI Water's interest in them is increasingly limited. That is why it is more sensible that they move to a new owner, and that is what we are seeking to do.

**Magilligan to Greencastle Ferry**

7. **Mr Lynch** asked the Minister for Regional Development what engagement he has had with the Minister for Transport, Tourism and Sport on retaining and supporting the Magilligan to Greencastle ferry. (AQO 8212/11-15)

**Mr Kennedy:** The Member should be clear that my Department has no legislative responsibilities for the service, nor does it have any operational or financial obligations associated with what is essentially a private sector enterprise. Given those circumstances, I have had no engagement with the Minister for Transport, Tourism and Sport on retaining and supporting the Magilligan to Greencastle ferry.

**Mr Lynch:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as an fhreagra sin. Will the Minister confirm the joint commitments made to the service from previous and current Ministers?

**Mr Kennedy:** I am not sure where the Member gets any previous commitment from. It was not from me or any of my predecessors, because my Department has never funded the Magilligan to Greencastle ferry, even when it was under the stewardship of his party colleague Conor Murphy.

Capital funding for the ferry's establishment was provided through a number of streams, including the EU Special Support Programme for Peace and Reconciliation; the Republic of Ireland's then Department of Communications, Marine and Natural Resources; the then Limavady Borough Council; and Donegal County Council. As to the running of the service, the Limavady and Donegal councils subsidised the service up until 2013. Since then, the service has not received any funding, and its operation is financed solely through fare revenue.

**Transport NI: Staff Bonuses**

11. **Mr Boylan** asked the Minister for Regional Development for an update on why bonus payments to Transport NI manual grade staff have been withheld in recent months. (AQO 8216/11-15)

**Mr Kennedy:** Transport NI operates a productivity incentive scheme for its industrial staff. The scheme does not allow for the withholding of productivity-related earnings, but it does allow for such earnings to be reduced or recovered where workmanship has been found to be below the required technical standard or where higher productivity than the scheme allows has been claimed. Productivity-related earnings have been retrospectively reduced and recovered on occasions over recent months but no more frequently than normal.

However, the current pressure on Transport NI's resource budget is so severe that I have had to scale back to a skeleton service, which has reduced work volumes in certain activities. Consequently, that has impacted on the productivity earnings of some industrial staff. Transport NI management is endeavouring to utilise the capacity freed up within the industrial workforce through the reduction in activities with high levels of cost for materials, such as pothole repairs, or for waste disposal, such as the emptying of gullies, on alternative work in those areas that requires less cost. That is to ensure that industrial staff are fully occupied and to provide the opportunity for productivity-related earnings.

**Mr Boylan:** Go raibh maith again, a LeasCheann Comhairle. I thank the Minister for his answer. Will he indicate whether any savings have been made in the light of the non-payment of those bonuses?

**Mr Kennedy:** I thank the Member for his supplementary question, but, again, the Department's work, which is so necessary, is not being achieved because of the financial constraints. That is having an impact on the ground on the emptying of gullies, grass cutting, road defects and street lighting and, consequently, is having an impact on the staff who work there — not just on their wages but on their morale.

The Member will be interested to know that I was in the Armagh section office last week on a routine visit and that I took the opportunity to speak with staff who are attempting to work through the very challenging positions on the front line. They have to deal with the many queries and frustrations of the general public when they ring in to report defects and to ask for work to be carried out only to be told that there is insufficient money. It is not a virtual circle at all; it is a vicious circle, and I want to get out of it as quickly as possible.

**Mr Clarke:** Following on from that, Minister, given that the previous questioner's party is holding up welfare reform, which, as you said earlier, is costing us £2 million per week, will you give us an estimate of how much is being lost to staff because they are unable to receive their bonuses because of the stalemate that has been caused by Sinn Féin, which is resulting in £2 million of waste a week?

**Mr Kennedy:** I am grateful to the Member for the point that he makes. I am not able to specify in close detail just how much it is costing staff, but it is costing the reputation not only of my Department but of the Assembly and the Executive when gullies are not emptied, grass is not cut, road defects are not addressed and street lights continue to be out. There is reputational damage, but financial damage is also done to the workforce, many of whom are not earning high salaries. I do not think that people who have to fend for their families are impressed by the political stunts of Sinn Féin, which claims to represent working

people and yet, by its actions, ensures that working people are not earning sufficient to allow them a proper income.

## Speed Limits: Carrickfergus

12. **Mr Hilditch** asked the Minister for Regional Development what progress has been made on the review of road speed limits for Carrickfergus. (AQO 8217/11-15)

**Mr Kennedy:** My officials, in conjunction with the PSNI, recently completed the review of speed limits in the Carrickfergus area to consider the existing speed limits on the B90 from the Monkstown Road to the B149 Belttoy Road as well as the A2 between Carrickfergus and Whitehead. The review indicated that, given the gradual increase in residential development and traffic volumes around Greenisland, a revision of the current speed limits along the B90 at Greenisland would better reflect the function of the road and improve driver respect and, in turn, compliance with the speed limits.

I am pleased to confirm that the consultation process to provide a 40 mph limit to the west of Greenisland to include the Monkstown Road junction and extend the existing 40 mph limit to the east of the village to include the development around the Trooperslane Road junction is to begin shortly. In addition, it is proposed to increase the existing 30 mph limit at Woodburn Road and extend the existing 40 mph limit for approximately 575 metres from the new line. I can also confirm that the consultation process to provide a 40 mph limit on the A2 at Knocknagullagh is under way.

**Mr Deputy Speaker (Mr Dallat):** I call Mr Hilditch for a very brief supplementary.

**Mr Hilditch:** There is no need to ask one, Mr Deputy Speaker. I welcome the Minister's answers; I do not need a supplementary.

**Mr Kennedy:** I am very glad to please at least one Member during questions today. Those Members who, for various reasons, were not able to attend missed a treat. [Laughter.]

**Mr Deputy Speaker (Mr Dallat):** I am so grateful for your cooperation.

That ends the period for listed questions. We now move on to topical questions.

## Traffic Flow System: Armagh City

T1. **Mr D Bradley** asked the Minister for Regional Development to outline the main elements of the new traffic flow system around The Mall area of Armagh city. (AQT 2521/11-15)

2.30 pm

**Mr Kennedy:** I am grateful to the Member for his question. He will know that consideration has been given to the proposal, which was to create a gyratory one-way system around the centre of Armagh. The Member knows that I have received considerable correspondence on this; indeed, I have had conversations with representatives from The Mall residents' association. Having taken those issues into account and following discussions with my officials, I have recommended a complete review of the proposed scheme. I will be particularly interested in the outcome of that review.

**Mr D Bradley:** Go raibh míle maith agat arís, a LeasCheann Comhairle. I thank the Minister for his answer. Will he give us a timescale for the proposed review of the system?

**Mr Kennedy:** The Member will know that the review will not be meaningfully possible until the works that are taking place at the Friary Road and Newry Road are completed and evaluated. I hope very much that that section of scheme will be completed in early June. At that point, we will be able to assess traffic flows in and around the centre of Armagh and their impact and then look at any gyratory proposal that was originally made. Of course, we need to be aware and conscious of the public interest in the issue from public representatives, the council and, not least, The Mall residents' association. It will be important to ensure that everyone is aware of any proposal on the project that ultimately emerges.

### Bus Station: Kilkeel

T2. **Mr Wells** asked the Minister for Regional Development what plans he has to improve the bus station in Kilkeel. (AQT 2522/11-15)

**Mr Kennedy:** I am grateful to the Member for his question. He will know that there have been considerable discussions over the years on improving the facilities at Kilkeel, not least on finding a suitable location for any new bus centre and the attendant issues around planning for such a proposal. However, the current financial position that my Department finds itself in makes it difficult to see how we can carry forward a particular scheme at this point in time. I am open, of course, to continuing discussions, because I am aware of the importance that such a new bus centre could have for the people of Kilkeel.

**Mr Wells:** I am sure the Member will accept that the present facility is certainly not adequate for a town the size of Kilkeel, particularly with its tourist infrastructure. Can he at least promise the Assembly that, whilst finance may be limited, his Department will continue to explore options so that, when funds become available, he will be ready to move quickly?

**Mr Kennedy:** As I said, the difficulty is not just a location for a bus station but the resulting revenue costs when a new bus station is built. However, I am open to suggestions from the Member and other local representatives in trying to find a solution at the earliest possible point, setting aside some of the financial considerations, which are there. If he has any input to that, I will happily receive those representations.

### Enterprise: Continuation of Service

T3. **Mr Rogers** asked the Minister for Regional Development how he will ensure, during the time of the Enterprise overhaul, that the service will continue to meet the needs of the travelling public, particularly the working public who board the train at Newry to travel to work in Dublin. (AQT 2523/11-15)

**Mr Kennedy:** I am grateful to the Member for his question and, indeed, for his interest. The refurbishment and upgrading of the Enterprise service is an important facility. We want to see that carried out as speedily and quickly as we can. There will be real benefits when that service is upgraded. The Member will know that there will be some

inconvenience to travellers while that work continues. Translink is attempting to manage that as best it can and will continue to do so. I very much hope that the initial problems will have been ironed out by early August, but we are mindful that the improvements will be welcomed by the many thousands who use the Enterprise service daily and weekly.

**Mr Rogers:** I thank the Minister for his answer. Will he also clarify whether there will be no first-class carriage or catering facilities? In particular, will the first train that leaves Belfast around 6.50 am and stops in Newry have only three carriages? If any of those things are the case over that two or three months, many people could move off the train and not come back.

**Mr Kennedy:** I am grateful to the Member and understand his points entirely. Unfortunately, there will be a level of inconvenience and a reduction in the services traditionally associated with the Enterprise, which is always a popular form of travel. We want to maintain that as best we can. We cannot make omelettes without breaking some eggs, and we are anxious to move the refurbishment scheme on as quickly as possible. I can tell you that my officials and Translink are working hard to ensure that that is the case.

**Mr Deputy Speaker (Mr Dallat):** Mr Alex Easton is not in his place.

### Waste Water Treatment: Infractions

T5. **Mr Dickson** asked the Minister for Regional Development, given his responsibility for waste water treatment, what infractions or pending infractions Northern Ireland is facing. (AQT 2525/11-15)

**Mr Kennedy:** I am grateful to the Member for his question. He will know that there is an ongoing issue as to how we have to maintain waste water and other treatment works under our responsibility. This remains an important feature, as is the quality of drinking water, to the population, which is why I have attempted in the current financial year and with a very challenging budget to protect the allocations to NI Water as far as I can. We have not been able to do that fully. There is something in the region of £5 million potentially, but we will work with the company to ensure that adequate service is maintained and that that service is in line with European regulation.

**Mr Dickson:** Minister, I appreciate the information you have given us, but you will appreciate that meeting European waste water quality standards delivers blue flag beach status, which is important for tourism in Northern Ireland. With the recent loss of blue flags around the United Kingdom, how confident are you that we will maintain blue flags for Northern Ireland's beaches?

**Mr Kennedy:** I am grateful to the Member for his question. The issue of blue flag status and all those awards is more properly directed, he will know, to the Minister of the Environment, Minister Durkan. However, I am led to believe that the impending awards will be potentially good and welcome news for Northern Ireland beaches. It is encouraging that, in spite of the economic challenges, we are able to maintain water quality and an environment in which people can enjoy some leisure at the many beaches across Northern Ireland.

## Translink: Taxi Fares

T6. **Mr I McCrea** asked the Minister for Regional Development for an assurance that, if the recent news article that stated that Translink spent £170,000 on taxi fares is true, he will do everything in his power to ensure that every efficiency saving that can be found is found, with the money given to front-line services. (AQT 2526/11-15)

**Mr Kennedy:** I am grateful to the Member for his question. I am advised by Translink that the use of taxis is closely regulated and they are used only when it is the most economically viable solution. There are often practical operational reasons for their use. However, not least because of the public comment and the overall financial position, I am concerned and will pursue the matter with Translink in the coming period.

**Mr I McCrea:** I thank the Minister for his response. Given that, in my constituency, Transport NI is telling us all about the financial pressures that it is under, is there any other way that the Department can carry out a full investigation of how more money can be found through efficiencies to ensure that it can be delivered to the front-line services that I referred to in my previous question?

**Mr Kennedy:** Thank you very much indeed for the supplementary question. The Member will know, as, indeed, members of the Regional Development Committee will know, that the current chief executive, David Strahan, has successfully made efficiency savings in the overall Translink budget. Obviously, that will not end there. It is important that, on an ongoing basis, we look at the overall costs of all companies such as Translink and NI Water and, indeed, my Department. If that can reduce impact on front-line services, so much the better, but it is not easy because, in organisations like Translink and NI Water, the pips are already beginning to squeak.

## Road and Sewerage Works: Armagh

T7. **Mr Boylan** asked the Minister for Regional Development to state completion dates for the ongoing roadworks at the bottom of the Newry Road and the Friary Road and for the sewerage works on Barrack Hill at The Mall. (AQT 2527/11-15)

**Mr Kennedy:** I am grateful to the Member for raising the issue. The work at Friary Road and Newry Road on that scheme is at a very busy and complex urban junction in Armagh city. It is progressing, but, due to issues regarding services and ground conditions, it is behind schedule. However, work is due to be completed, as I indicated to Mr Bradley, early in June. Of course, whilst the ongoing works have caused some disruption, I hope that, when it is complete, the scheme will improve conditions for traffic and pedestrians at that key junction in the city.

Rather than postpone the work at Barrack Hill and the work of NI Water and then start the whole regime, if you like, of inconvenience, it was considered better to proceed with that, get the work done and move off site. We will then hopefully have a better traffic situation in the centre of Armagh.

**Mr Boylan:** Go raibh maith agat, a LeasCheann Comhairle. I appreciate the answer from the Minister, but he will be aware that businesses at that end of the town have been affected by the work. Minister, have you discussed with those businesses any way of reimbursing them, or have you been talking to the Finance Minister

about some rate relief that will assist them, given the loss of earnings that they have had over recent months because of those works?

**Mr Kennedy:** I thank the Member for his question. I can confirm that, as a Member for Newry and Armagh, I have had meetings and discussions with concerned business operators in that area. I understand their concerns and am very sympathetic to them. A rate reduction would be a matter for DFP and would require the appeal procedure to be used. It is my experience that, sometimes, it is a mistake to appeal rate valuations because, as well as coming down, they can go up. I have had that unhappy experience. Nonetheless, I understand the concern. That is why I am particularly keen that the work, which is almost at completion, should be completed, and, hopefully, contractors can move off site, and normal traffic and normal business hours can be resumed.

2.45 pm

## Social Development

**Mr Deputy Speaker (Mr Dallat):** Please note that questions 6, 9 and 14 have been withdrawn.

### Personal Independence Payments: Pilot Scheme

1. **Mr Hussey** asked the Minister for Social Development for an update on the proposed personal independence payment pilot scheme. (AQO 8219/11-15)

**Mr Storey (The Minister for Social Development):** Following the Stormont Castle agreement on welfare reform in December 2014, an amendment was tabled to the Northern Ireland welfare Bill that made provision for a pilot scheme to be carried out in advance of personal independence payments going live in Northern Ireland. It was passed by the Assembly at Consideration Stage of the Bill's passage, and, since then, my officials have been working to put in place the arrangements to implement that commitment. That has included mapping the process by which potential participants in the pilot could be identified; discussions with DWP about the early deployment of the personal independence payment IT system; and engagement with Capita business services, which will provide the personal independence payment assessment service, and other key stakeholders to ensure a successful and meaningful personal independence payment pilot.

Given that the key purpose of the pilot was to help to inform plans for personal independence payment roll-out in Northern Ireland, the actual commencement of the pilot was always linked to establishing a definitive date on which personal independence payments would be introduced. As the welfare Bill did not complete its legislative passage through the Assembly on 9 March, the work needed to prepare for implementing the changes, including the personal independence payment pilot, has had to be stopped.

**Mr Hussey:** I thank the Minister for his response. We all know of the problems that we face in view of the political intransigence we face over welfare reform. If the legislation gets passed, how quickly do you think we will be able to move to have this — my mind has gone blank — pilot scheme in place?

**Mr Storey:** The Member is absolutely right about the intransigence and the lack of decision on the issue. I will probably have more to say about that as we make our way through Question Time. On the anticipated timescale, I trust that, when we have the completion of the welfare Bill as far as the processes in the House are concerned, we can start immediately to engage in the work set out in the substantive answer that we have given. I trust that, over a period of months, we will see progress on the pilot. I will ensure that, subject to what happens in the House next Tuesday, the Member is kept informed.

**Mr Clarke:** This has veered into welfare reform more directly, and we are all familiar now with the fact that you will bring the legislation to the House next week. Will you inform the House of the consequences, including those for the rest of your Department, if there is no resolution to welfare reform by next week?

**Mr Storey:** I thank the Member for his supplementary. As we know, the welfare Bill did not complete its legislative passage through the Assembly as scheduled on 9 March. The further delay in the Bill receiving Royal Assent meant that the work needed to prepare for implementation of the changes had to be brought to a conclusion. For me and for many, the continuing delay has been frustrating, not only for those involved in delivering social security or even for those who advise claimants on their rights but, more importantly, for the thousands of people across Northern Ireland who are becoming totally confused about what changes will be brought in by the Bill and how those changes will impact on them.

Let us be under no illusion, and let us not try to paint a narrative in the House today that there is a bit of smoke and mirrors and that something is happening that is being choreographed and that something else is happening in the shadows of other buildings beyond the confines of the Chamber. Let me spell it out very clearly and plainly: at the Business Committee today, I tabled my intention to bring back the Welfare Reform Bill for Final Stage next Tuesday, and, if it falls, that will have serious repercussions for Northern Ireland, for the people of Northern Ireland and, I believe, for the long-term sustainability and the future of the institutions that we are engaged in. Let us not be under any illusion: we are at a very serious juncture, we have run out of road, and we will very soon run out of money. That should focus the mind and the attention of every Member in the House so that we find a solution to the problem, which has been around for far too long.

## Community and Voluntary Sector: Funding Pressures

2. **Mrs Dobson** asked the Minister for Social Development for his assessment of the funding pressures faced by the community and voluntary sector. (AQO 8220/11-15)

**Mr Storey:** As Minister for Social Development with lead responsibility for relationships with the voluntary and community sector (VCS), I am fully aware of the funding pressures faced by the sector. The voluntary and community sector is seen as a key social partner of government as we build a participative, peaceful, equitable and inclusive community in Northern Ireland. As you are aware, the strain on public finances in 2015-16 has been considerable, and that has impacted on the financial relationship between government and the sector. When

finalising the budget for my Department, I instructed my officials to ensure that resource allocation decisions being made across the Department were prioritised, transparent, accountable and evidence-based. As Minister, I fully recognise the role of the voluntary and community sector in delivering so many necessary public services on behalf of government and the impact that reduced resourcing can have on those vital services. I also fully recognise the significant contribution made by the VCS to economic and social activity in Northern Ireland. Like all Departments, my Department is a signatory to the concordat between the voluntary and community sector and the Northern Ireland Government, and successful implementation of that agreement requires real and recognisable commitment across the public sector.

The Member will be aware that, no later than yesterday, we had a debate in the House on the issue. In the House, we often use phrases and terminology, but that sometimes fails to relate into practice beyond the confines of the Chamber. Following on from yesterday's debate, the collective challenge to Ministers, the Executive and the Assembly is to ensure not only by word but by deed that we demonstrate the value that, we believe, the voluntary and community sector delivers in our society.

**Mr Deputy Speaker (Mr Dallat):** I gently remind the Minister about the two-minute rule.

**Mrs Dobson:** I thank the Minister for his comprehensive answer. At present, the combined cross-cutting effect is not being considered. Following yesterday's debate, which the Minister mentioned, will he now ensure that the issue is brought back to the Executive so that all Ministers are made fully aware of the impact across the Departments? Furthermore, does he agree that transitional funding should be made available to the sector so that it no longer falls foul of government decisions?

**Mr Storey:** I thank the Member for her supplementary question. On the basis of her last point about a transitional fund, I met NICVA representatives a few days ago, and the issue of a transitional fund was raised at that meeting. I have subsequently written to OFMDFM setting out the issue, and I continue to engage with OFMDFM. Obviously, the follow-on from yesterday's debate will be part and parcel of the review that has been undertaken by the two OFMDFM junior Ministers. As outlined, I have responsibilities as Minister for the community and voluntary sector. I have given an assurance that I and my officials will continue to engage in that process. That is the reality for us. As I said yesterday, I have seen this in my constituency, and many Members, if not all, can relate it to their constituency. We all know of organisations that, if they do not find a financial resolution to their problems, will either have to provide a greatly reduced service or disappear altogether. Then, the challenge for government agencies will be to meet the cost of picking up that service. We need to bear that in mind, and it ought to be to the forefront of the decisions that we make. However, we should always be mindful of the difficult and challenging financial circumstances that we find ourselves in, which are a challenge for every Minister and for the Assembly.

**Mr Maskey:** The Minister partly addressed this in his first response, but can he outline, perhaps in a little more detail, how he has sought to alleviate difficulties, particularly with neighbourhood renewal area-based projects?

**Mr Storey:** I thank the Member. That was an issue that I found challenging, given how the process operates. With the hand that I was given in the budgetary process, it would have been easy for me to have simply top-sliced. In fact, the situation in DSD became even bleaker, as, following further discussions, the budget was further reduced. That created a particular difficulty for us. However, a process was engaged in. In fact, I encouraged organisations that felt that they could not fully accept the way in which the budgetary process had been handled to come in and have discussions with us so that they were clear about the rationale that we use. I trust that that rationale was transparent, fair and equitable and that things were at least done in a way for which there was justification, if there ever can be justification for being in a position in which you had a certain amount of money last year but that is now reduced. However, that is the reality of where we are, and that process is a template. It is not perfect; it probably has flaws; but I think that we clearly made a genuine attempt to address the issue.

The other point that we need to bear in mind is that I was also very cautious and cognisant of the fact that, come next year, the funds will transfer to local councils. It will then be the responsibility of those councils to determine how those moneys are spent and their priorities.

**Mr Girvan:** The Department has responsibility for the voluntary and community sector. What assistance is being given to organisations that are being impacted on by the efficiency savings that they have to target over the next number of years?

**Mr Storey:** The Member's question follows on from the answer that I gave to the previous question. We sought to use a process to mitigate those difficulties as far as we could. We did that by prioritising, as far as possible, funding to support the sustainability of the voluntary and community sector for key services such as general advice services, neighbourhood renewal, the Supporting People programme, volunteering and the women's centres' childcare fund. As I said, we will liaise closely with the junior Ministers as they undertake dealing with the impact of the review. I also intend to continue to discuss the issues with NICVA, because it plays an important role as a conduit. As I said yesterday, we have the joint forum, which I have attended and for which I have set out our programme and priorities. Recently, the forum had a meeting at which there was one issue on the agenda, and that issue clearly focused the minds of the many organisations that are part and parcel of the forum.

I bring Members back to the issue of the concordat. I know that that is only on paper, but it ought still to be in practice. It is a commitment by government about the way in which it will respect and work with the community and voluntary sector and endeavour to understand the problems that it faces.

3.00 pm

### Cars: Abandoned in Carrickfergus

3. **Mr Hilditch** asked the Minister for Social Development what work is ongoing with the Northern Ireland Housing Executive and other relevant agencies to alleviate the problem of abandoned cars at Taylors Avenue, Carrickfergus. (AQO 8221/11-15)

**Mr Storey:** The Housing Executive has advised me that the abandoned cars in Taylors Avenue are on private property and not on Housing Executive land. This matter was raised at the Carrickfergus antisocial behaviour forum meeting in March and it was agreed that the Police Service of Northern Ireland and Mid and East Antrim Borough Council — formerly Carrickfergus Borough Council — were the most appropriate agencies to take action.

**Mr Hilditch:** I appreciate the Minister's answer. On a general issue, what steps is the Department taking to address antisocial behaviour in areas of social housing?

**Mr Storey:** This issue is a challenge for us all. What we face in Carrick is no different from what is faced in many other parts of Northern Ireland.

You could look at what the Department does to address antisocial behaviour in two parts. First, it provides the policy and legislation to help the Housing Executive and other social landlords to deal with antisocial behaviour. Proposals are being developed for new legislation to facilitate the sharing of information about antisocial behaviour. Many people are concerned that what we have in place is not robust enough to deal with issues in an effective and timely way. Many of these things go on for a long time.

The Housing Executive has also developed a system to tackle antisocial behaviour based on a written strategy, which is being updated. That sets out the Housing Executive's objectives and priorities. There are a number of elements in what we and the Housing Executive can do; ultimately, however, this is an issue that society has to address. I trust that in areas where there is a considerable focus on this issue that people realise that they are bringing to their own community a reputation that is ill deserved and certainly not warranted by the great majority of people, who want to live in settled communities at peace with their neighbours.

**Mr Beggs:** I declare an interest in this subject, as I provided court evidence that resulted in an ASBO being awarded against an individual linked to 90 cars being abandoned in the Taylors Avenue area. Does that antisocial behaviour order still apply and what action has the Northern Ireland Housing Executive taken to invoke the tenancy agreements of occupants of Taylors Avenue who may be continuing to contribute to the abandonment of vehicles in the area?

**Mr Storey:** I thank the Member for his contribution and for declaring his interest in this issue. He makes a valid point, particularly about the Housing Executive. The Housing Executive's non-statutory interventions, as we said, include warning letters, acceptable behaviour contracts, mediation and community support. In addition, the Housing Executive is a founding partner and participant, along with the PSNI and councils, in antisocial behaviour forums that meet to discuss antisocial behaviour in nearly every council area. They have 57 neighbourhood officers who contribute to making their estates cleaner and safer places. The Housing Executive contributes funding to local schemes to address crime, and the fear of crime, in an area.

As for the specifics about Carrickfergus, when the Member raised this question, it focused my attention on that area. When we looked into the detail, we found that it has been going on for a considerable time. Following today's Question Time, I intend to get an update from the Housing

Executive as to what further steps it will take to ensure that we have an effective outcome. When I have that information, I will share it with those Members who raised concerns.

### Affordable Warmth Scheme

**4. Mr McKinney** asked the Minister for Social Development for his assessment of the number of schemes delivered under the affordable warmth scheme. (AQO 8222/11-15)

**Mr Storey:** Already, 328 households have benefited from the provision of energy efficiency measures delivered through the affordable warmth scheme. My Department has a public service agreement target to assist at least 9,000 households with energy efficiency measures. In the past, we have consistently exceeded the targets, and I am confident that that will be the case again in 2015-16.

**Mr McKinney:** I thank the Minister for his reply. Does he share my concern at the delay from the date of referral to the implementation of the measures as assessed? What plans does he have to monitor and improve outcomes for constituents?

**Mr Storey:** Obviously, we have a particular issue here in that we moved from one scheme to another, and any transition is always difficult. We continue to liaise with the councils to ensure that they are working in a way that is effective and efficient in relation to the timescale, as well as to referrals and the quality of what is going on in the scheme. That is something that I am particularly interested in, given that colleagues in the House have been writing to me over a period of time to raise particular concerns.

We have had correspondence on individual cases where there have been some delays, and I am obviously concerned that that number could grow. I do not think that it has started to grow, but when you have a situation where there is a process and referrals, you could have some delays. I will endeavour, as will all those involved in the affordable warmth scheme, to make sure that those are kept to a minimum and that this remains an effective and efficient way of dealing with a very important issue in our homes that has to be addressed.

**Mr Douglas:** In the Minister's estimation, are the new super-councils ready to deliver the affordable warmth scheme?

**Mr Storey:** I thank the Member for his question, which in a sense follows on from what I was saying to the Member who asked the previous question. While the affordable warmth scheme is at an early stage, I think that it has already been effective in delivering across all council areas. My officials have been working with council staff for over two years to pilot and develop the affordable warmth scheme. A number of issues were highlighted in the pilots, and those can now, I trust, be easily addressed in the roll-out of the scheme.

Each council has signed a service level agreement with the Department, demonstrating their commitment to deliver the new scheme, and all councils have appointed a coordinator and support staff for the scheme. Officials from the Department will meet regularly with the lead council officers to monitor progress, receive feedback and provide additional support where necessary. It is my intention to take some time, if we have time — some of us

may have more time after next week than we imagined; however, we will deal with that as it is — to visit some of the schemes to see in a practical way what is being delivered, what it really means to our constituents and to the people, and how the scheme is being effective in what it was originally intended to do. That is what I want to ensure happens as a result of the scheme.

**Mr B McCrea:** Does the affordable warmth scheme have any mechanism for self-referral?

**Mr Storey:** There is a mechanism for self-referral, which I will outline to the Member. The affordable warmth scheme offers a range of insulation and heating measures to improve energy efficiency in low-income households. Such measures include loft insulation, cavity wall insulation and new heating systems. The person can refer themselves by making contact with the council. If the council believes that someone should be referred to the scheme, it can also refer an individual.

### Social Housing: West Belfast

**5. Ms McCorley** asked the Minister for Social Development, given the length of the waiting lists, how many new social houses are planned this year in West Belfast. (AQO 8223/11-15)

**Ms McCorley:** Ceist uimhir a cúig.

**Mr Storey:** Thank you —

**Mr Humphrey:** There was no translation.

**Mr Storey:** I will assume that that was question 5.

You will be aware that it is the Housing Executive's role to assess housing need and formulate and manage the delivery of the social housing development programme. I recently approved the three-year gross social housing development programme, covering the period 2015-18. For the West Belfast parliamentary constituency, the programme comprises a total of just under 1,200 units, 1,191 to be precise. At this early stage in the programme, it is hard to be precise about delivery times and final numbers. As you will appreciate, schemes can slip or be lost from a particular given programme for a variety of reasons, such as difficulties achieving planning permission, and others can be added as new opportunities arise.

**Ms McCorley:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as an fhreagra. I thank the Minister for his answer. Can the Minister give us some detail on any available land in west Belfast that has been zoned for housing but has yet to be applied for?

**Mr Storey:** Obviously, one of the areas that has had a considerable degree of interest is the Visteon site. Fold Housing Association plans to take forward the development of the Visteon site during this financial year, subject to planning approval. This is an important scheme that would meet a significant amount of housing need, and I urge all in the Chamber to be supportive. My Department is fully supportive of mixed-use tenure developing with this particular type of development.

In areas where housing need is identified, housing associations are encouraged to look out for potential sites for development. Land supply is a key constraint to building more in west Belfast. Housing associations are



doing all that they can to identify and buy land in the area. They are supported in this by my Department and the Housing Executive through the programme of advanced land purchases. However, securing land in areas of high demand such as west Belfast remains very challenging, and opportunities that do arise, such as Visteon, need community support. There is also a case for building higher densities in west Belfast and other areas of high demand, and, if there is support for this, it is an issue that my officials will continue to explore.

**Mr Dunne:** Can the Minister clarify how housing need is assessed? Is it all about waiting lists for the specific area, whether it be west Belfast or, indeed, north Down?

**Mr Storey:** I am always impressed by how Members can be inventive when it comes to moving from west Belfast to north Down. On the specific question of how housing need is identified and addressed, the Housing Executive is responsible for assessing the level of social housing need, determining the need for schemes in specific geographic areas and formulating the social housing programme. The Housing Executive carries out an annual housing needs assessment of all council areas to examine the supply and demand for new social housing. This assessment is then used to determine the Housing Executive's unmet housing needs prospectus, which identifies locations where there is general unmet housing need beyond the schemes included in the social housing development programme and where it has not been possible to secure new-build sites. Housing need is identified by the number deemed to be in housing stress. This is where applicants have 30 points or more on the Housing Executive's housing selection scheme. Housing need in Northern Ireland is addressed through the social housing development programme in a fair and equitable way.

Also in answer to the Member, I want to say that much has been achieved in addressing housing need, but there is no doubt that the serious financial challenges that we face moving forward will make this an increasingly difficult task. However, the delivery of social housing will remain a priority.

I was delighted just last week to announce that we have exceeded our target of for social and affordable homes. It was set at 8,000 homes, and it is over 10,000. There are always many naysayers who will say that it should have been 12,000 or 15,000. However, for the people who are in those homes today —

**3.15 pm**

**Mr Deputy Speaker (Mr Dallat):** The Minister's two minutes is up.

**Mr Storey:** For them, it is an improvement and an advancement, and I want to build, if you will excuse the pun, on that success.

**Mr Deputy Speaker (Mr Dallat):** That ends the period for listed questions. We now move on to topical questions.

### Housing Executive: Points System

T1. **Mrs Dobson** asked the Minister for Social Development for his assessment of the effectiveness of the Housing Executive's points system and whether he has any plans to review or amend the system. (AQT 2531/11-15)

**Mr Storey:** I thank the Member for her question. Obviously, this is an issue that has done the rounds. There has been a contentious issue for a long time about how we allocate houses. The Member will know, as will other Members and as I do as a constituency MLA, that there are those who believe that the allocation system is unfair and there are those who believe that it is fair. We have many different approaches, and it all depends on the experience that the individual has when they go to the Housing Executive or to other agencies for an allocation. It is under review, and no doubt we will face challenges on how we get an objective and fair system. Whatever system you put in place for points allocation, there are those who will try to find inventive and sometimes not very wholesome ways of getting round that to ensure that they have more points than the reality of their needs justifies.

**Mrs Dobson:** I thank the Minister again for his comprehensive answer. Does he agree that a system that awards and, in certain circumstances, removes points would be a fairer way of ensuring that Housing Executive properties were allocated to those in the greatest need and, indeed, the most deserving? Furthermore, does he agree that those with a connection to an area should be given extra points to improve community cohesion?

**Mr Storey:** It is always difficult when you start to remove something from people. Obviously, you would need to have a very good basis. Let us remember that the process commences when someone goes into the Housing Executive for a points assessment to be carried out. You would need substantial reasons not for removing points but for not allocating points. I have seen in my short time in this job — maybe it will be even shorter, depending on what happens over the next number of days — how good housing and settled tenants contribute to the community. You make an invaluable contribution, which is something that we all strive to do as Members. We all have areas in our constituencies where there have been difficulties and challenges. I think of one estate in my constituency where, a number of years ago, people did not want to live. Because a proactive approach was taken and there was intervention, today that development has a waiting list. The tone and the way in which people live has been greatly enhanced, and we are all beneficiaries as a result of that.

### North West Development Office: Closure

T2. **Mr Eastwood** asked the Minister for Social Development what will become of the 44 staff employed in the North West Development Office, given the coming transfer of urban regeneration and the office's closure. (AQT 2532/11-15)

**Mr Storey:** I thank the Member for raising the issue. Obviously, this is a concern to him as a constituency MLA. He is right that the Regeneration Bill currently progressing through the Assembly provides the legislative basis for the Department for Social Development to transfer the urban regeneration and community development powers to local government from 1 April 2016. As the Department is transferring powers rather than functions, there will be no compulsory transfer of DSD staff to councils. Staff exercising urban regeneration and community development powers that are to be transferred to local government will become surplus when the powers are transferred. The staff in the Department's urban regeneration and community development group include

the 44 people in the North West Development Office. Staff will be redeployed in line with the Northern Ireland Civil Service redeployment policy. The voluntary exit scheme and subsequent redeployment opportunities will be the means by which the surplus in the North West Development Office will be managed.

I will just say in conclusion in relation to that issue that I pay tribute to the staff in that office and, indeed, to all my staff in the development offices, particularly for what they have achieved in the city. I know from working with many of the organisations and from the feedback that we have received that it is appreciated and valued and that their contribution to the city has been worthwhile and has been recognised.

**Mr Eastwood:** I thank the Minister for his answer and join him in paying tribute to those staff. I also appeal to him to work with his Executive colleagues, if possible, to ensure that staff who want to be redeployed can be redeployed within the city or the surrounding areas. We have a very real unemployment crisis in our city, and losing jobs is not something that we need to acquiesce in.

**Mr Storey:** I am very conscious of that, and I alluded to the framework within which we have to work, in the sense that we have the Northern Ireland Civil Service redeployment policy. I am very conscious that we want to ensure, as far as possible, that staff are located in areas that are suitable. The issue of travelling to work is obviously a concern for staff who are currently employed in the Londonderry area. I will endeavour, as we have done in relation to other issues in the city, to be very conscious of the employment challenges in the west and in that particular location. It is something that I will continue to give an importance to, and, if there are any developments on that issue, I will be happy to keep the Member informed.

### Tower Block Strategy: Update

T3. **Mr F McCann** asked the Minister for Social Development for an update on the tower block strategy and to state whether there has been any delay. (AQT 2533/11-15)

**Mr Storey:** I thank the Member for his question. It is an issue that continues to be a particular concern for me. I have had some discussions with the chair and chief executive of the Housing Executive on the matter. Members will be aware that one scheme is currently being progressed — they will see it as they make their way along the Westlink — but we have a considerable number of tower blocks in locations throughout Northern Ireland, and there are decisions that we will have to make about where we go with housing in general and about the long-term issues. There are exciting plans and proposals that, I trust, we will be able to develop in the weeks and months ahead around housing in Northern Ireland. One issue that will require specific work is tower blocks. Indeed, I have a meeting with the Housing Executive either next week or the following week, and that is one of the issues on the agenda.

**Mr F McCann:** Thank you, a LeasCheann Comhairle. I thank the Minister for his answer. I had heard that there were delays in the strategy coming through. That raises some serious concerns for people who live in tower blocks and live with poor heating, leaking windows, leaking roofs and the many other serious problems that people face in high-rise living.

Can he assure me not only that it will be investigated but that there will be a proper strategy to deal with those problems in future?

**Mr Storey:** Yes, I would like to see progress being made, as I would on a number of issues. I am well aware. In fact, just last week a petition was handed in to both the Housing Executive and the Department around concerns and particular issues that had been raised in Rathcoole. I have asked the Housing Executive, as the lead body to deal with that issue, to give us an update. That will all feed in to where we go with that particular issue, because I am very conscious that there are people who want to use it as a divisive issue and who say, "Well, you are doing work in that particular location, but you're not doing work in this location". I want to ensure that, within the limited and finite resources that we have, we will address the problem in a way that is fair to as many as possible.

There will be a challenge for us in the coming weeks. There is one coming for us all on Tuesday, but there is another one, and that is around where we take housing in Northern Ireland. The Member will be aware that a stock condition survey has been carried out by Savills. I now have receipt of that report and will soon share it with him and his colleagues on the Social Development Committee. That will clearly indicate to us the magnitude of the problem that we have in addressing the needs with the current Housing Executive stock. Clearly, the challenge for us will be how we fund all of that. How do we secure the funding to ensure that we continue to give the best possible quality homes to the people that we represent? I have repeatedly said in the House that it is not about houses; —

**Mr Deputy Speaker (Mr Dallat):** The Member's two minutes are up.

**Mr Storey:** — it is about homes.

### Irish Open: Pressures on Newcastle

T5. **Mr Wells** asked the Minister for Social Development what steps his Department has taken to facilitate and to deal with the huge pressures that will be placed on the Newcastle and south Down communities as a result of Newcastle's very welcome hosting of the Irish Open golf tournament within the next few days. (AQT 2535/11-15)

**Mr Storey:** I thank Mr Wells for his question and his continued interest in his constituency. We are also glad to see our colleague with us. We continue to have him in our thoughts and prayers. We ask him to pass those on to his wife at this time and also, as he mentioned the issue of golf, to pass on our congratulations to Rory McIlroy, who, yet again, at the weekend, did us all proud. He is someone that Northern Ireland is immensely proud of, and one can only wonder at his skill in playing golf.

My Department has provided funding of some £250,000 towards a £287,000 revitalisation project in Newcastle. The Newcastle revitalisation scheme sought to build upon the award-winning public realm scheme by introducing new public art, additional attractions, a covered outdoor event space, bespoke Christmas lighting, and a new marketing and promotional campaign to promote the area. In addition, particularly in relation to what has been done in regard to the Irish Open golf championship that is going

to be held there in May, we recently approved funding of £21,500 to help Newcastle prepare.

An important factor in hosting that event is ensuring that we do our best to create a welcoming and attractive town centre for the many visitors and tourists expected to arrive in support of those prestigious golf events. I visited Newcastle some time ago and was really impressed with the work that had been carried out. Indeed, I plan to be in Newcastle very soon, I trust; in fact, possibly tomorrow morning.

**Mr Deputy Speaker (Mr Dallat):** We have time for a quick supplementary question.

**Mr Wells:** I was almost going to ask the Minister if he had any free tickets for the event, but maybe he has not.

I welcome that development and hope that, when he does visit south Down and Newcastle tomorrow, he will get a chance to apprise himself of the enormous opportunities that the event will create for Newcastle and Northern Ireland generally. Hopefully, as a result of his investment, he will be able to show that we can regularly host such major competitions and bring a great deal of credit and good news to Northern Ireland.

### 3.30 pm

**Mr Storey:** First, I have no tickets for the golf. Secondly, yes, I will be in Newcastle tomorrow morning, and I look forward to seeing what is, yet again, a very important part of our tourism infrastructure and a place that many people in Northern Ireland enjoy going to, not only during the summer but throughout the year, because it is an idyllic part of our natural heritage.

**Mr Deputy Speaker (Mr Dallat):** Time is up. Members may take their ease for a moment while we change the top Table.

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

## Private Members' Business

### Tourism VAT

**Mr Deputy Speaker (Mr Beggs):** 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 shall have five minutes.

**Mr McGlone:** I beg to move

*That this Assembly notes the decision by the Government of Ireland to retain a reduced rate of VAT on tourism and hospitality; further notes that this is a practice in many EU countries; recognises the potential of this measure to significantly boost the Northern Ireland tourism industry; and calls on the Minister of Enterprise Trade and Investment and the Minister of Finance and Personnel to undertake a report into those benefits for presentation to the UK Treasury.*

Go raibh maith agat, a LeasCheann Comhairle. Mo bhuíochas chomh maith as ucht an seans a thabhairt domh an rún seo a chur os comhair an Tionóil. I welcome the opportunity to introduce to the House a motion that calls upon the Minister of Enterprise, Trade and Investment and the Minister of Finance and Personnel to conduct a report on the potential benefits of reducing tourism and hospitality VAT. The SDLP has called for this reduction in the Assembly and at Westminster on numerous occasions, voicing its support for the campaign that has been led by Pubs of Ulster since 2012. It is time for the tourism sector to be allowed to unleash its full potential.

I would like to put on record a number of factual issues that have been drawn to my attention. For several years, Pubs of Ulster has spearheaded the campaign calling for a reduction in the VAT rate for businesses in the tourism sector. Tourism in Northern Ireland is worth over £720 million to the local economy and is responsible for 43,000 jobs. Thirteen EU member states, including the Republic, have reduced their VAT rate in a bid to boost their tourism sector and create jobs. Northern Ireland is at a worse disadvantage because it shares a land border with the rest of the island, where the rate is 9%. A reduced rate in the Republic has helped to create, depending on which figures you look at, up to 30,000 jobs since the reduction in the VAT rate in July 2011.

A reduction of the rate to 5% in the North would create 3,300 jobs and contribute to achieving the target for tourism set out in the Programme for Government and the economic strategy. Using HM Treasury's economic model, a VAT cut would have massive benefits, driving the economy by bringing £4 billion in new revenue into the UK. Northern Ireland loses many tourists to more competitive rates south of the border. We must do something to encourage more people to cross the border. That does not apply just to tourism; it applies to social occasions and weddings. When young people, and, indeed, not so young people, are thinking about their big day, they look at the competitive rates just a few miles down the road. Add to that the current currency fluctuations, and that can mean quite a bit in savings for many.

Having hosted events such as the Irish Open, the British Open, the Giro d'Italia and the World Police and Fire Games, our tourism and hospitality industries have shown that they can compete extremely well on the global stage with the best of them. They add to Northern Ireland's vibrancy by attracting visitors and creating employment in local communities. One in 10 of the workforce in Northern Ireland works in the tourism and hospitality sector. The industries manage that despite there being a highly competitive VAT rate south of the border and a rate of 20% here, which is the third highest in Europe. The challenge for the sector here is even greater than for the sectors across the water because of the stiff competition that it faces.

The South's Finance Minister, Michael Noonan, announced that he has no plans to end what was originally to have been a temporary reduction in the VAT rate. The Republic recognised the importance of tourism to its economy, and it has experienced a very significant rise in visitors, who are coming there to spend time and money following a reduction in tourism VAT.

A report on the impact of VAT rate reductions for the tourism sector in the Republic indicated that the aims of stimulating and driving employment have been achieved whilst avoiding a burden on the Irish Exchequer. The rate disparity gives businesses in the South a major competitive advantage over local tourist enterprises and means that we are always struggling to compete on a level footing. It impacts visitors from the UK, Europe and the Republic, and tourism figures for 2014 show that 64,000 fewer overnight trips were taken by Northern Ireland residents, with fewer people enjoying staycations, as they are referred to.

Our tourism and hospitality industries play a massive role in our local economy, but they are being threatened by the failure to support them with a reduction in the VAT rate. The lesson from the South is that visitors respond to reduced rates of VAT, which increases demand and stimulates the industry. In turn, the industry can expand and grow and create further employment opportunities. Such employment involves various skills and ranges from entry-level, part-time work to highly skilled and well-paid roles that require greater levels of experience, be they in marketing, management or other aspects that are required by the tourism industry.

The nature of tourism across the North also means that the border and rural areas could benefit massively where other forms of employment are not always readily available as a result of the recession or other factors. Tourism is one of the bedrocks of our local economy, and more needs to be done to stimulate growth in the sector. The lower VAT rate in the Republic must be replicated here if we are to give our tourism industry and hospitality sectors a fighting chance.

It is not a case of simply standing still and failing to reap the benefits. The Northern Ireland Hotels Federation estimates that a failure to lower the rate of VAT could cost our economy nearly £130 million over the next few years. Before the election, the Prime Minister pledged that his Government would not increase VAT rates. On the contrary, it is time for him to lower the VAT on tourism and hospitality to give a much-needed boost to tourism and hospitality in the North. Whilst a reduced level of corporation tax is aimed at attracting FDI, we already have an excellent tourism and hospitality base here that could grow and develop.

At this time, it is over to the Minister of Enterprise, Trade and Investment and the Minister of Finance and Personnel to come together and undertake a report into the benefits that such a reduction in VAT could reap for the North and to bring that to the Treasury's attention. They must lobby the Treasury on that as a matter of urgency if we are to grow our economy and move beyond austerity and into the prosperity that many of us seek to achieve. On that point, I will conclude.

**Mr Girvan:** I support the motion. In doing so, I want to say that it is very much a decision that has to be made by Westminster and one that 11 Downing Street should possibly be driving forward. It will and should benefit the tourism industry in Northern Ireland.

I appreciate the figures that have been mentioned: the £720 million that tourism generates for Northern Ireland's economy and the 43,000 jobs that spin out from that. Those are all relevant facts. We are unique in that we have a land border with the Republic of Ireland, which has a hospitality VAT rate of 9% and, because of that advantage, has been able to grow its tourism industry over the last couple of years.

I do not quite go along with the figure of 30,000 jobs. The information that I received was that 6,000 jobs had been created as a consequence of the lower rate of VAT. If you use the same formula for Northern Ireland, it would equate to around 3,300 jobs being created in the tourism industry, should the Chancellor decide that the VAT rate in the United Kingdom for the hospitality industry should be reduced to a certain level. I will not venture an opinion on what the figure should be, but, suffice it to say, if we want to go lower, we should go lower than the Republic of Ireland. That is one way in which I would wish to go.

The sector has shown its capability to grow, to create employment and to react to change very quickly. A number of major events in Northern Ireland, as the proposer of the motion said, have gone off very well. They have been well supported and facilitated by the hospitality industry, and it is vital that we support what is a very good industry. We have a lot to offer as a nation. We have some wonderful scenery, so we should be using all the tools in the box to capitalise on that.

Prior to the election, a DUP delegation met the Chancellor on the same matter. During that meeting on 20 February 2015, the delegation presented a petition along with a short poem, which read:

*"Labour is red, Tories are blue,  
Here is something important that you need to do.  
Our VAT rate is crippling our ability to grow,  
It is putting off tourists, to other countries they go.  
Please cut the VAT rate and help us create  
A competitive market for beds and for our plate."*

There were other verses to the poem, but they refer more to what was happening in the forthcoming election:

*"As you know, dear Chancellor,  
You are close to our hearts.  
But elections are looming  
And you must do your part."*

It is important that we bring to the attention of the new Government in Westminster the benefit that we see in having something such as this. I support the motion.

**Mr Ó Muilleoir:** Go raibh maith agat, a LeasCheann Comhairle. I support the motion. Ba mhaith liom tacú le mo chomrádaí Patsy, agus ní annamh, Patsy, a bhíonn seans againn tacú le rud a mholann tithé tábhairne. Patsy and I sometimes find ourselves supporting the proposals of pubs, but, in this case, we have a special excuse, because it is on behalf of Pubs of Ulster, or Hospitality Ulster.

The proposal to reduce VAT on tourism and the tourism sector speaks for itself. It is clear from our colleagues south of the border that, when they cut the VAT rate, there was an immediate, rapid and dramatic increase in expenditure. Of course, then, there is a net benefit to the economy. I suppose that it is the objective of us all to be able to tweak or change a tax and reduce it but bring more money into the coffers. That is something that we would all welcome.

The leadership on the proposal has come from our tourism sector. It is appropriate today to put on record, especially for the city of Belfast — I represent South Belfast — our gratitude to those businesses, particularly the indigenous businesses, that have driven forward the tourism miracle that has happened in Belfast. Today, tourism is four or five times what it was 20 years ago, and that has been driven by Bill Wolsey at the Merchant Hotel, the Hastings family at the Europa Hotel and the Macklin family at the Malone Lodge Hotel. Again and again, we see that tourism businesses are run by local people, many of whom came through very tough times in the city and are now seizing the opportunity to serve the tourists who want to come to this part of the world and enjoy the hospitality offering.

The difficulty that we have when we approach all the questions about taxation is that this is only one tool in the toolbox. If we want to grow our economy, we need all the fiscal tools and powers. My colleague Mr McGlone said that he would like to see a rate of 5%, and I know that other Members from his party have talked about different rates. Whatever the reduction, the difficulty for us is that we do not know the full detail of what is brought in with the taxation. We know that it hurts the tourism industry, but if we ask the Treasury, "How much did you raise by the 20% VAT on the tourism industry?", the facts, figures and the details are not there.

### 3.45 pm

What Mr Girvan referred to as trust and transparency are not there when we want to know how much is raised from VAT in this part of the world, not to mention what is raised from hospitality. However, if any of the business owners whom we mentioned previously owe £1 or £100 in VAT, the Treasury can tell them that immediately and seek it. The answer to our wish and desire to grow the economy has to lie in having more tools in the toolbox than just the reduction in VAT and the power to impose VAT on tourism at whatever rate we choose.

The second big issue for us is that, when we look at how we will partner the tourism sector to grow tourism, we hear again and again people saying that, if they have to compete with rivals across the border, in particular, with that much more favourable tourism rate, those in the border counties especially will lose out. In this part of the world, we charge people taxation on their flights to get here, and then, when they get here, we hit them with a 20% tax rate. That punitive tax is putting a barrier in the way of those who want to create new businesses. One of the goals of all of us, as we try to grow the tourism sector,

is to create more businesses. Tourism is, on occasion, associated with low wages, but we want to make sure that as many local businesses as possible set up their own enterprises so that they create jobs and we see more indigenous businesses. If you want to take the plunge into a B&B or you want to have a tour guide or a bus company to benefit from the tourism surge, the difficulty is that you immediately have a 20% taxation rate to deal with.

As we support the proposal brought before us by the SDLP today, our —

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

**Mr Ó Muilleoir:** — overall goal must be to grow tourism and get to the levels of our Celtic cousins in Scotland and Wales, who are at least double the levels in terms of GDP and contribution to the economy that we are at. The initiative by Pubs of Ulster is —

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

**Mr Ó Muilleoir:** — welcome, and, hopefully, we can support its endeavours in —

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

**Mr Ó Muilleoir:** — the time ahead.

**Mrs Overend:** I appreciate the opportunity to participate in the debate. I support the motion.

This is a non-devolved matter, so we need not only Executive lobbying but our local MPs to act in unison. I believe that there is consensus on the matter in Northern Ireland and a growing consensus across the United Kingdom, driven by the Cut Tourism VAT campaign. It is clear that Northern Ireland is in an uncompetitive position, as we have just 15% of the island of Ireland's tourism spend from overseas visitors. The 11% differential is just too significant to ignore.

Tourism is the only export industry subject to VAT. At 20%, we have the third highest VAT rate in Europe, and we are one of only four countries in the 28-member EU that does not have a reduced rate for accommodation. The Ulster Unionist Party wants to reduce tourism VAT to 9% across the UK. We could look to the Isle of Man to see how that could work. The Isle of Man has also operated a concessionary VAT rate on hotel accommodation, which has been judged to be a direct stimulus to that sector. Given that Northern Ireland's tourism competes with the Republic of Ireland, which enjoys a 9% VAT rate for that type of purchase, the 11% differential is clearly off-putting for potential visitors to Northern Ireland.

The Northern Ireland Hotels Federation, which represents 85% of the hotel sector in Northern Ireland, reports in its tourism 2020 analysis that the UK has the third highest VAT rate in Europe and is one of only four EU states that does not have a concessionary VAT rate for hotel accommodation. The potential benefits for Northern Ireland are measured in significant boosts to GDP, job creation and additional tax take. We should seek a concessionary 9% VAT rate to be applied to the hospitality sector to negate the marketing disadvantage with the Republic of Ireland.

The Assembly debated the issue on 10 September 2012, but it had been on and off the political agenda for a very

long time before that. Indeed, over 11 years ago, on 24 February 2004, East Antrim Ulster Unionist MP, Roy Beggs, led an Adjournment debate on it in the House of Commons. He urged the Government there to introduce a reduced rate on tourist accommodation to 8%, down from the then rate of 17.5%, to bring it in line with other European Union states. He wanted a pilot scheme to be introduced in Northern Ireland to test the effectiveness of a cut. He said:

*“If Northern Ireland and, indeed, the rest of the UK are to improve their attractiveness to visitors and fully develop an internationally recognised and globally competitive tourism industry, the lowering of VAT on tourist accommodation is a vital first step. Reducing VAT on tourism, particularly on tourist accommodation such as hotels, farmhouse bed and breakfasts, guest houses and similar establishments would undoubtedly do wonders for the economy of the UK as a whole.”*

At that time, the Labour Treasury Secretary, John Healey, claimed that the cost to the Treasury was too much. The arguments that the Labour Minister used in 2004 were regurgitated in 2012, almost verbatim, by the Financial Secretary to the Treasury, the Conservative David Gauke MP. Mr Gauke is to remain as Financial Secretary to the Treasury, so clearly there is a job of work ahead for our newly elected MPs to persuade. It does not seem that our Northern Ireland MPs have made much progress on the matter over the past decade at all. So, in that regard, it is excellent news —

**Mr Girvan:** Simply because you were not there.

**Mrs Overend:** — that the two new Ulster Unionist MPs are due to assume their places on the green Benches to raise the standard of representation at the mother of all Parliaments.

**Some Members:** Aww. [Laughter.]

**Mr Deputy Speaker (Mr Beggs):** Order.

**Mrs Overend:** You are going to have to let the Ulster Unionists continue to promote the two new MPs in the House of Commons for a while yet.

I refer directly to what Danny Kinahan said at the Northern Ireland Hotels Federation's tourism summit in March past. He said:

*“If we want tourism in Northern Ireland to meet its potential, we need to develop a fully dynamic strategy, with commitment to clear deadlines, dealing with those issues which are continually neglected.”*

He went on to say that we must lobby hard at Westminster to reduce tourism VAT and that he was committed to doing that. I am delighted that, as the newly elected MP for South Antrim, he is now able to pursue this issue.

**Mr Deputy Speaker (Mr Beggs):** Will the Member draw her remarks to a close?

**Mrs Overend:** Thank you. I support the motion.

**Mr Lunn:** I welcome the opportunity to speak in the debate on the transformative effects of a reduced rate of VAT and what it could do for our tourism industry. I should say that I am standing in today for Judith Cochrane who has suffered a family bereavement.

Our tourism industry is one that we should be proud of, but it is also one that needs to be nurtured and promoted in any way possible. I believe that it is now time that the Executive begin to make serious representation to the UK Treasury to demonstrate the positive impact that a reduction in the VAT rate for the sector would have here. As an aside, I am sure the Minister must have thought she was getting away from tourism debates following her promotion, but here we are again.

Many from the sector have been calling for this change, not least, as others mentioned, Pubs of Ulster, which in recent years has been at the forefront of a campaign to deliver a reduced rate for the tourism sector. That is because of the obvious success it has seen from the effect of a similar measure in the Republic. As it stands, Northern Ireland is clearly at a disadvantage, because our rates remain high in comparison with those in the Republic, where the rate has been reduced in recent years and is to be held at a reduced rate, I believe, for the foreseeable future. That has not happened in isolation. It has been part of a trend across the EU, where no fewer than 13 member states have reduced their VAT rates in a bid to stimulate their tourism industries.

Obviously, this is not a devolved matter. My impression is that the difficulty that we might have with the Treasury on this is that, the closer you get to London, the less need there is for this reduction. It seems to me that London and the south-east of England will flourish as tourism destinations whatever the VAT rate is, but the further away you get — we are about as far away as you can get — the argument for the need for this concession is obviously well made.

Others said that this is not a decision that can be taken for Northern Ireland alone. If there was to be a reduction in VAT on hospitality matters in the UK, my understanding is that it would have to be at the expense of something else. You are allowed only so many reductions. The UK is using all its reductions and concessions. So, on what would we increase the VAT rate? However, that should not deflect us from making a real case for the need here.

We have seen the benefits that a reduced VAT rate has reaped in the Republic of Ireland, and we need to emulate that in Northern Ireland if we can. Indeed, the Irish Government decision to retain their current rate of VAT has been made on the back of an estimate, which somebody else mentioned, that it has been responsible for 6,000 jobs. If that can be translated into anything of the order that Pubs of Ulster indicate, which I think is 3,300 jobs here, bring it on. We have to press for this. It would also significantly help us to achieve the tourism targets set out in the Programme for Government and the economic strategy.

Evidence from across the Republic and beyond suggests that, while there is a natural initial reduction in the overall tax take, in the long term, benefits flow to the economy, with trade up, new businesses opening, jobs created and other tax revenues rising. Independent research using the Treasury's own model has shown that a VAT cut could have massive benefits by driving the economy across the UK, perhaps by up to £4 billion.

It is essential for us to have a vibrant and healthy hospitality sector. It is one of our most important industries. The more visitors we can attract, the better, and we have had such success. I compliment the Finance Minister for achieving some of that success during her previous

ministerial existence in the last few years, including the Giro d'Italia and all the rest of it. It is there to build on; the potential is there. We can see from what we have achieved what potential there is.

I agree with the terms in the motion that we should prepare a fully detailed report and take this up with the Treasury as quickly as possible. We may do the whole UK a favour by driving the issue from Northern Ireland, so I happily support the motion.

**Mr McQuillan:** I thank the Members for bringing the debate and all those who contributed.

Those who live in the East Londonderry constituency, which takes in a swathe of coastline, are lucky to have a large chunk of Northern Ireland's tourist attractions along the north coast and in the Causeway Coast Borough Council area, which straddles County Antrim and County Londonderry.

Tourism makes an extremely large contribution to the economy there, as it does in all of Northern Ireland. Tourism is worth millions to the Northern Ireland economy every year and is a major investor in employment, supporting 43,000 jobs, which represents 5.2% of the total workforce. Tourism jobs and skills are spread across Northern Ireland, which attracts over four million visitors each year, and that figure is growing. Tourism is one of Northern Ireland's key service sectors and presents a great opportunity to expand and strengthen its contribution to the economy. With the massive potential to capitalise further in this market, we are at the beginning of an exciting and prosperous journey with tourism in Northern Ireland, and we need to have the opportunity to fulfil and explore that.

The motion gives us an opportunity to look at the potential under the tourism umbrella and consider what our European neighbours are doing. With various European countries adopting different rates of VAT on their tourism services in varying aspects of the industry, a number of different combinations could be possible if considered in the right way. I have every sympathy with local tourism businesses that struggle to compete with the reduced VAT rate in the South of Ireland. However, we must not get caught up in the argument that what is right for them is right for us. A number of research reports have been commissioned by various tourism-related bodies, and the evidence appears to support the case for reduced VAT on tourism.

I commend the efforts of the previous Finance Minister in writing to Her Majesty's Treasury in relation to exactly this cause. The response, however, was negative for Northern Ireland, somewhat stifling the purpose of this debate. We need to work collectively with the rest of the United Kingdom to address the imbalance and put forward a joint case to Her Majesty's Treasury to consider, as realistic measure, a reduction in tourism-related VAT in the UK as a whole. It is easily realised that a reduction in tax is not going to be welcomed in the early stages of a new Government that have the existing deficit at the forefront of their attention. That is why it is vital that we work together.

#### 4.00 pm

As I said at the outset, we have just begun the journey of tourism in Northern Ireland, and we have a unique product with a world heritage site on our doorstep, not to mention the numerous areas of outstanding natural beauty. Those

are only the natural assets that we have at our disposal; I have yet to touch on the complete tourism package, which includes historical sites, historical buildings and cultural events, including some of the most renowned sporting events in the world. I fully support the work that the various bodies have done to promote tourism in Northern Ireland and will continue to support them going forward. I encourage a collaborative approach that may have more influence on Her Majesty's Government and bring the results that we and others in the UK would like to see in what is a very demanding and competitive marketplace.

**Mr McKay:** Go raibh maith agat, a LeasCheann Comhairle. I support the motion, and I congratulate the sponsors on bringing it forward. It sounds as if the House is fairly united on this issue. Of course, it has come before the House before. There was a debate three years ago on the same issue, and, in some ways, we have not moved on much since that. Yes, we have made progress on tourism in general, and the success has been widely mooted already, but in terms of economic policy, in some respects we have not moved on at all since that time. Based on that fact alone, there are issues that we need to look at.

The high level of VAT that is levied on local tourism here is a grave concern. Other Members have mentioned the lower rates across the rest of the EU and the rest of this island. That, coupled with other bizarre economic policies that we have as a result of the policies set at Westminster — air passenger duty being the most obvious one — leads to a situation where our tourism industry, fantastic and all as it is — and it has done much, despite some of the restrictions that have been placed upon it — cannot punch at or above our weight at the moment.

I do not know if any Members have seen today's 'Irish News', but Uel Hoey from Belfast International Airport cites the fact that there has been a 52% growth in Northern passengers at Dublin airport. He gives plaudits to the Finance Committee on our work and also says that he hopes that Ministers will see the light after a recent report by both the present Finance Minister and the present Health Minister, who was acting as Finance Minister at that time. I raise that point because I certainly sense that there is frustration among the airports and those who work in the tourism industry that there are restrictions in place. They are helplessly watching many of their potential customers coming onto the island through Dublin and going elsewhere on the island but not coming north. That is a problem that we all need to get grips with.

There are benefits. The Member for South Antrim said that we should go lower than the South on some of the taxation rates. I think that we need to see an equal rate in APD and tourism VAT. We need to see an equal playing field, first and foremost. Of course, there are many issues with having a different rate than Britain, but there are examples in Europe, such as Austria, where a different rate applies in different regions of that country. We need to explore greatly. We not only need to raise with the British Government the fact that this rate does not suit us, but we need to find local solutions where possible, regardless of the many barriers that are put in place in that regard.

The Scottish Parliament will be receiving some power in terms of the receipts from VAT — I think that it is some 10% — and they can use that and be responsible for the actions arising from it. We need to look at whether there are other solutions to this issue. If we are restricted in

the VAT rate, are there other solutions that the Executive can look at by using money more creatively? That is if we get more money in the first place, which is an entirely different issue. Given that we are returning to this issue three years on from a previous debate, it does, as Máirtín Ó Muilleoir said, highlight the fact that we do not have a full suite of fiscal powers. It most certainly highlights the fact that we do not have enough at present. We need to see APD devolved. If the British Government decide to abolish it altogether at some point in the future, so be it. We will receive financial compensation at that time.

There is clearly a message coming from the tourism industry, from airports, and from B&Bs in places like East Derry and North Antrim, that we are not punching above our weight, and there needs to be some radical changes in economic and fiscal policies here to ensure that we punch above our weight and are getting our fair share of the tourism pie on an all-island basis.

**Mrs McKeivitt:** I welcome the opportunity to support the call to examine the benefits that a reduced rate of VAT would have on our tourism and hospitality industry. I am particularly pleased that we have the opportunity to debate it the week leading up to the Irish Open in my constituency of South Down. I will also take this opportunity to congratulate Minister Foster on her new role. It is great that she is able to come here to today's debate with her old hat on as the Minister of Enterprise, Trade and Investment, and with that experience, and also as the Finance Minister. I have no doubt that she will know what we are all talking about, hopefully.

I have no doubt that, based on reports, evidence and experience of other European countries, including Ireland, our report will highlight the economic benefits and job creation opportunities. My colleague South Down MP Margaret Ritchie secured a debate in the House of Commons in January on the reduction of VAT in the tourism industry. A co-signatory to the debate was Strangford MP Jim Shannon. Margaret got great support from across the House, with a number of MPs from England, Scotland, Wales and, indeed, this region, supporting her motion.

The tourism and hospitality industries are delivering greatly for Northern Ireland, despite VAT that is double that of their counterparts in the South and across many European countries. Twenty-two countries have half of our rate — 10% or less — and 16 countries, including Ireland, have a rate of 9% or less. According to Invest NI, the total revenue generated by the Northern Ireland tourism industry is £723 million. Tourism contributes 5.2% to the Northern Ireland gross domestic product, and over 43,000 jobs are sustained by tourism activity.

People are employed in tourism across Northern Ireland in every constituency and at every skill level. The aim is to double tourism's contribution to the economy by 2020. That target for growth means generating £1 billion in total revenue, attracting an additional 10,000 new jobs and drawing 4.5 million visitors into Northern Ireland. The task is made almost impossible when those involved in the industry are faced with a VAT disparity between them and their counterparts in the South.

The Finance Minister in the South, Minister Noonan, announced recently that he was retaining the 9% VAT rate due to the number of new jobs created, the growth in the

industry and the increase in visitors to Ireland. The VAT reduction has contributed significantly to strong overall growth in tourism and hospitality over the past few years. Unfortunately, the Exchequer Secretary to the Treasury was not convinced by the arguments and said:

*"a cut in VAT would be expensive and would create a revenue shortfall."*

I urge the Minister of Finance and Personnel and the Minister of Enterprise, Trade and Investment to work together to convince Mr Gauke and the Treasury that they are mistaken and that this could create the thousands of jobs that Northern Ireland needs. Just like the Irish example, the repayment can be enormous.

**Mr Cree:** As already stated, this is a non-devolved matter, so the Executive and Northern Ireland's newly elected MPs must make common cause and lobby the Westminster Government on the issue. The good news is that there is broad consensus on the matter in Northern Ireland and growing consensus across the UK, driven by the Cut Tourism VAT campaign. The Ulster Unionist Party has been pressing for it for at least 15 years. It also formed part of our general election manifesto. The Northern Ireland Hotels Federation, representing, as it does, 85% of the hotel sector in Northern Ireland, reports in its Tourism 2020 analysis that the UK has the third highest VAT rate in Europe and is only one of four EU states that does not have a concessionary VAT rate for hotel accommodation.

The potential benefits for Northern Ireland are measured in significant boosts to GDP, job creation and additional tax take. In our manifesto, we committed to seeking a concessionary 9% VAT rate being applied to the hospitality sector to negate the marketing disadvantage with the Republic of Ireland.

It is perhaps worth reminding ourselves what value added tax is all about. It is a tax on consumer expenditure, which is the third largest source of Government revenues. It was introduced in 1973, at a standard rate of 10%, in consequence of Britain's entry into the European Economic Community. By 1991, the standard rate had become 17.5% but was raised as a deficit-reducing measure to 20% in January 2011 by the then chancellor and, I understand, the current chancellor, George Osborne. The VAT rate in the UK has remained at that level since then.

I agree with the assertion that VAT on tourist services is a regressive tax. It is effectively a tax on domestic products, whilst leaving foreign goods and services untaxed. It leaves Northern Ireland, which shares a land border with the Republic, at a competitive disadvantage. If we look to the South, it is interesting to see that throughout all the cutbacks, tax rises and austerity ushered in after the collapse of the Celtic tiger in the Irish Republic, two policies have not changed: the low rate of corporation tax and the low rate of VAT on tourism and hospitality. In fact, in 2011, Dublin cut tourism VAT to 9%, whilst the standard rate of VAT remains at 24%. Since then, an estimated 15,000 extra people have found employment in the tourism sector in the Republic. We should also note, given our hopes for golf tourism here, that the Republic's 9% rate applies to facilities for taking part in sporting activities, which includes green fees — a charge for golf — and subscriptions charged by non-member-owned golf clubs.



It is clear that Northern Ireland is in an uncompetitive position, as we have just 15% of the island's tourism spend from overseas visitors. The 11% differential is just too significant to ignore. Tourism is the only export industry that is subject to VAT. We have the third highest VAT rate in Europe at 20%, and we are one of four countries in the 28-member EU that does not have a reduced rate for accommodation.

The Ulster Unionist Party wants to reduce tourism VAT to 9% across the UK. We could look to the Isle of Man to see how that could work. The Isle of Man also operated a concessionary VAT rate on hotel accommodation that has been judged to be a direct stimulus to that sector. Given that Northern Ireland's tourism competes with tourism in the Republic of Ireland, which enjoys, as I said, the 9% VAT rate for that type purchase, the 11% differential is clearly off-putting for potential visitors to Northern Ireland.

As stated earlier, the Northern Ireland Hotels Federation is in no doubt about the benefits that would flow from a concessionary VAT rate for hotel accommodation. I am aware that, in the Chamber, we are all accused of preaching to the converted. The real task is to unite and convince the Treasury, which will inevitably resist any potential reduction in revenue and will require convincing, that a cut in VAT will produce sufficient economic growth to outweigh the revenue shortfall. That is the task to which we must now commit ourselves. I support the motion.

**Mr I McCrea:** I recognise that most Members have said that this is not a devolved matter and is, therefore, something that we have very little, if any, control over. However, it is worth noting and accepting the work that has been done by Ministers to date. I commend the previous Finance Minister, Simon Hamilton, who raised the matter with the Treasury, as has the current Minister in her role as the former Minister of Enterprise, Trade and Investment. I do know the work that has been done to try to do what can be done in that respect. However, it is important to recognise that a reduction in VAT for the tourism and hospitality sector would be welcomed, not just by those in that sector but by consumers. Let us face it, if consumers were not using the sector, it would not exist. When I speak to hotel owners in my constituency, they tell me of issues in that respect that are impacting on their business, but the need for that to find its way down to the consumer is also very important.

#### 4.15 pm

The motion asks us to undertake a report on the benefits of a reduction in VAT for presentation to the Treasury, and I have no difficulty with that whatsoever. Whilst we can do that, it would be remiss of me not to mention that there is a lot that can be done with the powers that we have already. Welfare reform may not be linked specifically to VAT on tourism and the hospitality sector, but we cannot get to grips with what we already have. There is no point in doing this report and asking for a reduction in VAT when we cannot prove ourselves capable of coming to decisions on welfare reform that affect most people's everyday life. Personally, I think that we are wasting our time asking the Government to consider a reduction in VAT. That said, I believe that the sector requires it, and work continues to try to achieve it.

The Executive set out targets to better our tourism product, and I commend the Minister because, in the next couple of

weeks, we have the Dubai Duty Free Irish Open coming to Royal County Down. That is another great news story for the tourism sector in Northern Ireland, and there is more to come.

Certainly, with our tourism product, we are punching well above our weight, and the hospitality sector will obviously benefit from that, but there is no doubt that a VAT reduction would be of benefit, and this party will certainly play its part in trying to ensure that that happens. However, we have to realise that there is an elephant in the room: welfare reform must be sorted before we take on any additional power.

**Mr B McCrea:** I was going to intervene because I think that my namesake, Mr McCrea, has made some really important points.

There are two things that the Assembly does really well. The first is that we are really good at calling for cuts in taxation. We want a reduction in everything. The second thing that we are really good at is spending more. So, the conundrum that we face is trying to stretch that piece of elastic.

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

**Mr B McCrea:** I certainly will.

**Mr Flanagan:** Does the Member agree that we are also very good at calling for other people to do things?

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

**Mr B McCrea:** Thank you, Mr Deputy Speaker. What is interesting about Mr Flanagan's contribution is that this is, effectively, a cut-and-paste debate. When you read through the documentation that we have, everything said today has already been said ad nauseam. The Member for Mid Ulster went back to when we raised this question in 2004, but I note that it was raised in a Westminster Hall debate by members of the DUP, and we have heard from others who have said the same thing

The key question that I have to ask is this: what part of "not devolved" do we not understand? This is a non-devolved matter. We can have many debates, wringing our hands and saying that somebody should do something, as Mr Flanagan said, but we are talking to ourselves. This is a key issue. The reason why I was going to support Ian McCrea is that he made the point that, if you want to talk real politics, it is really difficult for us to go to the Exchequer and say, "Please can we have some form of derogation or separation on VAT?", when we cannot sort out welfare reform.

We are incapable of government. We are not able to go along and say, "Give us a chance".

I had the benefit of hearing Mr Lunn speak. The great thing about Hansard is that you can go back and read what he said the last time we debated this issue in September 2012. He has an engaging turn of phrase. On that occasion, he said that the Alliance Party would support the motion, although we might wonder why when we heard him speak. He raised some good points and said that he was voting for the motion, but he explained why he might have a problem. He said that just because things happened to work in the Republic of Ireland did not mean to say that we should adopt them willy-nilly up here.

When preparing for this debate, I wondered why the British Government would be so stupid as not to agree to the collective wisdom of this place, given that it is so self-evident that this is what they should be doing. During the previous debate, the then Minister pointed out a number of issues. One was that, although the Republic of Ireland had changed its VAT rate, its visitor numbers went up the same as in the United Kingdom. In that debate, Mr Lunn quoted a letter from the Exchequer Secretary to the Treasury to Naomi Long that stated:

*"There is no evidence of a causal link between the VAT rate and tourism". — [Official Report (Hansard), Bound Volume 77, p44, col 2].*

The issue is whether we will decide what we will do. We spent a considerable time yesterday, and even during Question Time today, saying that we were really worried about the state of the Northern Ireland Council for Voluntary Action (NICVA), the third sector and the voluntary sector, and asking where we were going to find the money. At the same time, we are asking for a tax rebate.

One thing that the Minister at Westminster came up with that bears thinking about is that we pay zero VAT on food, newspapers and transport. We give back VAT on museums. We have the highest VAT registration, so many people in the tourism industry do not pay VAT at all. In other words, it is all part of a complicated system.

When you ask me what drives tourism, I have to say that many people will know that, when you go to the South, it is very expensive. It is more expensive than here. I do not know whether that is an exchange rate argument, an issue with labour rates or whatever. I would like to have the money to invest. The interesting thing is that the Sinn Féin argument is almost identical to Mr Sammy Wilson's argument in the previous debate. He said that this is a non-devolved matter, so it is extremely difficult to do things, but let us see whether we can be creative. He then produced quite a list of things that we do, and the Minister who was responsible is here. Three years ago, he mentioned the £300 million in tourism infrastructure and the 450,000 visitors to Titanic Belfast in its first three months. He mentioned the 192,000 visitors to the Giant's Causeway visitor centre. That is the real issue.

This is Groundhog Day. This is not showing us at our finest. This is not us tackling issues properly. This is cut-and-paste politics, and it is not good enough. We need to get our act together. We need to find a way to drive employment and tourism and all those good things, but simply regurgitating the same old same old —

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

**Mr B McCrea:** — will not cut it. You need to get your act together and find a way to drive this place forward.

**Mr Flanagan:** Go raibh maith agat, a LeasCheann Comhairle. I thank Basil for his cut-and-paste speech. I welcome the Minister into her new role. This is the first opportunity I have had to engage with her since she took over the post, and I genuinely wish her well. We will miss her from the Committee for Enterprise, Trade and Investment.

Since peacetime arrived here, we have had a huge transformation in our tourism sector, particularly since the

establishment of this institution and Tourism Ireland, which carries out an outstanding role in promoting this island overseas. We have seen a seismic shift in the interest levels in visiting this place for tourism and business reasons, and we need to maximise and exploit that and keep the trend going. I hope that the Minister's successor in DETI will continue in that vein, and I am sure that he will.

Since 2010, our wider economy has been under attack as a result of the policies put forward by the Tory Government in England, with devastating cuts to our public services and an increase to 20% in the rate of VAT. That is a regressive form of taxation, and one that also applies to the tourism sector. That was a regrettable policy: it should not have been explored, and it has had a deeply negative impact on society, particularly on our tourism sector here, which is in competition with other parts of the island.

It is clear to see that, in this part of Ireland, our tourism sector is going well. It is certainly growing. Overnight trips to the North increased by 2% last year, and spend increased by 3%. Our challenge, as a legislative body and as representatives of the people, is to ensure that those increases are converted into job opportunities and do not remain headline figures.

In the North, particularly along the border in places such as Fermanagh, we are losing out on considerable investment and spend as a result of the differential rates of VAT, as well as through the difference in currency strength. The result is that, when a group is looking to hold a dinner dance or a function, when a couple are looking to get married or when parents are looking to have a christening, crossing the border into Cavan, Donegal or Monaghan is a very real prospect. Just last Friday, I was in the Cavan Crystal Hotel at the wedding of a young woman from Tempo and a young man from County Down. It is a growing trend for people, because of the reduced cost as a result of the difference in VAT rates, to cross the border to hold their wedding. That is having a deeply negative impact on our local economy. People are opting not to hold events in their local area and are instead having them in other counties in Ireland, often because of the cost differential.

**Mr I McCrea:** Will the Member give way?

**Mr Flanagan:** I will surely, Ian.

**Mr I McCrea:** Will the Member consider that part of the reason for that may not be the reduced costs from the VAT rate and may be to do with the exchange rate?

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

**Mr Flanagan:** I agree that part of the reason is the exchange rate, but another part of it may well be that the licensing laws here are fairly restrictive at times. Therefore, there is a range of issues that we need to sort out to support our tourism sector, and it is important that we listen to the views that are put forward by representative bodies such as Pubs of Ulster and the Hotels Federation, which do very good work in representing their members. They have a very good opportunity here to engage with local representatives. They get a fair hearing from Ministers and MLAs.

The level of detail and the number of times that the issue has been debated shows the strength of the campaign. The fact that, time and time again, we debate the issue

and unanimously agree that the rate of VAT on tourism and hospitality products is too high and a barrier to the growth of our local economy demonstrates the importance of the tourism and hospitality sector to us as MLAs and to our economy.

The motion merely calls for a report to be carried out by the two relevant Departments. That is fairly straightforward, and you could not have much argument with it. There is an argument to be put forward that it makes economic sense for a reduction in the VAT rate to take place. Reports have been done on that in the past, and it is clear to see that it will pay for itself through increased spend from consumers, as well as through increased disposable income for people who are in work and who will have increased work because of the reduction in VAT and the knock-on increased tax take that will arise. Therefore, we need to see a move to support our tourism and hospitality sector. That is what we are all calling for here.

There is a range of options being proposed and looked at, but you can clearly see that the Government in England have been increasing the rate of VAT to close the deficit. Some other European member states have put their tourism sector at the centre of their economic policy. We need to make sure that, particularly here, we adopt a similar position. Even in some other member states, they do not use a tourism tax or the VAT on tourism and hospitality to close the deficit or merely to raise revenue for the Government. It is directed into enhancing the tourism product and the things that are offered to potential visitors.

#### 4.30 pm

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

**Mr Flanagan:** There is an awful lot more to be done to support our hospitality and tourism sector, and I look forward to hearing the Minister's response.

**Mrs Foster (The Minister of Finance and Personnel):** First, I thank Members for bringing the motion to the Floor of the House. I certainly do not think that there is much disagreement about making the argument for a reduction in VAT at a UK level. Here are words that I never thought I would say: I entirely agree with what Basil McCrea had to say today. It is not often that I take lectures from you, Basil, but I hope that the whole House was listening to you today and that the Members who are not here were listening and will read it in Hansard.

There is an air of unreality about today's debate; it is rather surreal. It would be wrong if I did not say that. We in Northern Ireland have been granted more powers in some areas than either Scotland or Wales; however, we are not using them either responsibly or with logic. I am, of course, speaking about welfare powers. Yet, we are talking today about going to the Treasury and asking for more fiscal powers. There is a real issue of credibility with that. I ask Members on the opposite side of the House to reflect on that because, when you complain about the lack of economic levers in Northern Ireland, we have to make the strongest possible case to Treasury to get more powers devolved to Northern Ireland. We have to answer very difficult questions: how will we pay for a lower rate of VAT? How will we pay for a lower rate of air passenger duty?

We cannot go to the money tree at the back of Stormont for the money because, let me tell you, I have been looking

for that money tree over this past week, and it is not there. If it were, I would not be in the difficult position in which I find myself in relation to the budgetary process. Members need to reflect on that. I do not criticise Members for tabling the motion; it is absolutely right to debate it. However, we must reflect on what is actually happening in Northern Ireland in relation to the Assembly.

As you would expect me to, I want to put on record that tourism makes a hugely important contribution to the economy. It is worth almost three quarters of a billion pounds per annum, and, as we have heard from many Members, it provides a vital source of employment. As we have heard, about 43,000 jobs have been created directly in that sector, with many, many more created indirectly. That represents over 5% of the total workforce, or one in every 18 jobs. Those jobs are spread right across Northern Ireland, and the tourism and hospitality industry is an easily accessible market that generates jobs in every constituency and, importantly, at every skill level.

As it is one of Northern Ireland's key service sectors, I recognise that developing the tourism and hospitality industry offers a great opportunity for us to strengthen our economy, and that has been recognised in the Programme for Government and in the economic strategy. We must recognise that the industry is, for very obvious reasons that the House is well aware of, at an earlier stage of development compared with our nearest neighbours. I have believed for a long time that it is an industry with huge growth potential, and I hope that I have advocated for the tourism industry over this past seven years. I believe that very sincerely, and, therefore, it is vital that we take every possible step to ensure that its potential is fully exploited.

That brings me to the substance of today's motion. We have heard about the Irish experience and how Members believe that that has made a great difference to the industry down there. Tourism is one of a limited number of areas in which the EU permits member states to apply a reduced rate of VAT, and we have heard that 13 member states across Europe have taken advantage of that, including Germany, France and Italy. There is the rub. Member states have taken that decision, and, therefore, we need to continue to push our member state, the United Kingdom, to see the benefit of that.

Many Members made the point that our local businesses in particular have pointed to the lower VAT in the Republic of Ireland presenting a significant challenge for our restaurants, pubs, hotels and visitor attractions that are dotted along the border. I very much recognise that it is negatively impacting on our tourism offer's economic competitiveness. For that reason, I support the local industry in its calls, whether it is Pubs of Ulster or other tourism organisations, like the Northern Ireland Hotels Federation.

Those organisations have been very good at putting forward their arguments for the reduction of VAT. Indeed, a number of reports and reviews have been put forward on this issue, most recently by the Hotels Federation here, which said that we could benefit by up to £60 million a year and increase jobs within the hotel sector by 10% and in the wider industry by a further 6%. At national level, a number of other very good reports have come forward. One that Professor Adam Blake took forward concluded that tourism VAT reduction is perhaps the most efficient means of

delivering economic growth at low cost to the Exchequer. That is a very clear indicator from a very eminent gentleman. He estimates that a reduction on key tourism services, such as visitor accommodation and attractions, could deliver the Treasury up to £2.6 billion over 10 years. Other sources of research and survey evidence are available as well. So, a host of evidence is available to us that we can take forward to Her Majesty's Treasury.

We have had a number of debates, and my predecessor wrote to David Gauke in the Treasury and got a very detailed letter back indicating why the Treasury does not believe this is the best way forward. That does not mean that we do not continue to push; we will continue to push on all those issues. I agree with Mrs Overend, who was, I think, the first person to comment that it is something we need to do in conjunction with our Members of Parliament. I hope she does not mind me saying that we will work with all Members of Parliament, not just the Ulster Unionist ones. Those who attend Westminster have a full role to play in this matter. Our 14 MPs who attend Westminster have a very significant role to play in this issue.

I do not believe that there is merit in having further research on this area. I think that the case has been made, and we have all the evidence that we need on the issue not only at a national level but here in Northern Ireland at a regional level. That does not mean to say that we do not continue to press Her Majesty's Treasury. Indeed, as a result of this debate, I will be writing to David Gauke about the matter again or, if he is not still in post, to his successor.

Apart from that, we must continue to work with the sector through Tourism Northern Ireland and others to continue to invest in and promote our tourism offering. Price is important, but it is only one part of the tourism industry, and we need to recognise that.

In closing, I assure Members that the Executive and I, as Finance Minister, are committed to working with the tourism sector and, indeed, others to invest in and develop our potential. My predecessors raised the case for a reduced rate of VAT on tourism-related services with the previous United Kingdom Government, who made it very clear that this was a step they were not prepared to take. There is no indication that the new Conservative Government will change their position on the matter, certainly not as they seek to deal with the deficit that they have to deal with. Whilst that is disappointing, we will continue to push ahead with our tourism policy in the context of the economic strategy.

We will continue to ask the question, but I do not believe that there is merit in taking forward a fresh report. There is a whole range of reports available to us. That is not the issue. The issue is the Treasury's view on this matter. Whilst I cannot support the motion, because I do not believe that there is a need for more reports, I agree absolutely with the need to continue to push. I say that in the context of economic realities and of a debate that we will have in the House next Tuesday: a hugely important debate on welfare reform, which will have far-reaching consequences for the Assembly.

**Mr Rogers:** First, I thank the Minister for being here and all the Members for their contributions, which I will come to in a few minutes.

I welcome the opportunity to highlight the very real benefits that reducing tourism VAT would bring to Northern Ireland. With the Irish Open coming to south Down in just a few days, there is an ideal opportunity to consider how we can grow our growing reputation as an ideal location for world-class events.

Minister Noonan's recent announcement that the South has no immediate plans to raise the VAT rate further demonstrates the positive impact that it is having on their economy. They have experienced a rise in visitor numbers and a growth in industry. What began as a temporary measure has been retained in successive Budgets because of its fantastic impact. Northern Ireland must take heed of that, and of the fact that we face a greater challenge than England, Scotland and Wales. Tourists who want to come for an Irish experience are more likely to go to the part of Ireland with a thriving and vibrant tourist industry. Our local tourism and hospitality sector is facing increasingly challenging conditions with rates of such disparity. The UK remains one of only two countries in the EU not to offer some sort of tax relief for the tourism industry.

Northern Ireland's tourism and hospitality sector plays a key role in creating and maintaining employment in the North and in attracting visitors, yet its true potential remains untapped. In south Down, we have some of the most breathtaking landscape, which visitors to the Irish Open will see next week. They will see some of our best golfers compete against other world-class players. We will experience a fantastic boost in the short term, but the long-term gain will simply not materialise if the right policies are not in place. One of the key policies we need is a reduction in VAT. We also need the right infrastructure in place. The Narrow Water bridge project must be renewed to capitalise on the publicity that the Irish Open will bring to south Down and, indeed, to all of Northern Ireland. The loss of EU funding was regrettable, but we must keep Narrow Water bridge on the agenda.

We all know, as Members said, that VAT is a Treasury responsibility, but that does not mean that we leave it to Westminster. Five years ago, we were told the same about the devolution of corporation tax, but discussions between Westminster and the Executive created a road map. The same road map can make a reduction in tourism VAT a reality. Creating that flexibility with VAT would help to boost our tourism economy and open the door to greater flexibility. I mentioned in the Chamber recently the reduction of the VAT rate for home improvements. Such flexibilities could kick-start our economy and would increase HMRC's revenue.

Today, around the House, we speak with a united voice. My colleague Margaret Ritchie has brought the matter to the Floor of Westminster. The Minister talked about our 14 MPs. It would be great if our 18 MPs would stand on the Floor of Westminster with the same message that we have today and push it for us.

I come now to the various contributions. Mr McGlone said it was time for the tourist industry to unleash its full potential. He talked about how 13 member states have reduced the VAT rate and how a 5% VAT rate would bring 3,300 jobs and up to £4 billion into our economy. An important point he made is that visitors respond to a reduced rate of VAT, increasing demand and stimulating industry, which can in turn expand and grow to create more employment.

I did not know that Mr Girvan is a poet. He talked about it being a Westminster issue. Yes it is. We are unique here and, as he said, we have to use all the tools in the box to make sure that this happens. Mr Ó Muilleoir talked about gratitude to the tourist industry right across the North and how difficult it has it, which is a very important point. He said that there is only one tool in the box and talked about a punitive tax and air passenger duty, and he is right. He made the very important point that we want to grow indigenous business because that is the future for Northern Ireland.

Mrs Overend talked about our MPs in Westminster working together. Look at how the VAT rate was reduced in the Isle of Man and what a difference it has made there. She said that there is a job of work to do for all of our MPs, and I agree.

#### 4.45 pm

Mr Lunn talked about the tourist industry that we are proud of, but it needs nurtured and developed. He said that we are so far away from London, and that is the reason why we need our MPs to really work out there. If we want to achieve our Programme for Government targets we really need to make sure that our tourism industry is vibrant.

Mr McQuillan gave us a north coast perspective, and it is no different to the south Down perspective. We must work together on this. He talked about working collectively. At this time, my thoughts and prayers are with the two people who were seriously injured at the weekend. I am glad to hear that they are making a recovery.

Mr McKay said that we have not moved on very much in three years. He talked about air passenger duty as an impediment as well. So many people fly to Dublin and then turn right instead of left, and we never see them again. He talked about it being an even playing field.

Ms McKeivitt talked about the economic potential and how 23 countries out there have less than 10% VAT. That is something that we have to aim for. I think somebody made a point about the loss in revenue to the Exchequer. A reduction in VAT would actually encourage more people to spend their money and come in, so, at the end of the day, HMRC would still get its money.

Mr Cree talked about the Cut Tourism VAT campaign. He talked about the Hotels Federation and how the UK has the third highest VAT rate. He talked about the Ulster Unionist manifesto and reminded us what VAT is really all about. One in four members of the EU has not reduced VAT. He also talked about the Isle of Man.

Mr McCrea commended both the previous and present Finance Ministers and talked about how it is affecting hoteliers in his constituency. I disagree with him; we are not wasting our time talking about this. It is important to have a good, united message going out from the Assembly today. Basil talked about how we are good at asking for a cut in taxation and wishing to spend more. He talked about cutting and pasting etc. He talked about the same old same old, but he did ask very pertinent questions. What drives our tourism? He gave us a lot to think about. It reminded me a wee bit of that old song of Johnny Nash many years ago, 'There Are More Questions Than Answers'.

Then we got a Fermanagh perspective from Phil. It just brings home in the border counties, whether you are in the South Down constituency or in Fermanagh, the real effect

that the increased VAT rate has in the North as opposed to going South. If somebody is going to make their mind up about having a wedding or going out for a meal, the different VAT rate could make the difference. He talked about driving forward our economy and how important that is to us all.

I want to commend the Minister for being here and for the work that she has done in her previous role and, no doubt, in her present role. She said that there was a bit of unreality about the debate today, but, having passed that by, there is a reality that a 20% VAT rate does reduce people's spending power and so on. It turns tourists off. Again, she asked us important questions. We must reflect on what is happening in Northern Ireland. She talked about the tourist industry having a great growth potential. She talked about support for the Pubs of Ulster and the Northern Ireland Hotels Federation, and she said that she will keep pushing the case forward. I have no doubt that she will. She said that we do not need more research, and that is good. The case is made; let us press ahead. From her previous role as Minister of Trade and Investment, she has a good insight into the ways that VAT reduction could develop our economy.

Minister Foster has indicated on previous occasions that the Treasury has little appetite for this reduction. The motion calls on the Minister to work with the new Minister of Enterprise, Trade and Investment to undertake a report into the benefits of a reduced rate of VAT for tourism hospitality to send to the Treasury. Now, more than ever, facing years of austerity handed down from London, I urge Ministers to make Northern Ireland prosperity their priority.

*Question put and agreed to.*

*Resolved:*

*That this Assembly notes the decision by the Government of Ireland to retain a reduced rate of VAT on tourism and hospitality; further notes that this is a practice in many EU countries; recognises the potential of this measure to significantly boost the Northern Ireland tourism industry; and calls on the Minister of Enterprise Trade and Investment and the Minister of Finance and Personnel to undertake a report into those benefits for presentation to the UK Treasury.*

**Mr Deputy Speaker (Mr Beggs):** I ask Members to take their ease for a few moments as we change those at the Table.

(Mr Principal Deputy Speaker [Mr Newton] in the Chair)

Motion made:

That the Assembly do now adjourn. —  
[Mr Principal Deputy Speaker.]

## Adjournment

### Age-appropriate Respite Provision: South Tyrone

**Mr Principal Deputy Speaker:** The next item on the Order Paper is the Adjournment. The proposer of the topic will have 15 minutes and all other speakers will have approximately eight minutes.

**Ms McGahan:** Go raibh maith agat. As we approach Carers Week, which takes place from 8 June to 14 June and, very appropriately, with regard to the debate, has for its theme this year Building Carer Friendly Communities, I thank you for the opportunity to address the House on the lack of age-appropriate respite provision for young adults with learning disabilities in south Tyrone.

I have been working on this issue on behalf of local families for some considerable time. Their concerns mostly centre on the need for enhanced provision for bed-based respite and short-break options. In response to a question that I submitted to the Assembly's Research and Information Service regarding respite provision for adults with learning disabilities in the Southern Health and Social Care Trust, which covers the south Tyrone area, it was stated that, at present, demand for respite and, in particular, bed-based respite is outstripping capacity and that the trust is looking at appropriate interim measures to purchase interim beds.

The research paper also states that the trust is aware that many young people are coming through transition with very complex health and behavioural difficulties and is responding to try and meet this growing need on an individual basis. It concludes that one clear message from carers is that adults with very challenging behaviour should not mix with adults with complex health needs, because of the significant risk of harm and that, as a result, the trust is being faced with the challenge of providing bespoke individualised respite short-break options.

At present, all respite short-break provision in the Southern Trust for adults with a learning disability is provided following the completion of a carer's assessment with the carer for whom the respite is provided. Respite provision can range from a cash grant, direct payments, an increased domiciliary care package, bed-based respite or a combination of these options. The trust currently has 24 beds which it uses for bed-based respite. Eight of these beds are located in Woodlawn House, Dungannon, which is a nursing facility that caters for the wider trust area. While there is no waiting list for Woodlawn House, perhaps that may be due to the fact that the bar has been set so high with regard to the criteria that needs to be met to secure respite provision.

The trust presently gathers information about unmet need via the children's disability social work teams. While there are no children on waiting lists for respite services, nor is there a waiting list for respite for carers of adults with a learning difficulty, the trust is reported as experiencing

difficulty providing the levels of bed-based breaks which carers would wish for.

Like many trusts, the Southern Trust is endeavouring to identify some form of scoring mechanism following the completion of a carer's assessment to enable it to quantify the amount of respite a carer should receive. It has set up a working group that consists of carers to examine all possible scoring options, and that is to be welcomed. We have been informed that the trust has recently completed a series of information sessions with carers to ascertain the level, type and location of respite provision that would best meet their needs as well as those of the individuals that they care for.

The clear message that is being communicated to me by carers who are in need of respite from across south Tyrone is the same message that I mentioned earlier when I referred to the answer that I received from the Assembly's Research and Information Service. That is that adults with very challenging behaviour should not mix with adults with complex health needs because of the significant risk of harm and that there needs to be more locally available bed-based respite and short breaks. That explains the demand from my community for more investment in age-appropriate bed-based respite provision. I spoke to one mother, whose child is 18 years old and was going into respite in a nursing home with people who are much older and whose ages range from 60 to 70-plus. That really is inconceivable.

We are only too aware that as children and young adults with severe learning needs become older, their personal, physical, emotional and social care needs become more, not less, demanding. That means that carers and families worry more about the demands that are placed on them and what the future holds for the young person as they progress to the key transitional age of 19.

In the foreword to the Post 19 Lobby Group's research report, 'The Impact of Transition on Family Life', Dr Janet Jamieson stated:

*"On the one hand, I am overwhelmed with respect and awe for the efforts and sacrifices made by carers, parents and families to attend to the needs of their children with severe learning difficulties. On the other, I am aghast and angered that their efforts lack sufficient and appropriate state support and resources and that a bleak future awaits both these families and children with severe learning difficulties as provision and services ebb and finish on the basis of the young person's attainment of the ... age of 19 years rather than a holistic consideration of their learning and developmental needs."*

Dr Jamieson quite rightly concluded:

*"Ultimately, the needs of children and young people with severe learning disabilities demand creative, compassionate and caring responses."*

The Post 19 Lobby Group is made up of parents, carers and representatives from 21 severe learning-disabled schools from across the six counties, including Sperrinview Special School in Dungannon in my constituency. The group's report examined a number of key areas to provide a snapshot of family life in the North of Ireland and sought to provide examples of best practice in Europe and Britain to suggest changes to our system and structures of post-

transition care, in particular for those young people with profound or complex disabilities. The key areas included family demographics, caring responsibilities, transition arrangements and the impact of caring on the family.

The picture of family life that emerged from the research was very grim indeed. Some 62% of parents are caring for their young people with severe learning difficulties for upwards of 70 hours per week, and care needs that are associated with severe learning disabilities clearly outweigh the approximate average 50 hours per week that has been suggested by Care NI. Overall, 77% of parent carers state that their caring responsibilities have had an impact on their health, with one quarter of that number stating that depression, stress and anxiety are now an integral part of life.

Social isolation is also a common theme for families with a severely learning-disabled member. This is compounded when a family includes two or more children with severe learning disabilities. I dealt with a local family who have two such children at home and find it extremely difficult to coordinate their respite.

### 5.00 pm

As part of the survey that shaped the report, people were asked about the impact of caring on health and whether there had been occasions when caring arrangements had broken down because of the carer's ill health. One mother said that the amount of time and mental strain put into caring leaves her exhausted and that she finds that it takes longer to do simple tasks because she is too tired to think straight. She had hurt her back when struggling to keep her son safe when he was displaying challenging behaviour.

As legislators, now is the time for us to come together on a cross-party basis, as a united Assembly and one voice, to demand that the British Tory Party, which has assumed the role of a single-party Government in Britain, makes available an appropriate block grant that enables us to tailor economic and social policy, not only to protect essential front-line services such as age-appropriate respite care for young adults with learning difficulties but to enhance the range of post-19 provision for such young adults. We must rigorously investigate and advance, if deemed appropriate, the range of measures that the Post 19 Lobby Group said would help to deal with the challenges posed in securing a happy, fulfilled and stimulating adulthood for these young people.

I will conclude by paying tribute to all carers and calling for full recognition of their right to appropriate support. Age-appropriate respite care for our young adults with severe learning needs, which also provides them with stimulating and engaging activities, tops the list of social demands from my constituents in south Tyrone. In the spirit of the forthcoming Carers Week, let us play our part by helping to build carer-friendly communities.

**Mrs Overend:** The issue raised by Ms McGahan is important to so many families across Northern Ireland. There is not one of us in this place whose constituency office has not been contacted by families who desperately need care for their ill, vulnerable and often elderly relatives. In this case, however, the issue in hand is the younger people who are often ill or have special needs and need age-appropriate care. As we debate the issue, it is

worth remembering that it has a human face that is familiar to us all. Indeed, much of the respite care provided in our care homes and communities has been under threat over recent times.

There are vulnerable people of all ages who require respite care, and it is easy to presume that this sort of care is required only by elderly people. Many families have children of all ages who require high levels of specific respite care. It is vital that families are given the support and assistance that they need to ensure that they can live as normal a life as possible, often under incredibly difficult circumstances. It is essential, in order to promote the inherent dignity of each individual patient, that they are given treatment and care that is age-appropriate. This specific treatment helps to maintain and promote health benefits, physical and mental, for those people, which will, in turn, help to enhance their quality of life and that of the families who care for them daily.

For many families, the facilities provided locally are the best environment for respite care. The knowledge and awareness of issues surrounding individual circumstances, along with their experience and access to excellent facilities, mean that they are often best placed to provide this level of care for patients of all ages. They are also best placed to provide a range of services, being able to use this expertise to ensure that any respite is provided in an age-specific way.

Each patient is an individual, and care providers know that there is no single way to treat all patients. Care is required to be available locally to ensure that these people are treated as individuals and given the care that they need and deserve.

Ms McGahan mentioned the difficulties experienced in south Tyrone. I apologise on behalf of Tom Elliott, who is unable to be here this afternoon. I am sure that he is well aware of the circumstances in that area. It is interesting to hear the details: there is no waiting list, but they are experiencing difficulties with getting places for young people in the area. I look forward to hearing the Minister's response on those issues.

**Mr Hamilton (The Minister of Health, Social Services and Public Safety):** I welcome this opportunity to discuss the provision of age-appropriate respite or short-breaks care in south Tyrone, the Southern Health and Social Care Trust generally and across Northern Ireland. I congratulate Ms McGahan on securing the debate, and I also congratulate her and Mrs Overend on their contributions this afternoon.

Respite or short-breaks care provision is based on assessed need and can be provided in a variety of ways, such as in a residential or nursing home; through the use of day-care facilities or a sitting service; or through direct payments, whereby service users make their own arrangements. The Southern Trust is actively involved in the development of short-breaks provision as part of Transforming Your Care and is committed to working in partnership with carers to agree the best way forward.

Demand for bed-based respite in mental health services is relatively low, and there is no evidence to suggest that the trust requires more than three respite beds. Carers who have completed a carer's assessment that has identified the need for a short break from caring can receive an allocation up to £250 to help to fund a break from their

caring role. With learning disability services, the trust has recently completed a series of information sessions with carers of individuals with a learning disability to determine the needs of carers, particularly on bed-based short-break options. It will now carry out an options appraisal in partnership with carers to agree how the future bed-based needs of carers and their loved ones will best be met. As part of that review, the needs of young people who will be transitioning from children to adult services are being factored into the type and number of beds likely to be required in the future for an emerging number of young people with complex conditions.

In the case of physical disability services for 18- to 65-year-olds, there are no age-specific dedicated nursing or residential facilities. After the carer assessment is completed, short breaks are offered in a variety of ways. Those include bed-based short breaks in nursing or residential facilities registered to meet the needs of young physically disabled people; out-of-area specialist facilities; day sitting; night sitting; and flexible respite, when carers can be awarded a direct payment to allow them to arrange a short break to best meet their particular needs. It is often the case that people are offered a combination of those supports. In the older people's programme of care, I am informed by the trust that there is adequate access to age-appropriate short-break respite opportunities in the south Tyrone area and that it is not facing any difficulties with the provision of short breaks for older people.

The trust offers short-breaks support to children with disabilities up to 18 years of age, regardless of the locality a child comes from. The level and nature of support offered by the trust is dependent on the individual needs of a child and his or her carers. An assessment of need incorporating a carer's assessment is carried out, and, if intervention or support is required, a package is developed to meet the individual needs of the child and family. That will take account of a child or young person's age, the type of support needed and the availability and accessibility of local community services to include that child or young person successfully in their services. By definition, such support should be age-appropriate and reflect an individual's specific needs and, when possible, his or her particular preferences. Short breaks or respite service options for children also include overnight care, day short breaks and other flexible support, such as direct payments and self-directed support, which parents can use to buy the particular service or assistance they need.

Nevertheless, it is acknowledged that families in rural localities, such as the south Tyrone area, are likely to have fewer choices in community options. That is one reason why we are encouraging the promotion of direct payments and self-directed support for children and families assessed as requiring services. That can be particularly useful for families in rural areas. Such payments give parents more flexibility about how they use the payment for their child. Domiciliary care services are also used for families when community options are limited, and the worker can provide support to a child in or out of home.

The Southern Trust has informed me that it appointed a short-breaks manager within children's disability services in April of this year to progress a review and a development plan for services. The matter of children living in rural communities will be a particular area of focus in that post.

The Health and Social Care Board has been leading a regional adult short-breaks development group. That involves all the trusts and my Department, and it incorporates carer representation and community and voluntary representation. The aim of the group is to improve access to adult short-breaks provision, increase the range of services available to carers and increase the number of carers regionally who are supported by the Health and Social Care system and its partners. Needless to say, those are challenging aims, particularly in the current financial environment, but I look forward to receiving its conclusions and recommendations.

In conclusion, I can assure Members that I am committed to ensuring that the best possible support is provided to carers and that I recognise the importance of providing age-appropriate, accessible and flexible short-breaks services for carers and their loved ones.

*Adjourned at 5.11 pm.*



# Written Ministerial Statement

The content of this written ministerial statement is as received at the time from the Minister. It has not been subject to the official reporting (Hansard) process.



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# Written Ministerial Statement

The content of this ministerial statement is as received at the time from the Minister. It has not been subject to the Official Report (Hansard) process.

## Health, Social Services and Public Safety

### **New Arrangements for the Future Support of Independent Living Fund Users in Northern Ireland**

*Published at 11.00 am on Tuesday 19 May 2015*

**Mr Hamilton (The Minister of Health, Social Services and Public Safety):** The Independent Living Fund (ILF) provides financial support through direct cash payments to disabled people throughout the United Kingdom to pay for care agency staff, or for the recipient to employ their own personal assistant.

In December 2010, the Department of Work and Pensions (DWP) concluded that, given the very different policy context to when the ILF was established in 1988, administering an increasing amount of social care funding outside the mainstream care and support system was no longer appropriate or sustainable.

DWP announced that the ILF would be permanently closed to new users, and that funding for existing users would be maintained until the end of June 2015.

In Northern Ireland, responsibility and funding for the administration and payment of ILF users will transfer from the Department of Social Development to my Department from 1 July 2015.

I am therefore pleased to advise the House of my decision to put in place new arrangements for the future support of users in Northern Ireland once the current ILF system comes to an end on 30 June 2015.

I have liaised closely with my counterpart in the Scottish Government, Health Secretary Shona Robison, and have reached agreement in principle with the Scottish Government, that payments to ILF recipients in Northern Ireland will be administered through the newly-created Scottish ILF infrastructure.

My decision to implement these new arrangements is underpinned by the outcome of my Department's public consultation on how ILF users in Northern Ireland would be best supported after the closure of the ILF. It was clear that the majority of respondents preferred Option 2: Form a successor body.

I consider that these new arrangements are the most cost-effective solution to ensure that ILF recipients in Northern Ireland continue to be supported and I am very pleased that I have been able to work with the administration in Scotland to achieve this agreement. Services will continue to be provided on the same basis and in line with the comprehensive series of policy documents which set out policy and procedure under which the UK ILF has operated previously.

Finally, I am confident that recipients of the ILF in Northern Ireland, their families and carers will welcome this important development; which underscores both commitments made by predecessors and my own determination that my Department should do all that it can to ensure that ILF recipients in Northern Ireland are not disadvantaged by DWP's decision.



# Committee Stages



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# Northern Ireland Assembly

Committee for Health, Social Services and Public Safety

22 April 2015

## Food Hygiene Rating Bill [NIA 41/11-16]

### Members present for all or part of the proceedings:

Ms Maeve McLaughlin (Chairperson)  
Ms Paula Bradley (Deputy Chairperson)  
Mrs Pam Cameron  
Mr Paul Givan  
Mr Kieran McCarthy  
Ms Rosaleen McCorley  
Mr Michael McGimpsey  
Mr George Robinson

**The Chairperson (Ms Maeve McLaughlin):** I advise members that the Committee carried out its informal clause-by-clause scrutiny on the majority of the clauses of the Bill on 18 March. The Committee indicated that we were generally content with the approach that the Food Standards Agency (FSA) was taking to amend clauses in response to issues raised by the Committee and that no further information or discussion was required, except in relation to clause 7 and the issue of displaying ratings online. The Committee discussed the issue last week and discussed the proposed amendment from the Food Standards Agency. We were generally content with the amendment; however, we sought assurance that the powers would be exercised in the first set of regulations drafted after the Act comes into operation. We asked the FSA to seek written assurance from the Minister on that point. We now have that assurance at page 3 of your tabled pack. Are members content with the assurance from the Minister and that we require no further discussion of the issue before we move into formal clause-by-clause scrutiny? I will give members a minute to reflect on that.

*Members indicated assent.*

**The Chairperson (Ms Maeve McLaughlin):** I just remind you that this is the formal clause-by-clause consideration and is a vital part of the Committee's duties and is needed for the preparation of the Committee report. It is the final opportunity for the Committee to propose amendments.

I will formally put the Question on each clause, and the Committee is required to vote that it is content with the clause as drafted; that it is content with the clause, subject to departmental amendments; that it is not content and wishes to amend; or that it is not content and wishes to oppose the clause. I refer members to the black-and-red copy of the Bill in front of them, so that we can go through each of the clauses.

The Department does not propose any amendments to clause 1. I just remind members that the Committee indicated that it was generally content with the clause.

*Question, That the Committee is content with clause 1, put and agreed to.*

### Clause 2 (Notification and publication)

**The Chairperson (Ms Maeve McLaughlin):** The Department proposes a number of amendments. These are to allow councils to provide some information at an earlier date than the notification of a rating; to introduce a timescale of 34 days within which councils must inform the FSA of a rating; to introduce a timescale of seven days after the end of the appeal period in which the FSA must publish the rating online; to define the end of the appeal period; to allow for the potential of there being different types of stickers, such as those with council branding; and to specify who will pay for the different types of sticker. We considered this and were generally content with the clause and the proposed amendments.

**Mr McCarthy:** Chair, I presume the red writing is the amendments.

**The Chairperson (Ms Maeve McLaughlin):** It is, yes.

*Question, That the Committee is content with the clause, subject to the proposed amendments, put and agreed to.*

### Clause 3 (Appeal)

**The Chairperson (Ms Maeve McLaughlin):** The Department proposes amendments to require a council to inform the FSA of the outcome of an appeal or if the appeal has been abandoned. If the rating has changed as a result of the appeal the FSA must publish the new rating online within seven days. We considered this and were generally content with the clause and the proposed amendments.

*Question, That the Committee is content with the clause, subject to the proposed amendments, put and agreed to.*

### Clause 4 (Request for re-rating)

**The Chairperson (Ms Maeve McLaughlin):** The Department proposes a number of amendments to clause 4, which will require a council to notify the FSA of the outcome of a re-rating within 34 days; to require the FSA to publish the new rating online within seven days of the end of the appeal period; and to allow the Department, through

subordinate legislation, to limit the number of occasions on which a business can request a re-rating. We considered this and were generally content with the clause and the proposed amendments.

*Question, That the Committee is content with the clause, subject to the proposed amendments, put and agreed to.*

#### **Clause 5 (Right of reply)**

**The Chairperson (Ms Maeve McLaughlin):** The Department proposes amendments to specify a period of seven days in which the FSA must publish a right of reply online and to link the publication of the right of reply to the publication of the rating to which it refers. We considered the clause and proposed amendments and were generally content.

*Question, That the Committee is content with the clause, subject to the proposed amendments, put and agreed to.*

#### **Clause 6 (Validity of rating)**

**The Chairperson (Ms Maeve McLaughlin):** The Department proposes a technical amendment to remove clause 6(4), given that the end of the appeal period is now covered in the amendment to clause 2. We considered the clause and the proposed amendment and were generally content.

*Question, That the Committee is content with the clause, subject to the proposed amendment, put and agreed to.*

#### **Clause 7 (Duty to display rating)**

**The Chairperson (Ms Maeve McLaughlin):** The Department proposes an amendment to provide for a regulation-making power to require businesses supplying food by means of an online facility to ensure that the establishment's food hygiene rating is provided online. The manner of display will be specified in the regulations and will include a requirement to provide a link to the Food Standards Agency's website. We have received written assurance from the Minister that the powers will be exercised in the first set of regulations drafted after the Act comes into operation. We considered the clause and proposed amendment and were generally content.

*Question, That the Committee is content with the clause, subject to the proposed amendment, put and agreed to.*

**The Chairperson (Ms Maeve McLaughlin):** The Department is not proposing any amendments to clauses 8 and 9. We considered the clauses and were generally content.

*Question, That the Committee is content with clauses 8 and 9, put and agreed to.*

#### **Clause 10 (Offences)**

**The Chairperson (Ms Maeve McLaughlin):** The Department proposes an amendment that is a consequence of the amendment to clause 7 and will mean that a failure to comply with the duty under clause 7 would be an offence. I remind Members that the Committee indicated that it was generally content with the clause and the proposed amendment.

*Question, That the Committee is content with the clause, subject to the proposed amendment, put and agreed to.*

**The Chairperson (Ms Maeve McLaughlin):** The Department is not proposing any amendments to clause 11. I remind Members that the Committee indicated that it was generally content with the clause.

*Question, That the Committee is content with clause 11, put and agreed to.*

#### **Clause 12 (Provision of information for new businesses)**

**The Chairperson (Ms Maeve McLaughlin):** The Department proposes an amendment to allow councils the flexibility to provide information to businesses at different stages of the registration process. I remind Members that the Committee indicated it was generally content with the clause and the proposed amendment.

*Question, That the Committee is content with the clause, subject to the proposed amendment, put and agreed to.*

**The Chairperson (Ms Maeve McLaughlin):** The department does not propose any amendments to clause 13. I remind members that we considered and were generally content with the clause.

*Question, That the Committee is content with clause 13, put and agreed to.*

#### **Clause 14 (Review of operation of Act)**

**The Chairperson (Ms Maeve McLaughlin):** The FSA proposes amendments to the clause to take on board the Committee's concern that the clause as drafted is too wide-ranging. The FSA proposes to remove clause 14(8) and include an amendment to require the Department to publish its response to the FSA report on the review of the Act. The FSA also proposes an amendment to require it to promote the scheme. I remind members that we considered this and were generally content with the clause and the proposed amendments.

*Question, That the Committee is content with the clause, subject to the proposed amendments, put and agreed to.*

**The Chairperson (Ms Maeve McLaughlin):** The Department does not propose any amendments to clause 15. The Committee indicated that it was generally content with the clause.

*Question, That the Committee is content with clause 15, put and agreed to.*

#### **New Clause**

**The Chairperson (Ms Maeve McLaughlin):** This new clause, concerning the adjustment of time periods, will allow the Department to amend the periods specified in the Act by substituting a different period. The new clause will also allow councils and the FSA itself flexibility in meeting various timescales, for example because of Christmas closure of council or FSA premises or because of exceptional circumstances. The Committee discussed this and indicated that it was generally content with the new clause.

*Question, That the Committee is content with the new clause, put and agreed to.*

#### **Clause 16 (Interpretation)**

**The Chairperson (Ms Maeve McLaughlin):** The Department has proposed an amendment in relation to



the definition of the end of the appeal period. We had considered that and were generally content with it.

*Question, That the Committee is content with the clause, subject to the proposed amendment, put and agreed to.*

**The Chairperson (Ms Maeve McLaughlin):** The Department does not propose any amendments to clause 17, and the Committee had indicated that it was generally content with the clause.

*Question, That the Committee is content with clause 17, put and agreed to.*

#### **Clause 18 (Regulations and orders)**

**The Chairperson (Ms Maeve McLaughlin):** The FSA proposes amendments to take account of the amendments made to clauses 7 and 14 and to specify how subordinate legislation will operate in relation to the new clause on the adjustment of time periods. Again, the Committee has considered this, and we were generally content with the clause and the proposed amendments.

*Question, That the Committee is content with the clause, subject to the proposed amendments, put and agreed to.*

**The Chairperson (Ms Maeve McLaughlin):** The Department does not propose amendments to clauses 19 or 20, and the Committee was generally content with the clauses.

*Question, That the Committee is content with clauses 19 and 20, put and agreed to.*

*Question, That the Committee is content with the schedule, put and agreed to.*

*Question, That the Committee is content with the long title, put and agreed to.*

**The Chairperson (Ms Maeve McLaughlin):** I thank members for co-operation on that.



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# Northern Ireland Assembly

Committee for Social Development  
21 May 2015

## Regeneration Bill [NIA 43/11-16]

### Members present for all or part of the proceedings:

Mr Alex Maskey (Chairperson)  
Mr Mickey Brady (Deputy Chairperson)  
Mr Roy Beggs  
Ms Paula Bradley  
Mr Gregory Campbell  
Mr Stewart Dickson  
Mr Sammy Douglas  
Mrs Dolores Kelly  
Mr Fra McCann  
Mr Sammy Wilson

### Witnesses:

Ms Patricia Casey	NIA Bill Office
Mr Henry McArdle	Department for
Mr Antony McDaid	Social Development
Mr Ian Snowden	

**The Chairperson (Mr Maskey):** The departmental officials are here in the Public Gallery and will support the Committee in any way they can, if we feel the need for it. Obviously, we will begin with clause 1 and put the Question to the Committee as to whether it is content with each clause and schedule as drafted by the Department. I remind members that we will have finished the clause-by-clause scrutiny when we have dealt with the Question on the long title as drafted.

I remind members that we may have concerns or observations about clauses, but there does not necessarily need to be an amendment. For the purposes of producing our final report, members can still put those concerns, recommendations or queries on the table, for the Department or Minister to deal with at a later stage. We did that with respect to monitoring, for example, and that was adopted by the Minister. While we go through the clause-by-clause scrutiny, if you have an issue but do not necessarily want to propose an amendment, we can put down a recommendation or observation for inclusion in the report.

The amendments that we have before us are in two categories: the first relates to economic regeneration versus social need, and the second to restrictions on a council assisting projects associated with someone who has a criminal conviction. That is à la SpAd Bill, I suppose. Today, I want to deal first with the amendments relating to economic regeneration/social need. Are members happy enough with that?

*Members indicated assent.*

**The Chairperson (Mr Maskey):** There are four such proposed amendments on economic regeneration. We are advised by the Bill Office and Clerk that they are mutually exclusive so, if any of the amendments is made as we go through, the others will not be considered. We need to note that there may well be some consequential amendments flowing from the recently submitted amendments. Should the Committee agree an amendment and it is subsequently supported, the Department will then propose any consequential amendments at Further Consideration Stage. I want to take the amendments in the following order.

If members are content, we will move straight into the business of this.

### **Clause 1 (Financial assistance to address social need)**

**The Chairperson (Mr Maskey):** Amendment No 1 states:

*"A council may provide financial assistance to any person doing or intending to do, anything which the council considers will promote economic and/or social regeneration in an area in its district."*

The amendment was proposed by Sammy Wilson and Jim Allister. Sammy, are you content to move it?

**Mr Wilson:** Yes.

**The Chairperson (Mr Maskey):** Just so that people understand, that would remove the requirement on councils to address social need and replace it with a provision around economic or social regeneration activities. The amendment would remove subsection (2)(f), which was in the previous amendment and which addressed social need. I will move on, if members are content.

**Mr Brady:** Who would then be responsible for addressing social need? Would that remain with the Department?

**The Chairperson (Mr Maskey):** It is the Department — unless Ian or his colleagues want to contradict what I am saying. I think that Ian made the point on behalf of the Minister that, if social need was taken out of the requirement of the Bill, the Minister would not transfer the powers to local government; he would have to retain the power in the Department. That is what I understood. Ian, do you want to come forward?

**Mr Ian Snowden (Department for Social Development):** The point that I made last Thursday was that, if the power

that we currently have under the Social Need (Northern Ireland) Order 1986, or an equivalent provision that allows you to do the same thing, does not transfer, we will be unable to transfer the full range of the things that DSD currently delivers. If there were no reference to social need or an equivalent kind of provision in the Bill, programmes such as the community investment fund, and the kinds of activities supported under it, could not be transferred to local government.

**Mr Wilson:** Ian, surely many of those would fall under the category of social regeneration. As was talked about on previous occasions, the social regeneration aspect is fairly widely defined anyhow, so many of those things would be covered. It is not a case of either/or. We had a long talk about this, and I do not want to go through the debates that we have had previously, but what we meant by economic regeneration was fairly clear. Dolores raised a couple of issues the other day, such as, "What about where you were going to talk about childcare facilities?" and "What about where you were talking about training facilities based within a community-type environment?". Some people would argue that that meets a social need in an area, but it also meets an economic need because it frees people up to get out to work and makes people more available for work. It crosses over the two. It is not really right to say that a lot of what would be done under the community investment fund, for example, could not be carried out by the councils.

**Mr Snowden:** I am thinking of particular things that we fund, like community networks or women's organisations, that have no obvious economic regeneration impact. The Minister's compromise amendment was intended to allow the full range of the Department's activities to come across, so the reference to "social regeneration" is, in our view, an equivalent provision to the reference to "social need". That is why it was proposed.

**Mr Wilson:** We are saying "and/or social regeneration" activities. You mentioned women's network groups and whatnot. You could argue that there is a connection between economic and social regeneration. We are now stating that councils may provide funding for:

*"the promotion, development or regeneration of commercial, industrial or other economic or social regeneration activities".*

I think it is covered there. It also avoids that catch-all phrase at the end, which we were concerned was open to abuse.

**Mr Henry McArdle (Department for Social Development):** The wording of the suggested amendment does not actually read right. The general power provides for "economic and/or social regeneration", so that is already covered. We go on then to repeat that in subsection (2)(a), and we are talking about:

*"the promotion, development or regeneration of ... social regeneration activities".*

It does not read right.

**Mr Wilson:** It reads no worse than the original wording, because you had anything that the council considers will promote economic regeneration in an area of its district. Subsection (2)(a) was:

*"the promotion, development or regeneration of commercial, industrial or other economic activity".*

We have just added in social activities here.

**Mr McArdle:** Our advice is that it does not actually read right in legal terms. If you wanted to do that, it would probably be better to separate (a) and (b) and have (a) as it originally was:

*"the promotion, development or regeneration of commercial, industrial or other economic activity"*

and, secondly, the promotion of social regeneration activity. That would be the same thing, but put in a better way.

However, there is a point here of whether the Department has a particular focus on tackling social need and tackling areas of deprivation, which was done under the social need provisions. That is the issue there, and whether it can continue to be done under this heading. It probably can; it can probably still come in under the heading of social regeneration activity.

**Mr Brady:** When the Bill was drafted, it stated very clearly:

*"Powers in relation to social need ... Powers of council to address social need".*

It does not talk about social regeneration, although that is in integral part of it, I presume. It deals specifically with social need. Presumably when the Department was drafting the Bill, that was at the centre of the Bill. How can you remove the central plank of the Bill and change all that and just ignore social need? Social regeneration and social need are two different issues. They can be complementary, but they are also different.

**Mr McArdle:** Social need can come under the umbrella of social regeneration.

**Mr Brady:** I accept that, but there are two different issues in that sense.

**Mr McArdle:** The legislation is to allow the powers to go to the councils to allow them to do the types of things that the Department has been doing in the past. One of those was tackling areas of deprivation, and that was done through the neighbourhood renewal programme under the social need powers. That type of work could continue, with the powers in the Bill described in a different way. That is our view. It is just a different emphasis.

**Mr Douglas:** First of all, I declare an interest as a board member of East Belfast Community

Development Agency, and I have been involved with that organisation for over 25 years. In relation to where we are at the moment, how would these changes impact on an organisation like that, which supports dozens and dozens of community and voluntary groups right across east Belfast?

**Mr McArdle:** In April 2016, the powers to do the programmes that we do at the minute will transfer over to the councils. The councils will then determine how they operate the schemes that they want to take forward, and they will be in a position to determine what can be done in their area, and they will then decide what groups to support, what programmes to support and what their priorities are. Ian may want to say more on that.

**Mr Douglas:** I am a recent addition to the Committee, but I have been following some of the stuff and have spoken to some community and voluntary organisations. What is the Minister's view on this?

**Mr Snowden:** The Minister's view is that he wants to ensure that the full range of activities that the Executive wanted to transfer can be successfully transferred to local government and that the provisions in the Bill will ensure that they are able to continue to do those. He believes that his suggested amendment would allow that to take place.

**Mr Wilson:** We have had this out on the table on numerous occasions. The difficulty with the social need provision in this was that it was abused and was open to abuse. In some areas, for example, organisations which were clearly set up to support paramilitary groups, ex-paramilitary groups, etc were funded because people said there was a social need to do that. The Department was happy that social need included all of those kinds of activities. Many people saw that as an abuse of the power. The reason why we want it to be limited to social regeneration is to prevent that kind of abuse. To a certain extent, the way in which the law was applied in the past brought about this situation, Ian. To me, this is a reasonable tightening up of the powers that will be available to councils, and it will avoid some of the abuse and the misuse of public funds that cause so much public anger. Henry, I think you are saying that many of the regeneration aspects, be they the softer social aspects or the harder economic aspects, will possibly still be continued with this amendment. At the same time, it clears up some of the concerns that people have about the way in which they were abused. Jim Allister gave a list of examples of how it had been abused in the past.

**Mr Brady:** I am not aware that Jim Allister gave a list of specific examples.

**Mr Wilson:** He did.

**Mr Brady:** Over the past number of weeks, you have trotted out comments about all of these abuses. You have not given any specific examples. I have sat on the Committee; I have not heard him give any specific examples. He has given his general opinion.

**The Chairperson (Mr Maskey):** For the record, he has given some.

**Mr Brady:** In his opinion. It is a subjective view of what so-called abuse of this system is. It is not an objective view, by any stretch of the imagination.

**Mr Beggs:** I declare an interest as a committee member of Horizon Sure Start, which operates in an area of need and deprivation. I am trying to get a clearer understanding of why there is an objection, as long as there is a method of enabling social regeneration. Why does that definition not satisfy you? You will not socially regenerate an area that is not in need. You will socially regenerate an area that is in need. What is wrong with that definition? What is your explanation for why you do not think it is wide enough?

**Mr McArdle:** The Minister put forward an amendment which includes the wording "social regeneration".

**Mr Beggs:** But it also includes "social need", which allows it to go much, much wider than simply addressing the collective needs of the community in terms of enabling social regeneration.

**Mr Snowden:** As I responded to Mr Douglas, the Minister wants to be certain that the provisions in the

Bill will allow the full range of things that the Department currently does and which are covered by the Executive's

decision to be transferred. He wishes to ensure that there is no uncertainty or ambiguity about that. However, he will take the Committee's report on board and consider it in detail after it has come through. If alternative amendments are proposed, he will give them proper consideration and think on it carefully.

**Mr Beggs:** I think that it is important that the community works cohesively together as a united community to regenerate, and not have multiple funding in certain areas.

**The Chairperson (Mr Maskey):** We are dealing with this particular amendment. Fra, did you want to make a point?

**Mr F McCann:** It goes back to what Mickey said. The Bill mentions the thrust of having social need. One of the arguments and debates that there have been for a while here is on the concern that, unless you have something like that in, councils could ignore dealing with social need. Going back to what Sammy is saying, if people are abusing the system, it needs to be dealt with. The Department could have dealt with it, and councils could deal with it. If there is one bad apple in the barrel, you do not bring in something to deal with the bad apple and affect the other 99%. There are thousands of groups doing good work day and daily in trying to deal with social need. It is part and parcel of the Bill and has been from the start, and Sammy and Jim Allister have come in and tried to remove it.

**The Chairperson (Mr Maskey):** From my point of view, the Bill is about transferring powers to enable councils to address social need, and the Minister has made it clear that that is what he wants to deliver. We are dealing with an amendment here that deals with deleting the requirement to address social need and replacing it with a generic non-defined description of social regeneration, for which there is no basis or substance in law, as opposed to what social need does have. On that basis, it will not have my vote. Anyway, there is no consensus around the table, so we will put this particular amendment to the meeting. It is the first amendment tabled by Sammy Wilson and originally by Jim Allister.

**Mr Dickson:** May I just check, on the basis of the comment that Sammy as the proposer is willing to accept that —

**Mr Wilson:** Separating the two out? Yes.

**Mr Dickson:** Separating the two out.

**The Chairperson (Mr Maskey):** That is a different amendment. We are moving on an amendment here that was tabled. We are putting it to the meeting.

**Mr Wilson:** We can tidy it up later on. I think that what we were saying was that it does not make grammatical sense, but that can be tidied up.

**The Chairperson (Mr Maskey):** If we are voting on an amendment we have to know what we are voting on, with respect.

**Mr Wilson:** OK, let us keep it this way. If it has to be tidied up grammatically, it can be tidied up at Consideration Stage.

*Question put.*

*The Committee divided: Ayes 6; Noes 4.*

**AYES**

*Mr Beggs, Ms P Bradley, Mr Campbell, Mr Dickson, Mr Douglas, Mr Wilson.*

**NOES**

*Mr Brady, Mrs D Kelly, Mr F McCann, Mr Maskey.*

*Question accordingly agreed to.*

**The Chairperson (Mr Maskey):** On that basis, all the remaining three amendments fall because they are mutually exclusive. We do not need to call any of the other amendments in relation to this.

We will now move to the fifth amendment. I presume that members have it in front of them. I assume that there will be a division on this amendment. It is in relation to the naming of individual developments in the context of the SpAd Bill.

**Mr Brady:** I have never been a councillor, but it seems to me that the member who proposed this does not have a lot of faith in councils to make decisions off their own bat. This would restrict councils from doing all sorts of things. Everyone around the table except me has been a councillor, and it seems to me that you do not have a lot of faith in your fellow councillors.

**Mr Wilson:** No, we do not, and we have a good example in Newry and Armagh.

**Mr Campbell:** It restricts naming, not doing.

**Mr Brady:** It is a moot point.

**The Chairperson (Mr Maskey):** For the record, the amendment was originally proposed by Jim Allister, but he is not here this morning. Will someone else formally move the amendment? Is it Sammy Wilson and Gregory Campbell? OK.

*Question put.*

*The Committee divided: Ayes 6; Noes 4.*

**AYES**

*Mr Beggs, Ms P Bradley, Mr Campbell, Mr Dickson, Mr Douglas, Mr Wilson.*

**NOES**

*Mr Brady, Mrs D Kelly, Mr F McCann, Mr Maskey.*

*Question accordingly agreed to.*

**The Chairperson (Mr Maskey):** I want to formally ask whether the Committee is content with clause 1, subject to the agreed amendment. Just make sure we vote again, because these are important items. Given that an amendment has been accepted by the Committee, I want to ask if the Committee is content with clause 1, subject to the agreed amendment. Sorry, I am advised that we need to take a vote on this. Pay attention, please.

*Question put, That the Committee is content with the clause, subject to the proposed amendment.*

*The Committee divided: Ayes 5; Noes 4.*

**AYES**

*Mr Beggs, Ms P Bradley, Mr Campbell, Mr Dickson, Mr Wilson.*

**NOES**

*Mr Brady, Mrs D Kelly, Mr F McCann, Mr Maskey.*

*Question accordingly agreed to.*

*Question, That the Committee is content with clause 2, put and agreed to.*

*Question, That the Committee is content with clause 3, put and agreed to.*

**Mr McArdle:** There would be a consequential to that one, as a result of the —

**The Chairperson (Mr Maskey):** That is what I thought. We have already had that in the notes.

**Mr Beggs:** Where is the amendment?

**The Chairperson (Mr Maskey):** Henry, I am advised that we were working on the basis that there would be consequential, but there is a different amendment.

**Mr McArdle:** So there is a different consequential.

**The Chairperson (Mr Maskey):** We have been advised that the Department will consider any consequentials. That will be done by the Minister.

**Clause 4 (Power of Department to provide financial assistance)**

**The Chairperson (Mr Maskey):** Moving on to clause 4, are members content?

**Mr Antony McDaid (Department for Social Development):** That is our legislation.

**Mr Wilson:** That has consequences from clause 1 as well. Again, the Department will deal with that; is that the way? Do we agree it, and then the Department deals with the consequences?

**Mr McDaid:** Clause 4 amends our existing legislation on social need. Are we suggesting that the amendment is only to our Regeneration Bill and that we are not amending the Social Need (Northern Ireland) Order 1986? This clause is just amending the 1986 Order, so there will not be a consequential.

*Question, That the Committee is content with the clause, put and agreed to.*

*Question, That the Committee is content with clause 5, put and agreed to.*

**Clause 6 (Adoption of development schemes by councils)**

**The Chairperson (Mr Maskey):** The Minister has agreed to amend clause 6 as per the Committee's original request. The amendment would read:

*"After 'publish', insert 'on its website and'".*

If you remember, we talked about this. It is about disseminating information.

*Question, That the Committee is content with the clause, subject to the proposed amendment, put and agreed to.*

*Question, That the Committee is content with clause 7, put and agreed to.*

*Question, That the Committee is content with clause 8, put and agreed to.*

*Question, That the Committee is content with clause 9, put and agreed to.*

*Question, That the Committee is content with clause 10, put and agreed to.*

**Clause 11 (Extinguishment by council of right of way over land held for planning purposes)**

**The Chairperson (Mr Maskey):** The Minister agreed to amend clause 11 as per the Committee's request. This is in two parts. The first proposed amendment is to page 7, line 37:

*"After 'publish', insert 'on its website and'".*

Is the Committee content with that amendment proposed by the Department?

*Question put and agreed to.*

**The Chairperson (Mr Maskey):** The second proposed amendment to clause 11 is on page 8, line 3:

*"leave out 'so published' and insert 'first published'".*

Is the Committee content with that amendment proposed by the Department?

*Question put and agreed to.*

*Question, That the Committee is content with the clause, subject to the proposed amendments, put and agreed to.*

*Question, That the Committee is content with clause 12, put and agreed to.*

*Question, That the Committee is content with clause 13, put and agreed to.*

*Question, That the Committee is content with clause 14, put and agreed to.*

*Question, That the Committee is content with clause 15, put and agreed to.*

*Question, That the Committee is content with clause 16, put and agreed to.*

*Question, That the Committee is content with clause 17, put and agreed to.*

*Question, That the Committee is content with clause 18, put and agreed to.*

*Question, That the Committee is content with clause 19, put and agreed to.*

*Question, That the Committee is content with clause 20, put and agreed to.*

*Question, That the Committee is content with clause 21, put and agreed to.*

*Question, That the Committee is content with clause 22, put and agreed to.*

*Question, That the Committee is content with clause 23, put and agreed to.*

*Question, That the Committee is content with schedule 1, put and agreed to.*

*Question, That the Committee is content with schedule 2, put and agreed to.*

*Question, That the Committee is content with schedule 3, put and agreed to.*

*Question, That the Committee is content with the long title, put and agreed to.*

**The Chairperson (Mr Maskey):** This concludes the Committee's clause-by-clause consideration of the Bill. Do people want to seek other assurances or make recommendations before we complete this section? No? On the basis that we have no further observations or recommendations to make, I advise the Committee that we will be asked to agree our final report next Thursday, 28 May, the last day of the Bill's Committee Stage. Committee officials will circulate a draft report by 5.00 pm this Friday for members' consideration. Members must respond by noon on Tuesday 26 May with any comments that they want included. That will allow for the final report to be agreed on Thursday 28 May. I again just remind you that the final report must be agreed on or before Thursday 28 May. That is the final deadline. OK members, thank you for that. Thank you, Ian, Henry and Antony, for your support here this morning.





# 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 24 April 2015

## Written Answers to Questions

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

**Mr Lunn** asked the First Minister and deputy First Minister to outline the benefits arising from connections developed by their Brussels Office with similar offices from other EU regions.

**(AQW 40983/11-15)**

**Mr P Robinson and Mr M McGuinness (The First Minister and deputy First Minister):** The role of the NI Executive's Brussels Office is to assist the Executive in exerting maximum influence on policy in the interests of our region, to maximise the financial benefits to NI through participation in various funding programmes, and to promote the region in general.

The development of networks with other regions undoubtedly assists in the delivery of this role.

To that end we have focused on developing collaborative networks including those with other regions from a range of Member States.

**Mr Allister** asked the First Minister and deputy First Minister how much has been paid in legal fees in respect of the Historical Institutional Abuse Inquiry.

**(AQW 41687/11-15)**

**Mr P Robinson and Mr M McGuinness:** As the Historical Institutional Abuse Inquiry is independent from the Office of the First Minister and deputy First Minister, we are unable to provide an answer to your question.

**Mr Allister** asked the First Minister and deputy First Minister for their assessment of the imbalance in terms of community background and gender within the staff of the Equality Commission; and what steps are being taken to address same.

**(AQW 42027/11-15)**

**Mr P Robinson and Mr M McGuinness:** Like all employers, the Equality Commission is bound to make appointments only on merit and in compliance with equality laws.

However, we are aware that the Commission has had an affirmative action programme in place. Actions taken under this have included welcoming statements to under-represented groups in recruitment advertising, targeted advertising, engagement and the promotion of the Commission as an employer open to all communities.

Over the past two years there has been an improvement in the balance of the Commission's composition from 33.9% from the Protestant community in January 2014 to 38.5% currently. The male composition has improved from 34.6% to 36.1% over the same period.

**Mr Kinahan** asked the First Minister and deputy First Minister what plans they have to extend the application of Section 75 of the Northern Ireland Act 1998 to all schools in Northern Ireland.

**(AQW 42101/11-15)**

**Mr P Robinson and Mr M McGuinness:** Although our Department has responsibility for the Fair Employment and Treatment Order 1998, the issue clearly impacts on education policy. The Department of Education has been conducting a review and we are waiting on the conclusions of this before deciding on the next steps.

The Department of Education has policy responsibility for schools and, therefore, the policy position requiring the need to amend or repeal legislation, should be established by the Department of Education.

**Mr Weir** asked the First Minister and deputy First Minister to list the community and voluntary groups in North Down that have received funding from their Department or its arm's-length bodies since 2011; and to detail the amount received in each case.

**(AQW 43369/11-15)**

**Mr P Robinson and Mr M McGuinness:** The table below details the funding provided by OFMDFM to community and voluntary groups based in the North Down constituency for each of the financial years 2011/12 to 2014/15.

Name of Group	Financial Year				Total
	2011/12	2012/13	2013/14	2014/15	
North Down YMCA	14903.00		14634.06	4144.19	33681.25
Ards & North Down Phoenix Group	7498.97	5377.70			12876.67
Belfast Branch Royal Artillery Association		2444.57			2444.57
Ards Development Bureau and Community*			11400.00	20000.00	31400.00
Hollywood Family Trust			3170.00		3170.00
Glebe House Harmony Community Trust				1360.00	1360.00
<b>Total</b>	<b>22401.97</b>	<b>7822.27</b>	<b>29204.06</b>	<b>25504.19</b>	<b>84932.49</b>

\* This group is not based in North Down. The 2013/14 programme was delivered in part to North Down residents, the 2014/15 programme was fully delivered to North Down residents.

**Mr Kinahan** asked the First Minister and deputy First Minister, pursuant of AQW 42101/11-15 and AQW 42102/11-15, what action has been taken to initiate a full public consultation on removing the current teacher exception 15, permitted under Article 71 of the Fair Employment and Treatment (Northern Ireland) Order 1998.

**(AQW 43428/11-15)**

**Mr P Robinson and Mr M McGuinness:** Although our Department has responsibility for the Fair Employment and Treatment Order 1998, the issue clearly impacts on education policy. The Department of Education has been conducting a review and we are waiting on the conclusions of this before deciding on the next steps.

**Mr Lyttle** asked the First Minister and deputy First Minister how many children with a disability have benefited from departmental Signature Projects, particularly parenting programmes.

**(AQW 43542/11-15)**

**Mr P Robinson and Mr M McGuinness:** The Signature Programmes are providing a series of direct family support measures through the Community Family Support Programme, the Family Support Hub Signature Programme and the Support for Parents Signature Programme. Through these, it is expected that children with a disability are benefiting. However, currently the only available data relates to the Family Support Hubs Programme, this is set out in the table below:

**Total in year Q1 – Q3 of 2014 / 2015**

Adult Disability	Total
Physical	40
Learning	10
Sensory	6
<b>Total</b>	<b>56</b>

Child Disability	Total
Physical	28
Learning	80
Sensory	34
<b>Total</b>	<b>142</b>

**Mr G Kelly** asked the First Minister and deputy First Minister what the next steps are for the implementation of Together: Building a United Community; and how this will be implemented in North Belfast.

**(AQW 43743/11-15)**

**Mr P Robinson and Mr M McGuinness:** Work is progressing well across all actions that were announced alongside the publication of Together: Building a United Community.

Following a second call for applications to the Shared Education Campuses programme; six proposals are currently being assessed, covering over 20 schools, including several in North Belfast.

Progress on the United Youth Programme has seen 50 Organisations proceed to a further development stage, following which around 10 pilot schemes will be taken forward to move into delivery mode later in 2015. The list of those successful organisations can be accessed at: <http://www.delni.gov.uk/es/index/successsthroughskills/united-youth.htm>.

A further three Urban Village locations have recently been announced, one of which was Ardoyne/Ballysillan on 16 February. The next step in the process will be to establish a project team for each of the new Urban Village areas to engage and work with the local community to determine the boundaries of the urban villages, assess what is needed and develop priorities for each of the areas.

The first social housing development under the Shared Neighbourhoods programme at Ravenhill Road has opened and a community cohesion plan is being developed to ensure that area remains a shared neighbourhood. It is envisaged that nine out of the 10 remaining sites will be under construction in the 2015/16 financial year, including Felden, where construction is well advanced.

Work to date has reduced the number of interface barriers from 59 to 52 and engagement is currently ongoing with around 40 of the 52 remaining areas, several of which are located in North Belfast.

A number of summer intervention activities and summer school/camp pilots have taken place since the summer of 2014 and further schemes continue to be delivered until the end of March 2015. Work is currently underway to develop the design/criteria, outcomes and a delivery model for the summer schools/camps programme for implementation in the summer of 2015. This will involve children and young people aged 11-19 taking part in 100 schools/camps all across Northern Ireland.

A pilot project for the Cross Community Youth Sports Programme was launched on 5 January 2015 and runs until 31 March 2015. The purpose of the programme is to use sport in a central role to break down divisions in society, with emphasis on tackling sectarianism, racism and improving good relations. The roll out of the programme will involve young people drawn from all sections of our community.

Work is continuing with Departments to take forward a wide range of other actions and commitments arising from the strategy. The North Belfast Strategic Good Relations Programme is a 12 month programme funding good relations projects in the North Belfast area. Twelve contract holders, representing a broad spectrum of community groups and organisations in the North Belfast area, apply for funding on a yearly basis. A budget has been agreed for 2015/16 and business case approval is being sought. Applications for the programme will begin in April.

**Ms Sugden** asked the First Minister and deputy First Minister, pursuant to AQW 43005/11-15, whether the consultation response was made accessible; and whether there were any definitive outcomes for a future Forum for civic engagement. **(AQW 44011/11-15)**

**Mr P Robinson and Mr M McGuinness:** A total of 60 written responses were received to the consultation on the review of the Civic Forum. The responses have been available to view from the OFMDFM website at:

<http://www.ofmdfmi.gov.uk/index/making-government-work/civic-forum-review/civic-forum-your-views/making-government-work-your-views-written-responses.htm>

The compact civic advisory panel as proposed in the Stormont House Agreement is intended to provide a basis for engaging with civil society on key social, cultural and economic issues and to advise the Executive.

**Mr Devenney** asked the First Minister and deputy First Minister to outline the investment opportunities discussed during their recent visit to New York. **(AQO 7835/11-15)**

**Mr P Robinson and Mr M McGuinness:** We travelled to New York in March to participate in a series of meetings with potential investors.

Whilst we are not at liberty to divulge any names due to the sensitivities of the investment process, they were major companies who are considering Northern Ireland as a location to grow their businesses.

If these companies were to invest here they could have a very positive impact on our economy.

**Mr McElduff** asked the First Minister and deputy First Minister for an update on the establishment of the Civic Advisory Panel, as included in the Stormont House Agreement. **(AQO 7842/11-15)**

**Mr P Robinson and Mr M McGuinness:** The arrangements for taking forward this commitment are currently being considered by Executive party leaders.

**Mr I McCrea** asked the First Minister and deputy First Minister for an update on any discussions that took place regarding Corporation Tax during their recent visit to America. **(AQO 7844/11-15)**

**Mr P Robinson and Mr M McGuinness:** During our recent visit to New York we participated in a series of engagements including a number of meetings with potential investors.

Whilst we are not at liberty to divulge any company names due to the sensitivities of the investment process, we can assure Members that they were major companies who are very close to choosing Northern Ireland as a location to grow their businesses.

It is no exaggeration to say that these companies could have a very positive impact on our economy and we would be optimistic that following our engagement with them that they will choose to locate here.

We have always been clear that promoting Northern Ireland as an attractive location for Foreign Direct Investment was a priority for this government and we will continue to invest a considerable amount of our time rebalancing our economy and promoting Northern Ireland as location in which to invest.

**Mr Ó Muilleoir** asked the First Minister and deputy First Minister for their assessment of their recent visit to the US in terms of business and tourism promotion.

**(AQO 7846/11-15)**

**Mr P Robinson and Mr M McGuinness:** During our recent visit to New York we participated in a series of engagements including a number of meetings with potential investors.

Whilst we are not at liberty to divulge any company names due to the sensitivities of the investment process, we can assure Members that they were major companies who are very close to choosing Northern Ireland as a location to grow their businesses.

It is no exaggeration to say that these companies could have a very positive impact on our economy and we would be optimistic that following our engagement with them that they will choose to locate here.

We have always been clear that promoting Northern Ireland as an attractive location for Foreign Direct Investment was a priority for this government and we will continue to invest a considerable amount of our time rebalancing our economy and promoting Northern Ireland as location in which to invest.

**Mr Allister** asked the First Minister and deputy First Minister why the arrangements in paragraph 59 of the Stormont House Agreement, promising opposition facilities by March 2015, have not yet been put in place.

**(AQW 44280/11-15)**

**Mr P Robinson and Mr M McGuinness:** The implementation of all aspects of the Stormont House Agreement is subject, in the first instance, to the agreement of the leaders of the five Executive parties.

**Mr Nesbitt** asked the First Minister and deputy First Minister what discussions they have had with their Westminster counterparts regarding the announcement by the Government that £5 million of LIBOR funding has been made available every year for the next five years for any UK veterans who are surviving World War Two veterans, those who undertook National Service and other voluntary enlisted veterans who, by virtue of their age, may need some focused support in relation to their health and social care needs, to ensure that veterans based in Northern Ireland receive their fair share of this funding.

**(AQW 44287/11-15)**

**Mr P Robinson and Mr M McGuinness:** There have been no discussions on this issue so far.

**Mr Weir** asked the First Minister and deputy First Minister to detail the good relations budget for 2015/16, including the proportion of this available for older people's groups, in 2015/16.

**(AQW 44297/11-15)**

**Mr P Robinson and Mr M McGuinness:** The draft 2015/16 opening budget for OFMDFM's Good Relations programme is £4,635k, the table below details the budget by theme. It is not possible to determine what proportion of the draft budget will be granted to older people's groups until all funding applications are allocated. However older people's groups involved in good relations activity may apply.

Good Relations Programme Funding Allocations	Draft Budget Allocation £000's
North Belfast Strategic Good Relations Programme	£670
District Councils Good Relations Programme	£2,399
Summer Interventions	£400
North Belfast City Learning	£93
Minority Ethnic Development Fund	£1,073
<b>Total</b>	<b>£4,635</b>

In addition to the above a £10m allocation has been made within the agreed 2015/16 budget settlement to Together: Building a United Community. This funding will be used to progress the headline actions and associated good relations activities during 15/16 although it is not possible to determine how much will be spent on older people's groups at this stage.

**Mr Ross** asked the First Minister and deputy First Minister to outline the efforts they have made to attract foreign direct investment in recent months.

**(AQO 7892/11-15)**

**Mr P Robinson and Mr M McGuinness:** Responsibility for Programme for Government targets relating to foreign direct investment lies with the Department of Enterprise, Trade and Investment.

However, sustainable economic stability is, rightly, a key priority of the Executive. In order to attain this, we have been consistent in our support of InvestNI's efforts to attract international investment into the local economy.

A particular focus has been on the United States and our success in attracting significant and sustained investment from some of the world's highest profile brand names is the envy of many regions across Europe. Today, some 180 US companies employing over 23,000 people are making a positive contribution to our local economy.

This is the result of much dedicated collaborative work involving the InvestNI US team and the Executive Bureau in Washington DC. We regularly visit major cities across the US to meet with key business and political decision makers to endorse this work.

On our most recent visit last month, we participated in a number of engagements, including a series of meetings with potential investors. We remain hopeful that significant announcements relating to substantial local investment will follow in due course.

A successful FDI strategy remains one of the pillars supporting our objective of rebalancing the local economy. We will continue to directly support in whatever way we can the efforts of InvestNI internationally, along with the Executive Bureaus in Washington DC and Beijing, as they seek to build on their successes to date.

**Mr Sheehan** asked the First Minister and deputy First Minister for an update on Together: Building a United Community Sports Connects.

**(AQO 7901/11-15)**

**Mr P Robinson and Mr M McGuinness:** The Department of Culture, Arts and Leisure leads on one of the seven headline actions from the Executive's Together: Building a United Community Strategy – the development of a Cross Community Youth Sports Programme.

A pilot project for the programme has been delivered over a twelve week period from January to March 2015 and is aimed at 11-16 year olds in the Action Zones of the Lower Falls and Greater Village areas. The programme aims to enhance good relations through the transformative power of sport.

The Sport Connects initiative is the training programme for the pilot project's Youth Leaders (aged 16-24). This initiative will give Young Leaders the opportunity to understand and learn how to communicate good relations messages and acquire coaching and creative industries qualifications and experience alongside the improvement of life skills such as confidence and motivation which will improve employability prospects.

The feedback to date on the Sports Connects initiative from the Young Leaders and the communities has been very positive and the programme will continue to run until September 2015.

An independent evaluation is ongoing which will be used to inform the wider roll out of the programme.

**Mr Douglas** asked the First Minister and deputy First Minister for an update on the Social Investment Fund.

**(AQO 7902/11-15)**

**Mr P Robinson and Mr M McGuinness:** Funding of £50.2 million has been committed to 33 projects across the 9 Social Investment Fund zones. This represents 63% of the £80 million allocated to the Social Investment Fund.

To date two capital projects, Bryson Street Surgery in the Belfast East Zone and the Coleraine Rural and Urban Network in the Northern Zone are currently on site. In addition, a further 5 capital projects are currently procuring their design teams to take the projects forward. Six revenue projects are currently at tender stage for a Service Delivery Organisation to run the projects.

Officials and project promoters/lead partners are working on a remaining group of projects which have not yet obtained the appropriate approvals to ensure that the full £80 million is allocated.

**Ms Boyle** asked the First Minister and deputy First Minister for an update on the North West Gateway Initiative.

**(AQO 7903/11-15)**

**Mr P Robinson and Mr M McGuinness:** In our Statement to the Assembly on 3 March following the NSMC Institutional meeting of 25 February, we advised that the Council had discussed the North West Gateway Initiative and had noted that, following engagement with key stakeholders in the region on the future direction of the Initiative, officials had consulted with the relevant departments in both jurisdictions. The Council also noted developments in relation to local government in the North-West and agreed that a meeting of relevant Ministers would be held there in May 2015, in line with the relevant commitment in the Stormont House Agreement. Officials are now making the arrangements for this meeting.

## Department of Agriculture and Rural Development

**Mr Irwin** asked the Minister of Agriculture and Rural Development, pursuant to AQO 7811/11-15, to list the five wind farms adjacent to the Forest Service land.

**(AQW 44363/11-15)**

**Mrs O'Neill (The Minister of Agriculture and Rural Development):** The five wind farm projects adjacent to Forest Service land I referred to in Assembly Question AQO 7811/11-15 are as follows:

- Lough Hill, Bin Mountain and Thornog wind farms - adjacent to Lough Bradan forest, near Drumquin.
- Thornog extension wind farm - adjacent to Kesh forest, near Ederney.
- Riggid Hill wind farm - adjacent to Cam forest, east of Limavady.

**Mr Swann** asked the Minister of Agriculture and Rural Development how many Single Farm Payment applications her Department expects to receive in 2015.

**(AQW 44366/11-15)**

**Mrs O'Neill:** The Department expects to receive no Single Farm Payment applications in 2015 as the scheme has now closed.

However, the Department expects that approximately 30,000 Single Application Forms (SAF) will be received for the new schemes that include the Basic Payment Scheme and Greening Payment, the Young Farmers' Payment and the Areas of Natural Constraint (ANC) Scheme (subject to European Commission approval).

**Mr Swann** asked the Minister of Agriculture and Rural Development how many staff in her Department are responsible for processing Single Farm Payment applications.

**(AQW 44367/11-15)**

**Mrs O'Neill:** The number of administrative staff employed to specifically process Single Farm Payment (SFP) applications is 83.

**Ms Sugden** asked the Minister of Agriculture and Rural Development whether monitoring committees, with associated working groups, have been agreed to oversee the Rural Development Programme 2014-2020.

**(AQW 44518/11-15)**

**Mrs O'Neill:** A Monitoring Committee, with wide-ranging membership, was established to oversee the 2007-13 Rural Development Programme. Its membership and terms of reference have recently been refreshed, and it will take on oversight of the 2014-2020 Programme when this has been approved by the European Commission. As the new Programme progresses, DARD may appoint sub groups to the Monitoring Committee which will focus on particular thematic areas relevant to the Rural Development Programme. Sub groups may allow for the participation of additional stakeholders external to the Monitoring Committee.

**Ms Sugden** asked the Minister of Agriculture and Rural Development whether funding through the Rural Development Programme has been allocated to local government; and to outline the amount allocated, broken down by council area.

**(AQW 44519/11-15)**

**Mrs O'Neill:** My Department is not allocating any Rural Development Funding to local government.

**Mr Swann** asked the Minister of Agriculture and Rural Development to outline the rationale behind disbanding her Department's Central Investigation Service.

**(AQW 44521/11-15)**

**Mrs O'Neill:** Following a Public Accounts Committee recommendation, the Department of Finance and Personnel set up a centralised fraud investigation service responsible for providing all departments with a fraud investigation service. The centralised investigation unit came into effect on 1 April 2015.

In accordance with this new arrangement all future cases of suspected fraud perpetrated against the Department will be referred to the new unit for investigation.

## Department of Culture, Arts and Leisure

**Mr Weir** asked the Minister of Culture, Arts and Leisure which groups in (i) the Short Strand; and (ii) Poleglass and Twinbrook areas of Belfast her Department has funded in each of the last five years; and to detail the (i) amount; and (ii) purpose of the funding.

**(AQW 44311/11-15)**



**Ms Ní Chuilín (The Minister of Culture, Arts and Leisure):** A table is attached which lists funding provided in the Poleglass and Twinbrook wards. Wards are the lowest level at which records are kept. Since Short Strand lies within the Ballymacarrett ward, a table is also attached which lists funding provided in that ward.

**(i) Poleglass and Twinbrook**

Group Funded	Purpose of Funding	Amount	Year	Resource / Capital
Cinemagic	IntoFilm Club in Poleglass area	1,452	2010/11	Resource
Colin Glen Trust	Sport Matters: Capital and Equipment Programme	24,000	2010/11	Capital
Saints Amateur Boxing Club	Awards For Sport	4,980	2011/12	Resource
Colin Glen Trust	Sport Matters: Community Capital Programme	244,852	2011/12	Capital
Nerve Belfast	Our Lady Queen of Peace animation training - Poleglass	250	2012/13	Resource
Nerve Belfast	St Kierans PS Animation training - Poleglass	250	2012/13	Resource
Digital Media Choices	CIIF Award - Codename Puck	10,000	2012/13	Resource
Cinemagic from NIS	Cinemagic Film Festival	1,200	2012/13	Resource
Cinemagic	IntoFilm Club in Twinbrook area	677	2013/14	Resource
Nerve Belfast	St Colms iMovie training - Twinbrook	250	2013/14	Resource
Nerve Belfast	Co-Operation Ireland proj with St Colms - Twinbrook	250	2013/14	Resource
Nerve Belfast	St Colms Digital Audio Training - Twinbrook	435	2013/14	Resource
Colin Neighbourhood Partnership	Culture, arts and leisure projects to support community engagement	9,296	2013/14	Resource
Colin Neighbourhood Partnership	Suicide Prevention Pilot Theatre initiative - causes and consequences of suicide	25,346	2013/14	Resource
Nerve Belfast	DCAL iPad Initiative - Colin Glen P'Ship - Poleglass	20,130	2013/14	Resource
Digital Media Choices	Digital Technology Pilot Programme	12,000	2013/14	Resource
Cinemagic from NIS	Cinemagic Film Festival Education Programme	1,200	2013/14	Resource
Cinemagic from NIS	Cinemagic Film Festival Education Programme	1,200	2013/14	Resource
Cinemagic from NIS	Cinemagic Film Festival Education Programme	1,500	2014/15	Resource
Colin Neighbourhood Partnership	Creativity Month - to develop and deliver community engagement initiatives.	15,000	2014/15	Resource
Digital Media Choices	Support to Colin Town Centre Design Process	1,000	2014/15	Resource
Colin Valley FC	Awards For Sport	2,744	2014/15	Resource
Cinemagic	IntoFilm Club in Twinbrook area	1,191	2014/15	Resource
Colin Neighbourhood Partnership	17 seater minibus with wheel chair access	63,456	2014/15	Capital
<b>Total</b>		<b>442,659</b>		

**(ii) Ballymacarrett**

Group Funded	Purpose of Funding	Amount	Year	Resource / Capital
Cinemagic	IntoFilm Club in Short Strand area	1,452	2010/11	Resource
Canoe Association of NI	Sport Matters: Capital and Equipment Programme	30,000	2010/11	Capital
Cinemagic	IntoFilm Club in Short Strand area	1,177	2011/12	Resource

Group Funded	Purpose of Funding	Amount	Year	Resource / Capital
Lagan Watersports Ltd	Adventuremark	750	2011/12	Resource
Cinemagic	IntoFilm Club in Short Strand area	1,725	2012/13	Resource
Canoe Association of NI	Athlete Investment Programme	15,000	2012/13	Resource
Cinemagic	IntoFilm Club in Short Strand area	677	2013/14	Resource
Lagan Watersports Ltd	Adventuremark	550	2013/14	Resource
Lagan Watersports Ltd	Adventuremark	150	2013/14	Resource
Cinemagic from NIS	Cinemagic Film Festival Education Programme	1,800	2013/14	Resource
Cinemagic	IntoFilm Club in Short Strand area	1,191	2014/15	Resource
Short Strand Community forum	17 seater minibus with wheel chair access	63,512	2014/15	Capital
St Matthew's Football Club	Awards For Sport	6,385	2014/15	Resource
Bryson LaganSports	Awards For Sport	6,827	2014/15	Resource
Cinemagic from NIS	Cinemagic Film Festival Education Programme	2,000	2014/15	Resource
<b>Total</b>		<b>133,196</b>		

**Mrs Dobson** asked the Minister of Culture, Arts and Leisure what assistance she is providing to the Northern Ireland Karate Board.

**(AQW 44381/11-15)**

**Ms Ní Chuilín:** I can advise that Sport NI, an arms length body of my Department, provides advice and guidance to support Governing Bodies of Sport in the management of their sports, including areas such as strategic planning, raising performance standards, sourcing funding, employment matters and good practice.

I can confirm that Sport NI assisted the Northern Ireland Karate Board throughout a recent review of its status as a Governing Body for Karate. The review of the Northern Ireland Karate Board was concluded in July 2013 and I can advise that the Board remains the recognised Governing Body for the sport of karate.

I can also confirm that Sport NI has not received any requests for funding or assistance from the Northern Ireland Karate Board in the past two years.

**Mr Frew** asked the Minister of Culture, Arts and Leisure to detail the funding available, other than from the Arts Council, for instruments for bands.

**(AQW 44422/11-15)**

**Ms Ní Chuilín:** I am not aware of other sources of funding specifically for the purchase of instruments for bands apart from the Arts Council's Musical Instruments for Bands Scheme which is currently on hold or its lottery grant programmes.

A number of years ago my Department commissioned research into marching bands in the North of Ireland and the final study document is available on the Department's website. The guidance note, which can be found at the web address provided below, offers advice on fundraising which bands may find useful.

[www.dcalni.gov.uk/marching\\_bands\\_in\\_northern\\_ireland\\_guidance\\_notes.pdf](http://www.dcalni.gov.uk/marching_bands_in_northern_ireland_guidance_notes.pdf)

## Department of Education

**Ms Sugden** asked the Minister of Education to detail the public bodies and relevant stakeholders who were consulted with, prior to his Department's announcement of cuts to Early Years Funding.[R]

**(AQW 44266/11-15)**

**Mr O'Dowd (The Minister of Education):** The Executive's Budget has been reduced by the Westminster Government by £1.5bn over the last five years. As a direct result of this reduction there is significantly reduced money to spend on frontline services such as Education. I have taken every action possible to protect Education funding and those frontline services within the Department of Education's (DE) remit. However, it is simply impossible to protect everything.

My Department's 2015-16 budget consultation process invited all stakeholders within the Education sector to express their views on the 2015-16 Budget for Education.

Over 23,000 responses to the consultation were received, which provided me with a significant basis of evidence to inform my final 2015-16 Budget spending plans. In reaching final decisions on the 2015-16 Budget allocations, I:

- Focused on protecting frontline services as far as possible, promoting equality and raising education standards;
- Secured the continuation of specific programmes that reflect the Department's statutory responsibilities;
- Continued to tackle social disadvantage; and
- Ensured that support for children with Special Education Needs is prioritised.

On the 13th January 2015 there was an assembly debate specifically on the Education budget. The majority of MLAs voted to protect school budgets as a priority. During this debate I pointed out that education was much broader than the classroom.

I have protected the Sure Start budget as far as possible so that the original reduction of £2m has been reduced to £1m. The reduction of £1m leaves a Sure Start budget of £24.7m for 2015/16. I was also able to re-instate fully the budget for the Pre School Education Programme. I have also ensured that budget is available in 2015/16 to enable all recipient groups in the Early Years Fund to receive continued funding to the end of the current academic year i.e. 31 August 2015.

Despite the difficult budgetary position I am continuing to invest over £216m in early years education services to ensure that key services are protected as far as possible.

**Mr Swann** asked the Minister of Education whether school canteen workers will be considered in the Voluntary Exit Scheme as detailed in the Stormont House Agreement.

**(AQW 44357/11-15)**

**Mr O'Dowd:** The process for managing all school based non-teaching redundancies in 2015/16, including school canteen workers, issued to Chief Executives of Education and Library Boards on 25 February 2015.

**Mr Agnew** asked the Minister of Education whether he, or his Department, consulted with any organisations on the repeal of the exception to the Fair Employment and Treatment (Northern Ireland) Order 1998, in the last two years.

**(AQW 44405/11-15)**

**Mr O'Dowd:** I have not consulted with any organisations on the repeal of the exception to FETO in the last two years, as the responsibility for FETO legislation lies with OFMDFM and not the Department of Education.

**Mr Agnew** asked the Minister of Education how many schools the new controlled body will cover; and how many schools are already covered by another sectoral body.

**(AQW 44406/11-15)**

**Mr O'Dowd:** There are currently 566 Controlled schools, all of which may avail of support through the Controlled Schools' Support Council (CSSC) when it is established.

There are a total of 62 integrated schools and 29 Irish medium schools which can avail of support through NICIE and CnaG respectively.

Of the 62 Integrated schools 24 are controlled, and of the 29 Irish medium schools 2 are controlled. These schools can also avail of support from the CSSC.

**Mrs D Kelly** asked the Minister of Education to outline his Department's plans to improve availability of integrated education in Lurgan, Portadown and Banbridge over the next five years.

**(AQW 44414/11-15)**

**Mr O'Dowd:** I commissioned the then Education and Library Boards, now the Education Authority (EA), working in close conjunction with the Catholic Council for Maintained Schools (CCMS) and engaging extensively with other school sectors, to develop collective strategic plans on an area basis, within the published terms of reference.

The NI Council for Integrated Education (NICIE) is funded by my Department to lead, promote and facilitate the development and growth of integrated education. Planning for new integrated schools is dependent therefore upon collaboration between NICIE and the EA and CCMS.

As part of the area planning process, the EA is required to consider proposals from all sectors, including the integrated sector. Proposers must make a robust case for change which clearly demonstrates demand and is based on the creation of viable and sustainable provision in line with the Sustainable Schools Policy.

Last year I commissioned NICIE, in conjunction with the Southern Education and Library Board and CCMS, to carry out a strategic review of the need for additional integrated primary provision in the Portadown, Craigavon and Lurgan areas. I understand this review is still ongoing.

**Mrs D Kelly** asked the Minister of Education how many schools have requested, or been invited, to transform into integrated education schools in the last three years.

**(AQW 44416/11-15)**

**Mr O'Dowd:** It is a matter for the Board of Governors of a school in consultation with the wider school community to consider transformation.

In the last three years, three development proposals have been published by schools seeking to transform to integrated status.

The three schools are Clintyclay Primary School, Mallusk Primary School and Loughries Primary school.

**Mr Irwin** asked the Minister of Education for an update on the School Enhancement Programme application by Armstrong Primary School, Armagh, including a timeline for the completion of works.

**(AQW 44449/11-15)**

**Mr O'Dowd:** The School Enhancement Project for The Armstrong Primary School is being taken forward by the Education Authority. It involves refurbishing and extending the school to address existing under-provision of facilities.

The SEP Project has been advanced to the point where it is ready to go to tender for construction however due to the restricted budget position in FY15/16 the Department wrote to the Principal, Mr Dickson, on 4th March 2015 to advise him that construction would be delayed.

The Executive's Budget has been reduced by the Westminster Government by £1.5bn over the last five years and as a direct result of this reduction there is significantly less funding available to the Department of Education.

I have taken every action possible to protect Education funding and those frontline services within the Department of Education's (DE) remit however it is simply impossible to protect everything, hence my decision to delay the delivery of some of the SEP projects.

I remain committed to delivering the project for The Armstrong Primary School when budget becomes available however a timeframe for delivery cannot be confirmed at this stage.

**Mr Agnew** asked the Minister of Education, pursuant AQW 41298/11-15, to detail (i) the services rendered; and (ii) the amount spent in (a) 2010/2011; (b) 2011/2012; (c) 2012/2013; (d) 2014/2015; and (e) 2015/2016.

**(AQW 44490/11-15)**

**Mr O'Dowd:** In pursuant of AQW 41298/11-15 there was no funding provided for services rendered in 2010/2011; 2011/2012; 2012/2013; 2014/2015; and to date in 2015/2016.

**Mr Agnew** asked the Minister of Education, pursuant AQW 43070/11-15, whether joint management will take the form of two schools coming together under joint management but remain in separate buildings or come together in one school.

**(AQW 44492/11-15)**

**Mr O'Dowd:** A jointly managed school will be a single school under one Board of Governors, but as with other existing schools could operate on a split site arrangement.

**Mr Agnew** asked the Minister of Education what experience and practical knowledge members of the Education and Training Inspectorate have in relation to assessing shared education projects.

**(AQW 44493/11-15)**

**Mr O'Dowd:** The ETI has established a core team of inspectors for shared education.

The inspectors have experience of evaluating shared education through the Inspectorate's evaluation of the 19 projects included in the International Fund for Ireland's Sharing in Education Programme over the period 2010-13.

Inspectors also have experience of evaluating the impact of the Community Relations, Equality and Diversity in Education (CRED) policy which encourages schools and youth settings to work collaboratively. Both reports are available on the ETI website at:

<http://www.etini.gov.uk/international-fund-for-irelands-sharing-in-education-programme/a-final-evaluation-of-the-international-fund-for-irelands-sharing-in-education-programme.pdf>

<http://www.etini.gov.uk/index/surveys-evaluations/surveys-evaluations-primary/surveys-evaluations-primary-2015/an-evaluation-of-the-impact-of-the-cred-policy-in-schools-and-youth-organisations.pdf>

The core team of inspectors are supported by associate assessors who have undertaken training and professional updating in relation to evaluating shared education.

**Mr Kinahan** asked the Minister of Education to list the grant maintained integrated primary schools which require all appointed teachers to have possession of a Certificate in Religious Education.

**(AQW 44502/11-15)**

**Mr O'Dowd:** The Department of Education is not the employer of teachers and therefore does not hold this information.

Recruitment of teachers in Grant Maintained Integrated Schools is the responsibility of each individual schools' Board of Governors and it is they who set the criteria for appointments, including qualifications.

**Mr Kinahan** asked the Minister of Education whether he will guarantee that parents from the Lurgan area sending their children to selective grammar schools outside Lurgan will be eligible for free school transport, now that St Ronan's College has been re-designated as a voluntary non-selective grammar school.

**(AQW 44503/11-15)**

**Mr O'Dowd:** The use of the term 'free school transport' is misleading as the considerable cost of the service is borne by the Education budget at an average cost per child of approximately £830 per year. No pupil can be guaranteed assistance with school transport unless they meet the eligibility criteria set out in the Home to School Transport policy. The two eligibility criteria are 'distance' and 'suitable' school' in terms of management category of school. The management categories are Catholic Maintained, Controlled and Other Voluntary, Integrated, Irish Medium, and Denominational Grammar and Non-Denominational Grammar, and parents may select a category for their child. With respect to grammar schools, the management category does not depend upon selection tests, therefore these are excluded from consideration by the policy.

For a post-primary pupil to be eligible for assistance with transport, either: the chosen school must be more than three miles from their home and there must be no other school in the same category within three miles of their home; or, where there are other schools in the same category within three miles of their home then the parent(s) must have applied for a place in each such school and been refused a place in all.

**Mr Kinahan** asked the Minister of Education whether Education Authority buildings in Antrim are able to lease their sports pitches to local clubs.

**(AQW 44504/11-15)**

**Mr O'Dowd:** The Education Authority (EA) have advised me that the grass areas at Antrim Board Centre have not been maintained as playing fields for many years and as such would not meet current health and safety standards for sports use.

However, the EA would give due consideration to any application received to use the facilities.

**Mr Kinahan** asked the Minister of Education whether he plans to revisit the Jordanstown Agreement on terms and conditions for teachers in light of pending redundancies.

**(AQW 44505/11-15)**

**Mr O'Dowd:** I am open to the consideration of a review of the Jordanstown Agreement; however this should be addressed through the Teachers' Negotiating Committee, as the recognised negotiating machinery for teachers' terms and conditions.

**Mr Kinahan** asked the Minister of Education whether the 2.2 per cent pay increase for staff employed by the Education Authority is a national agreement, and applies to 2014/15 and 2015/16.

**(AQW 44557/11-15)**

**Mr O'Dowd:** The 2.2 per cent pay award for eligible Education Authority staff was agreed by the National Joint Council for Local Government Services (NJC) in November 2014 and locally was noted by the Joint Negotiating Council for Education and Library Boards (JNC). The payment of this pay award will require the necessary approvals in accordance with the Executive's Public Sector Pay Policy. Once approval is secured, it will be applicable from 1 January 2015 to 31 March 2016.

**Mr Kinahan** asked the Minister of Education whether a business case for a 2.2 per cent pay rise for staff employed by the Education Authority has been submitted to the Department of Finance and Personnel.

**(AQW 44558/11-15)**

**Mr O'Dowd:** The Education Authority main composite pay remit business case for the period 1 January 2015 to 31 March 2016 is currently being prepared in compliance with the Executive's Public Sector Pay Policy. Once finalised by DE, it will be submitted to DFP for its consideration in accordance with the Executive's Public Sector Pay Policy.

**Mr Allister** asked Minister of Education why the agreed 2.2 per cent pay rise agreed for 2014-16 has not yet been paid to Education Authority staff; and when this matter will progress.

**(AQW 44560/11-15)**

**Mr O'Dowd:** Under the Executive's Public Sector Pay Policy, pay remits for the Education Authority (EA) must receive the necessary approvals before any payments can be made to relevant staff.

The EA main composite pay remit business case for the period 1 January 2015 to 31 March 2016 is currently being prepared in compliance with this policy. Once finalised by DE, it will be submitted to DFP for its consideration in accordance with the Executive's Public Sector Pay Policy.

**Mr Agnew** asked the Minister of Education, whether two integrated schools sharing would meet the criteria for the Delivering Social Change Signature Projects, particularly that partnerships must include schools from different sectors and also schools from different community backgrounds.

**(AQW 44568/11-15)**

**Mr O'Dowd:** Two integrated schools sharing are unlikely to meet the criteria of schools from different sectors, but each application will be judged on its merits. Such an application would have to demonstrate what the additional educational and reconciliation benefits would be to both of the partnering schools.

**Mr Rogers** asked the Minister of Education how many children were entitled to free school meals in each Education and Library Board area in the last three years.

**(AQW 44577/11-15)**

**Mr O'Dowd:** The tables below shows the number of pupils entitled to free school meals split by the former Education and Library Board areas. The total number of pupils has also been supplied for the purposes of providing context.

#### **Pupils entitled to free school meals by Education and Library Board area, 2014/15**

##### **Primary schools**

	<b>BELB</b>	<b>WELB</b>	<b>NEELB</b>	<b>SEELB</b>	<b>SELB</b>	<b>Total</b>
Free school meal entitled	12,217	11,748	9,794	9,434	12,333	55,526
<b>Total enrolment</b>	<b>26,217</b>	<b>29,966</b>	<b>38,599</b>	<b>37,491</b>	<b>42,769</b>	<b>175,042</b>

##### **Post-primary schools**

	<b>BELB</b>	<b>WELB</b>	<b>NEELB</b>	<b>SEELB</b>	<b>SELB</b>	<b>Total</b>
Free school meal entitled	8,641	8,654	6,363	5,247	8,331	37,236
<b>Total enrolment</b>	<b>29,099</b>	<b>25,100</b>	<b>31,284</b>	<b>24,398</b>	<b>32,672</b>	<b>142,553</b>

##### **Nursery schools**

	<b>BELB</b>	<b>WELB</b>	<b>NEELB</b>	<b>SEELB</b>	<b>SELB</b>	<b>Total</b>
Free school meal entitled	871	281	262	375	307	2,096
<b>Total enrolment</b>	<b>1,518</b>	<b>741</b>	<b>1,405</b>	<b>1,028</b>	<b>1,190</b>	<b>5,882</b>

##### **Voluntary and private pre-schools**

	<b>BELB</b>	<b>WELB</b>	<b>NEELB</b>	<b>SEELB</b>	<b>SELB</b>	<b>Total</b>
Free school meal entitled	145	207	244	171	212	979
<b>Total enrolment</b>	<b>760</b>	<b>1,410</b>	<b>2,225</b>	<b>1,946</b>	<b>2,280</b>	<b>8,621</b>

##### **Total**

	<b>BELB</b>	<b>WELB</b>	<b>NEELB</b>	<b>SEELB</b>	<b>SELB</b>	<b>Total</b>
Free school meal entitled	21,874	20,890	16,663	15,227	21,183	95,837
<b>Total enrolment</b>	<b>57,594</b>	<b>57,217</b>	<b>73,513</b>	<b>64,863</b>	<b>78,911</b>	<b>332,098</b>

#### **Pupils entitled to free school meals by Education and Library Board area, 2013/14**

##### **Primary schools**

	<b>BELB</b>	<b>WELB</b>	<b>NEELB</b>	<b>SEELB</b>	<b>SELB</b>	<b>Total</b>
Free school meal entitled	11,792	11,193	9,422	8,994	11,796	53,197
<b>Total enrolment</b>	<b>25,543</b>	<b>29,626</b>	<b>38,296</b>	<b>36,529</b>	<b>41,554</b>	<b>171,548</b>

##### **Post-primary schools**

	<b>BELB</b>	<b>WELB</b>	<b>NEELB</b>	<b>SEELB</b>	<b>SELB</b>	<b>Total</b>
Free school meal entitled	6,104	6,110	4,716	3,862	5,860	26,652
<b>Total enrolment</b>	<b>29,271</b>	<b>25,508</b>	<b>31,532</b>	<b>24,766</b>	<b>32,896</b>	<b>143,973</b>

**Nursery schools**

	<b>BELB</b>	<b>WELB</b>	<b>NEELB</b>	<b>SEELB</b>	<b>SELB</b>	<b>Total</b>
Free school meal entitled	842	230	233	372	300	1,977
<b>Total enrolment</b>	<b>1,513</b>	<b>737</b>	<b>1,400</b>	<b>1,018</b>	<b>1,184</b>	<b>5,852</b>

**Voluntary and private pre-schools**

	<b>BELB</b>	<b>WELB</b>	<b>NEELB</b>	<b>SEELB</b>	<b>SELB</b>	<b>Total</b>
Free school meal entitled	128	155	242	179	230	934
<b>Total enrolment</b>	<b>702</b>	<b>1,317</b>	<b>2,157</b>	<b>1,878</b>	<b>2,306</b>	<b>8,360</b>

**Total**

	<b>BELB</b>	<b>WELB</b>	<b>NEELB</b>	<b>SEELB</b>	<b>SELB</b>	<b>Total</b>
Free school meal entitled	18,866	17,688	14,613	13,407	18,186	82,760
<b>Total enrolment</b>	<b>57,029</b>	<b>57,188</b>	<b>73,385</b>	<b>64,191</b>	<b>77,940</b>	<b>329,733</b>

**Pupils entitled to free school meals by Education and Library Board area, 2012/13****Primary schools**

	<b>BELB</b>	<b>WELB</b>	<b>NEELB</b>	<b>SEELB</b>	<b>SELB</b>	<b>Total</b>
Free school meal entitled	11,184	10,640	8,571	8,748	11,032	50,175
<b>Total enrolment</b>	<b>25,043</b>	<b>29,256</b>	<b>37,700</b>	<b>35,701</b>	<b>40,334</b>	<b>168,034</b>

**Post-primary schools**

	<b>BELB</b>	<b>WELB</b>	<b>NEELB</b>	<b>SEELB</b>	<b>SELB</b>	<b>Total</b>
Free school meal entitled	6,540	6,295	4,819	3,991	6,056	27,701
<b>Total enrolment</b>	<b>29,527</b>	<b>25,871</b>	<b>32,045</b>	<b>25,226</b>	<b>32,989</b>	<b>145,658</b>

**Nursery schools**

	<b>BELB</b>	<b>WELB</b>	<b>NEELB</b>	<b>SEELB</b>	<b>SELB</b>	<b>Total</b>
Free school meal entitled	841	267	224	337	265	1,934
<b>Total enrolment</b>	<b>1,514</b>	<b>790</b>	<b>1,401</b>	<b>1,017</b>	<b>1,188</b>	<b>5,910</b>

**Voluntary and private pre-schools**

	<b>BELB</b>	<b>WELB</b>	<b>NEELB</b>	<b>SEELB</b>	<b>SELB</b>	<b>Total</b>
Free school meal entitled	109	190	222	119	211	851
<b>Total enrolment</b>	<b>669</b>	<b>1,398</b>	<b>2,104</b>	<b>1,872</b>	<b>2,367</b>	<b>8,410</b>

**Total**

	<b>BELB</b>	<b>WELB</b>	<b>NEELB</b>	<b>SEELB</b>	<b>SELB</b>	<b>Total</b>
Free school meal entitled	18,674	17,392	13,836	13,195	17,564	80,661
<b>Total enrolment</b>	<b>56,753</b>	<b>57,315</b>	<b>73,250</b>	<b>63,816</b>	<b>76,878</b>	<b>328,012</b>

Source: NI school census

**Notes:**

- 1 Education and Library Board area refers to the ELB in which the school is located rather than pupil residence.
- 2 Figures for pupils in nursery schools/units and pre-schools include parents who are in receipt of Income Support (IM) and income-based Jobseekers Allowance (JSA). These are two of the benefits which determine eligibility for free school meals.
- 3 Figures for primary include nursery, reception and year 1 - 7 classes.
- 4 Figures include funded pupils only.

**Ms Sugden** asked the Minister of Education when the 2.2 per cent pay rise for 2014-16 will be paid to employees of the Education Authority.

**(AQW 44622/11-15)**

**Mr O'Dowd:** Once the necessary approvals have been secured in accordance with the Executive's Public Sector Pay Policy, the Education Authority will process payment of the revised rates of pay in line with a 2.2 per cent pay rise applicable from 1 January 2015 to 31 March 2016.

## Department for Employment and Learning

**Mr Swann** asked the Minister for Employment and Learning, pursuant to AQW 40754/11-15, to detail the current stage of each investigation.

**(AQW 44319/11-15)**

**Dr Farry (The Minister for Employment and Learning):** AQW 40754/11-15 detailed the number of fraud investigations which have taken place in each University and regional college in each of the last three years. The current stage of each investigation is as per the table below.

College	2014/15	2013/14	2012/13
Belfast Metropolitan College	5 3 complete 2 on-going	7 6 complete 1 stopped due to resignation of member of staff	3 All complete
Northern Regional College	0	7 All complete	2 All complete
North West Regional College	1 Complete	2 All complete	3 All complete
South Eastern Regional College	2 All complete	2 All complete	2 All complete
Southern Regional College	0	0	7 All complete
South West College	1 On-going	1 Complete	2 All complete
Queen's University, Belfast	4 All complete	3 All complete	0
University of Ulster	1 Complete	1 Ongoing	2 1 complete 1 ongoing

**Mr Agnew** asked the Minister for Employment and Learning whether he has been in contact with Student Finance NI to discuss the introduction of monthly student finance payments, thirteen payments including two instalments in September and then once per month throughout the year, including the summer months, alongside the current payment schedule, which has been endorsed by both NUS-USI and Queen's University Belfast Students' Union.

**(AQW 44569/11-15)**

**Dr Farry:** The frequency of student finance payments was raised with me by the National Union of Students – Union of Students in Ireland at their annual conference at the end of March. At the event I committed to exploring this issue and the first step will be a public consultation, which I intend to launch in the summer. The consultation will examine the merits and feasibility of a range of options for changing the frequency at which payments are made, including monthly payments throughout the course of the year with two instalments in September.

My Department has not been in contact with Student Finance NI to discuss the introduction of any new payment frequency arrangements as it does not administer the system on behalf of the Department. Officials have however been liaising with the Student Loans Company, which administers the student support system on the Department's behalf, to determine the likely costs of the various options which are being explored. These costs will be detailed in the consultation.

**Mr Agnew** asked the Minister for Employment and Learning, in light of serious concerns raised by Queen's University Belfast Students' Union and NUS-USI regarding student finance payments and the detrimental affect this has on students' mental



health and ability to remain on their course of study, to outline the rationale for the current Student Finance NI payment schedule which consists of three payments in September, January and April.

**(AQW 44570/11-15)**

**Dr Farry:** The current tri-annual payment schedule for the majority of student support payments to Northern Ireland-domiciled students is designed to align with the beginning of each of the three terms of the academic year. It was designed to offer students the flexibility to meet certain up-front costs associated with each term, while also allowing them to budget ahead accordingly. In particular, larger and less frequent payments can help students with accommodation costs as many UK universities, Queen's University Belfast and Ulster University included, do not currently offer weekly or monthly payment plans for their residential services.

However, in response to the concerns raised about the current frequency of student finance payments, I have already committed to exploring this issue in more detail. The consultation will examine the merits and feasibility of a range of options for changing the frequency at which payments are made.

## Department of Enterprise, Trade and Investment

**Ms McGahan** asked the Minister of Enterprise, Trade and Investment, pursuant to AQW 43931/11-15, what assurances she can give that the Ballygawley Exchange area will be included in the Survey; and when the survey will be completed.

**(AQW 44485/11-15)**

**Mrs Foster (The Minister of Enterprise, Trade and Investment):** Further to AQW 43931/11-15, I can confirm that the survey process will include the Ballygawley Exchange area, and is due to complete by June 2016.

**Mr D Bradley** asked the Minister of Enterprise, Trade and Investment whether she will roll out the Super Connected Broadband Voucher Scheme to all eleven new council areas, including when this would happen.

**(AQW 44572/11-15)**

**Mrs Foster:** The "Super Connected Cities Programme" is a DCMS funded scheme and in which Belfast and Londonderry City Councils have been participating.

On behalf of DCMS, my Department hosted an event for Council representatives in February 2015, to advise them of a proposed extension to the Scheme and it is understood that all 11 have now signed up to participate. Belfast City Council, which will administer the scheme, has submitted proposals on behalf of all councils and these are presently being considered by DCMS in London.

This scheme will now be re-branded as Superconnected Northern Ireland and will present an opportunity for our new Super-Councils to deliver a voucher scheme to businesses, similar to that which had been delivered in Belfast and Londonderry City Council areas. This scheme provides vouchers of up to £3,000 for businesses who meet the eligibility criteria, towards the installation of a Superfast broadband connection.

Until DCMS have completed their assessment of the Belfast City Council's proposals, it will not be possible to say when the extension to the other new councils will be rolled out.

## Department of the Environment

**Mr Agnew** asked the Minister of the Environment, pursuant to AQW 42652/11-15, whether the technology to be installed in the incinerator proposed for East Belfast will be capable of removing nanoparticles of PM2.5 - 0.1µ microns, or if these emissions will be released into the atmosphere.

**(AQW 44132/11-15)**

**Mr Durkan (The Minister of the Environment):** Pursuant to my previous answer the Industrial Emissions Directive includes a total dust emission limit value of 10mg/m<sup>3</sup> which is included within the operator's permit. The proposed technology is required to meet the IED requirements and will remove a range of particulate sizes. The Directive does not distinguish the range of particle sizes to be removed.

The Northern Ireland Environment Agency has assessed the air emissions from the proposal, one of which showed the long term concentration levels for PM2.5, were less than 1% of the proposed 2020 background air quality standard of 20µg/m<sup>3</sup>, which can be considered as insignificant.

**Mr Agnew** asked the Minister of the Environment, pursuant to AQW 43505/11-15, whether planning applications A/2007/0488/F, A/2007/0530/F and A/2013/0400/F fall within category 2(10)(b) of the Planning (Environmental Impact Assessment) Regulations (NI) 1999, and 2012.

**(AQW 44336/11-15)**

**Mr Durkan:** The majority of Planning functions including most live planning applications transferred to the new councils on 1 April 2015. The applications referred to in the question have transferred to Derry City and Strabane District Council.

You may wish to contact the Council regarding these applications. The point of contact for Derry City and Strabane District Council is Maura Fox, who can be emailed at [planning@derrycityandstrabanedistrict.com](mailto:planning@derrycityandstrabanedistrict.com).

**Mr Agnew** asked the Minister of the Environment what action his Department has taken after being presented on 27 February 2015 with evidence of intentional or negligent disturbance of nesting birds associated with planning applications G/2013/0229/O, G/2013/0230/O and G/2013/0239/F.

**(AQW 44339/11-15)**

**Mr Durkan:** The majority of Planning functions including most live planning applications transferred to the new councils on 1 April 2015. The applications referred to in the question are now the responsibility of Mid and East Antrim Council. I understand that Mid and East Antrim Local Planning Office have placed a temporary Tree Preservation Order on the lands concerned.

You may wish to contact the Council regarding the matters raised. The point of contact for Mid and East Antrim Council is Paul Duffy, who can be emailed at [planning@midandeantrim.gov.uk](mailto:planning@midandeantrim.gov.uk).

**Mr Douglas** asked the Minister of the Environment to detail the average current MOT waiting times for each test centre, as well as the overall average waiting time in each, since 2011.

**(AQW 44387/11-15)**

**Mr Durkan:** The key Driver & Vehicle Agency (DVA) vehicle testing waiting time target is to appoint 92 per cent of all applications within 21 days or on request, at a later date.

Currently the average waiting time for a vehicle test is 20 days. However, waiting times are historically longer in the months January to April when the DVA experiences peak demand. The table below sets out the average waiting times for each test centre for the period 2011-15.

#### Average Waiting times by Centre

Test Centre	Average waiting time in days 2011-12	Average waiting time in days 2012-13	Average waiting time in days 2013-14	Average waiting time in days 2014-15
Armagh	11	12	13	14
Ballymena	12	12	12	14
Belfast	12	13	13	15
Coleraine	11	12	12	14
Cookstown	11	11	12	15
Craigavon	9	10	10	13
Downpatrick	11	12	13	16
Enniskillen	12	11	12	13
Larne	11	10	11	12
Lisburn	11	12	12	15
Derry	12	12	11	15
Mallusk	11	11	11	13
Newry	12	13	13	14
Newtownards	11	11	11	13
Omagh	12	12	12	15
Overall	11	12	12	14

**Mr McKay** asked the Minister of the Environment what funding he will provide to the Causeway Coast and Glens Heritage Trust to ensure that there are no job losses at the organisation.

**(AQW 44409/11-15)**

**Mr Durkan:** In my Department's consultation document on the draft Budget as approved by a majority in the Executive last November, we highlighted that if the draft proposals for the DOE were to be confirmed in the final Budget then this would mean the termination of a wide range of grant and other support programmes that are aimed at supporting key environmental programmes. These cuts would have immediate and significant implications, including the loss of jobs, for a wide range

of voluntary, educational and private sector bodies across the North. Other contracted services provided by a diverse range of educational, public sector, voluntary, community based and private sector organisations would also be ended. We emphasised these risks in our engagement with those who would be affected during the consultation period on the draft Budget and I likewise underlined my serious concerns with my Ministerial colleagues.

Despite my efforts the final Budget plans brought forward to the Executive offered no relief to the many organisations who would be affected. I therefore voted against the final Budget proposals in the Executive because of the disproportionate impacts on the DOE's budget compared to all other departments and because of the major impacts this would have on the many organisations whom we had previously supported. However and unfortunately the major Budget cuts to the DOE were approved by a majority, with Sinn Fein supporting the cuts in the Executive and in the Assembly.

The Causeway Coast and Glens Heritage Trust is one of the many organisations affected by these cuts. My officials have advised the Trust that while we can afford to provide funding to them for the first three months of this financial year we cannot guarantee anything further at this stage. I have directed that £1 million of funding we expect to raise from the Carrier Bag Levy this year be directed to supporting the types of environmental programmes previously delivered by locally based environmental organisations in the North. We will be seeking applications for that funding in the week commencing 27th April.

I will also be seeking to have some of the funding that was cut from my Budget restored as part of the forthcoming in year monitoring rounds and I look forward to having support from other Parties in the Assembly for this.

**Mr Spratt** asked the Minister of the Environment what child protection measures have been put in place by the Northern Ireland Environment Agency at country parks following the conviction of a senior member of staff for sex offences against children.

**(AQO 7942/11-15)**

**Mr Durkan:** I would first of all refer the member to my written response (COR/1103/2015) to your letter of 23 February 2015 in relation to the question tabled.

This reply sets out the arrangements that my Department has in place, including child protection measures to meet the Safe Guarding Vulnerable Groups (Northern Ireland) Order 2007, as amended by the Protection of Freedoms Act 2012, which provides the legislative framework for individuals who are unsuitable from working (in a paid or volunteer capacity) with vulnerable groups, including children, to be barred from such work.

I should point out in this case the conviction referred to was of a historical nature and the individual was not employed by the Department of the Environment at the time of the events.

I would confirm that all individuals offered a post through an open recruitment competition in the Northern Ireland Civil Service (NICS), including my Department must have an AccessNI check undertaken before any formal offer is made. These checks would identify any criminal convictions an individual has at the time at which the request for clearance is made and meets our statutory obligation.

I can assure you that the recent case which you raise has been dealt with in accordance with the appropriate procedures. Due to data protection provisions individual cases cannot be discussed, however, I would again confirm that the individual you referred to is no longer employed in my Department.

In addition I have asked that NIEA review the current measures in place to identify any additional guidance and training required for staff in relation to their role in safeguarding children and vulnerable adults at NIEA managed sites.

My Department takes its responsibilities in this matter seriously and is committed to protect all vulnerable groups who visit our sites.

**Mr Attwood** asked the Minister of the Environment for an update on the scale of reductions made to departmental grants for external projects.

**(AQO 7933/11-15)**

**Mr Durkan:** As outlined in my Department's consultation on the 2015-16 Draft Budget proposals, the financial allocations proposed under the draft 2015-16 Budget would have significant adverse implications for the services provided by my Department and for its clients, stakeholders and staff.

It was highlighted that the proposed budget for my Department would result in an immediate and substantial reduction in key statutory grant payments to all councils and particularly to those less well off councils dependent on additional rate support payments to guarantee basic levels of service provision at local levels.

The termination of a wide range of grant and other support programmes aimed at supporting key environmental programmes would also be necessary. This would have immediate and significant implications, including the loss of jobs, for a wide range of voluntary, educational and private sector bodies across the North.

The final Budget for 2015-16 did not materially change this position and resulted in my Department's non ring-fenced Resource DEL budget being reduced by 10.7 per cent or £12.4 million to £104.2 million, the highest percentage reduction of all the Departments.

Since the final Budget was published in January, my Department has been working intensively on a final Budget Plan. This Departmental Final Budget Plan for 2015-16 has now been published and outlines the reductions which have had to be made in 2015-16.

The significant reduction in budget for 2015-16 has meant that my Department will no longer be able to provide the same level of grant funding as was provided in 2014-15.

Grant funding in 2015-16 has been reduced by £8.5 million (30.9 per cent) compared to the funding provided in 2014-15. Reductions have been made to numerous grants and programmes including, the Rates Support Grant, which has reduced by £2.8 million; other grants to Councils, which have reduced by £1.1 million; the Natural Heritage Grant programme, which has reduced by £1.5 million; grants or support funding to voluntary groups, which have reduced by £0.2 million; Listed Building Grants, which have reduced by £1.6 million; and environmental grants and programmes, which have reduced by £1.7 million.

**Mr Gardiner** asked the Minister of the Environment for an update on the number of projected staff reductions in his Department in 2015/16.

**(AQO 7938/11-15)**

**Mr Durkan:** As previously stated the 2015-16 Budget allocations for my Department will have significant adverse implications for the services provided and for its clients, stakeholders and staff.

The scale of the reduction in the financial resources available next year made it inevitable that expenditure on many grant programmes and contracts will be terminated or significantly curtailed in the course of next year. Significant staffing reductions with my Department would also be required to deliver the required paybill savings.

We have now finalised our opening Budget position and based on this work I now estimate that the reduction required in my Department's workforce numbers will be just under 400, full-time equivalent, posts during 2015/2016. The actual number of staff who leave the department in 2015-16 under the Civil Service Voluntary Exit Scheme will depend on the numbers deemed eligible to leave under the terms of the scheme, and the numbers who finally accept an offer to leave.

**Mr Ó hOisín** asked the Minister of the Environment to outline the number of solar farms.

**(AQO 7940/11-15)**

**Mr Durkan:** Solar farm applications are a relatively new type of application and have only been received by the Department since 2013. Since then nine applications have been submitted, six of which have been approved with a further three currently under consideration by my Department. This information is based on our latest available, provisional, renewable energy information.

The six approved applications does not necessarily equate to the number of solar farms constructed and operational, as the Department does not hold information on whether the permission has been implemented. The approved solar farms are generally in the order of 10 to 15 hectares in extent with an output of five to six megawatts.

**Mr Clarke** asked the Minister of the Environment how many prosecutions and fines have been issued to private hire taxis plying for trade in Belfast in the last 12 months.

**(AQO 7941/11-15)**

**Mr Durkan:** Where a private hire or restricted public hire taxi is being used to stand and ply for hire within Belfast City Limits it is operating without a Public Service Vehicle Licence in contravention of Article 60 of the Road Traffic Northern Ireland Order 1981.

The vehicle is therefore deemed to be unlicensed and the offence may be dealt with by way of offering the driver a £30 Fixed Penalty Notice as an alternative to prosecution.

In these circumstances the driver may also have committed a taxi operator licensing offence. Where an enforcement officer determines that the taxi service was not carried out on behalf of a licensed operator, but rather initiated by the driver without the operator's knowledge, it is considered that the driver has committed the offence of providing a taxi service without an operator's licence. This offence may be dealt with by way of offering the driver a £200 Fixed Penalty Notice as an alternative to prosecution.

However, if it is deemed that a licensed operator has provided the service, DVA can pursue the operator for the offence of operating a taxi service using an unlicensed vehicle which may also be dealt with by offering the operator a £200 Fixed Penalty Notice as an alternative to prosecution.

The latest official statistics available are from 1 January 2014 to 31 December 2014. During this period there were 105 (£30) Fixed Penalty Notices issued to private hire and restricted public hire drivers for illegally plying for trade in Belfast and 33 (£200) Fixed Penalty Notices issued to operators for operating a taxi service without a taxi operator's licence.

The DVA will continue to take robust action against those operators and drivers who fail to comply with the current legislation.

**Mr McCausland** asked the Minister of the Environment for his assessment of the criteria for the listing of buildings, including the way in which the criteria are applied.

**(AQO 7944/11-15)**

**Mr Durkan:** The Criteria for the listing of buildings of special architectural or historic interest were comprehensively reviewed in 2010, with reference to the legislation, local conditions, and to listing protocols in England, Scotland, Wales and Ireland. Revised proposals were subjected to full public consultation and published as a revised 'Annex C' to Planning Policy Statement 6 in March 2011.

This revision did not change the fundamental approach of the Department, which is based upon legislative requirements, but it did improve clarity on how buildings are considered and in particular on how historic interest is assessed.

I am content that the criteria are being applied by my Department in line with this document.

## Department of Finance and Personnel

**Ms Boyle** asked the Minister of Finance and Personnel to detail the average local annual income.  
(AQW 43705/11-15)

**Mr Hamilton (The Minister of Finance and Personnel):** Annual earnings estimates are sourced from the Annual Survey of Hours and Earnings (ASHE). The arithmetic average gross annual earnings of all employee jobs (full-time and part-time) was £21,616 in April 2014.

**Ms Boyle** asked the Minister of Finance and Personnel to detail what proportion of adults earn below the average local annual income.  
(AQW 43706/11-15)

**Mr Hamilton:** Annual earnings estimates are sourced from the Annual Survey of Hours and Earnings (ASHE). In total, 58% of employee jobs are paid less than the arithmetic average gross annual earnings of all employee jobs (full-time and part-time), which was £21,616 in April 2014.

**Mr Allister** asked the Minister of Finance and Personnel, pursuant to AQW 42665/11-15 how many hours worked per week are the supplied earnings figures based.  
(AQW 44061/11-15)

**Mr Hamilton:** Table 1 provides the median hourly pay (excluding overtime) for all employees at April 2014 by parliamentary constituency.

The figures are sourced from the Annual Survey of Hours and Earnings (ASHE) and are based on place of residence of the employee.

**Table 1: Median Hourly Pay (excluding overtime) by Parliamentary Constituency, 2014**

	All (£)	Full-time (£)	Part-time (£)
Northern Ireland	10.00	11.26	7.94
Belfast East	11.08	12.64	8.61
Belfast North	9.19	10.79	7.00
Belfast South	11.75	13.50	8.82
Belfast West	8.92	9.43	7.79
East Antrim	11.20	11.79	8.21
East Londonderry	8.89	9.98	7.27
Fermanagh and South Tyrone	9.06	9.69	7.57
Foyle	9.60	10.46	7.73
Lagan Valley	10.69	11.85	8.24
Mid Ulster	9.15	10.41	7.41
Newry and Armagh	9.77	11.36	7.52
North Antrim	9.43	10.53	7.84
North Down	10.08	12.02	8.44
South Antrim	10.84	12.07	8.61
South Down	9.67	10.49	7.76

	All (£)	Full-time (£)	Part-time (£)
Strangford	10.43	11.56	8.90
Upper Bann	9.88	10.89	8.02
West Tyrone	9.60	10.49	7.38

**Mr Nesbitt** asked the Minister of Finance and Personnel what consideration was taken of the rates bills of comparable stadia in Great Britain when assessing the rates bill of stadia in Northern Ireland, particularly (i) the Kingspan Stadium, (ii) Windsor Park, (iii) Casement Park.

**(AQW 44461/11-15)**

**Mr Hamilton:** Business rates are fully devolved to Northern Ireland and no direct consideration is taken of business rate bills in the rest of the United Kingdom (UK) in the assessment of rate bills in Northern Ireland (NI). Business rates throughout the UK are calculated according to a property's assessed rateable value. However, the tax rate applied to that value differs in NI which applies a Regional Rate and a District Rate, compared to a Uniform Business Rate elsewhere.

Northern Ireland, however, where the statutory framework permits, seeks to harmonise in terms of valuation methodology in assessing rateable values. This harmonised approach has been adopted where possible in the completion of the recent non-domestic revaluation and this includes recognition of the approach to the valuation of stadia.

The overriding statutory requirement, however, in Northern Ireland is in estimating the net annual value of properties in the valuation list, to have regard to the net annual values in the valuation list of comparable properties that are in the same state and circumstances.

**Mr Agnew** asked the Minister of Finance and Personnel whether there is any legal requirement for public assets to be put on the open market, if they are being offered to other public bodies e.g councils.

**(AQW 44494/11-15)**

**Mr Hamilton:** There is no legal requirement to put surplus public assets on the open market when being offered to other public bodies including councils.

The full details regarding transfers within the public sector and open market sales are set out in Sections 6.0 and 8.0 of the Land & Property Services Disposal of Surplus Public Sector Property in Northern Ireland March 2013 guidelines, which are available on the DFP/LPS website [www.dfpni.gov.uk/lps](http://www.dfpni.gov.uk/lps).

**Mr B McCrea** asked the Minister of Finance and Personnel (i) how many people under the age 25 years are unemployed; and (ii) how many of these people have a university degree, broken down by constituency.

**(AQW 44515/11-15)**

**Mr Hamilton:** Official estimates of unemployment are sourced to the Labour Force Survey. Over the period December 2014 to February 2015 it is estimated there were 23,000 people aged under 25 who were unemployed.

Further breakdowns of the number of unemployed people aged under 25 by constituency who have a university degree cannot be provided due to the wide survey margins of error for these smaller sub-groups.

**Mr Kinahan** asked the Minister of Finance and Personnel whether the 2.2 per cent pay increase for staff employed by the Education Authority is a national agreement, and applies to 2014/15 and 2015/16.

**(AQW 44547/11-15)**

**Mr Hamilton:** The majority of staff employed in the new Education Authority (and previously the Education and Library Boards) contractually follows the National Joint Council (NJC) pay award.

Whilst I understand that a NJC pay award has been agreed nationally for the 2014-16 period involving a 2.2% cost of living increase for most staff, my Department is currently awaiting a pay remit submission from the Department of Education seeking approval to implement this increase.

**Mr Kinahan** asked the Minister of Finance and Personnel when he received a business case on the 2.2 per cent pay rise for 2014-16 for staff employed by the new Education Authority, formerly the Education and Library Boards.

**(AQW 44548/11-15)**

**Mr Hamilton:** The majority of staff employed in the new Education Authority (and previously the Education and Library Boards) contractually follows the National Joint Council (NJC) pay award.

To date my Department has not received a pay remit submission from the Department of Education in respect of the 2014-16 NJC pay award for Education Authority staff.

**Mr Ramsey** asked the Minister of Finance and Personnel for an update on the Civil Service Voluntary Exit Scheme, particularly when employees who made an expression of interest will be told how the scheme will be taken forward.  
(AQW 44550/11-15)

**Mr Hamilton:** The NICS Voluntary Exit Scheme closed for applications at 5pm on Friday 27 March 2015. 7,285 applications were received. My officials are now working closely with departments to manage the process of selection, in line with the published selection criteria. The number of staff that can be released will depend on the amount of money available to fund the Scheme.

We anticipate those selected to leave under the Scheme will do so in tranches between 30 September 2015 and 31 March 2016.

All staff that applied will be advised of the status of their application around the end of May and at that stage will receive one of three notifications:

- that they have been selected to exit in the first group to leave, with a leaving date of the end of September;
- that they have been selected to exit in a later tranche, with a date still to be confirmed; or
- that they have not yet been selected.

Staff who are selected to leave and given an exit date will receive a written quote from DFP Civil Service Pensions setting out their compensation amount, based on their date of leaving. They will then have 10 working days to decide whether to accept the offer of early exit or to withdraw from the Scheme.

**Mrs Cochrane** asked the Minister of Finance and Personnel, pursuant to AQW 42265/11-15, for an update on the resolution of equal pay claims for PSNI and former Northern Ireland Office staff.  
(AQW 44610/11-15)

**Mr Hamilton:** At present, there is no further update to the answer I gave in response to AQW 42265/11-15.

**Mr Allister** asked the Minister of Finance and Personnel whether Transfer of Undertakings (Protection of Employment) (TUPE) arrangements apply in regard to Northern Ireland Civil Service staff whose functions are transferring to local government under local government reform; and if not, what protections exist for staff.  
(AQW 44633/11-15)

**Mr Hamilton:** The Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE) apply and exist to protect the contractual terms and conditions of Northern Ireland Civil Service staff affected by local government reform.

This is in keeping with the RPA code of practice produced to give effect to the Public Service Commission's 3rd Guiding Principle and addendum to the 3rd Guiding Principle in relation to staff transfers.

**Mr B McCrea** asked the Minister of Finance and Personnel how much money has been allocated by each Department to UK City of Culture Legacy Funding in (i) core funding and (ii) in-year monitoring, in the last two years.  
(AQW 44690/11-15)

**Mr Hamilton:** Departmental allocations agreed as part of the Executive's budget process are not ring-fenced for specific purposes. It is for individual Ministers to allocate funding in line with departmental priorities. DCAL as lead department is best placed to advise on the funding allocated to City of Culture Legacy programmes.

Through the in-year monitoring process, the Executive agreed additional allocations to DCAL for City of Culture Legacy of £1 million Resource DEL and £1 million Capital DEL in 2013-14, and £2.8 million Capital DEL in 2014-15. In addition to these allocations, in 2014-15 the Minister for Education provided DCAL with £1 million Resource DEL to address pressures relating to the City of Culture Legacy programmes.

**Mr Agnew** asked the Minister of Finance and Personnel for an update on the proposed pay rise for Education Authority staff including (i) when the staff can expect to receive the agreed pay rise, (ii) whether it will be back-paid to 2014 and (iii) the reason for the delay.  
(AQW 44692/11-15)

**Mr Hamilton:** Whilst it is my role to approve all pay remits on behalf of the Executive, the Education Minister is responsible for the Education Authority. It is therefore for the Department of Education to construct a pay remit business case for submission to my Department.

To date my officials have not received a pay remit business case from the Department of Education in respect of this staff group. Any delay clearly rests with that department and your questions around the delay to this proposed pay award should therefore be directed to the Education Minister.

**Mr Byrne** asked the Minister of Finance and Personnel what action he has taken to ensure that Financial Transactions Capital is well publicised and utilised.  
(AQO 7947/11-15)

**Mr Hamilton:** I have been very vocal in my calls for Executive Ministers to examine options for utilising Financial Transactions Capital.

In addition, FTC has been promoted through a number of mediums including investment conferences and meetings with both local government and private sector representatives.

Furthermore, the Strategic Investment Board continues to work with departments and private sector to identify projects that may be suitable for FTC.

The result to date is that FTC has been fully utilised with no funding being handed back to HM Treasury.

**Mrs Hale** asked the Minister of Finance and Personnel for his assessment of the impact a lack of progress on implementing Welfare Reform legislation will have on the 2015/16 Budget.

**(AQO 7956/11-15)**

**Mr Hamilton:** Should the Welfare Reform Bill fail to pass through the NI Assembly, the £114 million reduction set out by Her Majesty's Treasury will apply in full to the Northern Ireland Executive's Budget in 2015-16.

HM Treasury have not indicated the level of reductions beyond 2015-16 however Social Security Agency (SSA) estimates of the foregone UK Exchequer savings of not implementing welfare reform in Northern Ireland are significant and will increase in the coming years reaching £366 million in 2018-19.

In addition to the Resource DEL reductions applied by HM Treasury non-implementation will also lead to significant capital costs associated with developing a bespoke IT system for Northern Ireland.

Failure to proceed with the Welfare Reform Bill will also put at risk the other aspects of the financial package agreed under the Stormont House Agreement.

**Mr Hazzard** asked the Minister of Finance and Personnel to outline the total amount of finance which has been returned to HM Treasury for the last five years for which information is available.

**(AQO 7946/11-15)**

**Mr Hamilton:** I am pleased to say that, as a result of good financial management, underspend in recent years has been at a level which ensured that no funding has been returned to HM Treasury for that reason.

The Member will recall that HM Treasury abolished the old End Year Flexibility scheme at the end of 2010-11. A new Budget Exchange Scheme was then introduced in 2011-12. At that time there were many discussions in this Assembly about the £316 million of end year flexibility stock which was lost. I must point out that while this stock had accumulated over some years the access to this had always been very tightly controlled by HM Treasury.

The Member will also be aware that as a result of decisions taken, or not taken, by this Assembly some funding has been returned to HM Treasury. The non implementation of welfare reform has resulted in adjustments of £13 million in 2013-14, £87 million in 2014-15 and £114 million in 2015-16 being applied to the Northern Ireland DEL control totals. As a result of the devolution of air passenger duty on long haul flights NI DEL control totals have been adjusted by around £2 million in each of the years from 2013-14 to 2015-16.

**Mr Gardiner** asked the Minister of Finance and Personnel whether, to improve the short abstracts held by the Land Registry, he would consider including any restrictive covenants over land and property which may directly affect its value.

**(AQO 7951/11-15)**

**Mr Hamilton:** The Land Registry already records the existence of covenants. Since 2003, all titles must be registered in the Land Registry when a sale for money takes place. This is known as Compulsory First Registration. Consideration will be given to extending this scheme so that all legal transactions involving unregistered titles will require Compulsory First Registration at Land Registry.

Properties which are not registered in the Land Registry are recorded at the Registry of Deeds which dates back to the late 18th Century. The Registry of Deeds is an index of names and does not hold details of covenants. Covenants restricting land cannot, therefore, be included in the abstract held by the Registry of Deeds.

**Mr Dickson** asked the Minister of Finance and Personnel for his assessment of the impact of delays, and any potential additional cost, caused by the failure to agree the Final Stage of the Welfare Reform Bill.

**(AQO 7953/11-15)**

**Mr Hamilton:** Should the Welfare Reform Bill fail to pass through the NI Assembly, the £114 million reduction set out by Her Majesty's Treasury will apply in full to the Northern Ireland Executive's Budget in 2015-16.

HM Treasury have not indicated the level of reductions beyond 2015-16 however Social Security Agency (SSA) estimates of the foregone UK Exchequer savings of not implementing welfare reform in Northern Ireland are significant and will increase in the coming years reaching £366 million in 2018-19.



In addition to the Resource DEL reductions applied by HM Treasury non-implementation will also lead to significant capital costs associated with developing a bespoke IT system for Northern Ireland.

Failure to proceed with the Welfare Reform Bill will also put at risk the other aspects of the financial package agreed under the Stormont House Agreement.

**Mrs Cameron** asked the Minister of Finance and Personnel for an update on his recent discussions with the Estonian Government.

**(AQO 7954/11-15)**

**Mr Hamilton:** I met with the Estonian Finance Minister to discuss economic challenges facing both countries. I also met with the State Information Authority to discuss progress on the concordat between both our jurisdictions. In addition, I provided support to the Invest NI Trade Mission to the region.

**Ms McCorley** asked the Minister of Finance and Personnel for his assessment of the savings to Executive Departments as a result of falling energy prices.

**(AQO 7955/11-15)**

**Mr Hamilton:** Within my Department, Properties Division is responsible for managing the Northern Ireland Civil Service Office Estate. Buildings in the estate are occupied on either a single or multiple occupancy basis. Single occupiers are responsible for paying the utility costs, whereas Properties Division pays for utilities in multiple occupancy buildings and distributes the costs amongst the occupiers.

A two year fixed price contract for the supply of natural gas expired on 31 March 2015 and a new two year fixed price contract has just been awarded. As a result of this procurement exercise, an estimated 7.53% cost reduction is expected in 2015/16 where DFP pays the invoices, assuming no significant change in the estate. This would equate to an estimated saving of £70k during the first year of the contract.

The unit cost of heating oil is variable and there has been a reduction of 31% in the unit cost of heating oil invoices paid by DFP Properties Division in January and February 2015, compared with January and February 2014. This reduction has resulted in a saving of £15,643 for deliveries in January and February 2015.

The current two year fixed price contract for the supply of electricity to the NICS office estate will expire on 31 March 2016. Any cost savings will be reflected in the successful tendered rates when the contract is retendered in early 2016. At this stage those rates are not available.

**Mr Givan** asked the Minister of Finance and Personnel what the Chancellor of the Exchequer's Budget announcement means for public finances in Northern Ireland.

**(AQO 7957/11-15)**

**Mr Hamilton:** The Chancellor's 2015 March Budget resulted in an increase to our 2015-16 Resource DEL Budget of £10.9 million. There was also an increase of £0.5 million Capital DEL for 2015-16.

**Ms Ruane** asked the Minister of Finance and Personnel whether he has discussed the retention of the benefits of local policy change with HM Treasury, following the recommendation by the Smith Commission for a new fiscal framework for Scotland.

**(AQO 7958/11-15)**

**Mr Hamilton:** It is anticipated that following the election, HM Treasury will update the Statement of Funding Policy in advance of the Spending Review. This update will reflect the new fiscal arrangements with Scotland as well as standard amendments.

As part of this process my officials will engage with HM Treasury counterparts to ensure that the best interests of Northern Ireland are served by any proposed changes that affect the Executive.

My officials have also had discussions with Scottish counterparts regarding the Smith Commission recommendation. They will continue to liaise on this matter in the coming months.

**Mr Cree** asked the Minister of Finance and Personnel what other fiscal powers he will seek to be devolved to Northern Ireland to reduce the annual fiscal deficit.

**(AQO 7959/11-15)**

**Mr Hamilton:** Progressing the transfer of corporation tax rate setting powers remains the Executive's top priority. This is potentially our most important economic lever that has the potential to bring about a step change in economic activity, which in turn, will boost tax receipts and positively impact on our fiscal deficit position.

I am also considering the case for devolving additional fiscal powers and I will be putting recommendations to my Executive colleagues in due course. But the key consideration here will be whether devolution could result in any clear economic or social benefit for Northern Ireland and whether that was affordable in public expenditure terms.

**Ms McGahan** asked the Minister of Finance and Personnel for his assessment of the local financial impact of the Chancellor of the Exchequer's Budget announcement.

**(AQO 7960/11-15)**

**Mr Hamilton:** The Chancellor's 2015 March Budget resulted in an increase to our 2015-16 Resource DEL Budget of £10.9 million. There was also an increase of £0.5 million Capital DEL in 2015-16.

In addition to the public expenditure funding implications there were other measures announced, which have a wider impact on local finances:

- Support for farmers on tax periods;
- Increased gift aid allowances for charities;
- Increase in personal allowance;
- Introduction of Help to Buy ISA;
- Introducing digital tax accounts;
- 1p off duty on pint of beer. Cider and spirits duty cut by 2%;
- The cancellation of the September 2015 fuel duty increase;
- Basic rate taxpayers will receive £1,000 Personal Savings Allowance and higher rate payers will receive a £500 allowance from 2016-17;
- A package of measures to support the film and television sector.

## Department of Health, Social Services and Public Safety

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 43012/11-15, for a breakdown of the £11.4 million identified, broken down by (i) Health and Social Care Trust; and (ii) type of treatment provided. **(AQW 44153/11-15)**

**Mr Wells (The Minister of Health, Social Services and Public Safety):**

- (i) Expenditure by Health and Social Care Trust is detailed in the table below. Updated information received from the Northern HSC Trust indicates that the estimated total expenditure in 2013/14 was £11.7 million.

2013/14	Expenditure (£)
Belfast <sup>1</sup>	5,122,440
Northern	1,871,484
South Eastern	2,520,921
Southern <sup>2</sup>	approx 600,000
Western	1,593,000
Estimated total expenditure <sup>3</sup>	11,707,845

**Source:** HSC Trusts

- 1 Expenditure figure based on an estimated average outpatient cost.
- 2 Expenditure figure is not exact; the Trust advises that to provide exact costs would mean analysing a significant volume of invoices.
- 3 Estimated total expenditure has increased, reflecting updated information from Northern Trust.
- (ii) Outpatient appointments are mostly for assessment or review rather than treatment. The table below provides a breakdown of the number of independent sector outpatient appointments broken down by speciality and by HSC Trust.

**HSC Trust**

Specialty	Belfast	Northern	South Eastern	Southern	Western
General surgery	81	1,595	-	1,382	1,118
Urology	550	-	158	17	3
Orthopaedics	28,674	-	-	1,213	5,294
ENT	3,286	1,442	1,379	362	472
Ophthalmology	3,807	-	-	2,734	879

Specialty	Belfast	Northern	South Eastern	Southern	Western
Oral Surgery	-	-	1,514	4	861
Pain management	993	1,194	95	106	-
Paediatric cardiology	244	-	-	24	-
Gynaecology	24	1,067	2,654	24	1,077
Diabetic macular	46	-	-	-	-
Paediatric surgery	76	-	-	-	-
Paediatric immunology	10	-	-	-	-
Dermatology	338	1,605	2,861	-	-
Paediatric dermatology	242	-	-	-	-
Rheumatology	480	377	1,553	-	326
Vascular	146	-	-	-	-
Paediatric medicine	96	-	312	-	-
Restorative dentistry	331	-	-	-	-
Neurology	6	568	1,230	-	1,315
Paediatric neurology	13	-	-	-	-
Neurophysiology	2,880	-	-	-	-
Neurosurgery	364	-	-	-	-
Gastroenterology	-	1,088	-	-	703
General medicine	-	-	2,972	-	-
Thoracic medicine	-	-	360	-	-
Plastic surgery	-	-	5,292	-	-
Paediatric orthopaedics	-	-	-	-	148
Respiratory Medicine	-	-	-	-	253

Source: HSC Trusts

**Mrs Cochrane** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 42791/11-15, (i) for an update on the review of all non-recurrent funding including pilot funding provided by the Health and Social Care Board (HSCB) to Action On Hearing Loss' Hear to Help Service; and (ii) whether the HSCB will provide continuation funding for existing projects including Hear to Help.

(AQW 44358/11-15)

**Mr Wells:**

- i) DHSSPS budget allocations for 2015/2016 have not yet been agreed therefore I cannot provide an update at this time.
- ii) In view of the financial challenges facing Health and Social Care in 2015/16, the Health and Social Care Board agreed, in the first instance, for a continuation of the 'Hear to Help' service for a further 3 months to the end of June 2015. This will enable an evaluation of the pilot to be undertaken. The continuation of funding beyond this 3 month period will be subject to the outcome of this evaluation process and any subsequent procurement arrangements that are required.

**Mr McCarthy** asked Minister of Health, Social Services and Public Safety how he will ensure that the views of all people, including families and small charitable organisations, in Northern Ireland with knowledge and experience of rare diseases, including ultra-rare diseases, will be taken into account during the development of future services.

(AQW 44395/11-15)

**Mr Wells:** Following publication of the UK Strategy for Rare Diseases in November 2013, my Department has been developing a Northern Ireland (NI) Implementation Plan. This Plan sets out how the 51 Commitments contained within the UK Strategy will be taken forward in NI over the next five years.

The final Plan will take into account the knowledge and experiences of service users, carers, families and stakeholders, including the voluntary and community sector, who participated in a public consultation exercise which ran from

27 October 2014 until 19 January 2015. Officials are currently revising the draft Plan following the outcome of the consultation and it is envisaged the final version will be published in June 2015.

The draft Plan includes my commitment that, whenever possible, NI should participate in clinical trials and research opportunities at UK, European and international levels so that our universities, clinicians, patients, researchers and industry can contribute to, and benefit from, medical research.

My Department's commitment to co-operating with the Department of Health in the Republic of Ireland (RoI) is stated in the draft Plan. This will aim to realise the benefits of cross-border collaboration in providing comprehensive services to those living with a rare disease and their families. Officials have recently met with RoI counterparts for initial exploratory discussions about how we can maximise available resources in NI and RoI to meet the needs of our respective populations. My Department is also represented on UK national rare disease health bodies responsible for overseeing the implementation of the overall UK Strategy for Rare Diseases and through our involvement is keeping abreast of all opportunities in the advancement of the care and treatment of patients with these conditions.

**Mr McCarthy** asked the Minister of Health, Social Services and Public Safety how he will ensure the earliest possible publication date of a NI Rare Diseases Plan in order to assist those with life-limiting rare diseases who need access to services at the earliest opportunity.

**(AQW 44396/11-15)**

**Mr Wells:** Following publication of the UK Strategy for Rare Diseases in November 2013, my Department has been developing a Northern Ireland (NI) Implementation Plan. This Plan sets out how the 51 Commitments contained within the UK Strategy will be taken forward in NI over the next five years.

The final Plan will take into account the knowledge and experiences of service users, carers, families and stakeholders, including the voluntary and community sector, who participated in a public consultation exercise which ran from 27 October 2014 until 19 January 2015. Officials are currently revising the draft Plan following the outcome of the consultation and it is envisaged the final version will be published in June 2015.

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**Mr McCarthy** asked the Minister of Health, Social Services and Public Safety how he will ensure full cooperation with the Republic of Ireland, the rest of the UK, the rest of Europe and worldwide in order to provide comprehensive services for people with a rare or ultra-rare disease in Northern Ireland.

**(AQW 44397/11-15)**

**Mr Wells:** Following publication of the UK Strategy for Rare Diseases in November 2013, my Department has been developing a Northern Ireland (NI) Implementation Plan. This Plan sets out how the 51 Commitments contained within the UK Strategy will be taken forward in NI over the next five years.

The final Plan will take into account the knowledge and experiences of service users, carers, families and stakeholders, including the voluntary and community sector, who participated in a public consultation exercise which ran from 27 October 2014 until 19 January 2015. Officials are currently revising the draft Plan following the outcome of the consultation and it is envisaged the final version will be published in June 2015.

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**Ms Sugden** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 44157/11-15, to provide detailed examples, within the Northern Health and Social Care Trust, from the strategy which his Department will use to support the narrative given in his previous answer.

**(AQW 44408/11-15)**

**Mr Wells:** The Atlantic Philanthropies/Delivering Social Change Dementia Signature Project has three workstreams: (i) awareness raising, information and support; (ii) training; and (iii) short breaks, respite and support to carers.

These three work streams, which are at an early stage of development, are being taken forward on a regional basis and are intended to benefit people with dementia and their carers across Northern Ireland, including those living within the Northern Trust area.

The awareness raising, information and support workstream will promote a better understanding among the general public and among healthcare professionals of the benefits of early diagnosis, improved diagnosis rates, and uptake of early intervention supports. It will focus on providing lifestyle and health advice and will seek to reduce the stigma and isolation associated with dementia.

The training workstream will develop and embed a knowledge and skills framework for dementia to make a lasting change to the quality of dementia care. The project will be directed at HSC staff, employers, educators, and professional bodies as well as carers.

The short breaks, respite and support to carers workstream will develop a range of innovative alternatives to current support options for people with dementia and their carers.

**Ms P Bradley** asked the Minister of Health, Social Services and Public Safety whether he feels the Promoting Good Nutrition Strategy will achieve its objectives set to be implemented between 2011-2016; and if he has visibility of the milestones established as part of the implementation plan.

**(AQW 44419/11-15)**

**Mr Wells:** The Public Health Agency has advised that they have an implementation plan in place which includes milestones for the "Promoting Good Nutrition Strategy" to achieve its objectives between 2011 – 2016.

Milestones have been established as part of the implementation plan under five themes and include Training & Nutritional Screening, Assessment & Assistance with Feeding, Food Service Provision, The Patient / Client Experience and Governance & Structures

The majority of the actions in the first four themes are scheduled for completion during 2014 – 2015 with the fifth theme and any outstanding actions completed during 2015 – 2016.

**Mr McGlone** asked the Minister of Health, Social Services and Public Safety, in relation to fortnightly paid staff, how many staff members currently have outstanding payments due to them for hours worked.

**(AQW 44426/11-15)**

**Mr Wells:** The Business Services Organisation (BSO) Payroll Shared Service Centre has advised that there are currently no outstanding payments due to fortnightly paid staff.

**Mr McGlone** asked the Minister of Health, Social Services and Public Safety to detail the number of reported service failures by care providers in each Health and Social Care Trust in the last five years; and the care delivery company that failures are associated.

**(AQW 44429/11-15)**

**Mr Wells:** In respect of providers of social care services, the Health and Social Care Board (HSCB) has advised my Department that it is aware of only one such failure in the last five years, involving the Southern Cross company.

The HSCB became aware of financial difficulties affecting this company in June 2011, and established a multi-agency planning group to oversee the successful transition of all 26 homes owned by the company in Northern Ireland to new operators.

**Mrs Dobson** asked the Minister of Health, Social Services and Public Safety for his assessment of the future of the Northern Ireland Fire and Rescue Service's Large Animal Rescue Service.

**(AQW 44450/11-15)**

**Mr Wells:** As part of ongoing budget considerations the Northern Ireland Fire and Rescue Service (NIFRS) is considering all aspects of its service delivery and no decisions have been made as yet.

NIFRS will consider the requirement for Public Consultation in any potential future change to its service delivery.

**Mr Campbell** asked the Minister of Health, Social Services and Public Safety for an estimate of the extent of the practice of Female Genital Mutilation in Northern Ireland in the last five years.

**(AQW 44483/11-15)**

**Mr Wells:** While I am aware that there are women living in Northern Ireland who were victims of FGM before coming here, I have no evidence that FGM is practised here. There have been no referrals related to FGM, including into adult services, into any of the Health and Social Care (HSC) Trusts in Northern Ireland in the last five years. I acknowledge that the practice can be difficult to detect, as it often only becomes evident when a woman presents to health services with a condition unrelated to FGM.

I fully acknowledge that there are populations living here for whom FGM is, for whatever reason, a cultural norm in their country of origin. It is for that reason that my Department worked with the Department of Finance and Personnel to produce and publish multi-agency guidance on FGM. Also, the three Chief Professional Officers in my Department have written to health and social care professionals advising that they familiarise themselves with the guidance and the actions they need to take when they have reason to believe that a girl or woman has undergone, or is at risk of, FGM.

My Department will continue to engage with other agencies to prevent this horrific crime from being inflicted on women and girls resident in Northern Ireland.

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety to detail the extent to which his Department undertakes monitoring and evaluation of training provided to healthcare staff under the PHA standards toolkit, section C6.11. **(AQW 44510/11-15)**

**Mr Wells:** The Department does not have a role in the monitoring and evaluation of training provided to healthcare staff under the Public Health Agency standards toolkit for mental health promotion and suicide prevention services. The Agency developed these standards in order to strengthen services and improve quality assurance. Evaluation of services, including training, delivered against these standards is the responsibility of the Public Health Agency.

The overall outcome of any evaluation will be reported to the Department through the Suicide Strategy Implementation Body and will also be made available to the Ministerial Co-ordination group on Suicide Prevention.

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety whether officials from other UK jurisdictions were consulted in relation to his Department's protect life 2 strategy. **(AQW 44526/11-15)**

**Mr Wells:** The new suicide prevention strategy with the working title "Protect Life 2" is still in development. Officials from the Department of Health, Social Services and Public Safety have had informal engagement with their counterparts from Scotland in the strategy development process. There has also been engagement with officials from England and Wales through the Public Health England Peer Network Group.

**Mr Elliott** asked the Minister of Health, Social Services and Public Safety how many people have been referred to (i) nursing homes; and (ii) residential homes in the Western Health and Social Care Trust area in each of the last five years. **(AQW 44534/11-15)**

**Mr Wells:** Information on the number of care management assessments completed in the Western HSC Trust, that recommended nursing home or residential care, can be found in Table 1 below.

**Table 1. Care Management Assessments Completed in the Western HSC Trust, by Type of Care Recommended**

Year	Type of Care Recommended	
	Nursing Home Care	Residential Care
2010	92	41
2011	110	46
2012	126	40
2013	106	53
2014	63	38

**Source:** CC4 Community Information Return

**Mr Agnew** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 43882/11-15, what contractual arrangement the South Eastern Trust has in relation to the 14 beds at Northfield House, including how long the Trust has committed to paying for this provision. **(AQW 44567/11-15)**

**Mr Wells:** Northfield House is a South Eastern Health and Social Care Trust operated residential care home and therefore there are no independent sector contracting arrangements in place. Expenditure for the service is within the Trust's baseline and funding is committed to service provision as appropriate.

**Mr D Bradley** asked the Minister of Health, Social Services and Public Safety to list the salary bands applicable to the position of consultant psychiatrist in the Home Treatment Teams of the Southern Health and Social Care Trust, including any changes in the last twelve months.

**(AQW 44615/11-15)**

**Mr Wells:** My Department has been advised that all medical consultants in the Southern Health and Social Care Trust (including those in the Home Treatment Teams) are paid in line with national medical and dental terms and conditions of service as outlined in Departmental Circulars.

The most recent circular for medical staff is effective from 1st April 2014. Current pay rates for full time consultants appointed on or after 15 January 2004 are as follows;

■ £75,249	■ £84,667
■ £77,605	■ £90,263
■ £79,961	■ £95,860
■ £82,318	■ £101,451

The pay scale point for individual consultants will be dependent on service.

**Mr Agnew** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 43882/11-15, for his assessment of whether the average cost of £5,086 per patient for use of beds at Northfield House in 2013/14 offered good value for money, given that in the same year the cost of beds at Bangor Community Hospital was approximately £2,764 per patient.

**(AQW 44624/11-15)**

**Mr Wells:** In calculating the average bed cost for any facility a range of factors must be taken into account, including the average length of stay per patient. When average length of stay is taken into account, the Trust's view is that the cost per bed at Northfield House compares favourably with other facilities, although care must be taken in making such comparisons as the services provided at each location may not be directly comparable.

**Mr McGlone** asked the Minister of Health, Social Services and Public Safety what urgent measures are being taken by payroll at (i) the Business Services Organisation; and (ii) the Health and Social Care Board to resolve staff payments and payroll problems, including problems of communication with staff and their elected representatives.

**(AQW 44643/11-15)**

**Mr Wells:** Payroll services for HSC staff are provided by the Business Services Organisation (BSO) Payroll Shared Services Centre (PSSC).

- (i) BSO has advised that in situations where an urgent payroll issue arises, the PSSC takes immediate action. This action includes determining the root cause of the issue, implementing the appropriate correction, issuing corrective payments and communicating locally with the affected groups of staff via local communication networks, line managers or other representatives. Depending on the situation, PSSC in conjunction with the employing body, will choose to issue generic communications to staff in lieu of providing individual responses to queries. In cases where a direct communication is required, the PSSC will write to affected members of staff.
- (ii) The Health and Social Care Board (HSCB) does not have its own payroll department.

**Mrs Dobson** asked the Minister of Health, Social Services and Public Safety when the first child in Northern Ireland will receive the new Meningitis B vaccine, Bexsero.

**(AQW 44644/11-15)**

**Mr Wells:** It is our intention to add the Men B vaccine to the routine childhood vaccination schedule from September 2015, subject to the vaccine manufacturer being able to deliver adequate supplies of the vaccine into the UK to facilitate a sustainable programme.

**Mr Flanagan** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 44203/11-15, why better notice was not given regarding the meeting in Enniskillen; and how his Department intends to engage properly with the people of Fermanagh and Tyrone on this issue.

**(AQW 44657/11-15)**

**Mr Wells:** The Enniskillen meeting was the second to be organised in the Western Trust Area. The first meeting, held at Altnagelvin Hospital, was well attended.

A flyer advertising the event in Enniskillen was distributed to the following: 108 copies to every MLA; 23 charities on the Department's contact list; and every GP surgery. The Department's Press Office also notified the press and NI Direct, and the date and time of the meeting was covered in the Fermanagh Herald (one of their journalists also attended).

It is disappointing that attendance at the meeting was not higher however it is still possible for members of the public to contribute to the consultation either online at [http://www.dhsspsni.gov.uk/index/consultations/current\\_consultations.htm](http://www.dhsspsni.gov.uk/index/consultations/current_consultations.htm) or in

writing to IFR Consultation, Secondary Care Directorate, DHSSPS, Castle Buildings Belfast, BT4 3SQ. I would encourage the people of Fermanagh and Tyrone and indeed across Northern Ireland to send their views on this important matter.

The final public meeting will take place on the 29th April at 19.00 in the Belfast City Hospital the consultation period ends on 8th May

**Mr Agnew** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 43882/11-15, why the cost per patient of beds at Northfield House was significantly higher than those provided at Bangor Community Hospital.  
**(AQW 44683/11-15)**

**Mr Wells:** I refer the member to my response to AQW 44624/11-15.

**Mr Elliott** asked the Minister of Health, Social Services and Public Safety for an update on the usage of South Tyrone Minor Injuries Unit.  
**(AQO 7971/11-15)**

**Mr Wells:** Provisional figures indicate there were 7,568 attendances at South Tyrone Minor Injuries Unit in the four months from December 2014 to March 2015. This is an increase of 21.9% compared to the same period in 2013/14 when there were 6,210 attendances. Despite the increase, South Tyrone Minor Injuries Unit continued to meet and exceed my emergency care targets, seeing and treating 99.9% of patients within 4 hours, with no-one waiting longer than 12 hours. I am sure that the Assembly will join me in thanking the staff in the Unit for the excellent service that they provide to the people in South Tyrone and adjacent areas.

**Mrs Dobson** asked the Minister of Health, Social Services and Public Safety whether he will meet urgently with representatives from the Royal College of Midwives ahead of pending strike action.  
**(AQW 44789/11-15)**

**Mr Wells:** Departmental officials plan to engage with the Royal College of Midwives and other Trade Unions at the earliest opportunity regarding the ongoing industrial dispute.

**Mr Frew** asked the Minister of Health, Social Services and Public Safety for an update on the new ambulance station in Ballymena.  
**(AQO 7966/11-15)**

**Mr Wells:** I am pleased to report that work on construction of the new Northern Ireland Ambulance Station in Ballymena commenced in November 2014 and is progressing well.

It is anticipated that the new £5.57m facility will be opened in December 2015.

**Mr Girvan** asked the Minister of Health, Social Services and Public Safety for his assessment of the new Acute Assessment Unit in Antrim Area Hospital.  
**(AQO 7967/11-15)**

**Mr Wells:** I visited the Acute Assessment Unit in Antrim Area Hospital in February. Units such as these are ideal for those patients who are under the care of their GP. The GP obtains specialist advice directly from their hospital colleagues and, if required, they can arrange for their patient to be referred to the unit for assessment, diagnostics and management. Patients have a more positive experience and it helps to reduce some of the pressures on the emergency department.

The Antrim Unit has been very successful and I understand that the GPs and patients who have used the Unit's services have been very pleased with it.

**Mr McAleer** asked the Minister of Health, Social Services and Public Safety what assurance he can give that there will be bed provision for acute mental health care in the new Omagh hospital.  
**(AQO 7968/11-15)**

**Mr Wells:** The new Omagh Hospital will not provide dedicated acute mental health provision. Acute mental health care will continue to be provided within the Tyrone & Fermanagh Hospital until a new acute mental health unit is built.

The location of an acute mental health inpatient service in the southern area of the Western Trust is subject to a business case which is currently being developed by the Trust.

The business case will include a full options appraisal taking into account the essential requirements for high quality, safe, effective, and robust adult mental health services for the people of Fermanagh and West Tyrone. This will include an evaluation of suitable space, accommodation and environment in reaching a determination on the preferred site of either Omagh or Enniskillen.

A final decision on location can only be made once the business case has been finalised and submitted to my Department for consideration.



After that, timing of the project will be subject to budgetary availability and this project will need to be considered alongside all other demands on the capital budget in 2015/16.

**Mr McKay** asked the Minister of Health, Social Services and Public Safety for an update on the engagement which took place with the Northern Health and Social Care Trust and service users to explore options for the future delivery of multiple sclerosis respite services at Dalriada Hospital.

**(AQO 7969/11-15)**

**Mr Wells:** A steering group was set up on 24 September 2014 to review all respite & short break options for MS patients in the Northern Trust. The Group had membership from service users,

MS Society, Action MS and Northern Trust staff. The steering group has looked at how the respite/short break service could be developed in future.

The steering group continues to meet and is considering the best model for respite/short breaks for carers for people with MS in the Northern Trust.

A focus group was held on 9th March with MS patients and their carers. Further focus group meetings will be held across the Trust's area to obtain more widely the views of people with MS and their carers on the future provision of respite or short breaks.

**Mr Dickson** asked the Minister of Health, Social Services and Public Safety to explain the disparity in expenditure on agency nurses between Health and Social Care Trusts in the past five years, as highlighted in his answer to AQW 43571/11-15.

**(AQO 7970/11-15)**

**Mr Wells:** Trust expenditure on agency nurses has been incurred to ensure that safe and effective services are sustained at all times for patients and clients. During 2013/14, the cost of employing agency nursing staff was approximately £11m, which represents less than 0.25% of the total Health and Social Care budget.

There are many reasons for HSC Trusts employing agency staff at different times. These include, for example, cover for sickness, maternity and increases in beds over the winter months.

HSC Trusts have developed internal bank systems – a pool of qualified staff available for ad hoc work. The supply of bank staff however can fluctuate at times during the year across the region, particularly during holiday periods. Therefore, on occasion, service staffing needs will be greater than internal supply can meet and in these exceptional circumstances shifts will go to agencies for cover.

While Locum Doctors will only be engaged where necessary, they are a vital component of the HSC workforce, providing cover when there are vacancies and to cover sick leave and maternity/paternity leave. They are used to cover all grades of medical staff and contribute importantly to maintaining service provision to patients and clients.

Nonetheless, Trusts have been asked to examine reliance upon agency staff and my Department will continue to monitor expenditure closely.

**Mr Craig** asked the Minister of Health, Social Services and Public Safety for an update on the relocation of the Lisburn Health Centre to the Lagan Valley site, including when he expects work at Lagan Valley to be completed.

**(AQO 7972/11-15)**

**Mr Wells:** Plans for a new Lisburn Health Centre are at an advanced stage in procurement. This new centre is one of two pilot projects being progressed as a "Third Party Development" where the private sector finance the investment and where its services are leased back for an agreed annual amount.

It is currently at the stage where bids have been received following a Competitive Dialogue stage in procurement. After assessment the next stage is for the Appointment of a Preferred Bidder which is scheduled to take place in early summer.

The Award of Contract is planned for May/June 2016. This will be followed by enabling works on the Lagan Valley Hospital site. It is expected that the new facility will be open to patients in Spring 2019.

**Mr Weir** asked the Minister of Health, Social Services and Public Safety what discussions he has had with regard to improving the diagnosis of pancreatic cancer.

**(AQO 7973/11-15)**

**Mr Wells:** Early pancreatic cancer does not usually produce symptoms and can be hard to detect; by the time symptoms are apparent the cancer may be well advanced and late diagnosis can lead to poorer outcomes. I took part in an Assembly debate on pancreatic cancer in November last year which focussed on the need for earlier diagnosis and better public awareness. I was happy to speak in support of the work of GPs and other health professionals to boost early diagnosis rates, reduce misdiagnosis and make every effort to improve pancreatic cancer survival rates across Northern Ireland.

The Public Health Agency recently launched the Be Cancer Aware public information campaign. This 3-year campaign aims to: improve knowledge and awareness of the signs and symptoms of cancer; reduce attitudinal barriers preventing individuals

from seeking clinical advice as early as possible; and, improve awareness and knowledge of the effectiveness of cancer treatment and associated improved survival rates.

**Mr G Kelly** asked the Minister of Health, Social Services and Public Safety whether he intends to introduce cervical cancer screening on request for people aged 25 years and under.

**(AQO 7974/11-15)**

**Mr Wells:** In Northern Ireland cervical screening is offered every 3 years to women between the age of 25 and 49 and every 5 years from the age of 50 to 64. This policy is in line with recommendations made by the UK National Screening Committee following consideration of the best available scientific evidence. This is also the advice of the International Agency for Research on Cancer, part of the World Health Organisation, and is the policy adopted by the majority of EU member states.

Cervical cancer is rare in young women. Current evidence indicates that screening is not effective in women under the age of 25 because those who develop cervical cancer were as likely to be screened as unscreened.

Women who experience symptoms of cervical cancer should not have a screening test but should be referred for gynaecological examination.

## Department of Justice

**Mr Allister** asked the Minister of Justice whether there is a functioning crèche in Laganside courts; and whether it is fully staffed.

**(AQW 44372/11-15)**

**Mr Ford (The Minister of Justice):** There is not a functioning crèche in Laganside Courts.

**Mr McGlone** asked the Minister of Justice, pursuant to AQW 43190/11-15, whether drawdown has been agreed with the Department of Finance and Personnel and the Treasury; and what is the detail of that agreement.

**(AQW 44433/11-15)**

**Mr Ford:** Treasury advice is that End Year Flexibility (EYF) for ring-fenced NICSC funding only extended to the 2014-15 financial year. There is no agreement to EYF rollover into the 2015-16 financial year. HM Treasury has also recently indicated that all such commitments cease at the end of this current Spending Review period.

£30 million of Executive funding, provided to cover the Department of Health, Social Services and Public Safety element of the college, had been rolled into the EYF for this specific project. This could be deemed by HM Treasury to be forfeited EYF. DFP officials will continue to engage with HM Treasury to reclaim this funding for allocation elsewhere within 2015-16.

**Mr Easton** asked the Minister of Justice for his assessment of the £14 million underspend in the PSNI budget.

**(AQO 7983/11-15)**

**Mr Ford:** I hold regular discussions with the Chief Constable, including on the question of resources. The £14m underspend is the sum of a range of smaller underspends across a number of different areas. The Chief Constable is aware of the need to make savings and to deliver a balanced budget and has been making strenuous efforts to inculcate a culture of efficiency within the PSNI. Over the last six months, PSNI has implemented cost reduction plans with a focus on planning for the longer term. Establishing that trend has resulted in this underspend, but breaking the trend simply to avoid the underspend would run counter to what the Chief Constable is trying to achieve.

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 44113/11-15, how many law firms these figures represent (i) in total; and (ii) broken down by court division.

**(AQW 44468/11-15)**

**Mr Ford:** The number of law firms involved in preliminary investigations or mixed committals currently pending in each court division listed as of 27 March 2015 is set out in the table below:

Mixed Committals and Preliminary Investigations pending at the Magistrates' Court at 27 March 2015

Court Division	No. of Mixed Committals and Preliminary Investigations	No. of firms representing defendants involved	No. of firms representing defendants funded by Legal Aid	No. of firms representing defendants funded by Legal Aid	
				Solicitor only	Solicitor and Counsel
Belfast	5	3	2	1	1
Londonderry	0	0	0	0	0

Court Division	No. of Mixed Committals and Preliminary Investigations	No. of firms representing defendants involved	No. of firms representing defendants funded by Legal Aid	No. of firms representing defendants funded by Legal Aid	
				Solicitor only	Solicitor and Counsel
Antrim	0	0	0	0	0
Fermanagh and Tyrone	1	1	1	1	0
Armagh and South Down	0	0	0	0	0
Ards	2	2	1	1	0
Craigavon	2	1	1	0	1
<b>Total</b>	<b>10</b>	<b>7</b>	<b>5</b>	<b>3</b>	<b>2</b>

**Source:** Integrated Court Operations System (ICOS)

**Mr Campbell** asked the Minister of Justice whether all medical practitioners operating through his Department's Injury on Duty Appeals system receive the appropriate security clearance before commencing any appeals.

**(AQW 44486/11-15)**

**Mr Ford:** Medical practitioners are not security cleared as they are bound by the Hippocratic Oath and laws of medical ethics to maintain confidentiality and to avoid causing harm to patients. Actions contrary to this would be a gross violation of the medical practitioner's position and would result in them losing their licence to practice medicine.

Personal contact details are redacted from papers provided by the Department to medical practitioners.

**Mr Givan** asked the Minister of Justice what consideration his Department has given to the criteria for membership of the Engagement Group on Human Trafficking, in respect of organisations' position on the laws contained within the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015.

**(AQW 44495/11-15)**

**Mr Ford:** As the response to AQW/41153/11-15 explained, the Engagement Group was established in December 2012. The purpose of the group was, and is, to formalise and improve the engagement between the Department of Justice, police, and relevant statutory and non-governmental organisations on the issue of human trafficking; and to inform the development of human trafficking policy and programmes.

Membership of the group is subject to my approval. A process is in place for reviewing the current membership and considering new requests to join which has been agreed by the Engagement Group. This involves the completion of an application form by any new applicant. These forms are then considered by the Group.

The application form seeks information on:

- the main purpose of each organisation applying;
- the organisation's specific interest in human trafficking and how its current activities contribute to the strategic aims set out in the current Human Trafficking and Exploitation Action Plan;
- what added value the organisation would bring to the Engagement Group;
- the organisation's activities, including any campaigns or initiatives it has been involved in relevant to human trafficking; whether it has any direct contact with victims of human trafficking; what training the organisation has had in relation to human trafficking; and whether it currently provides any training or awareness on the issue.

Support for the strategic aims of the OCTF on human trafficking, and the related action plan, which take account of the legislation is, therefore, a central consideration.

**Mr Givan** asked the Minister of Justice what criteria are used to determine membership of the Engagement Group on Human Trafficking.

**(AQW 44496/11-15)**

**Mr Ford:** As the response to AQW/41153/11-15 explained, the Engagement Group was established in December 2012. The purpose of the group was, and is, to formalise and improve the engagement between the Department of Justice, police, and relevant statutory and non-governmental organisations on the issue of human trafficking; and to inform the development of human trafficking policy and programmes.

Membership of the group is subject to my approval. A process is in place for reviewing the current membership and considering new requests to join which has been agreed by the Engagement Group. This involves the completion of an application form by any new applicant. These forms are then considered by the Group.

The application form seeks information on:

- the main purpose of each organisation applying;
- the organisation's specific interest in human trafficking and how its current activities contribute to the strategic aims set out in the current Human Trafficking and Exploitation Action Plan;
- what added value the organisation would bring to the Engagement Group;
- the organisation's activities, including any campaigns or initiatives it has been involved in relevant to human trafficking; whether it has any direct contact with victims of human trafficking; what training the organisation has had in relation to human trafficking; and whether it currently provides any training or awareness on the issue.

Support for the strategic aims of the OCTF on human trafficking, and the related action plan, which take account of the legislation is, therefore, a central consideration.

**Mr B McCreagh** asked the Minister of Justice (i) how many people have been found guilty of motoring offences in each of the last three years; (ii) how many of these verdicts were appealed; and (iii) how many were overturned.

**(AQW 44573/11-15)**

**Mr Ford:** Motoring offences may be prosecuted under various pieces of legislation, for example, the Road Traffic (Northern Ireland) Order 1981, the Road Traffic (Northern Ireland) Order 1995, the Road Traffic Regulation (Northern Ireland) Order 1997 and the Motor Vehicles (Construction and Use) Regulations (Northern Ireland) Order 1999.

The most recent convictions data available relate to 2013. Information in relation to these convictions, subsequent appeals brought and appeals allowed has been provided in the following table.

**Convictions for motoring offences 2011 – 2013 and subsequent appeals brought and allowed**

Year	Convictions <sup>1,2</sup>	Appeals brought <sup>3,4</sup>	Appeals allowed <sup>5</sup>
2011	16,228	675	446
2012	14,397	594	387
2013	12,566	518	333

**Source:** ICOS.

**Note:**

- 1 Data are collated on the principal offence rule; only the most serious offence for which an offender is convicted is included.
- 2 The figures provided relate to convictions for all classifications of the offences specified.
- 3 Relates to Appeals at the Court of Appeal and County Court up to the end 2014.
- 4 Data relate to defendants convicted of a motoring offence as their primary offence, who appealed some aspect of their overall conviction.
- 5 Includes Appeals where an Order was reversed or varied, in relation to the conviction and/or sentence.

**Mr Brady** asked the Minister of Justice for an update on his Department's work on statutory time limits in youth justice cases. **(AQO 7976/11-15)**

**Mr Ford:** I plan to introduce statutory time limits in the youth court in October. I wrote to the Justice Committee on 18 March to set out next steps and the timetable for their introduction. I have placed a copy of the timetable in the Library.

My officials have engaged with stakeholder organisations to agree a phased approach to the introduction of the scheme and briefed the Justice Committee on 25 March.

The time limit will initially run from the point a young person is charged with an offence, or in summons cases, from the date the Public Prosecution Service makes a complaint to the court. It will end at the point the first person gives evidence to the court as part of the trial or when a guilty plea is entered.

My officials are currently working with the criminal justice agencies to complete the operational details and finalise draft regulations for the scheme.

This is only the first step towards developing a more rigorous and comprehensive time limit. I believe the end to end time limit envisaged by the Youth Justice Review team should be our ultimate aim and that the criminal justice system should be taking steps to prepare for a time limit with an extended scope and a shorter duration.

As this will require new legislation, my officials will be discussing options with stakeholders over the Summer and will publish a consultation paper in the Autumn.

In the interim, and in order to give greater attention to delay at the early stage of proceedings, I have decided to augment the statutory scheme with an administrative time limit that will cover the early stages of a case. The administrative time limit

will be introduced in October with the statutory time limit and will operate until the new legislation needed to deliver a more expansive scheme can be introduced.

I have asked the Criminal Justice Board to monitor closely performance against the statutory and administrative time limits and arrangements will be put in place to track the progress and overall duration of cases.

I also intend to review the operation of the statutory scheme after twelve months to see if the duration of the time limit can be shortened. That will also provide an opportunity to review the range of offences to which the time limit applies together with the use of extensions and the need for exclusions.

**Mr Moutray** asked the Minister of Justice for an update on the incident at HM Prison Maghaberry, which occurred on 2 February 2015.

**(AQO 7975/11-15)**

**Mr Ford:** The incident in Roe House at Maghaberry on 2 February resulted in a very difficult situation, successfully managed and brought to an end through the professionalism and dedication of responding staff.

Following the events of 2 February, as is normal practice following any serious incident in a prison, a review to establish the exact facts and what lessons might be learnt was initiated. That review has included revisiting operational responses and meeting with partner agencies. It is scheduled to be completed by the end of April.

**Mr Agnew** asked the Minister of Justice what assessment has been made of the effectiveness of short prison sentences of three months or less.

**(AQO 7982/11-15)**

**Mr Ford:** The Prison Review Team, led by Dame Anne Owers, recommended the introduction of a statutory presumption in favour of community sentences for those who would otherwise receive a short custodial sentence.

This recommendation was based on their assessment that community sentences were more effective in reducing reoffending.

In Scotland, similar legislation was introduced in 2010 in conjunction with the creation of Community Payback Orders which offered an alternative to short custodial sentences. Early indications are that these measures have proved effective, although I understand that a fuller analysis is due later this year.

While I accept that in some cases a short prison sentence is the appropriate response, research suggests that in many cases community sentences may be more effective at reducing the rate of reoffending.

For these reasons, I remain convinced that we should fully implement the Prison Review Team recommendation. However, the lack of political consensus on this issue means that it has not been possible to take this forward in this mandate.

My Department continues to explore the options to increase the use of community sentences and in January held a workshop under the auspices of the Criminal Justice Issues Group which looked at precisely these issues and further work will be undertaken in the remainder of this year.

**Mr Swann** asked the Minister of Justice for an update on the change to legislation to reduce the legal age to hold a shotgun licence.

**(AQO 7987/11-15)**

**Mr Ford:** Proposals were presented to the Justice Committee on 4 March following a meeting with stakeholders. Three stakeholder groups represented at that meeting (and a fourth in writing) supported the proposals around the lowering of the age; however, three groups did not attend and remain opposed to the age of 12.

My proposal is that a young person from the age of 12 can use (but not licence) a shotgun under supervision in a police approved clay target club.

**Mr Hussey** asked the Minister of Justice what discussions he has had with the Chief Constable regarding the £14m underspend in the PSNI budget.

**(AQO 7988/11-15)**

**Mr Ford:** I hold regular discussions with the Chief Constable, including on the question of resources. The £14m underspend is the sum of a range of smaller underspends across a number of different areas. The Chief Constable is aware of the need to make savings and to deliver a balanced budget and has been making strenuous efforts to inculcate a culture of efficiency within the PSNI. Over the last six months, PSNI has implemented cost reduction plans with a focus on planning for the longer term. Establishing that trend has resulted in this underspend, but breaking the trend simply to avoid the underspend would run counter to what the Chief Constable is trying to achieve.

## Department for Regional Development

**Mr Weir** asked the Minister for Regional Development, pursuant to AQW 43710/11-15, to list the official name of each of these bridges.

**(AQW 44375/11-15)**

**Mr Kennedy (The Minister for Regional Development):** The official name of each of the bridges, as previously listed in AQW 43710/11-15, are as recorded in the Roads Service Bridge Management System (RSBMS) and are listed below for ease of reference. The unique identifier for each Bridge/Structure is its Bridge number as shown below:

Bridge No:	Bridge Name:
90318	Brunswick Road
90319	Bangor Flyover
90320	Crawfordsburn Road
90325	Hawe Road
90327	Ballycrochan Road
90582	Bangor Harbour Bridge
90606	Ashley Drive
90607	Groomsport Road
90608	Donaghadee Road
90609	East Circular Road Bangor

**Mr Girvan** asked the Minister for Regional Development how much has still to be paid to landowners who had their land vested as part of the A8 road project.

**(AQW 44377/11-15)**

**Mr Kennedy:** To date, approximately 10% of landowners impacted by the A8 Belfast to Larne Dualling scheme have agreed their formal claim for compensation.

The total amount still to be paid to landowners, who have had their land vested, will not be known until all claims have been submitted and agreed.

**Mrs Dobson** asked the Minister for Regional Development to detail the number of tickets purchased for the x1 Service from Belfast to Dublin Airport in each month of the last three years; and the number purchased (i) online; and (ii) at the time of travel.

**(AQW 44380/11-15)**

**Mr Kennedy:** Translink have indicated that as other transport competitors operate on the Belfast to Dublin route, the release of this information is classified as commercial in confidence.

**Mrs Dobson** asked the Minister for Regional Development how the x1 service from Belfast to Dublin Airport is advertised (i) across Northern Ireland; and (ii) in the locality of each stop on the route, especially in relation to the ability to pre-purchase tickets online.

**(AQW 44382/11-15)**

**Mr Kennedy:** Translink regularly advertise both the X1 and X2 services between Belfast and Dublin Airport/Dublin City Centre through a range of advertising platforms. These include outdoor posters, bus stops, radio, press, coaches, social media, digital advertising and through promotional engagement with customers and the general public.

There is targeted advertising in locations within close proximity to the route at key times throughout the year. In addition, advertising across Northern Ireland is focused on promoting web fares, buy online and service details.

**Lord Morrow** asked the Minister for Regional Development why a flag pole is permitted to remain at Ballygawley Road Roundabout in Dungannon, despite previous concerns around this illegal placement, and from where a tricolour is again being flown.

**(AQW 44383/11-15)**

**Mr Kennedy:** I am aware that a tricolour flag has been erected in recent years at this location to coincide with Easter and St Patricks Day. On each occasion, the flag and pole have been removed within a relatively short time period, presumably by those who erected it.

In accordance with the Joint Protocol in Relation to the Display of Flags in Public Places, my officials sought the views of the PSNI regarding the removal of the flag. The PSNI continues to advise that removal of the flag would not be advisable as it is considered that such action would likely raise community tension and may lead to a proliferation of the problem. I have asked the PSNI to continue to liaise with community representatives to find an early resolution to this issue.

**Lord Morrow** asked the Minister for Regional Development to provide the forward planning improvement programme for the A29 Dungannon to Carland.

**(AQW 44384/11-15)**

**Mr Kennedy:** I can confirm that a local transportation and safety measures scheme (LTSM) to widen the bridge at Tyrone Brick works, Killylack is currently being developed. At present, this bridge is narrower than other parts of this road, making it difficult for large vehicles to pass. The scheme will remove the parapet walls, widen the carriageway and construct two metre wide verges, which will eliminate the 'pinch point'. This scheme is mid-way between Dungannon and Carland and is listed in the 2015-2017 draft programme that was presented to Dungannon and South Tyrone Borough Council in autumn 2014. Progression of the scheme is however dependent upon the availability of funding, and it is unlikely to be delivered during this financial year.

I also acknowledge that a more extensive road realignment/widening scheme is required in the vicinity of the bridge widening scheme. However, such a scheme would not be as high a priority as other larger LTSM schemes in the Mid Ulster area, and therefore, is not being taken forward at this time.

The delivery of the Carland bridge realignment in 2010, at a cost of approximately £6million, was a very worthwhile scheme and the aforementioned improvements will further enhance this part of the road network.

There are currently no network maintenance (resurfacing) schemes planned for this section of carriageway.

**Ms Sugden** asked the Minister for Regional Development to detail (i) the money from his Department which was set aside for the Rural Transport Fund (RTF) in 2013/2014; (ii) the amount received by the RTF, including money from monitoring rounds; (iii) the amount of allocated funding for 2015/2016; and (iii) whether this amount represents a 33 per cent reduction.

**(AQW 44411/11-15)**

**Mr Kennedy:**

- (i) In 2013/14 the baseline budget for Rural Community Transport was £2.75m.
- (ii) In 2013/14 the total amount of grant paid was the baseline budget of £2.75m. Following internal reallocations linked to monitoring rounds, a further £680,000 was awarded giving total for the year of £3.437m.
- (iii) For 2015/16 the level of funding available is £2.43m and this is before any monitoring rounds.
- (iv) The level of funding available for 2015/16 represents an 11% reduction in budget against the previous year's baseline.

**Mr Frew** asked the Minister for Regional Development whether the part-time enforceable 20mph speed limits scheme during starting and finishing times at schools will be rolled out to schools in North Antrim.

**(AQW 44421/11-15)**

**Mr Kennedy:** The Member will be aware that my Department is committed to providing safer roads for the vulnerable road user and, in conjunction with the Department of the Environment and the Police Service for Northern Ireland, has developed the Northern Ireland Road Safety Strategy to 2020.

This strategy gives a commitment that, following the successful installation of pilot schemes at three primary schools and, subject to available funding, TransportNI will develop a programme of part-time 20mph speed limits at rural schools on roads where the national speed limit applies.

This programme will include schools in North Antrim.

Regrettably, due to the significant budget pressures my Department is currently facing, I am unable to provide a definitive timescale for the roll out of this programme.

**Ms Boyle** asked the Minister for Regional Development, following on from another death on the A5 road, when he will bring a paper on the A5 road project to the Executive.

**(AQW 44424/11-15)**

**Mr Kennedy:** The recent fatalities on all our roads, including the recent tragedy on the A5 route, are of great concern to us all and my sympathies go out to the families impacted by these tragic events.

In relation to the A5 project, I can advise that it is my intention to circulate a paper on this scheme to Executive colleagues in the coming weeks.

**Mr Frew** asked the Minister for Regional Development, pursuant to AQW 44265/11-15, (i) how many vehicles and pieces of machinery have been parked up and taken out of service; (ii) how many of these have been purchased in the last financial year; (iii) for a breakdown of the vehicles, including how much each cost.

**(AQW 44425/11-15)**

**Mr Kennedy:**

- (i) It is not possible to be precise about the number of vehicles and items of plant that will be parked up and taken out of service temporarily due to the significant resource funding pressures impacting TransportNI, however, it is likely it will generally be limited to a number of lorries that are normally used to carry materials. Specialist vehicles such as Sweepers and Gully Emptiers will continue to be used but on a less frequent basis.
- (ii) No vehicle purchased in the past year is being taken out of service.
- (iii) It is envisaged that the vehicles being parked up will be among the older fleet items for which the current residual values will be quite low.

**Mr Frew** asked the Minister for Regional Development, pursuant to AQW 44265/11-15, what happens to the waste as it is being cleaned out of the gullies, given that gully sucker vehicles have been taken out of service.

**(AQW 44427/11-15)**

**Mr Kennedy:** Within the skeletal service that I have asked my Department to provide, urban gully cleaning will continue at known hotspots and there will also be some manual cleaning of rural gullies. The material removed from road gullies located within the urban environment, is taken off site by a gully emptier and transported to a recycling facility.

The material removed from rural road gullies mainly consists of inert and biodegradable material. Where appropriate, these are being cleaned manually and the material is spread on the adjacent grassed verge. Any items of litter are removed from sites for further disposal.

I can also confirm that my Department has not taken any gully cleaning vehicles out of service although they will be deployed less frequently than normal. They continue to be available to help deal with flooding events.

**Mr Flanagan** asked the Minister for Regional Development when the change of priorities at Main Street, Maguiresbridge came into effect; and to detail the average number of vehicles which passed through the Main Street (i) prior to the change in priorities; and (ii) at the most recent traffic survey.

**(AQW 44436/11-15)**

**Mr Kennedy:** The junction realignment and change of priorities scheme at Main Street, Maguiresbridge was completed on 29 March 2011.

Traffic survey results for the A34 Main Street, Maguiresbridge indicate there were:

- (i) 8,247 vehicles per day in September 2010; and
- (ii) 7,968 vehicles per day in February 2014.

**Mr Flanagan** asked the Minister for Regional Development, pursuant to AQW 43085/11-15, given that traffic calming measures are assessed on the following factors: road traffic injury reported by police, vehicle speeds, volume and type of traffic and the presence of schools, playgrounds and shops, how traffic calming measures were deemed to be a priority in Clabby under each of these factors.

**(AQW 44437/11-15)**

**Mr Kennedy:** Clabby village was traffic calmed approximately eight years ago and vertical traffic calming measures were provided on the 30mph speed restricted roads through the village. Details of the assessment of the need for traffic calming that was undertaken at that time, are no longer available as the information has been disposed of in accordance with my Department's records management procedures.

A review of the 40mph speed limit on Clabby Road, Clabby was undertaken last year and my officials, in conjunction with representatives from the PSNI Roads Policing Unit, concluded that due to increased development along this route, a 30mph speed limit was merited. As vertical traffic calming measures had already been provided on the roads within the existing 30mph speed limit, it was also agreed that such measures should be extended to the new 30mph restricted area. This required the provision of two additional sets of speed cushions, which compliment the original scheme and are intended to keep vehicle speeds at the same levels throughout the 30mph zone.

**Mr Flanagan** asked the Minister for Regional Development, pursuant to AQW 43085/11-15, whether his Department has considered suspending the introduction of these measures to engage in a more representative consultation process, given that only one resident responded to the most recent exercise.

**(AQW 44439/11-15)**



**Mr Kennedy:** I am satisfied that my Department has undertaken the statutory consultation required to provide the additional traffic calming measures at this site and can confirm that the two sets of speed cushions have now been provided. There were no grounds to suspend the introduction of these measures.

**Mr Easton** asked the Minister for Regional Development what is the shortfall in the budget for NI Water for the next financial year. (AQW 44441/11-15)

**Mr Kennedy:** My Department is facing cuts and pressures of some £60 million on my Resource budget, around 18% of the 2014-15 baseline.

NI Water is subject to significant statutory duties as a company and water and sewerage undertaker. It also has to certify to the Regulator that it has sufficient funding to carry out its regulated activities. The Draft Budget left NI Water with a shortfall of some £15 million. The Draft Budget position would have made it virtually impossible for the company to comply with its legal duties and obligations under the Licence. To enable NI Water to meet its legal obligations, I have significantly addressed this shortfall through the allocation of a further £10 million, bringing its Resource allocation to £109.2 million for 2015-16.

A significant risk remains, however. NI Water is still £4.7 million short of the funding level recommended by the Utility Regulator and was therefore unable to accept the Final Determination. It will need to absorb this shortfall and there is no funding to cover unforeseen events.

**Mr Easton** asked the Minister for Regional Development what is the shortfall in the budget for Translink for the next financial year. (AQW 44443/11-15)

**Mr Kennedy:** My Department is facing cuts and pressures of some £60 million on my Resource budget, around 18% of the 2014-15 baseline.

The draft Budget left Translink facing pressures of £15 million. Out of additional funding provided at Final Budget, I have allocated an additional £2 million to Translink for town services reducing their budget shortfall to £13million for 2015-16.

While Translink is undertaking a number of actions in order to reduce its funding pressures, it is forecasting an increase in its in-year deficit, bringing the total projected loss to £10.8million in 2015-16.

Although the network will continue to operate on its current geographical basis, it is inevitable, given the funding constraints, that there will be reductions in frequency to some services. However, in taking forward any proposed service rationalisation, Translink is consulting with passengers, local community representatives, politicians and other stakeholders.

**Mr Easton** asked the Minister for Regional Development what is the shortfall in the budget for Transport NI for the next financial year. (AQW 44444/11-15)

**Mr Kennedy:** My Department is facing cuts and pressures of some £60 million on my Resource budget, around 18% of the 2014-15 baseline.

The total shortfall in the Budget for TransportNI is some £38.5million. In addressing this pressure, the TransportNI budget has limited room for flexibility. After taking into account inescapable costs totalling almost £84 million, including £40 million for PPP commitments, together with staff costs of some £61 million, TransportNI has only £13m to cover all remaining activities.

These include street lighting and traffic signal energy, funding for external contractors including those who normally repair traffic signals and street lights, supplies including patching materials and salt, fleet maintenance and fuel. Indeed the £13 million will only cover the street lighting and traffic signal energy costs and inspections.

As a result, I would have been unable to carry out routine maintenance work and street lighting repairs in 2015-16.

The stopping of these activities is likely to have serious public safety implications. In addition, around 500 industrial staff employed by my Department would be confined to depots with no work due to the budget position. This situation would be totally unacceptable.

I am, therefore, proposing to allow my industrial staff to provide a skeleton routine maintenance service, until the outcome of June monitoring is known. Let me make it clear that this will be done at risk and I will be keeping the position under careful review.

**Mr Easton** asked the Minister for Regional Development to list the new road build projects planned for the next financial year. (AQW 44459/11-15)

**Mr Kennedy:** Construction of the A8 Belfast to Larne Dualling and the A2 Shore Road Greenisland schemes is progressing well with both projects scheduled for completion this financial year. In addition, construction of both the A26 Glarryford to A44 Frosses dualling scheme and the A31 Magherafelt Bypass has recently commenced and the projects are scheduled for completion in mid-2017 and late-2016 respectively.

It is also anticipated that a contractor will be appointed early this financial year to develop the design of the A6 Randalstown to Castledawson dualling to a shovel-ready position, thus allowing construction to commence at short notice should the necessary funding be made available by the Executive.

In addition to these major projects, it is anticipated that a number of smaller road improvement schemes, which make up my Department's Local Transport and Safety Measures programme, will also be taken forward this year.

**Mr Easton** asked the Minister for Regional Development to list the European funding applications his Department has submitted for the future; and the purpose for which this funding will be used.

**(AQW 44460/11-15)**

**Mr Kennedy:** As you will be aware from recent correspondence to the Committee for Regional Development (DALO/D20/2015 refers), the European Commission's recent call within the Connecting Europe Facility (CEF) for project applications closed on 3 March and my Department submitted four applications which relate to strategic road and rail projects. These are:

- a) The construction of 7km of dual carriageway on the A26 road;
- b) The completion of studies to inform the future construction of a 'last mile' hinterland connection to Warrenpoint Port (commonly referred to as the Newry Southern Relief Road);
- c) The upgrading of technical equipment and infrastructure on the Coleraine to Londonderry rail line; and
- d) The rehabilitation of tracks on the Knockmore to Lurgan rail line.

The submission of these projects for co-financing was in response to specific call criteria and their ability to particularly match these. My Department is prepared, and will continue, to evaluate candidate projects in terms of their potential to secure co-financing through competitively funded EU programmes and to contextualise future applications against defining call criteria.

**Mr Easton** asked the Minister for Regional Development to detail the number of unpaid parking fines in each of the last two financial years.

**(AQW 44462/11-15)**

**Mr Kennedy:** Details of the number of unpaid parking fines, in each of last two financial years, are set out in the table below:

Penalty Charge Notices (PCNs)	Year	
	2012/13	2013/14
Number of PCNs issued	108,354	110,059
Number of Unpaid PCNs	8,889	10,027

**Lord Morrow** asked the Minister for Regional Development, pursuant to AQW 42688/11-15, to detail the timeline for progressing the issue of dedicated taxi ranks.

**(AQW 44475/11-15)**

**Mr Kennedy:** My officials have carried out informal consultation on the provision of additional taxi ranks in Botanic Avenue and High Street and objections have been received to both proposals. They plan to meet with the objectors before the end of June to discuss their respective concerns and thereafter will be assessing if an agreed way forward can be reached.

Officials also intend to carry out an initial, or informal, consultation on the potential to provide three spaces on Donegall Quay by the end of May 2015.

The potential to enhance the existing taxi rank in Donegall Square North will, to a degree, be dependent upon the outcome of ongoing consideration of provision of improved cycle facilities within the city centre, and I have asked my officials to revisit this issue as soon as the emerging plan for cycling has been suitably developed. This is likely to be towards the end of this year.

**Lord Morrow** asked the Minister for Regional Development, pursuant to AQW 44168/11-15, to outline the reasons for the delay in answering AQW 42688/11-15.

**(AQW 44478/11-15)**

**Mr Kennedy:** The delay in answering AQW 42688/11-15 was the result of an administrative oversight.

**Mr Weir** asked the Minister for Regional Development how many street lights in North Down are lit 24 hours a day.

**(AQW 44480/11-15)**

**Mr Kennedy:** Apart from seven lights in the Priory Park subway, Holywood, there are currently no street lighting systems designed to operate continuously in the North Down area.

However, I am aware of eight lights (at two locations) which are currently operating continuously because of defects in the NIE network supplying them. These defects are being rectified by NIE.

**Mr Campbell** asked the Minister for Regional Development what is the estimated cost of dualling the A2 between Eglinton and the Limavady Bypass.

**(AQW 44487/11-15)**

**Mr Kennedy:** At present there is no scheme proposal to dual the A2 from Eglinton to the Limavady Bypass in my Department's road construction programme. You will be aware that a preferred route was established in 2010 for a bypass of Ballykelly, but due to funding constraints, the scheme has not progressed any further.

A dual carriageway between Eglinton and the Limavady Bypass would be approximately 14km long, and the costs of such a scheme would be influenced by many factors including topography, ground conditions, the number of bridges/culverts/retaining walls and the dual carriageway standard. Experience of recent schemes suggests the cost of providing a dual carriageway in Northern Ireland can range from £6 million to over £11 million per km. On that basis, the indicative cost for a 14km dual carriageway between Eglinton and Limavady would be in the region of £80 million to £160 million, however, a considerable amount of additional work would need to be undertaken before a scheme estimate could be developed.

**Mr Campbell** asked the Minister for Regional Development what consideration will be given to reducing the speed limit at rural schools, particularly where staff, pupils and public representatives, have been campaigning for such a reduction.

**(AQW 44488/11-15)**

**Mr Kennedy:** My Department takes the safety of children on their journeys to and from schools very seriously and has implemented a significant number of safety schemes, many through the Safer Routes to Schools programme introduced in 2005. These schemes used engineering measures to warn drivers of the presence of pupils and to reduce vehicle speeds.

It is recognised that children attending rural schools may be exposed to greater risk of traffic travelling at higher speeds. In response to this, my Department piloted the concept of part-time, enforceable 20mph speed limits during the starting and finishing times at three schools. These trials have proven to be very successful in reducing speeds during their operational periods and have now been adopted as a major part of my Department's policy for road safety measures at rural schools. Regrettably, due to the significant budget pressures my Department is currently facing, I am unable to provide a definitive timescale for the roll out of this programme.

Whenever a school is being assessed for consideration of the introduction of a reduced speed limit, a number of factors are taken into account in line with the assessment procedure in the school safety policy. These include the collision history, vehicle speeds and volume and local infrastructure facilities such as crossing points, footpaths and parking. Whereas it can be helpful for individual schools to highlight specific issues, assessment is carried out on a purely evidential basis and therefore is not dependent on a local campaign.

**Ms Sugden** asked the Minister for Regional Development whether the Rural Transport Fund is intended to fund the Rural Community Transport Partnerships as organisations, or to fund the services which they provide.

**(AQW 44500/11-15)**

**Mr Kennedy:** The Rural Transport Fund (RTF) is administered by my Department and has been in existence in Northern Ireland since November 1998. Its primary objective is to support transport services designed to give people in rural areas improved access to work, education, healthcare, shopping and recreational activities and by so doing assists in reducing their social isolation.

The RTF offers support through two primary means of assistance:

- Subsidy for new rural services provided by Translink which are economically unviable but socially necessary; and
- revenue and capital funding for Rural Community Transport Partnerships that offer a range of complementary services to the public transport network for their members.

**Mr McGlone** asked the Minister for Regional Development why his Department has ceased repair work on minor roads in Mid Ulster; and when this work will recommence.

**(AQW 44540/11-15)**

**Mr Kennedy:** My Department is facing a £60million Resource budget pressure in 2015/16, creating an immediate impact on the delivery of routine maintenance services.

The budget allocation that is currently available to my Department is only sufficient to cover its fixed costs. Consequently, my Department has not been able to employ external contractors to undertake these routine activities since 31 March 2015.

I have decided to allocate a very limited budget to my Operations and Maintenance team to provide a skeletal routine maintenance service until June 2015. However, can I make it clear that I am doing so at risk, as I cannot allow road safety related maintenance to be stopped. Roads will still be inspected as normal and repairs will be prioritised in so far as resources permit. These have been difficult choices to make but my Department cannot spend money that it doesn't have.

In 2015/16 my Department will be entirely dependent upon funding allocations from monitoring rounds to deliver the full range of maintenance activities beyond June 2015, including those provided by the Operations and Maintenance team.

Once the outcome of June monitoring is known, a decision will have to be taken as to whether or not to stop all maintenance, continue with the skeletal service or return to normal service delivery. Until the outcome of June monitoring is known I will not be in a position to confirm a definite timescale for recommencing this work.

**Lord Morrow** asked the Minister for Regional Development, pursuant of AQW43911/11-15 as an investigation will not be instigated, can he therefore address points i-iv inclusive, from the original question.  
**(AQW 44582/11-15)**

**Mr Kennedy:** Translink has advised that as part of the upgrade of Central Station, a business opportunity arose to tender this taxi provision service to competing taxi firms.

The contract to the current private taxi firm was awarded following the requisite procurement procedures.

The security personnel provide directions or advice as part of the customer service role which they fulfil at Central Station.

The contract was awarded on the basis that the successful tender applicant would be the sole user of the taxi facilities beside the Central Station building, hence the appropriate branding at the pick-up point.

**Mr Agnew** asked the Minister for Regional Development for his assessment of the traffic issues at Seapark, Holywood during warm weather periods and bank holidays; and what proposals have been considered to resolve issues faced by residents and visitors.

**(AQW 44749/11-15)**

**Mr Kennedy:** It is acknowledged that spells of hot weather have the effect of attracting a substantial number of additional visitors to the Seapark area. While my Department is empowered to introduce various types of restrictions on the road user, these should be proportionate to the particular issue being addressed. It would not be considered appropriate to introduce permanent restrictions for events that are only likely to occur on very few occasions throughout the year. In these circumstances, the onus is on the Police Service of Northern Ireland to manage the situation as they see fit, depending on the circumstances.

Waiting restrictions, for example double yellow lines, can be contentious in residential areas as they apply to all drivers, including residents. They also tend to simply displace parking to adjacent areas of the road and to side streets. In residential areas, we therefore only consider their use where there are consistent traffic progression difficulties or road safety concerns. They are not used to improve access or visibility at private entrances. Accordingly, my Department is not currently intending to introduce further waiting restrictions in the Seapark area at this time.

It should also be noted that any driver who parks a vehicle which creates an obstruction is committing a traffic offence, which can be dealt with by the Police Service of Northern Ireland. Therefore if this problem occurs, I would suggest that residents contact the local police station in Holywood.

**Mr Lyttle** asked the Minister for Regional Development for an update on the Bicycle Strategy, including the budget allocation for cycling.

**(AQO 7996/11-15)**

**Mr Kennedy:** I published the Consultation Report on the draft Bicycle Strategy for Northern Ireland at the beginning of this month. The report summarises the responses to the public consultation and shows where these responses will help to shape proposals for the final strategy.

My officials are currently revising the Strategy in light of the comments received during the consultation and I would hope to be in a position to finalise the Bicycle Strategy by this Summer. At around the same time I will publish a draft Bicycle Strategy delivery plan for consultation.

I have made an initial allocation of £2 million capital funding in 2015/16 for infrastructure schemes to support the Bicycle Strategy.

I have also allocated £0.5 million for the Active School Travel Programme and the promotion of cycling throughout Northern Ireland.

**Mr Frew** asked the Minister for Regional Development for an update on the report presented by Northern Ireland Water to the Flood Investment and Planning Group in March 2015, including the preferred option to find a resolution to the problems in the Toome Road and Queen Street area of Ballymena.

**(AQO 7998/11-15)**

**Mr Kennedy:** The Investigatory Report was presented to the Flood Investment Planning Group on 23rd March 2015. The Report identified a number of options to reduce the flood risk in the Toome Road and Queen Street area of Ballymena. It has been agreed that the preferred option, outlined in the Report, should be taken forward through detailed design to delivery.

This will now be progressed as a joint NI Water and Transport NI project and will include improvements to the storm drainage system from the Wakehurst Estate, increasing the capacity of the NI Water combined sewer system and separation of road

drainage from NI Water's combined sewer. In addition, options to introduce some improvements through a sustainable drainage system will be further investigated.

This will be a significant project with a preliminary cost estimate of £1.5 million. It is estimated that the project could be ready to commence in 12 months with a further 12 month period required for construction. This outline timeframe will be subject to obtaining any statutory approvals, land purchase and the availability of funding.

**Mr Lynch** asked the Minister for Regional Development whether he has met with representatives from the Quarry Products Association Northern Ireland.

**(AQO 7999/11-15)**

**Mr Kennedy:** During the 2014/15 financial year I met formally with QPANI representatives, including Regional Director Mr Gordon Best, on one occasion, 20 October 2014, to discuss the potential implications of budget reductions.

I am due to meet representatives from QPANI on Thursday 23 April 2015, to again discuss the implications of the budget reductions my Department is facing.

**Mr Douglas** asked the Minister for Regional Development for an update on the Belfast Public Bike Share Scheme.

**(AQO 8000/11-15)**

**Mr Kennedy:** My Department provided £1.14million capital grant funding to Belfast City Council to develop a Public Bike Share Scheme for Belfast as part of a programme of Active Travel Demonstration Projects. This funding has enabled the Council to procure and develop the infrastructure to install 300 bikes at 30 docking stations located throughout Belfast City Centre.

Belfast City Council is responsible for operating the scheme. It has advised that all infrastructure will be in place and it is planned to launch the scheme on 26 and 27 April 2015.

Advance registration for the scheme went live on the Belfastbikes website on 9 March. The website also contains details how the scheme works, the cost of hiring the bikes and a map showing locations of the docking stations. It can be accessed at [www.Belfastbikes.co.uk](http://www.Belfastbikes.co.uk).

**Mrs Dobson** asked the Minister for Regional Development for an update on the street lighting LED pilot project.

**(AQO 8001/11-15)**

**Mr Kennedy:** On 27 March 2015 I announced a significant pilot project to retrofit around 20,000 street lights in the Banbridge and Craigavon areas with energy efficient LED lanterns.

At present, work is ongoing to establish the scope of the works and to put in place the necessary procurement and contractual arrangements to allow this project to be delivered. Initial survey and planning work has also begun, and it is planned to have the first new lanterns installed and operating during the summer.

**Mr Dunne** asked the Minister for Regional Development, on completion of the public realm works, whether he will give a commitment to carry out road resurfacing works in Bangor and Holywood town centres.

**(AQO 8002/11-15)**

**Mr Kennedy:** The Member will be aware of the major budgetary pressures facing my Department this financial year which will lead to significant reductions in our maintenance programmes. As such, I am unable to provide him with a commitment to carry out carriageway resurfacing in Bangor (Abbey Street) and Holywood (High Street). This position will be revisited should funding become available.

**Mr I McCrea** asked the Minister for Regional Development to outline any discussions between his Department and council officials in Cookstown about the relocation of the pedestrian crossing at the William Street/Burn Road junction.

**(AQO 8003/11-15)**

**Mr Kennedy:** The Member wrote to me 25 October 2014, requesting that the pedestrian crossing at William Street, Cookstown be moved to a safer location.

My Department is aware of the concerns that have been raised regarding the current location of the crossing close to the Burn Road junction and is taking forward discussions with Council officials in conjunction with the Public Realm scheme proposed for Cookstown.

The pedestrian crossing is included within the Public Realm scheme, which is currently going through the development process, and my officials are represented on the Council's Steering Group for the project. At group meetings my officials have advised that the crossing on the north bound carriageway needs to be relocated further away from the Burn Road junction.

## Department for Social Development

**Mr Attwood** asked the Minister for Social Development (i) to detail the number of empty housing units in West Belfast; (ii) how many of these units are in areas of housing need; and (iii) what work is being undertaken to bring these homes back into use. **(AQW 43933/11-15)**

**Mr Storey (The Minister for Social Development):** The Housing Executive has advised that at 28 February 2015 they had 106 vacant properties, while Housing Associations advise they currently have 48 vacant properties in the West Belfast Parliamentary constituency. The Housing Executive has further advised that the areas of high housing need are within their Dairy Farm and West Belfast local office areas. 50 of their vacant properties and 41 of the Housing Associations vacant properties are in these areas.

Action being taken by both the Housing Executive and Housing Associations to bring properties back into use includes the carrying out of major repairs and improvements. In addition, a number of properties are awaiting imminent relet or are pending appraisal/consideration of disposal or redevelopment.

Also, following the launch of my Department's Empty Homes Strategy, a new facility was set up in 2014 via the Housing Executive's website to enable the reporting of empty homes across Northern Ireland. Since April 2014 a total of 91 empty homes have been reported to the Housing Executive from the West Belfast constituency, a number of which have been sold, repossessed or are under renovation etc.

**Mr McCallister** asked the Minister for Social Development to detail the last occasion that each housing association tendered for the maintenance of heating systems; and whether gas boiler services are in compliance with the Gas Safety (Installation and Use) Regulations (Northern Ireland) 2004 with an active Landlord Gas Safety Record.

**(AQW 44130/11-15)**

**Mr Storey:** The table attached details the last occasion that each Housing Association tendered for the maintenance of heating systems.

Housing Association	Last tender for maintenance of heating systems
Abbeyfield & Wesley	November 2013
Alpha	Interim contract January 2015 (Currently re-tendering)
Apex	October 2010 (Currently re-tendering)
Ark	January 2014 (Currently re-tendering)
Choice Ireland	December 2012
Clanmil	November 2013
Connswater	November 2013
Craigowen	November 2014
Fold	November 2009 (Currently re-tendering)
Grove	December 2012
Habinteg	September 2011 (Currently re-tendering)
Hearth	November 2013
Helm	July 2014
Newington	December 2012
North Belfast	December 2012
Open Door	September 2014
Rural	November 2010 (Currently re-tendering)
South Ulster	Interim contract November 2014 (Currently re-tendering)
St. Matthews	December 2012
Triangle/Covenanter	January 2012 (Currently re-tendering)
Ulidia	November 2013
Woodvale & Shankill	Not applicable as the contract is carried out by Direct Labour Team within Association

All Housing Associations have confirmed that gas boiler services are in compliance with the Gas Safety (Installation and Use) Regulations (Northern Ireland) 2004 and active Landlord Gas Safety Records are kept.

**Mr Weir** asked the Minister for Social Development what legislation his Department plans to bring forward by March 2016.  
(AQW 44360/11-15)

**Mr Storey:** My Department plans to bring forward legislation covering a range of areas including social policy, housing and social security. The Member will also be aware that my Department currently has three Bills, namely Welfare Reform, Regeneration and Pensions which are at various stages of the legislative process within the Assembly

**Mr Lyttle** asked the Minister for Social Development what peace building outcomes will be achieved by the Together: Building a United Community Urban Villages schemes.  
(AQW 44400/11-15)

**Mr Storey:** An outcomes framework for the Urban Villages initiative is currently under development. Work is ongoing through a cross-departmental Good Relations Outcomes Group to ensure that the framework includes peace building and good relations outcomes in keeping with the Together: Building a United Community strategy.

**Mrs D Kelly** asked the Minister for Social Development, in relation to grants to community and voluntary sector groups in Upper Bann, how the current budget compares with that for 2014/15.  
(AQW 44559/11-15)

**Mr Storey:** During 2014/15 community and voluntary sector groups in Upper Bann received grants totalling £1,909,174.85. This year, to date, community and voluntary sector groups in Upper Bann have received £305,286.95.

**Mr B McCrea** asked the Minister for Social Development how much money his Department has allocated to UK City of Culture Legacy funding in the last two years; and whether this matched the funding allocated by the Department of Culture, Arts and Leisure.  
(AQW 44686/11-15)

**Mr Storey:** My Department has provided funding of £956,295 to two City of Culture legacy projects in the last two years. Neither of these projects has received match funding from the Department of Culture, Arts and Leisure.

## Northern Ireland Assembly Commission

**Mr McGlone** asked the Assembly Commission for an update on the upgrade of the IT provision for Members.  
(AQO 6335/11-15)

**Ms Ruane (The Representative of the Assembly Commission):** Ón bhliain 2012, mar chuid dá phleananna leis an trealamh agus seirbhísí TF uilig a sholáthraítear do Chomhaltaí a athnuachan agus a uasghrádú, chuir Coimisiún an Tionóil áiseanna nua ar fáil ar nós idirlín leathan-bhanda agus ríomhairí táibléid, agus tá sé ag brath gach ríomhaire glúine a sholáthraítear do Chomhaltaí a athsholáthar thar shos an tsamhraidh.

I mí na Nollag 2012, cheap an Oifig Corás Faisnéise (CF) conraitheoir nua le seirbhísí idirlín leathanbhanda a sholáthar do Oifigí Toghlaigh Comhaltaí, sa dóigh is go mbeidh bunús na n-oifigí ábalta naisc idirlín níos gaiste a bheith acu. I mí Feabhra 2013, shuiteáil an Oifig CF 268 clóire nua athsholáthar i bhFoirgnimh na Parlaiminte agus in Oifigí Toghlaigh Comhaltaí. Idir mí Meithimh agus mí Mheán Fómhair 2013, mar chuid de thionscadal Ríomh-Phacáiste na gCoistí, fuair gach Comhalta ríomhaire táibléid Fuinneoga 8 breise.

Tá rún ag Coimisiún an Tionóil gach ríomhaire glúine a sholáthraítear do Chomhaltaí a athsholáthar i mí Lúnasa 2014. I ndiaidh an tsuirbhé ríomhaire glúine a tugadh do Chomhaltaí agus do fhoireann na dToghlaigh i mí na Nollag 2013, tá an Oifig TF ag forbairt an mhioncháis ghnó agus an tsonrúcháin, agus déanfaidh sí plé le hOifig Soláthair an Tionóil leis an dóigh is fearr leis an trealamh úr ríomhaire glúine a aimsiú.

Sa bhliain 2011, uasghrádaíodh bogearraí Fuinneoga agus Oifig Microsoft ar ríomhairí deisce an Tionóil, agus cé gur ghnách an trealamh seo a athsholáthar faoin am seo, measann an Oifig CF go bhfuil na ríomhairí deisce agus na monatóirí réscáileáin oiriúnach don fheidhm go fóill. Dá bhrí sin, níl rún ag Coimisiún an Tionóil trealamh ríomhaire deisce a athsholáthar go dtí 2015.

Since 2012, as part of its plans to refresh and upgrade all IT equipment and services provided to MLAs, the Assembly Commission has delivered new facilities such as broadband internet and tablet computers, and is planning to replace all laptop computers supplied to Members over the forthcoming summer recess period.

In December 2012, Information Systems (I.S.) Office appointed a new contractor to provide broadband internet services to MLA Constituency Offices with the majority of offices able to avail of improved internet connection speeds. In February 2013 I.S. Office completed the rollout of 268 new replacement printers in Parliament Buildings and MLA Constituency Offices.

Between June and September 2013, as part of the Electronic Committee Pack project, each MLA was provided with an additional Windows 8 tablet computer.

The Assembly Commission plans to replace all laptop computers supplied to Members in August 2014. Following the laptop survey issued to MLAs and Constituency staff in December 2013, I.S. Office is currently developing the detailed business case and specification and will shortly begin discussions with the Assembly Procurement Office to consider the most suitable route to source the new laptop equipment.

In 2011 the Microsoft Windows and Office software running on Assembly desktop computers was upgraded, and although this equipment would now normally be due for replacement, I.S. Office considers that the current desktop PCs and flat-screen monitors are still fit-for-purpose. Consequently the Assembly Commission does not plan to replace desktop PC equipment until 2015.

**Mr Flanagan** asked the Assembly Commission for an update on the actions it has taken to ensure that the Assembly, and in particular Parliament Buildings, is inclusive, accessible and welcoming to all sections of society.

**(AQO 7086/11-15)**

**Mrs Cochrane (The Representative of the Assembly Commission):** The Assembly Commission has taken a wide range of steps to ensure that the Assembly and Parliament Buildings are inclusive for all communities. Section 75 of the Northern Ireland Act requires all public authorities designated for the purposes of the Act, including the Assembly Commission, to comply with two statutory duties. The first duty is the equality of opportunity duty, which requires public authorities, in carrying out their functions relating to Northern Ireland, to have due regard to the need to promote equality of opportunity between the nine equality categories. The Assembly Commission's 2012-16 equality scheme is a statement of the arrangements for fulfilling the statutory duties and is also the plan for their implementation. It meets both the legal requirements of schedule 9 to the 1998 Act.

The second duty is the good relations duty, which requires that public authorities, in carrying out their functions relating to Northern Ireland, to have regard to the desirability of promoting good relations between persons of different religious belief, political opinion and racial group.

The Member may wish to note that a letter from the Equality Commission in October 2013 stated:

*"It has been encouraging to note that the Northern Ireland Assembly has sustained consistent progress in the implementation of their Equality Scheme and there is evidence of effectiveness in meeting the S75 duties. There has been sustained engagement and consultation with those directly affected by the policies and this has been a key achievement of the Northern Ireland Assembly's scheme. A clear culture exists in the organisation that fosters co-operation with other parts of the public sector and those affected by statutory duty."*

In addition to the activities I have outlined the Member should note that a full list of actions can be found in the Annual Equality Progress Reports which, for the Member's information, are available on our website.

The Assembly Commission has taken a number of steps to make the Assembly and Parliament Buildings more inclusive, accessible and welcoming through a range of projects, initiatives and plans which includes: Action on Hearing Loss accreditation; the autism initiative; the disability action plan; gender equality research; Assembly Community Connect; tours and educational visits; the Speaker's art group; audit of inequalities research; the good relations action plan; policy screening on all policies and EQIA projects and consultations.

**Mr Frew** asked the Assembly Commission what forms of renewable energy have been considered to assist in reducing the amount the Assembly spends on electricity.

**(AQO 7831/11-15)**

**Mr Ramsey (The Representative of the Assembly Commission):** I refer to the Assembly question you tabled for oral answer on 16 March 2015, which was not taken, namely:

*"To ask the Assembly Commission what forms of renewable energy have been considered to assist in reducing the amount the Assembly spends on electricity."*

As part of the ongoing roof project, the Assembly Commission has taken the opportunity to refurbish and/ or replace all of the existing roof-mounted mechanical and electrical services and, where appropriate, to incorporate some renewable technologies, including photovoltaic (PV) panels and solar thermal tubes.

In order to comply with planning requirements and strict loading capacities for the existing roof, thin film photovoltaic panels were chosen for the high level roofs. Electricity generated by these panels will supplement the building's energy supply.

In addition, a small area of the roof has been designated to house solar thermal tubes which will provide hot water for the building.

It is anticipated that the environmental improvements included in the roof project will reduce the building's energy consumption by a minimum of 25%.



**Mrs Dobson** asked the Assembly Commission why visitors to Parliament Buildings on plenary days still regularly have to park on Prince of Wales Avenue.

**(AQO 7832/11-15)**

**Mr Gardiner (The Representative of the Assembly Commission):** I refer to the Assembly question you tabled for oral answer on 16 March 2015, which was not taken, namely:

*“To ask the Assembly Commission why visitors to Parliament Buildings on plenary days still regularly have to park on Prince of Wales Avenue.”*

The Assembly Commission is aware that despite acquiring the use of the lower East and Overspill car parks for persons using Parliament Buildings, car parking on ‘sitting days’ remains problematic. Whilst this still results in some drivers having to park on Prince of Wales Avenue, it is pleasing to note that the number of complaints received with regard to car parking, has decreased in recent times.

Whilst it is now evident that DFP have no plans to expand car parking within the broader Stormont Estate, Assembly management will however continue to closely monitor the ongoing situation, and will keep it under review. Management will also ensure that Usher Services staff on duty at the car parks will continue to make maximum use of the car parking space that is currently available.

It is also hoped that a small increase in car parking capacity may be possible at rear of Parliament Buildings, on completion of the roof project later this year.



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# Northern Ireland Assembly

Friday 1 May 2015

## Written Answers to Questions

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

**Mr Nesbitt** asked the First Minister and deputy First Minister how many applicants for the post of Victims' Commissioner were 'deemed appointable' in the competition in which the former Commissioner was ultimately successful.  
(AQW 39227/11-15)

**Mr P Robinson and Mr M McGuinness (The First Minister and deputy First Minister):** In the 2012 recruitment process for the post of Commissioner for Victims and Survivors, 5 candidates were deemed appointable.

**Mr Frew** asked the First Minister and deputy First Minister what representations have been made to their Department on the closure of the Japanese Tobacco Industry factory in Ballymena.  
(AQO 7111/11-15)

**Mr P Robinson and Mr M McGuinness:** The Minister of Enterprise, Trade and Investment Arlene Foster and Minister for Employment and Learning Stephen Farry lead the Executive's response to the closure of the Japanese Tobacco Industry factory in Ballymena.

**Mr Lunn** asked the First Minister and deputy First Minister for their assessment of the savings to be made by their Department from the public sector voluntary exit scheme, over each of the four financial years commencing 2014/15.  
(AQW 40982/11-15)

**Mr P Robinson and Mr M McGuinness:** The NICS is currently planning to launch a Voluntary Exit Scheme designed to achieve paybill savings in the 2015/16 financial year and beyond. The budget for 2015/16, recently agreed by the Executive, will require a reduction in the OFMDFM of 12.8%. The Department has already taken a number of steps to reduce its paybill, including the management of vacant posts. It is estimated that access to the Voluntary Exit Scheme will be required to deliver a part-year paybill reduction of approximately £121,000 in 2015/16 (£242,000 full year). Work continues to refine this estimate.

The position in future years is uncertain as budgets have yet to be determined and is further complicated by the planned restructuring of Departments following the Stormont House Agreement.

**Ms Sugden** asked the First Minister and deputy First Minister how the Delivering Social Change Signature Programmes are preventing and addressing mental ill-health as a priority.  
(AQW 42921/11-15)

**Mr P Robinson and Mr M McGuinness:** Delivering Social Change is about creating a new culture and focus on cross-cutting work to achieve social benefits that deliver a sustained reduction in poverty and associated issues across all ages, with a particular focus on improving children and young people's health, well being and life opportunities and breaking the long-term cycle of multi-generational problems.

The Delivering Social Change Signature Programmes are part of this process and their social benefits are multifaceted. The Signature Programmes will potentially either help prevent, or address head on, the mental ill-health of our children and young people, and their families.

A range of holistic interventions are being provided, under these Signature Programmes, to encourage re-engagement in education, training or employment to enhance prospects to become full participants in society. These include a series of family support measures for those children, young people and their mothers and fathers vulnerable to, or directly experiencing, mental ill-health.

**Mr Swann** asked the First Minister and deputy First Minister for their definition of who qualifies as a victim and survivor of the Troubles.  
(AQO 7685/11-15)

**Mr P Robinson and Mr M McGuinness:** A definition of a “victim and survivor of the troubles” is set out in Article 3 of the Victims and Survivors (NI) Order 2006. This is the only statutory definition.

**Mr Lyttle** asked the First Minister and deputy First Minister what responsibilities they will have for the Childcare Strategy and the Children and Young People’s Unit under the new Executive Departments arrangement; and to outline precisely what children’s services will be transferring to the new Department of Education.  
(AQW 43544/11-15)

**Mr P Robinson and Mr M McGuinness:** Under the new arrangements OFMDFM policy responsibility in respect of the Childcare Strategy, children and young people and sponsorship responsibility for the Commissioner for Children and Young People will transfer to the Department of Education. Following the transfer OFMDFM will no longer have any direct responsibility for these functions.

The transfer of children’s services in general to the Department of Education will be subject to further discussion and refinement in the coming months as the draft Bill and Transfer of Functions Order are being prepared. The range of services that may transfer has therefore yet to be determined.

**Mr McGlone** asked the First Minister and deputy First Minister what value of construction work, to be funded from the capital budget, their Department will start in the 2015/16 financial year.  
(AQW 43587/11-15)

**Mr P Robinson and Mr M McGuinness:** In the 2015/16 financial year OFMDFM expect to carry out construction work to the value of £7.5 million.

**Mr McGlone** asked the First Minister and deputy First Minister what value of construction work, to be funded from the resource budget, their Department will start in the 2015/16 financial year.  
(AQW 43588/11-15)

**Mr P Robinson and Mr M McGuinness:** In the 2015/16 financial year OFMDFM expect to carry out construction work to the value of £5 million from the resource budget.

**Mr Eastwood** asked the First Minister and deputy First Minister, in relation to the Programme for Government 2011/15 commitment to develop the One Plan, to detail the job promotion targets for 2015/16.  
(AQW 43717/11-15)

**Mr P Robinson and Mr M McGuinness:** Commitments and milestones for the extended Programme for Government in 2015/16 have yet to be decided by the Executive.

**Mr Douglas** asked the First Minister and deputy First Minister for an update on the Urban Village projects.  
(AQO 7839/11-15)

**Mr P Robinson and Mr M McGuinness:** Together: Building a United Community commits to the development of four Urban Villages, to create and stabilise change within areas of our community.

On 20 March 2014, we announced the first two Urban Villages as Colin Town Centre and Lower Newtownards Road.

Work is progressing and stakeholder engagement is ongoing regarding development of both locations. Plans are progressing to develop a coherent town centre for the Colin area with inputs from a range of departments. Community engagement commenced in Lower Newtownards Road in October 2014. Options are being considered with stakeholders on developing concepts to deliver a sustainable Urban Village.

Three further Urban Villages have been announced recently; the Markets/Donagall Pass/Sandy Row and Bogside/Fountain on 21 January and Ardoyne/Ballysillan on 16 February. This brings the number of Urban Villages to five, one more than originally envisaged.

The next step is to establish a project team for each new Urban Village to engage and work with the community to determine the boundaries of the urban villages, assess what is needed and develop priorities for each area.

Each urban village will be recognised as a development zone and the Department for Social Development has convened Project Boards to coordinate and oversee the planning, design and delivery of all aspects of the urban villages. These will be supported by the Urban Villages Strategy Board, chaired by Junior Minister Bell and Junior Minister McCann, and the Urban Villages Programme Board, chaired by the DSD Senior Responsible Owner for the programme.

**Mr Weir** asked the First Minister and deputy First Minister to detail the funding opportunities available for newly formed victims groups in 2015/16.  
(AQW 44295/11-15)

**Mr P Robinson and Mr M McGuinness:** The Victims and Survivors Service is in the process of extending Letters of Offer for existing groups for 2015/16, including new groups who had previously not received funding but had satisfied due diligence

checks. There are no new funding opportunities for newly formed groups during 2015/16 as VSS moves towards a strategic allocation of funding in line with the recommendation from the independent assessment.

**Mr Weir** asked the First Minister and deputy First Minister for a breakdown of the budget for victims' groups and services for 2015/16.

**(AQW 44296/11-15)**

**Mr P Robinson and Mr M McGuinness:** The Victims and Survivors Service delivers funding to victims and survivors through two programmes, the Victims Support Programme, which funds organisations to deliver services and support to victims and survivors across the region and the Individual Needs Programme, which delivers services and support directly to individual victims and survivors.

For the period 2015/16, the allocation of funding to these two Programmes is as follows:

- Victims Support Programme: £6.2 million
- Individual Needs Programme: £4.8 million

In addition to the funding allocated to the Individual Needs Programme, the Victims and Survivors Service has also allocated £200,000 over this period to the development of new approaches to improve the delivery of services to victims and survivors.

**Ms Lo** asked the First Minister and deputy First Minister, given that the new round of funding for the Minority Ethnic Development Fund is currently being assessed, whether funding for organisations will be extended until the new fund has been processed.

**(AQW 44489/11-15)**

**Mr P Robinson and Mr M McGuinness:** The application process for the 2015-16 was announced on 27 March and ended on 27 April. We anticipate that groups will be told of the outcome by mid May.

Successful applications will have funding backdated to 1 April 2015 upon proof of spend in order to prevent a gap in funding.

**Ms Sugden** asked the First Minister and deputy First Minister for an update on the process to establish a civic advisory panel, as proposed in the Stormont House Agreement; and whether it is likely to be in place by June 2015.

**(AQW 44535/11-15)**

**Mr P Robinson and Mr M McGuinness:** The Stormont House Agreement envisaged that a new engagement model could be achieved by June 2015 through the establishment of a compact civic advisory panel, which would meet regularly to consider key social, cultural and economic matters and to advise the Executive.

The arrangements for taking forward this commitment are currently being considered by Executive party leaders.

**Mr B McCrea** asked the First Minister and deputy First Minister what steps they are taking to reduce race hate crimes.

**(AQW 44576/11-15)**

**Mr P Robinson and Mr M McGuinness:** We condemn unequivocally all racist attacks and strongly encourage all victims to report any incident they are aware of. The investigation of hate crime is the responsibility of the PSNI and the immediate focus must be on supporting the police to bring the perpetrators of these attacks to justice. Potential perpetrators must be in no doubt that they will be made to account for their actions. This is important to provide reassurance to the victims and the wider community, and also to send the clear message that hate crime will not be tolerated.

The attitudes which give rise to hate attacks are unacceptable and we are not letting them continue unchallenged. We have taken action to respond to recent attacks. In particular we have resourced the Unite Against Hate campaign. With our support this campaign has been taking forward outreach and training events which seek to challenge the attitudes that underpin racism.

We have also supported an initiative that explores the lessons of the Holocaust to raise awareness among communities of the horrors that can result when hate and intolerance are allowed to grow.

The work to challenge and defeat racism and intolerance requires both short-term and long-term focuses. The Together: Building a United Community Strategy – along with the new Racial Equality Strategy which is being developed – will provide a robust and effective framework at all levels to make this happen.

**Mr Dunne** asked the First Minister and deputy First Minister for an update on the Social Investment Fund Application for a 3G sports pitch in Kilcooley, Bangor.

**(AQW 44602/11-15)**

**Mr P Robinson and Mr M McGuinness:** The Community Sports Facilities capital project, which includes a 3G pitch in Kilcooley, is still being assessed. Officials are liaising with the project promoters to progress the project.

**Ms Sugden** asked the First Minister and deputy First Minister what plans they have to pilot the 2015 100 summer camps programme, outside of Belfast.

**(AQW 44681/11-15)**

**Mr P Robinson and Mr M McGuinness:** The Summer Camps Pilot Programme opened for applications on 15 April 2015 with a closing date of 3pm on 8 May 2015.

The Camps will operate on both a local and regional level and will be open to young people aged 11 to 19 years. Applications to deliver a Camp are invited from registered voluntary youth organisations and statutory youth organisations or bona fide voluntary and community organisations, schools, regional organisations and Councils that have experience in working with young people.

The Application Forms and Guidance Note, which contain full details about the 2015 Programme, can be found on the Department's website at [www.ofmdfmi.gov.uk/summer-camps-programme-2015-pilot](http://www.ofmdfmi.gov.uk/summer-camps-programme-2015-pilot).

**Ms Sugden** asked the First Minister and deputy First Minister whether an expert group has been set up to support officials to develop and deliver age discrimination legislation.

**(AQW 44682/11-15)**

**Mr P Robinson and Mr M McGuinness:** An expert group to support officials to develop and deliver age discrimination legislation has not been established. We have, however, brought together a small number of key stakeholders with expertise in the area to provide officials with comments on the draft consultation document setting out our proposals for prohibiting unfair age discrimination by those providing goods, facilities and services.

## Department of Agriculture and Rural Development

**Mr McGlone** asked the Minister of Agriculture and Rural Development (i) how many meetings she has been invited to since May 2011; (ii) how many of these meetings she did not attend; and (iii) to detail the reasons given for non-attendance.

**(AQW 44435/11-15)**

**Mrs O'Neill (The Minister of Agriculture and Rural Development):** Since May 2011 until end March 2015 I have received 807 invitations to meetings and was unable to attend 29 of these meetings.

The reasons I could not attend include rescheduling my diary commitments to accommodate Assembly Business, prioritising my daily schedule to cater for other important meetings and the need to travel out of the country to represent my Department. On many occasions although I was not present, my senior officials represented me at these meetings.

**Ms Sugden** asked the Minister of Agriculture and Rural Development what proportion of rural development funding has been allocated for 2015/2016, broken down by the recipients.

**(AQW 44497/11-15)**

**Mrs O'Neill:** I can advise that currently no Rural Development Programme funding has been allocated to recipients for 2015/16. The NI Rural Development Programme 2007 – 2013 is closed for applications and no new funding will be allocated from this Programme.

The draft Rural Development Programme 2014 – 2020 was formally submitted to the European Commission on 14th October 2014. The European Commission observation letter on the draft programme was received on 31 March and we have started the formal adoption process with the aim of having our programme approved as soon as possible, ideally before the summer.

Once formal approval has been granted, the necessary business case approval has been obtained and all required processes have been completed, my Department will commence opening the various measures / schemes and, subject to the application process and scheme terms and conditions, will endeavour to get letters of offer for funding out to recipients as soon as possible.

**Ms Sugden** asked the Minister of Agriculture and Rural Development for an update on rural development funding for 2015/2016.

**(AQW 44498/11-15)**

**Mrs O'Neill:** The draft NI Rural Development Programme 2014 – 2020 was formally submitted to the European Commission on 14th October 2014. The European Commission observation letter on the draft programme was received on 31 March 2015.

My Department has started the formal adoption process with the aim of having our programme approved as soon as possible, ideally before the summer. I raised the issue recently directly with Commissioner Hogan, asking him to also use his influence to secure swift approval of the new programme.

**Ms Sugden** asked the Minister of Agriculture and Rural Development when EU funding for the Rural Development Programme 2014-2020 was allocated to her Department; and to detail the amount received.

**(AQW 44517/11-15)**

**Mrs O'Neill:** The EU funding allocation for the north of Ireland was finally agreed by Defra on 5th November 2014. The EU allocation available to the Rural Development Programme 2014 - 2020 is €228,425,088.

These funds have not yet been received by my Department. They are held by the European Commission and reimbursed following completed approved expenditure.

**Ms Sugden** asked the Minister of Agriculture and Rural Development for an update on the formation of Local Action Groups, and their full implementation, under the Rural Development Programme 2014-2020.

**(AQW 44520/11-15)**

**Mrs O'Neill:** The Local Action Groups (LAGs) have now selected their Board members and are currently completing application forms to submit to my Department to qualify as the LAG within their area. These applications will be assessed during May and the successful LAG's will be appointed to develop an Interim Local Rural Development Strategy for their area.

The strategies will be assessed by my officials and LAGs whose strategies are successful will enter into a contract with my Department to deliver the LEADER element of the Rural Development Programme. In parallel to this each LAG will commence funding workshops for potential project promoters at the Balmoral show. These workshops will continue through the summer to enable calls for applications to open once the programme and business case are approved.

**Mr Weir** asked the Minister of Agriculture and Rural Development in light of the revelations of the BBC documentary on puppy farming for her assessment of the adequacy of the current law and its implementation.

**(AQW 44597/11-15)**

**Mrs O'Neill:** I have followed the recent reports about dog breeding. I am totally committed to protecting and safeguarding the welfare of all animals, including dogs and pups.

My Department made the Welfare of Animals (Dog Breeding Establishments and Miscellaneous Amendments) Regulations 2013 (the 2013 Regulations) to impose new licensing conditions to protect the welfare of all dogs and pups in breeding establishments. A person breeding dogs without a licence or in breach of their licence conditions can be fined up to £5,000 and imprisoned for up to 6 months.

The 2013 Regulations require commercial dog breeding establishments to be licensed and provide each Council with powers to inspect and grant licences to establishments in their district.

The Dog Breeding Establishment conditions include:

- providing suitable accommodation, whelping facilities and diet;
- microchipping all dogs within 7 days of arriving on the premises (if not already chipped) and pups before they are eight weeks of age, in the establishment;
- the age at which a bitch can first be bred and the number of litters she can produce in her lifetime;
- a minimum age a pup can leave the breeder; and
- maintaining records and having written socialisation and enrichment programmes for approval by the Council.

A District Council may also apply additional conditions in the licence if required.

My Department provided Guidance to Council Enforcement Officers on licence conditions. If the operator cannot meet the standards of the legislation a licence cannot be granted, and if a licence has been granted but the establishment is no longer complying with the standards, the licence can be revoked.

When it comes to dog breeding rules, we have the strictest controls in these islands. Councils are responsible for enforcing these controls and I am confident they have strong powers.

Legislation alone will not stop illegal "puppy farming". This will take a concerted effort by the public, dog buyers, welfare charities and enforcement agencies working together to identify breeders, licensed or unlicensed, who put financial gain before the welfare of their dogs and pups. All evidence about illegal dog breeding should be reported to Councils for investigation.

Those responsible for animals, including dog breeders, must also comply with the Welfare of Animals Act 2011. I strongly believe that anyone found guilty of causing unnecessary suffering to any animal should face the tough penalties set out in the Act, which currently means up to 2 years imprisonment and/or an unlimited fine.

The implementation of the Act is being reviewed at present and the Interim Report of the Review is out for public consultation. A copy can be found on my Department's website. As the Dog Breeding Regulations are made under this Act, their implementation is also being reviewed. Given recent publicity, I want to provide additional time for people to provide their views on dog breeding, I have, therefore, extended the consultation closing date until 21 May 2015.

**Mr Weir** asked the Minister of Agriculture and Rural Development what additional resources the Department will be committing to ensure that where multiple dogs and puppies are kept in commercial premises, the conditions are appropriate and fit for purpose.

**(AQW 44598/11-15)**

**Mrs O'Neill:** My Department made the Welfare of Animals (Dog Breeding Establishments and Miscellaneous Amendments) Regulations 2013 (the 2013 Regulations) to impose new licensing conditions to protect the welfare of all dogs and pups in breeding establishments.

The 2013 Regulations require commercial dog breeding establishments to be licensed and provide each Council with powers to inspect and grant licences to establishments in their district.

My Department provided Guidance to Council Enforcement Officers on licence conditions. If the operator cannot meet the standards of the legislation a licence cannot be granted, and if a licence has been granted but the establishment is no longer complying with the standards, the licence can be revoked.

Those responsible for animals, including dog breeders, must also comply with the Welfare of Animals Act 2011.

Enforcement of the Welfare of Animals Act 2011 in relation to non-farmed animals and of the 2013 Dog Breeding Establishment Regulations comes under the responsibility of Councils rather than my Department and I cannot speak on their behalf. However, I am aware that Councils actively investigate and take appropriate enforcement action where there is evidence that the requirements of the legislation or the conditions of a dog breeding licence are breached.

Council Dog Wardens and Animal Welfare Officers work together to ensure that breaches of the legislation are fully investigated and appropriate action is taken.

**Mr Weir** asked the Minister of Agriculture and Rural Development what changes to legalisation or regulations the Department intends to make to tighten the Law on the commercial breeding and farming of puppies.

**(AQW 44599/11-15)**

**Mrs O'Neill:** The implementation of the Welfare of Animals Act 2011 is being reviewed at present and the Interim Report of the Review is out for public consultation. A copy can be found on my Department's website. As the Welfare of Animals (Dog Breeding Establishments and Miscellaneous Amendments) Regulations 2013 are made under this Act, their implementation is also being reviewed. Given recent publicity, I want to provide additional time for people to provide their views on dog breeding, I have, therefore, extended the consultation closing date until 21st May.

I would urge everyone to reply and give their view on these matters before the consultation ends on 21 May 2015. I look forward to receiving the Final Report, later this year. At that point I will carefully consider the recommendations contained therein and any legislative implications that may arise as result of the recommendations.

**Mr Weir** asked the Minister of Agriculture and Rural Development what additional action will the Department be taking to curb cross border and cross jurisdictional trafficking of puppies for sale.

**(AQW 44600/11-15)**

**Mrs O'Neill:** The movement of dogs for commercial purposes between EU member states is governed by Council Directive 92/65/EEC. This requires the animals to be accompanied by documentation issued by the competent authority of the place of origin.

At present checks are carried out on all commercial consignments of dogs exiting through our ports. The need for the aforementioned relevant documentation will be emphasised to and checked with any transporter of dogs that may have originated in another member state.

**Mr Weir** asked the Minister of Agriculture and Rural Development what actions the Department intends to take in light of the BBC Panorama Programme on puppy farming.

**(AQW 44601/11-15)**

**Mrs O'Neill:** Enforcement of the Welfare of Animals Act 2011 (the 2011 Act) in relation to non-farmed animals, and of the Welfare of Animals (Dog Breeding Establishments and Miscellaneous Amendments) Regulations 2013 (the 2013 Regulations) is under the responsibility of Councils rather than my Department. I am aware that Councils actively investigate and take appropriate enforcement action where there is evidence that the requirements of the legislation or the conditions of a dog breeding licence are breached.

Council Dog Wardens and Animal Welfare Officers work together to ensure that breaches of the legislation are fully investigated and appropriate action is taken.

The implementation of the 2011 Act is being reviewed at present and the Interim Report of the Review is out for public consultation. A copy can be found on my Department's website. As the 2013 Regulations are made under the 2011 Act, their implementation is also being reviewed. Given recent publicity, I want to provide additional time for people to provide their views on dog breeding, I have, therefore, extended the consultation closing date until 21 May 2015.

In addition to the role of Councils, my officials monitor and inspect the consignments of dogs travelling through both Belfast and Larne ports to ensure compliance with the requirements of EU welfare during transport legislation. In cases in which



Portal staff have reason to be concerned, they undertake checks on consignments leaving ports here and consider whether illegal trade is involved. If there is sufficient evidence, action is taken.

In light of the concerns raised by the BBC programme, my officials will be undertaking non-discriminatory risk-based checks at the ports to ensure that dogs being moved through the ports to Britain:

- are microchipped (as required by domestic animal welfare legislation for dogs from the north and by EU 'Balai' rules for dogs being moved commercially from the south through the north); and
- have the relevant paperwork in order (to include an animal transport certificate as required under animal welfare legislation, and a veterinary health certificate and pet passport for dogs being moved commercially into the north from the south).

**Mr Easton** asked the Minister of Agriculture and Rural Development how many public inquiries her Department has taken part in over the last four financial years; and at what cost.

**(AQW 44619/11-15)**

**Mrs O'Neill:** My Department has not taken part in any public inquiries in the last four financial years and no costs have been incurred.

**Mr Irwin** asked the Minister of Agriculture and Rural Development how many FB 1 forms were submitted between the 15 May 2014 and 15 April 2015, broken down by county.

**(AQW 44647/11-15)**

**Mrs O'Neill:** The number of FB 1 Forms received by DARD between 15/05/2014 and 15/04/2015 are outlined in the table below.

County	Number of FB 1 Applications Received between 15/05/2014 & 15/04/2015
Antrim	64
Armagh	49
Down	81
Fermanagh	57
Tyrone	129
Derry	97
Total	477

**Ms Sugden** asked the Minister of Agriculture and Rural Development to list the local community and business representatives which her Department has engaged with on the development of the Ballykelly site.

**(AQW 44673/11-15)**

**Mrs O'Neill:** My officials have engaged with the Ballykelly Community Group, whose representatives include members of the local business community.

Engagement has also taken place between my Department and other local residents directly impacted by the development at the Ballykelly site.

**Mr Eastwood** asked the Minister of Agriculture and Rural Development to detail the capital infrastructure projects financed by Private Finance Initiative in Foyle in 2013/14; and the cost of each project.

**(AQW 44707/11-15)**

**Mrs O'Neill:** In relation to the Department of Agriculture and Rural Development there were no capital infrastructure projects financed by Private Finance Initiative in Foyle, in the 2013/14 financial year.

**Mr Campbell** asked the Minister of Agriculture and Rural Development when the Board Membership of the Loughs Agency will be due for reappointment.

**(AQW 44842/11-15)**

**Mrs O'Neill:** The current term of the Loughs Agency Board is due to expire on 12 December 2015.

**Mr Campbell** asked the Minister of Agriculture and Rural Development what resources were spent on maintaining and improving Ballykelly Forest between (i) 2004 and 2009; and (ii) 2009 and 2014.

**(AQW 44843/11-15)**

**Mrs O'Neill:** The direct costs associated with maintenance and improvement work at Ballykelly forest between (ii) 2009 and 2014 was £72,293. Prior to 2009 financial information was not held at an individual forest level of detail and consequently the information for between (i) 2004 and 2009 is not available.

**Mr D McIlveen** asked the Minister of Agriculture and Rural Development what effort her Department has made to promote the Social Enterprise Hub at the Ecos Centre within rural areas in Mid and East Antrim.  
(AQW 44918/11-15)

**Mrs O'Neill:** I note that the Ecos Hub, which is run by the Council, is located within an urban ward and as such is outside of the scope of the Rural Development Programme. However support for many Social economy Enterprises has been provided by my department under Axis 3 of the current Rural Development Programme, through Local Action Groups (LAG) linked to council clusters. Support of this kind will continue in the new Rural Development Programme 2014-20. Should the hub be offering sources of support to rural groups or enterprises they should make this known to the newly formed LAG by contacting the LAG through the Council's economic development team.

**Mr Easton** asked the Minister of Agriculture and Rural Development whether any departmental staff have the use of a company car as part of their contact.  
(AQW 44956/11-15)

**Mrs O'Neill:** No member of staff in my Department has the use of a company car as part of their contract.

**Mr Swann** asked the Minister of Agriculture and Rural Development, pursuant to AQW 44366/11-15, for a breakdown by scheme of the 30,000 applications.  
(AQW 44964/11-15)

**Mrs O'Neill:** The estimated 30,000 Single Application Forms (SAF) expected in 2015 are anticipated to include applications for Basic Payment Scheme and Greening Payments from approximately 29,500 applicants; and between 9,000 to 10,000 Areas of Natural Constraint (ANC) Scheme applications (which is subject to European Commission approval). With respect to the Young Farmers' Payment, this is a new payment so it is difficult to judge how many will apply. An indicator may be the numbers who undertook a level II agricultural qualification with CAFRE this year, which is one of the requirements to qualify for this scheme. There will also be others who already hold a relevant qualification. The numbers who completed the CAFRE qualification are 2,450.

The SAF will also be used by applicants to apply for four established pre CAP reform schemes, NI Countryside Management Scheme (NICMS), Organic Farming Scheme (OFS), Farm Woodland Scheme (FWS) and Farm Woodland Premium Scheme (FWPS).

**Mr Swann** asked the Minister of Agriculture and Rural Development, pursuant to AQW 44521/11-15, whether all staff were transferred to the Department of Finance and Personnel's new unit.  
(AQW 44997/11-15)

**Mrs O'Neill:** Further to the response to AQW44521/11-15, of the two remaining staff one was transferred to the Department of Finance and Personnel's new unit and the other has been redeployed to carry out non-investigative work in DARD.

**Mr Dunne** asked the Minister of Agriculture and Rural Development how many dogs are registered within North Down.  
(AQW 45066/11-15)

**Mrs O'Neill:** Dog control is legislated for here by the Dogs Order 1983, as amended by the Dogs (Amendment) Act 2011. Councils implement this legislation and provide statistics to my Department regarding its operation. These statistics are collated on an annual basis.

The table below outlines the number of dog licences issued in North Down Borough Council in each of the last three years.

**Table 1 – Dog licences issued**

Year	Number of dog licences issued
2012	6,180
2013	6,512
2014	6,815

**Mr Craig** asked the Minister of Agriculture and Rural Development, given that the eleven new councils will soon begin the process of developing area plans, to outline the actions she has taken to ensure that flood maps held by the Rivers Agency are up to date.  
(AQO 8045/11-15)

**Mrs O'Neill:** The Flood Maps for the north were first launched in 2008 and since then there has been a number of significant updates to ensure they are accurate and up to date. The current mapping is based on the latest, most accurate available information. The next major update is planned in line with the next cycle of the EU Floods Directive and will take place in 2019. Minor updates, for specific areas, are provided where these significantly reduce uncertainty, for example, where a flood defence scheme has been undertaken. Information regarding all minor updates and revisions to the flood maps is available to users of the Flood Maps (NI) map viewers. This mapping information has also been provided to the new councils for use in planning decisions.

**Mr Cree** asked the Minister of Agriculture and Rural Development for an update on woodland cover.  
(AQO 8037/11-15)

**Mrs O'Neill:** In 2006 the forestry strategy set a long term aim of increasing woodland area to 12% of land area or just over 160 thousand hectares by the middle of this century and this remains my aim. A public opinion survey in 2014 found that 79% of respondents said they would like to see more woodland locally and the forestry industry sector body Confor is also supportive of expansion.

In 2007 Forest Service recorded woodland cover as 87 thousand hectares. This figure was based on 14 thousand hectares of private woodland identified in the 1975 private woodland inventory, 12 thousand hectares of grant aided woodland planted since 1975 and 61 thousand hectares of woodland managed by Forest Service. During the period 2008 to 2015, approximately 2,400 hectares of woodland were planted under the Rural Development Programme and transitional arrangements.

The Forestry Act (2010) required Forest Service to publish a woodland register. As a first step, a new baseline woodland cover was produced by combining spatial woodland datasets using GIS technology from a range of sources which resulted in Forest Service publishing a woodland cover of 105 thousand hectares in March 2012. Further work to refining this resulted in a revised woodland cover of 111 thousand hectares being published in March 2013. The vast majority of additional woodland identified is believed to be as a result of natural regeneration of broadleaves on agricultural land since 1975. Woodland cover in the north of Ireland is now 8% of the land area.

The draft Rural Development Programme 2014-20 will support further planting and aims to make small scale planting more attractive to farmers by delivery through the Agri-environment scheme and large scale afforestation projects through a Forestry Challenge Scheme, which was trialled successfully last year.

**Mr Beggs** asked the Minister of Agriculture and Rural Development what proportion of Single Farm Payment applications have been submitted online to date.  
(AQO 8043/11-15)

**Mrs O'Neill:** The 2015 Single Application process got underway on 18 March coinciding with the launch of my Department's new and improved Single Application online service facility.

The Single Application is used by farmers to make claims to a range of area-based schemes including the new Basic Payment Scheme, which replaced the Single Farm Payment Scheme at the start of this year.

To date, my Department has received a total of 4,796 completed Single Applications of which, 3,412 (71%) had been submitted online.

**Mr Ramsey** asked the Minister of Agriculture and Rural Development to provide an update on courses available in September for students wishing to pursue a career in agriculture.  
(AQO 8034/11-15)

**Mrs O'Neill:** My Department, through the College of Agriculture, Food and Rural Enterprise, is offering its full range of agriculture education courses for entry in September 2015. The recruitment process is well underway and applications are expected to be at similar levels to the 2014 academic year. Details of the further and higher agriculture education courses can be found on the CAFRE website. This also provides information on the entry criteria and application process for each course.

**Mr Moutray** asked the Minister of Agriculture and Rural Development for her assessment of how effective the proposed Rural Proofing Bill, currently out for public consultation, will be in improving the lives of the rural community.  
(AQO 8039/11-15)

**Mrs O'Neill:** The proposed Rural Proofing Bill will support the equitable treatment of rural dwellers by requiring their needs and the impact on rural communities to be appropriately addressed in the development and delivery of policy and public services.

The existing approach to rural proofing is a non-legislative one. The responses received to the public consultation on the policy proposals for a Rural Proofing Bill, which closed on 16 March 2015, indicated broad support for a Bill and for a statutory basis for rural proofing. Discussions with stakeholders and responses to the public consultation have highlighted a number of issues with the current rural proofing system, such as the need for greater consistency across government and for greater transparency and availability of information on rural proofing. These are areas that I think can be effectively addressed through the introduction of legislation.

By putting rural proofing on a statutory footing, we will help to ensure that rural proofing is carried out consistently and effectively across government and provide a firm basis for promoting rural proofing, as well as mechanisms to encourage and monitor rural proofing.

Therefore, by bringing forward this legislation, I firmly believe that it will improve the lives of the rural community by ensuring that rural needs and circumstances are fully considered by government in the provision of services and in the policy making process.

**Ms Maeve McLaughlin** asked the Minister of Agriculture and Rural Development for an update on the planned relocation of her Department's headquarters to Ballykelly.

**(AQO 8041/11-15)**

**Mrs O'Neill:** My officials, in conjunction with the Design Team and DFP colleagues, have completed the preliminary design of both the new headquarters building and the access road required to service the new building. The on-going enabling works at the site and the various required surveys are currently being concluded and will all be brought together to form part of a planning application which will be submitted by the end of this month.

In advance of that submission, my officials have consulted directly with the local Ballykelly Community Group and the local residents directly impacted by the development on the proposed design.

My officials will complete the full business case by November 2015, thereby ensuring that the contract for the construction of the new building, including the access road, is awarded in December 2015.

My officials are currently working with the DFP colleagues to identify suitable temporary accommodation in the northwest. Utilising accommodation in the northwest in advance of the full move to Ballykelly will help ensure that my Department can continue to provide the full range of services, to the high standard expected, throughout this period of transition.

**Mr Maskey** asked the Minister of Agriculture and Rural Development to outline her departmental priorities for 2015-16.

**(AQO 8042/11-15)**

**Mrs O'Neill:** The 2015-16 financial year will be an extremely challenging one for my Department, particularly given that I will have to deliver savings of £29.9m in a single year.

We also have the prospect of creating a new Department in 2016 as well as managing the outworkings of the Voluntary exit scheme. So, undoubtedly 2015-16 will be a period of transition, however it is important that the transition is towards a more modern, leaner and more efficient organisation.

Despite the challenges that lie ahead I remain resolved to delivering my key priorities. Throughout the planning process I have been very clear about my objectives which align to my Programme for Government commitments and the Departments 5 strategic Goals. These include:-

- The introduction of the arrangements for the new Common Agricultural Policy (CAP) and to commence payments under these rules;
- with the industry and other stakeholders, to implement the Strategic Plan for the Agri-Food Sector;
- to bring forward a £17 million package to tackle rural poverty and social and economic isolation in the four years to March 16;
- Delivering the key aspects of the relocation Programme; and
- Finally to achieve Officially Brucellosis Free (OBF) status in 2015/16.

I believe delivering on these priorities will have a positive impact for rural dwellers and I have therefore ensured that the necessary funding for each is in place and protected from the worst impacts of the cuts.

I have engaged extensively throughout the Budget process and received widespread support for my priorities across a broad range of stakeholders. I am confident that my priorities are the right ones for my Department and I will not be deflected from achieving them.

**Ms McCorley** asked the Minister of Agriculture and Rural Development what action she is taking with the Minister for Agriculture, Food and the Marine to prevent the spread of plant and animal health diseases.

**(AQO 8044/11-15)**

**Mrs O'Neill:** In 2010, Ministers north and south agreed to an all-island Animal Health and Welfare strategy, which aims to ensure complementary policies to facilitate the control of animal diseases. This has wide support from industry.

The strategy is delivered through the North/South Ministerial Council (NSMC) Agricultural Sectoral meetings. Officials monitor progress through the All-Island Animal Health and Welfare Strategy Action plan, and Minister Coveney and I agree decisions at our regular NSMC meetings.

Through the North/South Ministerial Council, the Plant Health and Pesticides Steering Group prepares an annual joint work programme covering scientific research on plant health, the Chalara Control Strategy, development of the TreeCheck App, contingency plans for plant health and protocols for the cross border movement of larch infected with *P. ramorum*.

Specific outcomes include the All Ireland Chalara Control Strategy, launched in July 2013, and the All Ireland Chalara Conference in May 2014; co-ordinated presentations to the EU Standing Committee on Plants Animals Food and Feed ( SCoPAFF ) leading to Commission agreement to maintain Chalara Ash Dieback control measures for a further year; and joint development of the TreeCheck, a new smart phone app to enlist the public's help in safeguarding tree health throughout Ireland.

My officials also have regular liaison with their southern counterparts, which ensures that contingency planning exercises and complementary measures are in place across the island.

Memoranda of Understanding have been developed between the two Departments to maximise the effective use of resources in the event of serious disease.

My Department has a rigorous EU Commission approved bovine TB Eradication Plan, and recently submitted an application to the European Commission for Officially Brucellosis Free status. If approved, the whole island of Ireland will have been recognised as being Brucellosis free.

**Miss M McIlveen** asked the Minister of Agriculture and Rural Development for her assessment of the impact the current Euro-Sterling exchange rate will have on the value of the budget for the 2014-2020 Rural Development Programme.

**(AQO 8046/11-15)**

**Mrs O'Neill:** The Rural Development Programme is part funded with a European contribution of approximately 228 million euro. In calculating the overall value of the programme an exchange rate of 0.82 was used which means the European allocation is approximately 187 million sterling.

The Rural Development Programme is a seven year programme which will run from 2014 until 2020 however the EU rules allow expenditure to continue until December 2023. As we are only at the start of the programming period and exchange rates can go up as well as down, I have no plans at present to review the exchange rate used as the planning assumption for the programme.

Throughout the 2007-2013 programming period the effect of the exchange rate was carefully monitored and the programme was modified to make any adjustments for the exchange rate fluctuations. My officials will continue to monitor the effect of exchange rate fluctuations throughout the 2014-2020 programming period.

## Department of Culture, Arts and Leisure

**Mr B McCrea** asked the Minister of Culture, Arts and Leisure how much money has been allocated to NI Screen in each of the last five financial years, including money received from in-year monitoring rounds.

**(AQW 44431/11-15)**

**Ms Ní Chuilín (The Minister of Culture, Arts and Leisure):** NI Screen has been allocated the following budget in each of the last five financial years which is inclusive of budget secured through in-year monitoring rounds. NI Screen has an opening allocation in 2015/16 of £1,870k in resource.

Financial Year	Final Budget Allocation		
	Resource	Capital	Total
2010/11	-	-	-
2011/12	1,403	215	1,618
2012/13	1,684	-	1,684
2013/14	2,297	300	2,597
2014/15	1,972	60	2,032

**Mr B McCrea** asked the Minister of Culture, Arts and Leisure (i) how many bids she has submitted for additional money in in-year monitoring, in each of the last three financial years; (ii) to list the bids that were successful; and (iii) how much funding her Department received as a result of each successful bid.

**(AQW 44432/11-15)**

**Ms Ní Chuilín:** The table attached shows bids submitted to DFP and subsequent allocations made for the financial years 2012/13, 2013/14 and 2014/15. In most cases bids were for a single programme/project; however, some were composite bids with an overarching common theme such as Promoting Poverty, Tackling Poverty and Social Exclusion.

Bids Submitted to DFP/ Allocations made in each monitoring round for the years 2012/13, 2013/14 and 2014/15

	Resource Bid Submitted	Resource Allocated	Capital Bid Submitted	Capital Allocated
	£m	£m	£m	£m
<b>2012/13 - June monitoring - 2 Bids</b>				
UK City of Culture	6.5	6.5		
50m Pool Bangor			1.5	1.5
<b>2012/13 - October monitoring - 1 Bid</b>				
PRONI Balmoral Site (to cover failure of sale)			1.2	1.2
<b>2012/13 January - 2 Bids</b>				
Replacement of boilers and acquisition of specimens			0.4	0
Purchase of Heron road storage facility			1.7	1.7
<b>2013/14 - June monitoring - 4 Bids</b>				
Library build and IT infrastructure			3.3	3.3
Regional Stadiums			1	0
Tackling Poverty & Social Exclusion	2.5	2.5	2.2	2.2
World Police and Fire Games	1.5	1.5		
<b>2013/14 - October monitoring - 2 Bids</b>				
City of Culture Legacy	1	1	1	1
<b>2013/14 January monitoring - 0 Bids</b>				
	0	0	0	0
<b>2014/15 June monitoring - 10 Bids</b>				
Arts and Museums			1.7	0
Museums Essential Maintenance			1.8	0
Libraries NI			1.5	1.5
Cultural programmes	1.5	1		
PETPSE National Museums NI	0.1	0		
LNI Refurbishment and Minor Works			0.9	0
Refurbishment Corn Exchange			0.2	0
Promoting Equality Tackling Poverty and Social Exclusion Sports Facilities	1.5	0	2.1	1.1
City of Culture Legacy	2.8	0	2.8	0
Together Building a United Community	1	0.8	0.6	0.6
<b>2014/15 October monitoring - 5 Bids</b>				
NMNI Maintenance			1.9	1.9
City of Culture Legacy*	1.0	0	2.8	2.8
Depreciation	0.6	0.6		
NIEC Settlement of ongoing legal action	0.2	0		
Carl Frampton - World Title Fight	0.1	0		
<b>2014/15 January monitoring - 2 Bids</b>				
Promoting Equality Tackling Poverty and Social Exclusion			1.3	1.3
Ulster Orchestra and Sporting Events	0.6	0.6		

\* City of Culture Legacy – Resource bid to DFP in October 2014, £1.0m awarded through reduction and reallocation not through bid allocations

**Mr Weir** asked the Minister of Culture, Arts and Leisure what input or involvement her Department will have on decisions relating to the funding of soccer stadia.

**(AQW 44484/11-15)**

**Ms Ní Chuilín:** My Department is responsible for the development and delivery of the Sub-Regional Soccer Programme, including the allocation of funding.

My Officials are currently in the process of developing the programme and are working closely with the IFA in terms of aligning their Facilities Strategy with the Departments Programme.

Programme specific details in terms of eligibility criteria, funding strands, funding limits, funding timelines etc. are currently being finalised. Plans for formal consultation with key stakeholders are underway.

The allocation of funding will be a fair, open and transparent process and will be based on an evidence based approach to demonstrate need and investment.

All projects will be assessed under "challenge fund" principles, with award recommendations being made based on eligibility and projects attaining a high assessment score. I will approve all award decisions.

**Mr Swann** asked the Minister of Culture, Arts and Leisure to provide an update for funding for FuSe Station in Ballymoney. **(AQW 44592/11-15)**

**Ms Ní Chuilín:** The Ulster-Scots Agency funds the Ullans Speakers' Association which includes the fUse FM community radio presence in Ballymoney, as well as the premises from which the station is operated.

The Agency is committed to the development of a full-time radio station for Ulster-Scots culture in Ballymoney and supported the Ullans Speakers' Association in securing a full-time licence from Ofcom. The Agency will continue to provide funding to the Ullans Speakers' Association, but has made it clear it is unable to provide funding to enable it to make the transition to a full time radio station.

**Mr Swann** asked the Minister of Culture, Arts and Leisure what funding is provided to Irish speaking radio stations in Northern Ireland.

**(AQW 44593/11-15)**

**Ms Ní Chuilín:** Since 2010 NI Screen's Irish Language Broadcast Fund has provided £294,500 to Irish speaking radio stations broken down as follows:

2010	Radio Broadcast Training Scheme	Raidió Fáilte	£50,000.00
2012	Radio Broadcast Training Scheme	Raidió Fáilte	£60,000.00
2012	Radio Broadcast Training Scheme	Raidió Fáilte	£60,000.00
2013	Radio Broadcast Training Scheme	Raidió Fáilte	£64,500.00
2014	Radio Broadcast Training Scheme	Raidió Fáilte	£60,000.00

Foras na Gaeilge, through its Community Irish Language Radio Scheme, provided Raidió Fáilte with a grant of £317,076 for the period 01 July 2014 to 31 December 2015.

**Mr Swann** asked the Minister of Culture, Arts and Leisure to detail what funding is available for local radio stations. **(AQW 44594/11-15)**

**Ms Ní Chuilín:** Local radio stations can apply to NI Screen for support through the Irish Language Broadcast Fund and to Foras na Gaeilge for support through its Community Irish Language Radio Scheme.

The Ulster- Scots Agency has a community broadcast platform, FUSE FM, which it resources directly to provide local groups the opportunity to undertake limited broadcasting through RSL licences.

**Mr Dunne** asked the Minister of Culture, Arts and Leisure what support will be given to the Irish Football Association towards the redevelopment of the West Stand at Windsor Park.

**(AQW 44604/11-15)**

**Ms Ní Chuilín:** On Tuesday 31st March 2015, the department was notified by the IFA that there was a structural problem with the existing West Stand.

On the 20th April 2015, the board of the Irish Football Association met to ratify a recommendation from the National Football Stadium project team that the West Stand at the stadium be demolished following recent structural damage. This recommendation came after a series of meetings with all interested parties and following the review of a structural engineer's report. Demolition work will begin immediately.

It is anticipated that the costs associated with rectifying the issues with the West Stand will be a matter for the insurers and no additional funds will be required by the Department.

The project is scheduled to be completed in November 2015, it is unknown at this stage how much the issues with the West Stand will impact on this timeline.

**Mr Easton** asked the Minister of Culture, Arts and Leisure how many public inquiries her Department has taken part in over the last four financial years; and at what cost.

**(AQW 44620/11-15)**

**Ms Ní Chuilín:** My Department has not taken part in any public inquiries over the last four financial years.

**Mr McNarry** asked the Minister of Culture, Arts and Leisure, given her decision to withdraw the Musical Instruments for Bands scheme, what practical support or financial assistance the Arts Council of Northern Ireland will provide to Northern Ireland's 25,000 bandsmen and women.

**(AQW 44637/11-15)**

**Ms Ní Chuilín:** The Musical Instruments for Bands Scheme is currently on hold and may be re-instated later in the year subject to a successful bid in the June monitoring round.

Alternative funding may be awarded by the Arts Council through its lottery funded Small Grants Programme and Equipment programmes.

Bands can also apply for support from the Ulster-Scots Agency through its Music and Dance Tuition Programme, although this is not for the purposes of purchasing instruments.

A number of years ago my Department commissioned research into marching bands in the North of Ireland and the final study document is available on the Department's website. The accompanying guidance note, which can be found at the web address provided below, offers advice on fundraising which bands may find useful.

[www.dcalni.gov.uk/marching\\_bands\\_in\\_northern\\_ireland\\_guidance\\_notes](http://www.dcalni.gov.uk/marching_bands_in_northern_ireland_guidance_notes)

**Mr Flanagan** asked the Minister of Culture, Arts and Leisure for an update on the provision of a disabled hoist facility for anglers at Garvary on Lower Lough Erne.

**(AQW 44660/11-15)**

**Ms Ní Chuilín:** The new disabled hoist equipment has been acquired by my Department and installed adjacent to the Garvary slip on Lower Lough Erne.

Officials are currently organising training on the safe operation of the equipment for representatives of the Erne Disabled Angling Club. This is expected to take place in early May at which point the facility will be fully operational.

**Mr Easton** asked the Minister of Culture, Arts and Leisure what funding opportunities are available for people who take part in Motor Cross competitions.

**(AQW 44664/11-15)**

**Ms Ní Chuilín:** Sport NI, an arms length body of my Department, funds specific programmes to sporting bodies and organisations in the north of Ireland, including Motocross.

Sport NI also works closely with sports Governing Bodies to develop performance for athletes identified by Governing Bodies, through the Athlete Investment Programme and PerformanceFocus.

Individuals who take part in Motocross competitions should contact their Governing Body, the Motorcycle Racing Association Ireland, in the first instance to establish their eligibility to be considered under the Sport NI Athlete Development Programmes.

I can also advise that opportunities do exist for individuals to access funding from other bodies including the Mary Peters Trust and local District Councils. The Mary Peters Trust can be contacted at House of Sport, Upper Malone Road, Belfast BT9 5LA, Tel: 02890 383830 or email: [info@marypeterstrust.org](mailto:info@marypeterstrust.org)

Furthermore, Sport NI's website contains a link to a number of charitable trusts and funders that may be able to help. Information can be found at [www.sportni.net/Funding](http://www.sportni.net/Funding)

**Mr Easton** asked the Minister of Culture, Arts and Leisure how much it has cost her Department to translate documents into Irish over each of the last four financial years.

**(AQW 44666/11-15)**

**Ms Ní Chuilín:** The costs for translating documents into Irish in each of the last four financial years were as follows:

Financial Year	Amount (£)
2011-12	4,759



Financial Year	Amount (£)
2012-13	7,909
2013-14	6,817
2014-15	7,730

**Mr Eastwood** asked the Minister of Culture, Arts and Leisure to detail the capital infrastructure projects financed by Private Finance Initiative in Foyle in 2013/14; and the cost of each project.

**(AQW 44706/11-15)**

**Ms Ní Chuilín:** No capital infrastructure projects financed by Private Finance Initiative were undertaken in Foyle in 2013/14.

**Mr D McIlveen** asked the Minister of Culture, Arts and Leisure what provision is being put in place for the band sector following the end of the Musical Instruments for Bands Scheme.

**(AQW 44821/11-15)**

**Ms Ní Chuilín:** I consider the scheme to be on hold as opposed to having been removed completely and I will be submitting a bid in June monitoring for the scheme's commencement potentially later in the year.

Alternative funding sources would be through the Arts Council's lottery funded Small Grants Programme and Equipment Programme which cover funding for equipment and tuition.

Bands can also apply for support from the Ulster-Scots Agency through its Music and Dance Tuition Programme, although this is not for the purposes of purchasing instruments.

A number of years ago my Department commissioned research into marching bands in the North of Ireland and the final study document is available on the Department's website. The accompanying guidance note, which can be found at the web address provided below, offers advice on fundraising which bands may find useful.

[http://www.dcalni.gov.uk/marching\\_bands\\_in\\_northern\\_ireland\\_guidance\\_notes.pdf](http://www.dcalni.gov.uk/marching_bands_in_northern_ireland_guidance_notes.pdf)

**Mr Eastwood** asked the Minister of Culture, Arts and Leisure whether she will support the local campaign to bring Fleadh Cheoil na hÉireann back to the City of Derry.

**(AQO 8059/11-15)**

**Ms Ní Chuilín:** I fully support the local campaign to bring Fleadh Cheoil na hÉireann back to the City of Derry and I would hope that partners and other stakeholders in Derry will be able provide the necessary sponsorship and funding to enable the Fleadh to return.

As you know, the 2013 Fleadh was a huge success with a significant return on investment. The Fleadh was just one of the many events that showed Derry as a vibrant, cultural and cosmopolitan city and I would be very keen to see this prestigious event return.

My Department has supported a number of legacy events and activities related to the Fleadh Cheoil as part of the £6m investment in the North West since the 2013 City of Culture year. For example in 2014/15 DCAL provided £70k for a Citywide Festival aimed at building on cross community relationships developed during 2013. I also allocated £20k to the Droichead project, a cross community collaboration between An Gaeláras and the Bands Forum in Derry, which used music as the common ground to facilitate communication and build relationships. This project saw the involvement of marching bands in the Fleadh for the first time in its history.

**Mr Agnew** asked the Minister of Culture, Arts and Leisure what bids she is preparing for the forthcoming monitoring round.

**(AQO 8048/11-15)**

**Ms Ní Chuilín:** This is a difficult budget with pressures resulting directly from cuts imposed by the British Government.

I am not at all comfortable with this budget. All service areas across DCAL and its arm's-length bodies have been affected by budget reductions as a direct result of the year-on-year erosion of the Block grant by a Tory-led British Government.

I was able to reduce the proposed cut in allocations from 10% to 8.5%, and I will continue to argue for additional resources. But I simply do not have the resources to do all that I would want to do. Some people view the arts as a luxury; however I see them as a basic right for all.

We will use Monitoring Rounds as far as possible to offset these budget cuts and to bid for funding in areas where I have identified that significant need exists.

The Department is working up bids at the moment with the aim of meeting my key priorities which are:

- Promoting Equality, tackling poverty and addressing social exclusion.
- Supporting a range of grass roots activities in the arts and sports sections – particularly in those areas where funding is especially needed.

- Addressing a major shortfall in capital funding to allow to take forward and meet our capital commitments in the current financial year.

I fully realize the importance of the sporting, culture and arts sectors and the integral role they play in contributing to healthy communities. I, and my officials, will continue to work with groups and organizations to enable them to create the best possible outcomes for the people they support.

**Ms Fearon** asked the Minister of Culture, Arts and Leisure for an update on the Strategy for Culture and Arts.  
(AQO 8056/11-15)

**Ms Ní Chuilín:** I am developing an Arts and Culture strategy to ensure recognition is given to the value that arts and culture has in enriching the lives of individuals, building the capacity of our communities, growing our economy and creating a more inclusive society.

I believe that arts and culture deserve a central place in society given their importance in contributing to positive health and well being and developing skills and confidence on an individual level. Arts and culture are also an inspirational driver for the creative industries, artistic excellence and make a significant contribution to creating a cohesive society and promoting tourism.

My vision for the strategy is that it is fully inclusive. It is important that all stakeholders including arts groups, communities and individuals play an active part in the creative development of the strategy.

A Ministerial Arts Advisory Forum and Inter Departmental Steering Group have been set up to help inform the development of the Strategy and co-design events are taking place with stakeholders. The broad themes of the Strategy will be developed through this co-design phase leading to a public consultation starting in early summer 2015.

**Mr McAleer** asked the Minister of Culture, Arts and Leisure how her Department will continue to promote effective partnerships with local communities through the sport of angling.  
(AQO 8055/11-15)

**Ms Ní Chuilín:** My Department has developed an Angling Outreach Programme which is targeting my priorities of promoting equality and tackling poverty and social exclusion through a range of angling related initiatives in partnership with local community groups and angling clubs.

My Department is currently working with a diverse range of stakeholders to develop and organise programmes and partner groups including the Simon Community, Erne Disabled Anglers, Lagan Valley Education Project, Extern and Mountfern Adult Centre are engaged. The positive impact of such events on individuals and groups demonstrates that angling is an excellent vehicle through which to address a range of health and well being issues, learn new skills and facilitate improved social interactions. Angling is also an effective intervention to divert young people away from anti-social activities, particularly in interface areas, as evidenced by the great work of the Friends of the Waterworks angling initiative in North Belfast which my Department has also provided support for.

Officials are continuing to work with local community groups in an effort to widen the use of Public Angling Estate waters for other recreational activities in addition to angling. This increases the public value of the fisheries and encourages a sense of community ownership of such assets. I know that the member is directly involved in the Community Development Association at Loughmacrory in his constituency and the superb facilities there are a prime example of how a fishery can be the catalyst for community regeneration and development.

The report on the Strategic Review of Angling published in February 2014 made a range of recommendations on the development of angling and in particular capacity building in the sector. My Department is helping to support the recently appointed Angling Development Officer, who is working closely with the Ulster Angling Federation and the Ulster Coarse Fishing Federation. The Angling Development Officer will play an important role in building capacity within angling clubs, developing coaching programmes and will work with my Department to develop programmes specifically targeting young people from areas of high social deprivation.

Under the new partnership arrangement between my Department and Northern Ireland Water, there will be an additional 14 waters in the Public Angling Estate. My Department will seek to work with and develop partnerships with existing and new community groups and local angling clubs, to not only improve the socio and economic benefits from angling, but to meet my priorities of promoting equality and tackling poverty and social exclusion.

**Mr Dallat** asked the Minister of Culture, Arts and Leisure what preparations her Department is making ahead of the Irish Famine Commemoration due to take place in Newry this September.  
(AQO 8058/11-15)

**Ms Ní Chuilín:** I am delighted that the Irish Government announced that the Famine Commemoration will be held in Newry in September 2015. This landmark initiative will help communities across Ireland to better understand the impact and legacy of the famine on all sections and traditions in our society.

I have engaged with my Ministerial counterpart in the south for some time on this issue. To support the prospect of the commemorative event being held in Newry, I liaised with all Ministers in the north and brought a paper to the Executive earlier

this year. Cross-party endorsement of this commemoration event has been and will be a key feature of an inclusive approach to remembering this period in our shared history.

Newry, Mourne and Down District Council will take the lead in organising the Commemoration event. My officials and those from the Department of Arts, Heritage and the Gaeltacht will work with the Council and other stakeholders to maximise the impact and reach of the Commemoration and its associated activities.

In particular, my officials will work with the Department's ALBs covering museums, the arts, screen industries, libraries and the wider creative and cultural base to help tell the stories and interpretations of this period in an innovative and inclusive manner.

**Mr Ramsey** asked the Minister of Culture, Arts and Leisure whether, as part of the Together: Building a United Community, she would deliver a programme to improve good relations through sport and creativity in the City of Derry.  
(AQO 8060/11-15)

**Ms Ní Chuilín:** My Department leads on one of the seven headline actions from the Executive's Together: Building a United Community Strategy, namely the development of a Cross Community Youth Sports Programme.

The principal focus of the sports programme is to enhance good relations through the transformative power of sport and creative activity. A pilot project ran from January to March 2015 with participants and Young Leaders from the Lower Falls and the Greater Village areas in Belfast.

The selection of new areas for the roll out of the programme will be informed by an independent evaluation of the pilot project and availability of additional funding from the Executive.

The evaluation is expected to be completed by the end of this month and my officials will continue to work with a wide range of stakeholders on the potential of the programme to help address interface tensions and good relations issues in urban and rural areas.

## Department of Education

**Mrs D Kelly** asked the Minister of Education how many children failed to obtain a free school place following applications made in January 2015.  
(AQW 44376/11-15)

**Mr O'Dowd (The Minister of Education):** At the end of Stage 1 of the 2015 Pre-School Admissions process on 17 April 2015, 1006 of the 23,614 children who had applied were unplaced. There are over 1500 places available to meet demand at Stage 2

Parents of unplaced children have been invited to list further preferences for consideration during Stage 2 of the process which will conclude on 29 May 2015 and I would strongly encourage parents to consider the full range of pre-school provision that remains available and provide a range of preferences at stage two to increase the chance of securing a place for their child.

**Ms Sugden** asked the Minister of Education, pursuant to AQW 44211/11-15, to detail (i) how many applications were received; (ii) how many of these applications were withdrawn throughout the admissions process; and (iii) to outline the reasons why applications were withdrawn.  
(AQW 44407/11-15)

**Mr O'Dowd:** (i) A total of 23,614 applications were considered during Stage 1 of the 2015 Pre-school admissions process.

(ii) An additional 51 applications were received but withdrawn before they could be considered for placing.

(iii) The Education Authority has advised that only the Western Region records reasons for the withdrawal of applications. In 2015 one application was withdrawn as the child had moved out of the jurisdiction.

**Mr Flanagan** asked the Minister of Education what consideration has been given to enabling transition year students in the south of Ireland to participate in education, employment or voluntary opportunities in the north of Ireland.  
(AQW 44477/11-15)

**Mr O'Dowd:** There are no formal arrangements in place to support transition year students coming to the north, individuals can and do make their own arrangements at a local level.

The North South Ministerial Council in Education Sectoral Format will continue to work to remove barriers to greater co-operation between the education systems on this island.

**Miss M McIlveen** asked the Minister of Education to confirm whether the Education Authority formally consulted with the Controlled Schools Support Body on the draft Scheme of Management for Controlled Schools.  
(AQW 44590/11-15)

**Mr O'Dowd:** The Education Authority has formally consulted with the Working group to establish the Controlled Schools Support Council on the Transitional Scheme of Management of Controlled Schools.

**Miss M McIlveen** asked the Minister of Education what formal mechanisms have been established to ensure that the views of the Controlled Schools Support Body are taken into account by his (i) Department, (ii) the Education Authority, and (iii) other Non Departmental Bodies under his control.

**(AQW 44591/11-15)**

**Mr O'Dowd:** In line with the agreement by the Executive on 9th September 2014 to establish a controlled schools' support body, a number of measures have been put in place to ensure that the views of the controlled schools' sector are taken into account:-

- (i) Within the Department the Working group to establish the Controlled Schools' Support Council (CSSC) has been invited to join the Area Planning Steering Group. It is planned that the Department will seek the views of the CSSC in responding to consultation exercises in respect of education policies, initiatives and schemes;
- (ii) Officials from the Education Authority have already met with the Working group, and further meetings are planned. It is anticipated that formal protocols will be developed as the CSSC becomes fully operational; and
- (iii) The CSSC will be required to build co-operation and engage with other sectors including the Department's NDPBs in matters of mutual interest, including promotion of tolerance and understanding. It will be a matter for the CSSC to determine how best this will be taken forward.

**Mr Easton** asked the Minister of Education how many public inquiries his Department has taken part in over the last four financial years; and at what cost.

**(AQW 44618/11-15)**

**Mr O'Dowd:** The Department of Education has not taken part in any public inquiries over the last four financial years.

**Ms Sugden** asked the Minister of Education what contact his Department has had with staff of the Education Authority with regards to an agreed pay rise for the 2014-16 pay period.

**(AQW 44621/11-15)**

**Mr O'Dowd:** The Department commissioned the information regarding the 2.2 per cent pay award, applicable from 1 January 2015 to 31 March 2016, from the Education and Library Boards (ELBs) on 12 December 2014. The Department met with the ELBs on 18 December 2014 and the information required, in accordance with the Executive's Public Sector Pay Policy, was submitted to the Department on 26 January 2015. Since then, there have been numerous contacts with the ELBs (now, the Education Authority, EA) on this matter, including 3 formal meetings, 1 in February and 2 in March 2015. Most recently, on 20 April 2015, my officials met with EA Senior Management and TUS to provide an update on progress of the pay remit business case.

**Ms Sugden** asked the Minister of Education whether the finance to fund a 2.2 per cent pay rise for Education Authority workers for the 2014-16 pay period has been ring-fenced by his Department

**(AQW 44623/11-15)**

**Mr O'Dowd:** I can confirm the 2.2% pay award due to eligible Education and Library Board (ELB) staff (now Education Authority (EA)) for the period 1 January 2015 to 31 March 2015 has been accounted for in the Department of Education's 2014-15 budget.

**Mr Agnew** asked the Minister of Education how much money has been spent by his Department on Special Education Needs, in each of the last three years.

**(AQW 44625/11-15)**

**Mr O'Dowd:** The table below provides the total departmental spend on Special Educational Needs (SEN) in each of the last three years.

	2011-12 £m	2012-13 £m	2013-14 £m
<b>Total</b>	<b>194</b>	<b>214</b>	<b>230</b>

The above figures include spend on statemented pupils in mainstream schools, pupils in special schools and home to school transport for statemented pupils attending primary, post-primary and special schools. The table also includes funding provided for a number of capacity-building initiatives within the Review of SEN and Inclusion.

Schools are also responsible for meeting any additional needs of pupils within the first three stages of the Code of Practice on the Identification and Assessment of SEN. Such funding is not separately identified from within the overall delegated budget distributed to schools, nor is it separately reported on. The level of spend by schools for such pupils cannot be disaggregated from the schools' overall expenditure.

During the same three year period additional funding has been provided by the Department to support children with SEN in relation to the Middletown Centre for Autism.

**Ms McGahan** asked the Minister of Education, in relation to child referrals by an Educational Psychologist to an Autism Assessment Clinic, how many children waited longer than two months in the Southern Health and Social Care Board for a referral, in the last two years.

**(AQW 44632/11-15)**

**Mr O'Dowd:** Educational Psychologists would not be the primary source of referrals for children and young people to access the health-based Autism Assessment Clinic (AAC) run by the Southern Health and Social Care Trust.

Through their educational assessment work with children, Educational Psychologists may determine that the support of an AAC is appropriate and they can make an onward referral to such a facility. However, it is not possible in advance of such an educational assessment to anticipate for which children such a referral might prove to be appropriate and therefore there are no waiting lists for the specific purpose of Educational Psychologists employed by the Educational Authority making a referral to an AAC.

**Mr Easton** asked the Minister of Education to detail the cost of translating departmental documents into Irish in the last four financial years.

**(AQW 44665/11-15)**

**Mr O'Dowd:** The cost of translating departmental documents into Irish was as follows:

Financial Year	Cost of translating departmental documents into Irish
2011/2012	£35,430
2012/2013	£36,207
2013/2014	£31,414
2014/2015*	£27,924

\* Estimated figure, subject to finalisation of 2014/15 account.

In addition to the above the Department of Education employs one full-time Irish Language Officer and one of the duties is translating documents which are generally less than 1,500 words in length. It is not possible to provide a cost for this work as it is an integral part of a range of duties.

**Mr Weir** asked the Minister of Education what responsibility the Education Authority has, or will have, for youth services.

**(AQW 44670/11-15)**

**Mr O'Dowd:** As set out in The Education and Libraries (NI) Order 1986, under Article 37 (1) the Education Authority shall secure the provision of adequate facilities for recreational, social, physical, cultural and youth services activities for services ancillary to education and for that purpose may, with the approval of the Department, either alone or any other person –

- (a) Establish, maintain and manage such facilities;
- (b) Organise any such activities;
- (c) Assist, by financial contributions, or otherwise, any persons to establish, maintain and manage any such facilities or to organise any such activities;
- (d) Provide, or assist, by financial contribution or otherwise in the provision of, leaders for such activities; and
- (e) Defray or contribute towards the expenses of any persons taking part in any such activities;

I have recently (20th April) launched public consultation on proposals for the future of the Youth Council to consider how support and funding for all youth services might be delivered through the Education Authority. The public consultation will run until 12 June, after which time I will consider the responses received before deciding on the best way forward.

**Mr Agnew** asked the Minister of Education for an update on the proposed pay rise for Education Authority staff including (i) when they can expect to receive the agreed pay rise; (ii) whether it will be back paid to 2014; and (iii) the reason for the delay.

**(AQW 44685/11-15)**

**Mr O'Dowd:**

- (i) (ii) In accordance with the Executive's Public Sector Pay Policy, once the necessary approvals have been secured, the Education Authority (EA) will process payment of the revised rates of pay in line with a 2.2 per cent pay rise applicable from 1 January 2015 to 31 March 2016.
- (iii) The Department, in consultation with the EA, is currently preparing the composite pay remit business case to comply with the Executive's Public Sector Pay Policy, including validating information received. This work is on-going.

**Miss M McIlveen** asked the Minister of Education to outline all curriculum funded projects, including by third party organisations, for (a) 2014/15; and (b) 2015/16.

**(AQW 44701/11-15)**

**Mr O'Dowd:** The following table outlines the projects funded to support the delivery of the curriculum, broken down by year:

2014/15	2015/16
STEM Module	STEM Module
School Employer Connections	School Employer Connections
Charter Work Experience	Charter Work Experience
Young Enterprise NI	Young Enterprise NI
Sentinus (core)	Sentinus (core)
Stock Market Challenge	Stock Market Challenge
BT Young Scientist & Technology Exhibition	BT Young Scientist & Technology Exhibition
Curriculum Sports Programme	Curriculum Sports Programme
It's Your Choice	
SMART Technology Programme	
Irish Science Olympiads	
Business Education Partnerships	
European Studies Programme	
Dissolving Boundaries	

The following table outlines the intervention programmes that are primarily aimed at addressing educational underachievement and improving equity but nevertheless have an impact on the teaching and learning of literacy and numeracy in the curriculum, broken down by year:

2014/15	2015/16
Delivering Social Change Signature Programme for Improving Outcomes in Literacy and Numeracy	Delivering Social Change Signature Programme for Improving Outcomes in Literacy and Numeracy (to end June 2015)
Greater West Belfast Primary Schools Project	Greater West Belfast Primary Schools Project (to end June 2015)
Maths Week Ireland	Maths Week Ireland
Time to Read	Time to Read
Write Up Programme	Write Up Programme
	Film, animation and picturebook workshops

**Mr Eastwood** asked the Minister of Education to detail the capital infrastructure projects financed by Private Finance Initiative in Foyle in 2013/14; and cost of each project.

**(AQW 44702/11-15)**

**Mr O'Dowd:** There is one schools project in the Foyle constituency which is financed by a Private Finance Initiative under a Public Private Partnership (PPP). This project involves two schools in Derry, St Mary's College and St Cecilia's College. Both schools opened in October 2010.

An annual unitary charge is paid to the PPP Operator for the 25 years of the contract. This covers the capital repayment, finance costs and provision of facilities management and building maintenance services. The unitary charge for this project in 2013/14 was £6.38m.

**Mr Campbell** asked the Minister of Education to detail the total expenditure incurred in connection with the Youth Council for Northern Ireland in each of the last five years.

**(AQW 44759/11-15)**

**Mr O'Dowd:** The total expenditure incurred by the department in connection with the Youth Council in each of the last five years, is detailed in the following table:

YCNi	2009-10 £m	2010-11 £m	2011-12 £m	2012-13 £m	2013-14 £m
Grant-in-aid	4.4	4.4	4.9	4.7	5.0

**Notes:**

1 Information sourced from Department of Education resource accounts.

**Mr Campbell** asked the Minister of Education what he envisages being in place in the current financial year, to offer similar provision to that offered under the Primary Modern Languages Programme.

**(AQW 44760/11-15)**

**Mr O'Dowd:** Modern languages are not a statutory part of the curriculum at primary level here. It is a matter for primary schools to decide whether they wish to teach an additional language and to allocate resources accordingly.

While no specific funding has been allocated by my Department for 2015/16 to provide foreign language tuition at primary level, schools could if they wish fund language tutors from their own LMS budget. Officials will continue to keep schools informed of opportunities to participate in international education projects which would help promote languages.

**Mr Frew** asked the Minister of Education what support can be given to teaching staff who are made redundant.

**(AQW 44768/11-15)**

**Mr O'Dowd:** My Department does not employ teachers. Teachers are employed by the Board of Governors for each school setting and supported in their role by the relevant Employing/ Funding Authority.

However, a transferred redundancy process, managed by the Employing/ Funding authorities, operates across all schools in the north of Ireland, in order to protect the jobs of teachers who would otherwise be made redundant by transferring them to posts in other schools where teachers have volunteered for redundancy but where no redundancy actually exists.

In recognition that a redundancy may prove stressful, an independent confidential counselling, advice and support service, is available free of charge to all teachers.

**Mr Frew** asked the Minister of Education what discussions, and resultant actions, have taken place with the Minister for Employment and Learning in relation to supporting student teachers to retrain if they have not gained a teaching job within five years of graduating.

**(AQW 44769/11-15)**

**Mr O'Dowd:** I have not had any discussions with the Minister for Employment and Learning in relation to supporting the retraining of graduate teachers. Responsibility for this issue rests solely with Minister Farry.

**Miss M McIlveen** asked the Minister of Education for an update on the area planning process for special schools.

**(AQW 44776/11-15)**

**Mr O'Dowd:** I commissioned a review of Special Schools provision, the purpose of which was to undertake an assessment of existing provision and recommend a regional plan for the future structure and provision of Special Schools. The review group presented its report and recommendations at the end of March and I will now take time to consider them.

**Miss M McIlveen** asked the Minister of Education to outline the terms of reference for the area planning process for special schools, including the anticipated timescale for its publication.

**(AQW 44777/11-15)**

**Mr O'Dowd:** I commissioned a review of Special Schools provision, the terms of reference of which included an assessment of existing provision and a recommended regional plan for the future structure and provision of Special Schools. The final report was presented to me last month and I am considering the findings and recommendations on the way forward before publication.

**Miss M McIlveen** asked the Minister of Education to list by (i) sector; and (ii) region the numbers of children who were unsuccessful in receiving a pre-school place at Stage 1.

**(AQW 44778/11-15)**

**Mr O'Dowd:** (i) Pre-school provision is not defined according to sectors.

(ii) The following table shows the number of unplaced children in each region of the Education Authority at the end of Stage 1 of the Pre-School Admissions process:

Region	Number of children unplaced at end stage 1
Belfast	296

Region	Number of children unplaced at end stage 1
Western	121
North Eastern	112
South	248
South Eastern	229
<b>Total</b>	<b>1006</b>

**Mr Kinahan** asked the Minister of Education what academic research on home education informed Circular 2014/24 issued in September 2014 on Education Otherwise Than at School.

**(AQW 44786/11-15)**

**Mr O'Dowd:** No academic research on home education was considered before the issue of Circular 2014/24.

This circular, and the detailed guidance to which it refers, is purely intended to clarify those common requirements and minimum standards which DE expects Education Authority EOTAS provision, delivered under Articles 86(1) and 86(2) of the Education (NI) Order 1998, to meet.

It does not apply to children whose parents have exercised their right to home educate under Article 45(1) of the Education and Libraries (NI) Order 1986.

**Mr Kinahan** asked the Minister of Education on what legal basis the Education Authority will interview home schooled children to ascertain whether they consent to be educated outside of a school environment.

**(AQW 44787/11-15)**

**Mr O'Dowd:** There is no requirement in legislation for the Education Authority to meet with a child who is being educated at home to ascertain whether they consent to be educated outside of a school environment. On occasion, however, officials from the Education Authority, with parental consent, meet with parents and their child to discuss their education.

**Miss M McIlveen** asked the Minister of Education to outline the criteria used to measure the effectiveness of the Sure Start programme.

**(AQW 44809/11-15)**

**Mr O'Dowd:** Whilst the Department of Education (DE) has overall responsibility for policy and funding of the Sure Start Programme, the Health and Social Care Board (HSCB) has operational responsibility for the delivery of Sure Start, through the Childcare Partnerships.

The DE Sure Start Outcomes Framework was developed during 2014/15 enabling the annual establishment of a set of high level objectives for the Programme. The Outcomes Framework provides the basis for measuring the effectiveness of Sure Start against the desired Programme outcomes.

**Mr Irwin** asked the Minister of Education for his assessment of the oversubscription for nursery places in the Armagh district area; and to detail any plans to increase funded places.

**(AQW 44811/11-15)**

**Mr O'Dowd:** The Chief Executive of the Education Authority has advised me that 782 applications were received for places in the former Armagh Council area during stage 1 of the pre-school admissions process.

At the end of stage 1, on 17 April, 742 children had been placed, 40 were unplaced and 50 places remained available.

The Pre-School Education Advisory Groups (PEAG) of each Region in the Education Authority are responsible for ensuring that there is adequate pre-school provision in local areas and I have made available sufficient funding to meet the projected need for pre-school places for the 2015/16 academic year.

The parents of unplaced children have received a list of providers with places available at 17 April 2015 and I encourage them to consider the full range of pre-school provision that remains available and to provide a range of preferences at stage two to increase their chance of securing a place for their child.

The Department will continue to work closely with the Education Authority to ensure that every effort is made to find suitable places for those children who have yet to be placed

**Mrs McKeivitt** asked the Minister of Education for a breakdown of all Development Proposal Submissions lodged with his Department after September 2012 which were supported by the Council for Catholic Maintained Schools (CCMS) and (i) approved; and (ii) not approved by his Department.

**(AQW 44860/11-15)**



**Mr O'Dowd:** After September 2012, 69 development proposals have been published at the request of the Council for Catholic Maintained Schools.

Of these, I approved 47 (four with modifications); nine were not approved; one proposal was withdrawn and 12 are currently being processed.

**Mr D Bradley** asked the Minister of Education whether his Department plans to introduce the teaching of computer coding in primary schools.

**(AQW 44880/11-15)**

**Mr O'Dowd:** Computer Science, which includes computer coding, is a specialised field and the flexibility already in place within the curriculum, enables schools to teach Computer Science in any Key Stage, including at primary school level, if they feel it appropriate.

There are no plans at this time to make computer programming mandatory in the curriculum, however, I am aware that many schools already provide coding. DE will continue to make schools aware of any opportunities, such as Erasmus+ to build the profile of coding within their school and the competence of teachers to provide it.

I would encourage all schools to pursue the opportunities afforded to them by studying computer coding if they feel this is in the interests of and meets the needs of their pupils.

**Mr D McIlveen** asked the Minister of Education what input his Department could have in the establishment of shadow youth councils.

**(AQW 44920/11-15)**

**Mr O'Dowd:** There are presently a wide range of formal and informal structures at all levels to support and encourage young people's participation in the youth service.

As part of the implementation of Priorities for Youth, through the Regional Youth Development Plan (RYDP) – Interim Framework for 2015-16, the Education Authority and the Youth Council for NI, with input from a range of stakeholders, will work to develop and agree a Network for Youth model by December 2015, which will be put in place by April 2016. The aim of the Network for Youth is to strengthen participation at all levels of the service.

Whilst the Department of Education is not responsible for the establishment of shadow youth councils, I would expect potential linkages between these and the Network for Youth to be explored as work progresses.

**Miss M McIlveen** asked the Minister of Education how he ensures that there is access to pre-school playgroup provision for all sections of the community in villages where only one playgroup provision exists.

**(AQW 44933/11-15)**

**Mr O'Dowd:** Pre-school provision is not defined according to sectors. All pre-school settings are, therefore, considered accessible to children from all backgrounds.

Under the DE funded Pre-School Education Programme, parents of pre-school children may apply to any setting they wish. Boards of Governors and Management Committees must, however, publish criteria capable of selecting children down to the last available place in the event that the setting is oversubscribed.

The Pre-School Education Advisory Groups (PEAG) of each Region in the Education Authority are responsible for ensuring that there is adequate pre-school provision in local areas, and to support this, I have allocated sufficient funding to meet the projected need for pre-school places for the 2015/16 academic year.

**Miss M McIlveen** asked the Minister of Education how many staff are currently seconded to the Education Authority who have a permanent post in other (i) education bodies; or (ii) non-education bodies.

**(AQW 44935/11-15)**

**Mr O'Dowd:** The Education Authority (EA) has advised that there are currently less than five staff seconded to the EA from other education bodies. There are no staff seconded from non-education bodies.

**Miss M McIlveen** asked the Minister of Education for an update on discussions on the portability of GCSE and A-levels for entrance to Irish Universities.

**(AQW 44945/11-15)**

**Mr O'Dowd:** The Irish Universities Association (IUA) coordinates policy development in relation to applications to universities in the south of Ireland. The Council for the Curriculum, Examinations and Assessment (CCEA) has been meeting with the IUA to work to address qualifications portability for entrance to Irish universities. The main focus of the discussions with the IUA has been on ensuring equality of access to higher education institutions when two different qualifications systems are operating i.e. Leaving Certificate and A/AS Levels.

These discussions have resulted in a number of positive developments and it is pleasing that the seven universities in the south of Ireland have recently announced that they will introduce new admissions procedures that will change the points allocated to A Levels thus making it easier for school-leavers from the north to gain entry.

There are other issues that disadvantage pupils from the north. Issues such as the wider recognition of applied A levels and the need to sit all A levels in one year. Following the recent developments, it is my hope that the universities in the south will now move to address these issues.

**Miss M McIlveen** asked the Minister of Education how many times his Department has used Article 101 in each of the last 5 years; and for what purpose.

**(AQW 44946/11-15)**

**Mr O'Dowd:** The Department of Education has not used Article 101 of the Education and Libraries (NI) Order 1986 in the last 5 years.

**Mr Moutray** asked the Minister of Education how many children in Upper Bann were unable to obtain a nursery school place for the 2014/15 academic year.

**(AQW 44952/11-15)**

**Mr O'Dowd:** At the end of the 2014/15 pre-school admissions process only one child in the Upper Bann area, whose parents stayed with the process to the end, remained unplaced.

**Mr Moutray** asked the Minister of Education what percentage of children in each of the Education Authority area are entitled to free schools meals.

**(AQW 45031/11-15)**

**Mr O'Dowd:** The table overleaf shows the proportion of pupils entitled to free school meals split by the former Education and Library Board areas that now collectively form the Education Authority.

**Proportion of pupils entitled to free school meals by former Education and Library Board area, 2014/15**

	BELB	WELB	NEELB	SEELB	SELB	NI Total
Voluntary and Private Pre-school Education Centres	19.1%	14.7%	11.0%	8.8%	9.3%	11.4%
Nursery schools	57.4%	37.9%	18.6%	36.5%	25.8%	35.6%
Primary schools	46.6%	39.2%	25.4%	25.2%	28.8%	31.7%
Post-primary schools	29.7%	34.5%	20.3%	21.5%	25.5%	26.1%
Special schools	61.8%	78.5%	43.2%	42.5%	39.2%	52.5%
All schools	38.5%	37.0%	23.0%	23.8%	26.9%	29.2%

**Source:** NI school census

**Notes:**

- 1 Former Education and Library Board area refers to the ELB in which the school is located rather than pupil residence.
- 2 Figures for pupils in nursery schools/units and pre-schools include parents who are in receipt of Income Support (IM) and income-based Jobseekers Allowance (JSA). These are two of the benefits which determine eligibility for free school meals.
- 3 Figures for primary include nursery, reception and year 1 - 7 classes.
- 4 Figures include funded pupils only.

**Mr McKay** asked the Minister of Education for an update on the development of a new capital build school for Castle Tower School, Ballymena.

**(AQW 45108/11-15)**

**Mr O'Dowd:** This project is being taken forward by the Education Authority, North Eastern region. The Invitation to Tender for the works contract was issued on 22 April 2015 and is due back for assessment mid June 2015. It is anticipated the contractor will commence on site late July /early August 2015.

## Department for Employment and Learning

**Mr Swann** asked the Minister for Employment and Learning what action the South West and Southern Regional Colleges have taken to identify demand and interest from the Mineral and Quarrying Industries in the Extractives and Minerals Processing Apprenticeships.

**(AQW 44364/11-15)**

**Dr Farry (The Minister for Employment and Learning):** The South West College Deputy Head of Training is due to meet with Mr Gordon Best, Regional Director of Quarry Products Association NI (QPANI) during week beginning Monday 27 May 2015. The meeting will be used to explore how the college can continue to best meet the training needs of the sector. The Deputy Head of Training has also been invited to address the QPANI industry working group at their annual meeting on Thursday 14 May 2015.

Southern Regional College has not been approached by employers or sector organisations regarding training in this apprenticeship.

**Mr Easton** asked the Minister for Employment and Learning how many public inquiries his Department has conducted over the last four financial years; and at what cost.

**(AQW 44527/11-15)**

**Dr Farry:** My Department has not conducted any public inquiries over the last four financial years.

**Mr McMullan** asked the Minister for Employment and Learning whether regional colleges will have sole responsibility for training apprentices following the merger of his Department and the Department of Enterprise, Trade and Investment.

**(AQW 44539/11-15)**

**Dr Farry:** I launched the Northern Ireland Strategy on Apprenticeships in June 2014. The strategy includes an implementation plan outlining 12 projects aimed at piloting and testing the new quality driven apprenticeship model, for the purpose of securing implementation by 2016.

In future, apprenticeships will be offered from skills level 3 to 8. Universities, Further Education Colleges and other approved providers, which meet the required quality standards, will be able to deliver the off-the job training element of an apprenticeship.

A new quality assurance model will be put in place to ensure high quality provision, through inspection, rigorous assessment, established criteria for teaching and continuous professional development and, ongoing performance management.

**Mr B McCreagh** asked the Minister for Employment and Learning how his Department will tackle the skills shortage while universities are being forced to cut places and courses.

**(AQW 44575/11-15)**

**Dr Farry:** The Programme for Government is clear that the growth of the economy will only be attained through a sustained, prioritised focus on skills, and our universities are instrumental in ensuring Northern Ireland can meet current and future skills needs. However, the unprecedented budget cuts being faced by my Department in 2015-16, and the subsequent impact this has on the universities, is significant. Queen's University and Ulster University face a £15.1 million reduction in their block grant allocation in academic year 2015/16, which has repercussions in regard to student and staff places. Queens University has advised that the budget reduction will result in the loss of 236 jobs and a reduction of 1,010 student places over three years.

Moreover, it is important to remember that even before this £15.1million reduction our universities are already underfunded in comparison to their English counterparts to the tune of £39million per annum. Indeed, we are now the only region in the UK actively disinvesting in higher education. This is a serious underinvestment in the future of our young people and our economic growth, and moving forward I want to have a wider conversation about the long-term sustainability of our existing higher education funding system.

But, despite these challenges, several steps are being taken to address our skills shortages. In order to better understand where those shortages actually are my Department has commissioned a Skills Barometer, which will allow us to identify our current skills gaps and where they are likely to be in the future. We continue to work with the universities and colleges to re-balance their provision to better reflect our skills needs, and both universities have agreed to protect undergraduate narrow Science, Technology, Engineering and Maths (STEM) places from any undergraduate place reductions next year. In addition, my Department will continue to invest in programmes offering bespoke skills solutions for companies and sectors, for example through our Assured Skills Academy Model which supports unemployed graduates to re-skill in areas more relevant to employer needs.

My Department has also secured £7.5 million from the Executive's Change Fund for to further pilot our new apprenticeship model. In the coming academic year we expect to support 400 higher level apprenticeships through these pilots at the degree and sub-degree levels, and by 2016 the new apprenticeship system will be in place, providing for many a viable and employment-focussed alternative to attending university or college on a full-time basis. Similarly, my Department will shortly be issuing a consultation on the student finance arrangements for part-time and postgraduate higher education students,

which will contain policies designed to support more people to enter higher education on a flexible basis and ultimately help to tackle our skills needs at both the undergraduate and postgraduate levels.

**Mr Eastwood** asked the Minister for Employment and Learning to detail the capital infrastructure projects financed by Private Finance Initiative in Foyle in 2013/14; and the cost of each project.

**(AQW 44709/11-15)**

**Dr Farry:** There were no capital infrastructure projects financed by Private Finance Initiative in the Foyle constituency in 2013/14, by my Department.

## Department of Enterprise, Trade and Investment

**Mr Allister** asked the Minister of Enterprise, Trade and Investment (i) how many applications were received for the post of chair of Tourism NI; (ii) how many were short-listed and interviewed; and (iii) how many names she was presented with for the purpose of her making a choice.

**(AQW 44368/11-15)**

**Mrs Foster (The Minister of Enterprise, Trade and Investment):** A total of 26 applications were received for the post of chair of Tourism NI. Following a short listing process 11 candidates were invited for interview and 8 of those candidates subsequently attended. Following the interviews 6 of those candidates were found to be suitable for appointment.

**Mr B McCrea** asked the Minister of Enterprise, Trade and Investment for an update on the Moyle Interconnector.

**(AQW 44511/11-15)**

**Mrs Foster:** Mutual Energy, owner of the Moyle Interconnector, has entered into a contract for the manufacture and installation of two new low voltage submarine cables which will restore the Moyle Interconnector to its previous capacity and reliability by late 2016.

**Mr Swann** asked the Minister of Enterprise, Trade and Investment whether she will support the extension of credit union services to allow the provision of corporate accounts for play groups, community groups and orange lodges.

**(AQW 44516/11-15)**

**Mrs Foster:** My Department is bringing forward an Assembly Bill which will update the Northern Ireland legislation governing credit unions.

During summer 2013, my Department consulted on a range of legislative proposals to grant credit unions greater operational freedom and thereby enable them to offer a greater range of services and reach out to new customers.

One of these proposals included allowing credit unions to extend membership to corporate bodies, partnerships and unincorporated associations.

Since then my Department has been working with the Enterprise, Trade and Investment Committee, the Irish League of Credit Unions, the Ulster Federation of Credit Unions, HM Treasury, the Financial Conduct Authority and the Prudential Regulation Authority to develop the proposals which will be included in the final Assembly Bill.

As the Member is aware the Bill will be subject to Executive agreement and consequently, at this stage, I cannot comment as to the final content of the Bill. It is anticipated that the Bill will be shared with Executive colleagues in May 2015.

**Mr Easton** asked the Minister of Enterprise, Trade and Investment how many public inquiries her Department has taken part in over the last four financial years; and at what cost.

**(AQW 44617/11-15)**

**Mrs Foster:** Over the last four financial years DETI has taken part in one public inquiry, namely the Belfast City Airport Planning Agreement Modification. No cost was incurred.

**Mr B McCrea** asked the Minister of Enterprise, Trade and Investment for her assessment of how reduced student places will impact on future economic growth.

**(AQW 44640/11-15)**

**Mrs Foster:** Skills are vital in driving economic growth and, in particular, play a major role in the decision making process by companies when considering a location for future investment. Invest NI therefore works closely with the Department of Employment and Learning to ensure that the supply of skills meets the demands of businesses.

Clearly any reduction in student places will not be good for the economy. However, funding arrangements for the future and higher education institutions lie within the remit of the Minister for Employment and Learning's portfolio, and I would expect that the Department for Employment and Learning will have considered the impact on the economy when making these reductions.

**Mr B McCrea** asked the Minister of Enterprise, Trade and Investment for her assessment of the effectiveness of Invest NI's Business Development Executive in Boston in increasing Foreign Direct Investment in the Life Sciences and Connected Health sectors.

**(AQW 44641/11-15)**

**Mrs Foster:** The MATRIX Life & Health Sciences Foresight report, which I launched in February 2015, confirmed the view that there are opportunities for Northern Ireland to build new Foreign Direct Investment (FDI) within the sector. In many ways Invest NI has been ahead of the curve in terms of the commitment to place a Business Development Executive in Boston from October 2014.

The development of FDI opportunities is just one of the responsibilities of the role and it is important to note that there is also a further remit to make connections between institutions in the US and Northern Ireland and to develop export opportunities for Northern Ireland companies.

I am pleased to say that progress has been made, with a number of companies currently considering how best to utilise support from Invest NI in order to establish a base in Northern Ireland. It is not possible to discuss specific companies due to commercial sensitivities, and I would also point out that the sales cycle of an inward investment can reach 18 to 24 months. However, I am confident that the results of these endeavours will be seen in future announcements of R&D-related FDI projects. In addition, a number of opportunities for trade development for Northern Ireland companies and organisations are also being explored.

The recommendations made by the MATRIX report will be developed as part of a new sector strategy with input from all stakeholders, including Invest NI. The development of this strategy is underway and it will detail the work that needs to be undertaken in order to ensure that FDI can both grow and support the development of the sector.

**Mr B McCrea** asked the Minister of Enterprise, Trade and Investment for her assessment of the impact that the debate on the reduction in the rate of corporation tax is having on potential investors.

**(AQW 44642/11-15)**

**Mrs Foster:** Recent research by the Ulster University Economic Policy Centre estimated that if Corporation Tax in Northern Ireland was reduced to 12.5% from April 2017, there could be up to 40,000 additional jobs created by 2033 with the local economy growing faster than would otherwise be the case.

A proportion of these assumed benefits arise before April 2017 due to an early announcement which allows Invest NI to begin promoting low Corporation Tax to investors right away. Agreeing a date and rate as soon as possible is therefore vital to allow us to hit the ground running when a rate reduction comes into play.

Continued delays on announcing a rate and date – which has been caused due to a lack of agreement on wider issues in the Stormont House Agreement – will clearly jeopardise these early benefits.

**Mrs Dobson** asked the Minister of Enterprise, Trade and Investment when she will publish the two reports conducted by Invest Northern Ireland into displacement in the Northern Ireland sandwich sector.

**(AQW 44646/11-15)**

**Mrs Foster:** Invest NI conducted a study of the sandwich sector in 2012 which was updated in November 2014. Both reports contain commercially sensitive information on the companies in the sector, that cannot be released.

Following the completion of the initial report in 2012, a summary of findings was presented to all key players on a one to one basis. The updated report in 2014 has also been summarised and the findings are currently being fed back to these companies on a one to one basis.

A timetable is in place for this to be completed before the end of May 2015.

**Mr Eastwood** asked the Minister of Enterprise, Trade and Investment to detail the capital infrastructure projects financed by Private Finance Initiative in Foyle in 2013/14; and the cost of each project.

**(AQW 44711/11-15)**

**Mrs Foster:** My Department had no Capital infrastructure projects financed by Private Finance Initiative in Foyle in 2013/14.

**Ms Sugden** asked the Minister of Enterprise, Trade and Investment to list the departmental financial support available to community social enterprises in the Arts sector.

**(AQW 44739/11-15)**

**Mrs Foster:** Invest Northern Ireland provides support to businesses, including social enterprises, across a range of sectors based on a range of eligibility criteria, including the intention to sell outside of Northern Ireland. Support available can include financial assistance to cover key areas, such as skills, innovation, research and development, exporting, job creation and capital investment. Businesses can also avail of a range of advisory assistance and free workshops on a number of business related topics including sales & marketing, design and finance.

For those social enterprises which are delivering their services locally Invest Northern Ireland will continue to provide wider business support, in the form of information and advice services.

While social entrepreneurship activities represent part of the functions previously delivered by Invest NI that have now transferred to the new Councils from 1 April 2015, Invest NI will continue to manage the delivery of the current Social Entrepreneurship Programme (SEP) contract until its completion in July 2015.

A number of social enterprises in the Arts sector have participated on the SEP. The core elements of SEP ranges from basic advice on areas such as developing a business idea, product development, legal structure and marketing to mentoring support to produce a business plan and aftercare for the first year of trading.

Invest NI is also overseeing the new Social Enterprise hubs that are now successfully operating across the 9 Social Investment Fund (SIF) zones in Northern Ireland. Significant momentum is being achieved in the development of new social enterprises in the social enterprise hubs.

Invest NI in partnership with DCAL is also jointly funding the Music Business Support Programme. This is a three year programme (2014-2016) which aims to increase the economic contribution of the music industry in Northern Ireland by providing mentoring; running industry seminars; talent development and providing support for international trade events.

**Mr McCallister** asked the Minister of Enterprise, Trade and Investment for her assessment of the impact that recent spending reductions in early years initiatives will have on the Enabling Success Strategy, in particular Theme 4 which focuses on breaking the cycle of inactivity.

**(AQW 44746/11-15)**

**Mrs Foster:** In this current budget period, with fewer available resources, Ministers across the Executive have to find significant savings and make difficult decisions on the provision of services.

Whilst the announced reduction in the Department of Education's Early Years Fund budget by £2 million in 2015/16 is disappointing, it is reassuring that £941,000 is available to enable all current recipient groups to receive continued support to the end of the current academic year.

The 'Enabling Success' Strategy outlines a number of key projects which are intended to take a long-term and holistic approach to tackling economic inactivity including preventative interventions aimed at reducing future inflows to inactivity through improved early years interventions.

The Strategy recognises the important role education can play in tackling economic inactivity and acknowledges that young people from disadvantaged backgrounds, those with lower levels of education or those who lack social support are more vulnerable to the adverse health effects of unemployment.

The Enabling Success Strategy also recognises the important impact early interventions can make on young people in terms of attempting to create and foster an attitudinal shift toward making positive life choices. That is why it outlines plans to appoint a series of 'Younger People's Advocates' on a regional basis to engage with those young people who are at risk of becoming Not in Education, Employment or Training (NEET) or economically inactive in the future.

I believe that these interventions, alongside the range of actions contained in the Strategy, will have a positive impact on the rate of economic inactivity in Northern Ireland.

**Mr Flanagan** asked the Minister of Enterprise, Trade and Investment for an easy to understand description of the proposed mechanics of the I-SEM.

**(AQW 44748/11-15)**

**Mrs Foster:** This is a matter for the Regulator which is leading on market design decisions with its counterpart in the Republic of Ireland, the Commission for Energy Regulation. While the detail of the proposed energy trading arrangements is still being worked through, the Regulator has published a non-technical summary of initial decisions which can be accessed at the following link: [http://www.uregni.gov.uk/uploads/publications/I-SEM\\_HLD\\_Non-Technical\\_Summary\\_Decision\\_Paper.pdf](http://www.uregni.gov.uk/uploads/publications/I-SEM_HLD_Non-Technical_Summary_Decision_Paper.pdf)

**Ms Maeve McLaughlin** asked the Minister of Enterprise, Trade and Investment, in light of the cut by Invest NI in Start Up grants of £1500 on young people not in education, employment or training based criteria targeted at 18-24 year olds, and £1000 for Neighbourhood Renewal based projects in the Derry City and Strabane District Council, (i) how she will continue to assist job creation in the Neighbourhood Renewal areas in the North West; (ii) whether these cuts have been implemented in other council areas; and (iii) what measures are in place to assist business creation and entrepreneurship in Neighbourhood Renewal areas.

**(AQW 44831/11-15)**

**Mrs Foster:** Under the Regional Start Initiative (RSI) business start up grants were available to those people resident in Neighbourhood Renewal Areas (NRA - £1,000 grant) and for young people who were not in Employment, Education or Training (NEETS - £1,500 grant) who completed a business plan and then went on to start a business.

These grants were offered under the 'Jobs Fund' initiative which was introduced as a direct response to the economic downturn to help businesses create jobs quickly and operated from April 2011 to the end of March 2015. The scheme was

very successful and exceeded its targets. The scheme has now closed as a result of the more positive economic environment in Northern Ireland.

All business plans completed by 31st March 2015 under the Regional Start Initiative will continue to be subject to review and, if they meet the eligibility criteria, will be able to access business start incentive grants under the Jobs Fund.

It is anticipated that these remaining applications for support will be cleared by the end of June 2015. These arrangements apply to all council areas throughout Northern Ireland.

As from 1st April 2015 responsibility for a range of functions including Local Economic Development, which includes enterprise initiatives in Neighbourhood Renewal Areas, now rests with the new local councils throughout Northern Ireland.

Initiatives will focus on encouraging

- Local Business Start Up
- Promotion to youth and under-represented groups
- Social Enterprise delivery

Invest NI will continue to offer a wide range of support to assist business creation and entrepreneurship across all of Northern Ireland, including neighbourhood renewal areas, specifically with those businesses with the potential to grow in export markets.

This support includes:

- Advice and financial assistance to entrepreneurs with export focussed projects.
- Technical advice and support under Innovation Vouchers and Technical Development Incentive grants.
- Invest NI's Business Support Team which offers advice and guidance to all businesses across Northern Ireland.
- Invest NI's Small Business Loan Fund which provides loans of up to £50,000 to viable small and medium sized businesses on commercial terms.

**Mr Eastwood** asked the Minister of Enterprise, Trade and Investment why the Foyle Cup did not qualify for funding from Tourism Northern Ireland's Tourism Events Sponsorship Scheme; and whether other funding opportunities exist within her Department or arm's-length bodies.

**(AQW 44911/11-15)**

**Mrs Foster:** The Foyle Cup did qualify for support from the 2015/16 Tourism Events Sponsorship Scheme and has been offered £20,000.

**Mr Easton** asked the Minister of Enterprise, Trade and Investment whether any departmental staff have the use of a company car as part of their contact.

**(AQW 45043/11-15)**

**Mrs Foster:** The Department of Enterprise, Trade and Investment does not have any staff with the use of a company car as part of their contract.

## Department of the Environment

**Mr Agnew** asked the Minister of the Environment to detail (i) the undetermined planning applications affecting the River Faughan Special Area of Conservation which are to be retained for processing within Strategic Planning Division (SPD) after the transfer of the majority of planning functions on 1 April 2015; (ii) why those cases are being retained; and (iii) all undetermined planning applications that are currently being dealt with by SPD but will become the responsibility of the new Derry and Strabane council.

**(AQW 43674/11-15)**

**Mr Durkan (The Minister of the Environment):** To assist the smooth transition of functions to local government on 1 April 2015, the Department put in place transitional arrangements for undetermined planning applications currently with Strategic Planning Division. The transitional arrangements required that the list of non-Article 31 applications to be retained by the Department be published on the Department's website on 1 April 2015.

The list of retained applications is on the Department's Planning Portal at [http://www.planningni.gov.uk/index/news/doe\\_planning\\_news/news\\_other/retained-planning-and-enforcement-cases.htm](http://www.planningni.gov.uk/index/news/doe_planning_news/news_other/retained-planning-and-enforcement-cases.htm). You will see from the list that my Department has retained three planning applications that relate to the development of hydro-electric power schemes on the River Faughan. Consideration of these applications is still ongoing.

Decisions on which applications to retain were taken on a case by case basis. No specific criteria were used in identifying the cases however account was taken of factors such as the nature of the particular case and its stage in the statutory process.

**Ms Lo** asked the Minister of the Environment to detail whether (i) the capital investment allocation for Exploris, as agreed by the Executive, has been carried forward to 2015/16; and (ii) his officials have confirmed this capital investment position with the outgoing Ards Borough Council and the new North Down and Ards District Council.

**(AQW 43681/11-15)**

**Mr Durkan:** Northern Ireland Public Expenditure rules do not permit departments to 'carry forward' unused capital investment funding from one financial year to the next.

As agreed by the Executive, in 2014-15 capital investment funding of £914,000 was allocated for the refurbishment of the visitor centre facilities at the Exploris Aquarium. However Ards Borough Council indicated that it would only be able to spend around £0.2 million of this amount in 2014-15. A reduced requirement of funding (£0.7 million) was therefore surrendered to the Department of Finance and Personnel at the January in-year monitoring round. Following completion of this final monitoring round for 2014-15 the Council indicated that it could not spend any of the capital funding in 2014-15.

Further to this, an allocation of £0.7 million was agreed for the Exploris facility as part of the Department's final budget allocations for 2015-16. Both Ards Borough Council and the new Council have been informed of this allocation for 2015-16.

The Department will however carefully consider any request for additional capital funding received by the new Council during 2015-16 to reinstate the original allocation of £0.914 million.

I can also confirm my continued commitment to the running of the seal sanctuary by allocating revenue funding of £120,000 to cover operational costs in 2015-16.

**Ms Lo** asked the Minister of the Environment when Letters of Offer will be issued to organisations, such as the Causeway Coast and Glens Heritage Trust and other AONB management bodies established by NIEA, that are facing closure on 1 April 2015 and are at risk of losing a number of match funding commitments should NIEA remove its support.

**(AQW 43687/11-15)**

**Mr Durkan:** You will be aware that in my Department's consultation document on the draft Budget as approved by a majority in the Executive last November, we highlighted that if the draft proposals for the DOE were to be confirmed in the final Budget then this would mean the termination of a wide range of grant and other support programmes that are aimed at supporting key environmental programmes. It was also outlined that these cuts would have immediate and significant implications, including the loss of jobs, for a wide range of voluntary, educational and private sector bodies across the North. Other contracted services provided by a diverse range of educational, public sector, voluntary, community based and private sector organisations would also be ended. We emphasised these risks in our engagement with those who would be affected during the consultation period on the draft Budget and I likewise underlined my serious concerns with my Ministerial colleagues and to the Environment Committee.

Despite my efforts the final Budget plans brought forward to the Executive offered no relief to the many organisations who would be affected. I therefore voted against the final Budget proposals in the Executive because of the disproportionate impacts on the DOE's budget compared to all other departments and because of the major impacts this would have on the many organisations whom we had previously supported. However and unfortunately the major Budget cuts to the DOE were agreed by a majority in the Executive and approved by other parties in the Assembly.

Since then I have focused on doing whatever I could within the imposition of this extremely difficult budget, to ease the impacts of these cuts, primarily through the use of our forecast carrier Bag Levy (CBL) receipts and whatever DEL funding remained available to me.

As part of this I have directed that £1 million of funding we expect to raise from the Carrier Bag Levy this year be directed to supporting the types of environmental programmes previously delivered by locally based environmental organisations in the North.

This process commenced with a workshop on Thursday 23 April to discuss how best to allocate this funding through a new Natural Environment Fund designed to target some funding at environmental organisations to help safeguard our best environmental sites and our unique landscape, protect our priority species and encourage closeness to nature and access to the countryside.

I have listened to the views of those at the workshop, which was attended by, amongst others, representatives from the Trust and other AONB management bodies and am actively and urgently considering the views expressed at this event and through other correspondence and communication. I am progressing the Natural Environment Fund as quickly as possible and would intend that letters of offer be issued by 30 June.

I will also be seeking to have some of the funding that was cut from my Budget restored as part of the forthcoming in year monitoring rounds and I look forward to having support from other Parties in the Assembly for this.

**Lord Morrow** asked the Minister of the Environment, pursuant to AQW 43675/11-15, why this has not been answered and when a response can be expected.

**(AQW 43964/11-15)**

**Mr Durkan:** AQW 43675/11-15 was tabled on 12 March 2015 and answered on 24 March 2015.



**Mr Agnew** asked the Minister of the Environment, pursuant to AQW 42528/11-15, why he considers it inappropriate to comment on this current enforcement investigation, yet is content to comment and provide detail of the actions taken by his Department in regard to another live enforcement case as set out in his answer to AQW 41912/11-15.

**(AQW 43974/11-15)**

**Mr Durkan:** AQW 41912/11-15 relates to enforcement action in connection to unauthorised sand extraction at Shinnagh Road, Carrickmore, Omagh. Formal enforcement action has been taken at Shinnagh Road and as such is in the public domain.

AQW 42528/11-15 relates to the status of enforcement action in connection to the unauthorised extraction at Lough Neagh. You will be aware that warning letters issued from my Department last September advising that the dredging of sand is unauthorised and that activity should cease until the situation has been addressed and enforcement investigations are on-going. However as no formal enforcement notices have issued yet it would be inappropriate to comment further at this stage other than I have instructed my staff to take further action in monitoring this situation.

**Lord Morrow** asked the Minister of the Environment what engagement has he had with the PSNI on crime prevention and driver protection, in view of the proposed removal of perspex partitions from public hire taxis.

**(AQW 44076/11-15)**

**Mr Durkan:** My Department has no plans to require the removal of partitions in taxis. I acknowledge that a partition can act as a driver protection measure and taxi drivers will continue to be able to use vehicles fitted with them if they wish, taking a decision based on the cost and the benefits they consider accrue for them in having a partition. Around 95% of taxis in Northern Ireland do not have a partition.

No consultation on the matter is, therefore, planned and no risk assessment or health and safety reports are required. Similarly there have been no discussions with the bodies mentioned as drivers will still be able to choose to use a partition.

**Mr Agnew** asked the Minister of the Environment whether planning approval Z/2014/1346/F for a refuse derived fuel incinerator in East Belfast was accompanied by an Environmental Statement and that in accordance with Regulation 5(2) (a) of the Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2012, this proposal constituted EIA development, and in order to comply with its obligation to the general public, was advertised accordingly in compliance with Regulation 16 of the aforementioned regulations.

**(AQW 44208/11-15)**

**Mr Durkan:** The Department determined that the application was not EIA development. The development involved the reduction in the overall size of the previously approved building. As such it was determined that the 'change' would not have significant adverse effects on the environment. It was therefore not accompanied by an environmental statement and as such was not subject to the publicity requirements of The Planning (Environmental Impact Assessment) Regulations 2012.

**Lord Morrow** asked the Minister of the Environment, pursuant to AQW 44080/11-15, to detail the selected manufacturers and converters to whom the initial draft in the specification was circulated.

**(AQW 44386/11-15)**

**Mr Durkan:** The research referred to in AQW 44080/11-15 was carried out by a specialist transport research company, Integrated Transport Planning Ltd (ITP), on the Department's behalf. ITP were commissioned to review and report on wheelchair accessible taxi provision in Northern Ireland and to develop a new technical specification for wheelchair accessible taxis which took account of, amongst other things, the ability of manufacturers to provide vehicles at an affordable price. The final reports from the work were considered by the Environment Committee on 13 February 2014.

Appendix G of Report 2<sup>1</sup> provides a record of ITP's engagement with wheelchair accessible taxi manufacturers and vehicle converters and includes a description of the views of those companies. ITP interviewed and corresponded with representatives of the following companies:

- Taxi and Bus conversions (Dungannon)
- McElmeel Mobility Group (Armagh)
- Automotive Group (Newcastle)
- Allied Vehicles (Glasgow)
- London Taxis International (LTI) (Coventry)
- Jubilee Taxis (Wednesbury)
- Wheelchair Accessible Vehicle Convertors' Association (WACVA)

In terms of the initial draft specification (mentioned in paragraph 5.1 on page 23 of their Report 2), my Department has discussed this with ITP. They have advised that the draft was a work in progress version that was developed during discussions with the companies listed above, as opposed to a static specification that was issued to them all. However, Appendix G of the report provides a comprehensive account of the issues considered.

<sup>1</sup> <http://applications.doeni.gov.uk/publications/document.asp?docid=19799>

**Mr McMullan** asked the Minister of the Environment, pursuant AQW 43145/11-15, whether he will publish the minutes and outcome of the meeting with local councils regarding a coordinated approach to reducing the burning of tyres on bonfires; and to detail the councils he has met regarding this issue.

**(AQW 44401/11-15)**

**Mr Durkan:** The meeting with Councils regarding a coordinated approach to reducing the burning of tyres on bonfires will take place on 28 May 2015. I will advise you of the outcomes and details of this meeting in due course.

**Mr McKay** asked the Minister of the Environment what funding his Department and the NIEA will provide to the Causeway Coast and Glens Heritage Trust in 2015/16; and what percentage reduction this represents compared to the previous budget.

**(AQW 44410/11-15)**

**Mr Durkan:** The Causeway Coast and Glens Heritage Trust received 4 grants during 2014-15 amounting to approximately £305k. Of these 4 grants, 2 were due to expire on 31 March 2015 (totalling £220k) and the remaining 2 had expiry dates of 31 March 2017 and 31 March 2018. In January, the Department wrote to a number of organisations and individuals, including the Causeway Coast and Glens Heritage Trust, who could be affected by the budget reductions for 2015-16. Since January, the final Budget 2015-16 Plan has been published and a further 2 letters have been sent to Causeway Coast and Glens Heritage Trust to inform them of the ending of their funding and advising them that they would receive 3 months funding in 2015-16 against their existing grant offers. This amounts to £21,144 which represents a 93% reduction on the 2014-15 funding.

The Heritage Lottery Fund will have to confirm the implications for the allocation of their funding to the Causeway Coast and Glens Heritage Trust associated with reduced funding from the NIEA.

You will be aware that in my Department's consultation document on the draft Budget as approved by a majority in the Executive last November, we highlighted that if the draft proposals for the DOE were to be confirmed in the final Budget then this would mean the termination of a wide range of grant and other support programmes that are aimed at supporting key environmental programmes. It was also outlined that, these cuts would have immediate and significant implications, including the loss of jobs, for a wide range of voluntary, educational and private sector bodies across the North. Other contracted services provided by a diverse range of educational, public sector, voluntary, community based and private sector organisations would also be ended. We emphasised these risks in our engagement with those who would be affected during the consultation period on the draft Budget and I likewise underlined my serious concerns with my Ministerial colleagues.

Despite my efforts the final Budget plans brought forward to the Executive offered no relief to the many organisations who would be affected. I therefore voted against the final Budget proposals in the Executive because of the disproportionate impacts on the DOE's budget compared to all other departments and because of the major impacts this would have on the many organisations whom we had previously supported. However and unfortunately the major Budget cuts to the DOE were agreed by a majority in the Executive and approved by other parties in the Assembly.

Since then I have focused on doing whatever I could within the imposition of this extremely difficult budget, to ease the impacts of these cuts, primarily through the use of our forecast carrier Bag Levy (CBL) receipts and whatever DEL funding remained available to me.

The Causeway Coast and Glens Heritage Trust is one of the many organisations affected by these cuts. My officials have advised the Trust that while we can afford to provide funding to them for the first three months of this financial year, up to a maximum amount of £21,144, we cannot guarantee anything further at this stage. I have however directed that £1 million of funding we expect to raise from the Carrier Bag Levy this year be directed to supporting the types of environmental programmes previously delivered by locally based environmental organisations in the North.

This process commenced with a workshop last Thursday to discuss how best to allocate this funding through a new Natural Environment Fund designed to target some funding at environmental organisations to help safeguard our best environmental sites and our unique landscape, protect our priority species and encourage closeness to nature and access to the countryside.

Following the workshop, which was attended by officials from the Causeway Coast and Glens Heritage Trust, applications for this funding will now be sought.

I will also be seeking to have some of the funding that was cut from my Budget restored as part of the forthcoming in year monitoring rounds and I look forward to having support from other Parties in the Assembly for this.

**Mr McKay** asked the Minister of the Environment what risk budget cuts to the Causeway Coast and Glens Heritage Trust present to the £1.4m secured by the group from Heritage Lottery Fund as well as European funding?

**(AQW 44412/11-15)**

**Mr Durkan:** The Causeway Coast and Glens Heritage Trust received 4 grants during 2014-15 amounting to approximately £305k. Of these 4 grants, 2 were due to expire on 31 March 2015 (totalling £220k) and the remaining 2 had expiry dates of 31 March 2017 and 31 March 2018. In January, the Department wrote to a number of organisations and individuals, including the Causeway Coast and Glens Heritage Trust, who could be affected by the budget reductions for 2015-16. Since January, the final Budget 2015-16 Plan has been published and a further 2 letters have been sent to Causeway Coast and Glens Heritage Trust to inform them of the ending of their funding and advising them that they would receive 3 months funding in 2015-16 against their existing grant offers. This amounts to £21,144 which represents a 93% reduction on the 2014-15 funding.

The Heritage Lottery Fund will have to confirm the implications for the allocation of their funding to the Causeway Coast and Glens Heritage Trust associated with reduced funding from the NIEA.

You will be aware that in my Department's consultation document on the draft Budget as approved by a majority in the Executive last November, we highlighted that if the draft proposals for the DOE were to be confirmed in the final Budget then this would mean the termination of a wide range of grant and other support programmes that are aimed at supporting key environmental programmes. It was also outlined that, these cuts would have immediate and significant implications, including the loss of jobs, for a wide range of voluntary, educational and private sector bodies across the North. Other contracted services provided by a diverse range of educational, public sector, voluntary, community based and private sector organisations would also be ended. We emphasised these risks in our engagement with those who would be affected during the consultation period on the draft Budget and I likewise underlined my serious concerns with my Ministerial colleagues.

Despite my efforts the final Budget plans brought forward to the Executive offered no relief to the many organisations who would be affected. I therefore voted against the final Budget proposals in the Executive because of the disproportionate impacts on the DOE's budget compared to all other departments and because of the major impacts this would have on the many organisations whom we had previously supported. However and unfortunately the major Budget cuts to the DOE were agreed by a majority in the Executive and approved by other parties in the Assembly.

Since then I have focused on doing whatever I could within the imposition of this extremely difficult budget, to ease the impacts of these cuts, primarily through the use of our forecast carrier Bag Levy (CBL) receipts and whatever DEL funding remained available to me.

The Causeway Coast and Glens Heritage Trust is one of the many organisations affected by these cuts. My officials have advised the Trust that while we can afford to provide funding to them for the first three months of this financial year, up to a maximum amount of £21,144, we cannot guarantee anything further at this stage. I have however directed that £1 million of funding we expect to raise from the Carrier Bag Levy this year be directed to supporting the types of environmental programmes previously delivered by locally based environmental organisations in the North.

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Following the workshop, which was attended by officials from the Causeway Coast and Glens Heritage Trust, applications for this funding will now be sought.

I will also be seeking to have some of the funding that was cut from my Budget restored as part of the forthcoming in year monitoring rounds and I look forward to having support from other Parties in the Assembly for this.

**Mr Flanagan** asked the Minister of the Environment, pursuant to AQW 43028/11-15, whether the Ballinlea 2 diagram, supplied by GSNI, showing the strata of the Environmental Statement submitted by Rathlin Energy to the Planning Service, which categorises the carboniferous sandstone interval as tight sandstone, is accurate.

**(AQW 44434/11-15)**

**Mr Durkan:** The Ballinlea 2 diagram entitled 'Ballinlea-2 Basic Geology' does not form part of the 14 page 'Geological Report' provided by GSNI.

My officials are currently reviewing the contents of the Environmental Statement and consulting with GSNI on the sections relevant to their area of expertise.

**Mr Frew** asked the Minister of the Environment how his Department proposes to manage the (i) Glens of Antrim Area of Outstanding Natural Beauty (AONB); (ii) Causeway Coast AONB; (iii) Binevenagh AONB; and (iv) the Giants Causeway World Heritage Site by removing funding from the Causeway Coast and Glens Heritage Trust, given they have carried this out for thirteen years on their behalf.

**(AQW 44447/11-15)**

**Mr Durkan:** You will be aware that in my Department's consultation document on the draft Budget as approved by a majority in the Executive last November, we highlighted that if the draft proposals for the DOE were to be confirmed in the final Budget then this would mean the termination of a wide range of grant and other support programmes that are aimed at supporting key environmental programmes. It was also outlined that, these cuts would have immediate and significant implications, including the loss of jobs, for a wide range of voluntary, educational and private sector bodies across the North. Other contracted services provided by a diverse range of educational, public sector, voluntary, community based and private sector organisations would also be ended. We emphasised these risks in our engagement with those who would be affected during the consultation period on the draft Budget and I likewise underlined my serious concerns with my Ministerial colleagues.

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Since then I have focused on doing whatever I could within the imposition of this extremely difficult budget, to ease the impacts of these cuts, primarily through the use of our forecast carrier Bag Levy (CBL) receipts and whatever DEL funding remained available to me.

The Causeway Coast and Glens Heritage Trust (the Trust) is one of the many organisations affected by these cuts. My officials have advised the Trust that while we can afford to provide funding to them for the first three months of this financial year, up to a maximum amount of £21,144, we cannot guarantee anything further at this stage but are exploring this further. I have however directed that £1 million of funding we expect to raise from the Carrier Bag Levy this year be directed to supporting the types of environmental programmes previously delivered by locally based environmental organisations in the North.

This process commenced with a workshop last Thursday to discuss how best to allocate this funding through a new Natural Environment Fund designed to target some funding at environmental organisations to help safeguard our best environmental sites and our unique landscape, protect our priority species and encourage closeness to nature and access to the countryside.

Following the workshop, which was attended by officials from the Trust, applications for this funding will now be sought.

I will also be seeking to have some of the funding that was cut from my Budget restored as part of the forthcoming in year monitoring rounds and I look forward to having support from other Parties in the Assembly for this.

In relation to the management of the Antrim Coast and Glens, the Causeway Coast and the Binevenagh AONBs and the Giants Causeway World Heritage Site (WHS), the role of the Trust is acknowledged and valued. I would like to highlight that all public bodies have a duty to have regard to the need to conserve the natural beauty and amenity of the countryside in exercising their functions. Within these areas the Department has stimulated, encouraged and funded the formulation of proposals for conserving or enhancing the natural beauty or amenities; conserving wildlife, historic objects or natural phenomena; promoting their enjoyment by the public; and providing or maintaining public access.

These proposals are contained within management plans that have been developed for each area. The current AONB Management Plan for Antrim Coast & Glens covers the period 2008-2018; Binevenagh covers 2010-2020; Causeway Coast covers 2013-2023 whilst the Giant's Causeway & Causeway Coast WHS Site Management Plan covers 2013-2019.

**Mr Frew** asked the Minister of the Environment for his assessment of the removal of funding from the Causeway Coast and Glens Heritage Trust, given that it has attracted £7 in extra funding and investment for every £1 of funding received from the NIEA; and whether he is reconsidering the decision to withdraw funding.

**(AQW 44448/11-15)**

**Mr Durkan:** You will be aware that in my Department's consultation document on the draft Budget as approved by a majority in the Executive last November, we highlighted that if the draft proposals for the DOE were to be confirmed in the final Budget then this would mean the termination of a wide range of grant and other support programmes that are aimed at supporting key environmental programmes. It was also outlined that, these cuts would have immediate and significant implications, including the loss of jobs, for a wide range of voluntary, educational and private sector bodies across the North. Other contracted services provided by a diverse range of educational, public sector, voluntary, community based and private sector organisations would also be ended. We emphasised these risks in our engagement with those who would be affected during the consultation period on the draft Budget and I likewise underlined my serious concerns with my Ministerial colleagues.

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These proposals are contained within management plans that have been developed for each area. The current AONB Management Plan for Antrim Coast & Glens covers the period 2008-2018; Binevenagh covers 2010-2020; Causeway Coast covers 2013-2023 whilst the Giant's Causeway & Causeway Coast WHS Site Management Plan covers 2013-2019.

**Mr Weir** asked the Minister of the Environment to detail the variance of pass rates at MOT test centres.  
(AQW 44470/11-15)

**Mr Durkan:** The outcome of vehicle tests conducted by the Driver & Vehicle Agency (DVA) is published quarterly as Official National Statistics on the Department's website.

The link below provides access to the DVA statistics webpage and information on vehicle test pass rates by test centre can be found under the heading 'DOE Driver, Vehicle, Operator and Enforcement Statistics, Quarterly Reporting'.

[http://www.doeni.gov.uk/index/information/asb/statistics/dva\\_statistics.htm](http://www.doeni.gov.uk/index/information/asb/statistics/dva_statistics.htm)

The latest reporting of these figures on 26 March 2015, for the period from October to December 2014 (Quarter 3), provides a breakdown of vehicle test pass rates by centre.

**Breakdown of Vehicle Test Pass Rates by Test Centre October to December 2014 (All Tests)**

		Oct	Nov	Dec	Total
Armagh	Tests Conducted	4,209	3,682	2,901	10,792
	Pass%	80.5%	78.7%	77.7%	79.1%
Ballymena	Tests Conducted	6,893	5,277	4,792	16,962
	Pass%	80.3%	80.1%	82.1%	80.7%
Belfast	Tests Conducted	8,643	6,712	7,265	22,620
	Pass%	85.8%	83.7%	84.8%	84.9%
Coleraine	Tests Conducted	5,485	6,173	4,321	15,979
	Pass%	80.9%	78.9%	80.7%	80.1%
Cookstown	Tests Conducted	5,909	5,419	4,088	15,416
	Pass%	78.7%	76.8%	77.9%	77.8%
Craigavon	Tests Conducted	5,847	5,682	4,027	15,556
	Pass%	80.8%	79.7%	80.8%	80.4%
Downpatrick	Tests Conducted	4,014	3,134	2,572	9,720
	Pass%	81.8%	81.2%	79.8%	81.1%
Enniskillen	Tests Conducted	4,046	4,047	3,417	11,510
	Pass%	80.8%	79.0%	80.4%	80.1%
Larne	Tests Conducted	4,063	3,833	2,211	10,107
	Pass%	79.9%	77.6%	82.8%	79.7%
Lisburn	Tests Conducted	6,616	5,074	4,191	15,881
	Pass%	82.8%	82.2%	82.2%	82.5%
Londonderry	Tests Conducted	6,362	6,396	4,794	17,522
	Pass%	81.5%	80.9%	80.8%	81.1%
Mallusk	Tests Conducted	6,340	7,813	5,301	19,454
	Pass%	82.6%	80.0%	82.2%	81.4%
Newry	Tests Conducted	7,540	5,385	5,485	18,410
	Pass%	79.7%	78.9%	78.7%	79.2%

		Oct	Nov	Dec	Total
Newtownards	Tests Conducted	9,695	8,380	6,499	24,574
	Pass%	82.4%	81.3%	81.2%	81.7%
Omagh	Tests Conducted	3,914	3,738	2,687	10,339
	Pass%	80.5%	78.3%	78.5%	79.2%
Overall	Tests Conducted	89,576	80,745	64,521	234,842
	Pass%	81.5%	80.0%	81.0%	80.8%

**Mr B McCrea** asked the Minister of the Environment for his assessment of The Planning (General Development) (Amendment) Order (2014) Schedule 1 provision G1 (b), which prohibits an air source heat pump or any component part from being within 30 metres of a dwelling house.

**(AQW 44512/11-15)**

**Mr Durkan:** The Planning (General Development) (Amendment) Order (Northern Ireland) 2014 came into operation on 10 March 2014 and introduced permitted development rights for domestic air source heat pumps subject to a number of limitations and conditions. One such limitation, now set out in Class G1(b) of Part 2 of the Schedule to the Planning (General Permitted Development) Order (Northern Ireland) 2015, provides that any part of the air source heat pump cannot be situated within 30 metres of a dwellinghouse, other than the dwellinghouse on which it is being installed.

Class G1(b) does not prohibit the development itself taking place; rather it is a limitation on permitted development which allows the air source heat pump to be installed without having to obtain full planning permission. The submission of a planning application allows a development proposal to be subject to representations and objections from neighbours who may be affected and advice from expert consultees including Environmental Health officers. Permitted development rights, which grant permission automatically, therefore need to be drafted to address worst possible case scenarios and the Northern Ireland limitation compares favourably with, for example, the 100 metre constraint to neighbouring domestic curtilages for air-source heat pump permitted development that currently applies in Scotland.

My Department considers that the 30 metre distance constraint significantly mitigates potential noise impacts and is a practical and easily understood means of doing so. In circumstances where domestic air source heat pumps fall outside the permitted development limitations, it is expected that planning applications for such development will be dealt with as expeditiously as possible.

**Mr B McCrea** asked the Minister of the Environment what steps his Department is taking to oversee applications for £50.5 million of Financial Transactions Capital to deliver the Arc21 project.

**(AQW 44513/11-15)**

**Mr Durkan:** The Department of Finance and Personnel is administering Financial Transactions Capital funding in Northern Ireland on behalf of Treasury. Following Treasury's confirmation that this funding can be allocated to Local Government for investment in the private sector, the Executive has allocated £50.5 million Financial Transactions Capital to the DOE 2015-16 budget to assist delivery of the arc21 Residual Waste Treatment Project. There are a number of strict conditions which must be satisfied including: submission of a satisfactory application for the use of Financial Transactions Capital Funding for delivery of its project; provision of an adequate and binding level of reassurance and protection for the Department and the public purse in respect of arrangements for repayment of the loan; demonstration of the compatibility of its proposed use of the loan with State Aid rules; and satisfactory evidence of the capacity of arc21 to reach contract close within a specified timeframe; before any release of a loan can be considered by the DOE and the DFP.

**Lord Morrow** asked the Minister of the Environment, pursuant to AQW 43963/11-15, what action can his Department take to address the issue of Drumglass Hospital as matter of urgency, given the effect this building is having on staff and service users in the same site, particularly in view of the challenges service users face with existing health issues.

**(AQW 44522/11-15)**

**Mr Durkan:** I understand that you received an update in regard to urgent repair works at Drumglass House (27 May 2013), in response to AQW 22801/11-15, followed up by a further update in response to AQW 25623/11-15 (19 September 2013) and AQW 42090/11-15 (11 February 2015).

This department's Historic Buildings Unit (HBU) issued several 'Urgent Works' 'warning' letters in 2012/2013 to the last known owners of this property.

In July 2013, the department's Environmental Crime Unit (ECU) sought to identify the building's owners, and a letter was received by ECU advising that it is the understanding of the Liquidator 'that the property reverts to the Crown'.

Further legal advice was sought, and officials subsequently contacted the [then acting] Chief Executive of Dungannon Council on 26 February 2014 about the possibility of the Council becoming actively involved in taking on a role in securing key derelict listed buildings in Dungannon, particularly Drumglass Hospital. No reply has yet been received in respect of this request.

To conclude, the building is essentially 'ownerless'. The building certainly requires urgent attention to prevent further loss of fabric. Council representatives have been contacted again by NIEA officials on 11 February this year, but they have not provided any further updates. I am advised by my officials that working with the local Council is the only course of action open to the department at this time. I have therefore asked officials to engage with the Council as a priority and to keep me informed.

**Lord Morrow** asked the Minister of the Environment, pursuant to AQW 44080/11-15, whether he will provide a copy of the initial draft of the specification circulated amongst selected manufacturers and converters, including the response received. (AQW 44525/11-15)

**Mr Durkan:** The research referred to in AQW 44080/11-15 was carried out by a specialist transport research company, Integrated Transport Planning Ltd (ITP), on the Department's behalf. ITP were commissioned to review and report on wheelchair accessible taxi provision in Northern Ireland and to develop a new technical specification for wheelchair accessible taxis which took account of, amongst other things, the ability of manufacturers to provide vehicles at an affordable price. The final reports from the work were considered by the Environment Committee on 13 February 2014.

Appendix G of Report 2<sup>2</sup> provides a record of ITP's engagement with wheelchair accessible taxi manufacturers and vehicle converters and includes a description of the views of those companies. ITP interviewed and corresponded with representatives of the following companies:

- Taxi and Bus conversions (Dungannon)
- McElmeel Mobility Group (Armagh)
- Automotive Group (Newcastle)
- Allied Vehicles (Glasgow)
- London Taxis International (LTI) (Coventry)
- Jubilee Taxis (Wednesbury)
- Wheelchair Accessible Vehicle Convertors' Association (WACVA)

In terms of the initial draft specification (mentioned in paragraph 5.1 on page 23 of their Report 2), my Department has discussed this with ITP. They have advised that the draft was a work in progress version that was developed during discussions with the companies listed above, as opposed to a static specification that was issued to them all. However, Appendix G of the report provides a comprehensive account of the issues considered.

**Mr Easton** asked the Minister of the Environment how many public inquiries his Department has conducted over the last four financial years; and at what cost. (AQW 44531/11-15)

**Mr Durkan:** Within my Department the Transport Regulation Unit (TRU), exercises my Department's licensing and regulatory functions in accordance with the Goods Vehicles (Licensing of Operators) Act (Northern Ireland) 2010 and associated Regulations, including EC Regulation 1071/2009 which came into effect in July 2012. Section 26(1) of the 2010 Act requires that the Department cannot take regulatory action such as curtailing, suspending or revoking a licence without first giving the holder of, or applicant for, a licence the opportunity to present their case at the inquiry. The TRU has conducted 58 inquiries over the last four financial years.

It is not possible to disaggregate the cost of these inquiries as the costs associated with the public inquiries are subsumed within the running costs of TRU and are not separately identified.

The number of cases is set out in the below table:

	Number of Public Inquiries conducted by the Department				
	2011-12	2012-13	2013-14	2014-15	Total
Transport Regulation Unit	-	2	37	19	58

**Mr Allister** asked the Minister of the Environment for his assessment of whether the provisions of Article 15 of the Road Traffic (NI) Order 1981 are compatible with anti-age discrimination requirements. (AQW 44563/11-15)

**Mr Durkan:** Article 15 of the Road Traffic (NI) Order 1981 sets out provisions in relation to the duration of driving licences, categorised by the age of the driver and the class of the licence held.

The provisions in Article 15 are compliant with Article 7 of the Directive (2006/126/EC) on driving licences, which sets out requirements in terms of "Issue, Validity and Renewal".

Whilst the provisions prescribe a shorter period of validity in respect of licences according to age, I believe that these are proportionate and justifiable in the interests of public safety, given that medical evidence suggests that health deteriorates

2 <http://applications.doeni.gov.uk/publications/document.asp?docid=19799>

with age in ways that can affect driving. The shorter validity period of licences therefore allows the Department more regularly to assess the licence holder's medical fitness to drive.

Given this proportionate and justifiable approach, I believe that the provisions are indeed compatible with anti-age discrimination requirements.

**Mr G Robinson** asked the Minister of the Environment when will the public gain full access to all areas of Roe Valley Country Park.

**(AQW 44564/11-15)**

**Mr Durkan:** Two areas within the Roe Valley Country Park are currently closed to public access due to works associated with Phase 2 of the Roe Valley Hydro Electric scheme. It is anticipated that they will re-open for public access later this year

In addition, two sections of pathway have been closed as a result of landslides. A section of upper pathway on the West side of the River Roe, downriver of the Dogleap area, suffered severe damage from a landslide in 2006. NIEA officials sought the expert opinion of engineers who advised that, due to its location, gradient and likelihood of further landslides, it would not be feasible to repair or bridge this section of pathway. As a safety precaution it has necessarily remained closed to public access.

To provide alternative public access, an abandoned riverside path below the landslide was reinstated. However, this pathway was damaged again during a thunder storm and flash flood which resulted in a section of it being washed away during late May 2014.

As funding becomes available, my Officials will seek to re-instate public access to this section of path, taking into account fisheries conservation legislation which may prevent riverbank works being undertaken during the June to September period.

**Mr G Robinson** asked the Minister of the Environment to outline a timescale for a general clean-up of all areas within the boundaries of Roe Valley Country Park.

**(AQW 44565/11-15)**

**Mr Durkan:** Staff at Roe Valley Country Park undertake general maintenance duties, such as litter collection and leaf-blowing, on a regular basis throughout the year.

Checks of all car parks at Roe Valley Country Park are undertaken on a daily basis and any litter that is encountered is removed. Litter collection is also undertaken during daily site patrols by Park staff along the designated path network within the Park.

In the past three weeks Park staff have also completed a schedule of clearing / blowing leaves from designated paths, lanes and car parks within the Park in preparation for the peak visitor season. Throughout the year, and in particular during increased levels of leaf fall during the Autumn and early Winter, staff continue to undertake clearing / leaf blowing duties as required.

As these site-maintenance tasks are ongoing and in many cases reactive to factors such as seasonal visitor levels and weather conditions, a timescale for 'completion' cannot be provided.

I can however assure you that staff at Roe Valley Country Park take great pride in maintaining their Park to a high standard and will continue to provide a high-quality visitor attraction.

**Mr G Robinson** asked the Minister of the Environment to outline the action he intends to take regarding 360 Seacoast Road, Limavady following representations and his recent site visit.

**(AQW 44566/11-15)**

**Mr Durkan:** I have been aware of this building and the current position, particularly in regard to its elderly owners/residents, which led to my recent visit. Coupled with this, officials have been in regular contact with the owners, and their nephew, and have been actively working to explore all routes to find alternative funding and help save this important building. I understand that officials have tried for many years, without success, to encourage the owners to apply for listed building grant-aid.

The Department's area architect has also been liaising with the Northern Ireland Housing Executive (NIHE). I understand that in November last year the NIHE Grants team referred this case to its 'Exceptional Circumstances Committee' for possible grant-aid and received approval for same. Since then they have invited the owner to apply for their grant-aid in the form of a Preliminary Application Form. NIHE officials have advised that the owner's nephew has now returned this form. I understand that the department will receive a draft schedule of works, and costs, in due course. Until this information is received it is not possible to say what level of funding, if any, might be available by way of listed building grant-aid.

In regard to overall funding, in my Department's consultation document on the draft Budget as approved by a majority in the Executive last November, we highlighted that if the draft proposals for the DOE were to be confirmed in the final Budget then this would mean the termination of a wide range of grant and other support programmes that are aimed at supporting key environmental and built heritage programmes. We emphasised these risks in our engagement with those who would be affected during the consultation period on the draft Budget and I likewise underlined my serious concerns with my Ministerial colleagues.



Despite my efforts the final Budget plans brought forward to the Executive offered no relief to the many programmes which would be affected. I therefore voted against the final Budget proposals in the Executive because of the disproportionate impacts on the DOE's budget compared to all other departments.

I will be seeking to have some of the funding that was cut from my Budget restored as part of the forthcoming in year monitoring rounds and I look forward to having support from other Parties in the Assembly for this.

**Mr Agnew** asked the Minister of the Environment how many individuals and organisations signed up to the Northern Ireland Landscape Charter by 1 April 2015.

**(AQW 44627/11-15)**

**Mr Durkan:** The Northern Ireland Landscape Charter was open for signatories via a dedicated email address on the NIEA website for 6 months from 1 January to 1 July 2014. Just over 100 individuals and organisations with an interest in valuing Northern Ireland's landscape signed up during that period. All comments received from individuals and on behalf of organisations have been retained for future collation. In issuing the Northern Ireland Landscape Charter the Department of the Environment has endorsed its commitment to its content. Since its public launch the Northern Ireland Landscape Charter has been promoted by various initiatives involving environmental groups and professional organisations with an interest in the landscape.

It is intended to circulate the charter to the new councils to reinforce the important role of the document and officials are looking at cost effective ways of promoting the principles of the landscape charter. These measures include using the NI library network through DCAL, Facebook and other social media via the NIEA website.

**Mr Agnew** asked the Minister of the Environment whether his Department and/or the Northern Ireland Executive have signed up the Northern Ireland Landscape Charter.

**(AQW 44628/11-15)**

**Mr Durkan:** The Northern Ireland Landscape Charter was open for signatories via a dedicated email address on the NIEA website for 6 months from 1 January to 1 July 2014. Just over 100 individuals and organisations with an interest in valuing Northern Ireland's landscape signed up during that period. All comments received from individuals and on behalf of organisations have been retained for future collation. In issuing the Northern Ireland Landscape Charter the Department of the Environment has endorsed its commitment to its content. Since its public launch the Northern Ireland Landscape Charter has been promoted by various initiatives involving environmental groups and professional organisations with an interest in the landscape.

It is intended to circulate the charter to the new councils to reinforce the important role of the document and officials are looking at cost effective ways of promoting the principles of the landscape charter. These measures include using the NI library network through DCAL, Facebook and other social media via the NIEA website.

**Mr Agnew** asked the Minister of the Environment how the Northern Ireland Landscape Charter has been promoted since its launch.

**(AQW 44684/11-15)**

**Mr Durkan:** The Northern Ireland Landscape Charter was open for signatories via a dedicated email address on the NIEA website for 6 months from 1 January to 1 July 2014. Just over 100 individuals and organisations with an interest in valuing Northern Ireland's landscape signed up during that period. All comments received from individuals and on behalf of organisations have been retained for future collation. In issuing the Northern Ireland Landscape Charter the Department of the Environment has endorsed its commitment to its content. Since its public launch the Northern Ireland Landscape Charter has been promoted by various initiatives involving environmental groups and professional organisations with an interest in the landscape.

It is intended to circulate the charter to the new councils to reinforce the important role of the document and officials are looking at cost effective ways of promoting the principles of the landscape charter. These measures include using the NI library network through DCAL, Facebook and other social media via the NIEA website.

**Ms McCorley** asked the Minister of the Environment when the licence for quarrying on Black Mountain expires; and whether any further licences will be issued beyond the current end date.

**(AQW 44703/11-15)**

**Mr Durkan:** The quarrying activity at Black Mountain is regulated under a Pollution Prevention and Control (Industrial Emission) Regulations (NI) 2013 permit as a Part B activity which only regulates the emissions to air. The permit is not time bound, therefore will remain in place until surrendered by the operator or revoked by the Department.

**Mr Flanagan** asked the Minister of the Environment how this initial exploratory borehole application would differ, at this stage, if the target was conventional and unconventional reservoirs within the Carboniferous Westphalian Coal Measures and Millstone Grits and Carboniferous Viséan Murlough Bay Formation.

**(AQW 44754/11-15)**

**Mr Durkan:** I cannot comment on development proposals which are hypothetical in nature and lack any supporting information. It would be a matter for an applicant to submit sufficient information to allow my Department to determine such an application.

My position is that there should be a presumption against the exploitation of unconventional hydrocarbon extraction until the Department is satisfied that there is sufficient and robust evidence on all environmental and health impacts.

**Mr Campbell** asked the Minister of the Environment what follow up work has been undertaken as a result of the air quality research study carried out in 2014.

**(AQW 44841/11-15)**

**Mr Durkan:** The NSMC-commissioned research study into air pollution from residential combustion of solid fuels is currently ongoing.

Unforeseen delays have meant that a final report on this work is not now expected until the second half of 2015; the reasons for the delay include the complexity of the study and the range of participants.

An interim report has recently been completed, and marks the end of the first phase of the research. The interim report will be shared with key stakeholders shortly as part of a consultation process to inform the final phase of the research. It will also be made available to Assembly Members.

**Mr Agnew** asked the Minister of the Environment, given his statement to the Committee for the Environment on 30 March 2015 regarding to the implications of infraction proceedings facing the NI Executive, to set out his Department's evaluation of (i) what those threats are; (ii) where they are; (iii) the most real; (iv) the most imminent; and (v) what steps he has taken to fend them off.

**(AQW 44849/11-15)**

**Mr Durkan:** Infraction proceedings are brought by the European Commission against a Member State which the Commission considers has infringed EU law. Typically, infraction proceedings are instigated where the Commission believes that a Member State has failed to transpose or implement an EU Directive or Regulation.

It is entirely a matter for the European Commission to determine if they believed that the UK Member State was in breach of any of the requirements of relevant European legislation, to an extent that warranted the issue of infraction proceedings.

My Department will continue to seek to ensure the timely transposition and implementation of all European legislation within the constraints of our much reduced budget. This will require that we prioritise our activities and spending on work that directly supports compliance with our statutory obligations.

**Lord Morrow** asked the Minister of the Environment, pursuant to AQW 43964/11-15, to explain the delay in answering AQW 43675/11-15.

**(AQW 44895/11-15)**

**Mr Durkan:** AQW 43675/11-15 was tabled on 12 March 2015 and answered on 24 March 2015.

**Lord Morrow** asked the Minister of the Environment, pursuant to AQW 44169/11-15, given his response clarifies what constitutes touting and that it is illegal, why his Department is delaying action and thereby permitting illegal activity to continue without enforcement.

**(AQW 44897/11-15)**

**Mr Durkan:** The Driver & Vehicle Agency will continue to take appropriate enforcement action where a person employed as a driver is detected touting, by calling out or otherwise importuning any person to be carried for hire in the vehicle. In many of the instances where taxi touting is reported, it has not been possible to take enforcement action as the alleged offender has not been a taxi driver and therefore their actions are not considered to be illegal.

Section 43 of the Taxis Act (NI) 2008, which is timetabled for introduction later this year, draws the touting provisions more broadly in that a person who solicits any person to be carried for hire or reward in a taxi is guilty of an offence. Once these new touting provisions are introduced the Department will be enforcing strict compliance.

**Mr Weir** asked the Minister of the Environment how many taxi depots have had illegal items seized, including gaming machines, in the last two years; and how many have been closed or been taken to court by his Department.

**(AQW 44904/11-15)**

**Mr Durkan:** In the last two years the Driver & Vehicle Agency (DVA) has carried out joint investigations with the PSNI into the suspected illegal use of unlicensed vehicles and unlicensed taxi drivers at two licensed taxi depots. Following searches conducted at the respective taxi depots, the PSNI seized a range of evidential items, including gaming machines.

Both taxi operators have subsequently been successfully prosecuted by DVA for a range of taxi licensing offences and their cases are currently being considered under the Agency's Licensing Suspension and Revocation policy.

**Mr Weir** asked the Minister of the Environment how many criminal cases have been brought by his Department in relation to taxi drivers operating with illegal or unsealed meters, in each of the last five years.

**(AQW 44907/11-15)**

**Mr Durkan:** There have been no criminal cases brought by my Department in relation to taxi drivers operating with illegal or unsealed meters in each of the last five years.

The Driver & Vehicle Agency conducts roadside spot checks on taxis' meters installed in licensed Belfast Public Hire taxis to ensure that they meet proper installation and calibration requirements. Where a taxi meter is inspected and found to be insecure, unsealed or inaccurate, enforcement action can be taken including the issue of a Defect Notice or a Prohibition Notice. Where prohibition action has been taken this would result in the suspension of the vehicle's PSV Vehicle Licence until remedial action has been taken and the taxi meter is re-tested and sealed by the Agency.

**Mr G Robinson** asked the Minister of the Environment whether any of the £2 million raised from the carrier bag levy will be used to fund repairs to built heritage at 360 Seacoast Road, Limavady.

**(AQW 44998/11-15)**

**Mr Durkan:** I have allocated £0.5 million from the Carrier Bag Levy in respect of existing listed building grant applications in 2015/16. I will consider how to allocate this money shortly, and, in doing so, will prioritise those applications where the focus is on supporting restoration and maintenance of projects in buildings that provide facilities for community access and use, including churches.

Unfortunately this means that a number of historic building scheme applications, including sadly this one, cannot be progressed at the current. If further funds become available in future, then this project will be given the highest priority.

**Lord Morrow** asked the Minister of the Environment whether the Local Government Act (NI) 1972 Part 8 Sections 128 and 129, remain valid; and, with reference to the Local Government Act (NI) 2014 Part 14 Section 104 (Subsections 1 and 2), why he will not investigate, or order an inquiry into, the use of a council facility of Ranfurly House Arts and Visitor Centre for party political purposes, which in turn breaches The Local Government Act (NI) 1972 Part 7 Section 115A and 115B as amended by the Local Government (NI) Order 1992.

**(AQW 45028/11-15)**

**Mr Durkan:** Sections 128 and 129 of the Local Government Act (Northern Ireland) were replaced by sections 105 and 106 of the Local Government Act (Northern Ireland) 2014.

Section 115A of the Local Government Act (Northern Ireland) 1972 relates specifically to the publication of material by a council that appears designed to affect public support for a political party. The recent action by Mid Ulster District Council in making one of its public facilities available to a political party could not be regarded as a breach of this provision.

The policy on the use of council property by individuals or groups for any purpose, provided that that purpose is not prohibited by any legislative provision, is a matter for each individual district council, as a separate legal entity. In developing its policy on the use of council property, a district council must have due regard to the need to promote equality of opportunity and have regard to the desirability of promoting good relations, as required by section 75 of the Northern Ireland Act 1998. The equality duty on any public authority is subject to monitoring by the Equality Commission for Northern Ireland.

## Department of Finance and Personnel

**Mr McGlone** asked the Minister of Finance and Personnel (i) under what terms were members appointed to the NI Advisory committee of NAMA; (ii) who currently sits on the NI Advisory board; (iii) whether any members of the NI Advisory board resigned their positions at any time; and (iv) what reports he has received from the members of the NI Advisory board of NAMA.

**(AQW 44546/11-15)**

**Mr Hamilton (The Minister of Finance and Personnel):** The now dissolved NAMA, Northern Ireland Advisory Committee was established under the NAMA Act 2009 as a sub-committee of the NAMA Board. It was appointed by, and reported to that Board and not my Department. I am therefore not responsible for accounting for its membership.

**Mr McGlone** asked the Minister of Finance and Personnel for their assessment of the report of the Northern Ireland Affairs Committee on banking.

**(AQW 44555/11-15)**

**Mr Hamilton:** The Northern Ireland Affairs Committee report, "Northern Ireland: banking on recovery" highlights a number of familiar issues including concerns about access to finance, branch closures and over-concentration in the banking industry locally.

The Committee's inquiry was launched in the summer of 2013 when concerns around access to finance had been building for some time. However, I am pleased the Committee's report recognises that, more recently, the lending environment is improving with more businesses successfully securing the finance they need to prosper and grow.

In terms of Cerberus, I fully appreciate the process of having loans sold on to a private investment firm can create uncertainty and be difficult for borrowers, particularly those whose debts are significantly impaired. My officials are monitoring this situation and engage with representatives of Cerberus on a regular basis where they emphasise how important it is that borrowers are treated in a balanced, fair and transparent manner.

**Mr McGlone** asked the Minister of Finance and Personnel for their assessment of the Northern Ireland Affairs Committee's assertion that some local businesses were being treated by Cerberus in a less than sympathetic manner.  
(AQW 44556/11-15)

**Mr Hamilton:** The Northern Ireland Affairs Committee report, "Northern Ireland: banking on recovery" highlights a number of familiar issues including concerns about access to finance, branch closures and over-concentration in the banking industry locally.

The Committee's inquiry was launched in the summer of 2013 when concerns around access to finance had been building for some time. However, I am pleased the Committee's report recognises that, more recently, the lending environment is improving with more businesses successfully securing the finance they need to prosper and grow.

In terms of Cerberus, I fully appreciate the process of having loans sold on to a private investment firm can create uncertainty and be difficult for borrowers, particularly those whose debts are significantly impaired. My officials are monitoring this situation and engage with representatives of Cerberus on a regular basis where they emphasise how important it is that borrowers are treated in a balanced, fair and transparent manner.

**Mr Easton** asked the Minister of Finance and Personnel how many public inquiries his Department has taken part in over the last four financial years; and at what cost.  
(AQW 44661/11-15)

**Mr Hamilton:** My Department has not been an interested party in any inquiry over the past four financial years but has provided representation to other departments.

**Ms Sugden** asked the Minister of Finance and Personnel whether he plans to extend the Small Business Rate Relief for small Post Offices beyond 1 April 2015.  
(AQW 44677/11-15)

**Mr Hamilton:** Last year the Small Business Rate Relief scheme (SBRR) was evaluated by the NI Centre for Economic Policy (NICEP). Their report recommended phasing out the SBRR but retaining it in its current form this financial year. I have since agreed to follow this recommendation and the scheme has subsequently been extended for a further year until 31 March 2016 with the same NAV thresholds and % allowances for both the main scheme and the post office enhancement.

**Mr B McCrea** asked the Minister of Finance and Personnel whether his Department's analysis of the devolution of corporation tax had established (i) the number of local businesses paying the main rate and (ii) the number of businesses paying the small profits rate, before the Finance Act 2014 removed the small profit rate from 1 April 2015.  
(AQW 44688/11-15)

**Mr Hamilton:** There has been an ongoing and comprehensive engagement between my Department and HM Treasury for some time now to ascertain the cost of devolving Corporation Tax. The underpinning analysis has been kept under review and updated to reflect changes in the UK tax regime. Previous analysis did establish the extent to which local business profits were subject to the main rate of corporation tax as opposed to the now removed small profits rate.

As this analysis was undertaken to inform the public expenditure consequences of the devolution of Corporation Tax, it focused primarily on the tax liabilities of companies rather than the number of companies paying Corporation Tax.

**Mr B McCrea** asked the Minister of Finance and Personnel whether local companies that export to Great Britain and the Republic of Ireland would be excluded from a reduced rate in corporation tax, given the in/out test proposed in the Corporation Tax (Northern Ireland) Bill.  
(AQW 44689/11-15)

**Mr Hamilton:** Local companies will not be excluded from the Northern Ireland regime on the basis that they export to Great Britain, the Republic of Ireland or indeed other parts of the world. The key determinant for inclusion within the regime will be the extent to which the qualifying business activities associated with the export of goods and services are based in Northern Ireland.

**Mr Allister** asked the Minister of Finance and Personnel for his assessment of the current statistics gathered from Departments on prompt payment performance.  
(AQW 44735/11-15)

**Mr Hamilton:** Statistics on prompt payment demonstrate that NICS departments have a strong record on payment performance, consistently paying over 90% of supplier invoices within 10 days of receipt. The figure for the most recent period (March 2015) was 93%.

**Mr Allister** asked the Minister of Finance and Personnel whether his Department has been involved in any discussions with the Treasury on the repatriation of welfare powers to Westminster .  
(AQW 44737/11-15)

**Mr Hamilton:** My Department has not discussed with Treasury the repatriation of welfare powers to Westminster.

**Mr Eastwood** asked the Minister of Finance and Personnel to detail the capital infrastructure projects financed by Private Finance Initiative in Foyle in 2013/14; and the cost of each project.  
(AQW 44800/11-15)

**Mr Hamilton:** The Department of Finance and Personnel has not financed any capital infrastructure projects by Private Finance Initiative in Foyle in 2013/14.

**Mr Beggs** asked the Minister of Finance and Personnel what building requirements exist regarding the installation of solar panels on roofs.  
(AQW 44838/11-15)

**Mr Hamilton:** All new solar panel installations to roofs in Northern Ireland are subject to the relevant requirements of The Building Regulations (Northern Ireland) 2012 (as amended).

Requirements will vary in each case depending upon the impact on the building and whether the installation is specifically part of the building's heating, hot water, air conditioning, mechanical ventilation or lighting. The Regulations do not require the installation of solar panels.

These Regulations are available in the Assembly Library.

**Mr Middleton** asked the Minister of Finance and Personnel to detail the number of deaths by suicide recorded in the Londonderry area in the last twelve months.  
(AQW 44839/11-15)

**Mr Hamilton:** There were 22 deaths registered due to suicide<sup>1</sup> in the Derry Local Government District during 2013, the latest year for which figures are available.

As all suicides are referred to the Coroner's Service there is usually a period between when such a death occurs and when it is registered. Consequently, some suicide deaths that occurred in 2013 may not have been registered in 2013. Equally, some that were registered in 2013 may have occurred earlier.

<sup>1</sup> In considering suicide events it is conventional to include cases where the cause of death is classified as either 'Suicide and self-inflicted injury' or 'Undetermined intent'. Since 2001, the ICD10 codes used for 'Suicide and self-inflicted injury' are X60-X84 and Y87.0 and the ICD10 codes used for 'Undetermined intent' are Y10-Y34 and Y87.2

**Mr Kinahan** asked the Minister of Finance and Personnel what energy saving policy exists for the Stormont Estate.  
(AQW 44894/11-15)

**Mr Hamilton:** Within my Department, Properties Division is responsible for managing the Northern Ireland Civil Service office estate. The buildings within the Stormont Estate fall under this remit, with the exception of Parliament Buildings, which is the responsibility of the Northern Ireland Assembly.

The DFP Carbon Reduction/Energy Efficiency Plan (2014 -2017) covers the Northern Ireland Civil Service office estate and outlines actions aimed at improving the energy efficiency of the estate. This identifies three main strategies:

- Reduction in the footprint of the office estate;
- Capital investment in energy efficiency measures and equipment; and
- Behavioural change of staff occupying the estate.

When combined, it is anticipated that these are capable of generating a 5% reduction in energy consumption over the 3 year period of the plan.

**Ms Maeve McLaughlin** asked the Minister of Finance and Personnel to detail the number of deaths by suicide in each Health and Social Care Trust area, over the last three years.  
(AQW 45022/11-15)

**Mr Hamilton:** The table below details the number of deaths registered due to suicide<sup>1</sup> between 2011 and 2013, the latest year for which figures are available.

**Number of Deaths from Suicide Registered<sup>1</sup> in Northern Ireland by Health and Social Care Trust, 2011-2013**

Health & Social Care Trust	Registration Year		
	2011	2012	2013
Belfast HSCT	80	72	81
Northern HSCT	61	67	74
South Eastern HSCT	52	47	48
Southern HSCT	57	46	49
Western HSCT	39	46	51
Northern Ireland	289	278	303

1 In considering suicide events it is conventional to include cases where the cause of death is classified as either 'Suicide and self-inflicted injury' or 'Undetermined intent'. Since 2001, the ICD10 codes used for 'Suicide and self-inflicted injury' are X60-X84 and Y87.0 and the ICD10 codes used for 'Undetermined intent' are Y10-Y34 and Y87.2

As all suicides are referred to the Coroner's Service there is usually a period between when such a death occurs and when it is registered. Consequently, some suicide deaths that occurred in 2013 may not have been registered in 2013. Equally, some that were registered in 2013 may have occurred in 2012.

**Mr Agnew** asked the Minister of Finance and Personnel to provide (i) details of the household income distribution broken down by house price valuation to the nearest £100,000 (or nearest figures available) for all property affected by the rates cap and (ii) details of the average income broken down by house price valuation to the nearest £100,000 (or nearest figures available) for all property affected by the rates cap.

**(AQW 45145/11-15)**

**Mr Hamilton:** The information requested is not held by my Department.

## Department of Health, Social Services and Public Safety

**Mrs D Kelly** asked the Minister of Health, Social Services and Public Safety to detail (i) the number of ambulances available in the Southern Health and Social Care Trust; (ii) the location of the ambulances; and (iii) whether there are sufficient staffing levels to provide response.

**(AQW 43291/11-15)**

**Mr Wells (The Minister of Health, Social Services and Public Safety):** Part (i) and (ii): Information on the number and location of available emergency vehicles (emergency ambulances and Rapid Response Vehicles) within the Southern Division of the Ambulance Service is detailed in the table below.

**Table 1: Number of Emergency Ambulances and Rapid Response Vehicles Located within the Southern Division of the Ambulance Service (February 2015)<sup>3</sup>**

Station	Emergency Ambulance	Rapid Response Vehicle
Armagh	4	1
Banbridge	2	0
Craigavon	5	3
Dungannon	4	2
Kilkeel	2	0
Newry	5	2
Southern Division	28	8

Part (iii): The Northern Ireland Ambulance Service (NIAS) Trust have advised that in 2014/15 their staffing levels enabled them to deliver 93.0% of planned levels of emergency response cover for the Southern Division. Appropriate staffing levels are a matter for NIAS in discussion with the Health and Social Care Board as service commissioner. NIAS and the Board are currently in discussion about the action needed to keep pace with estimates of future demand for ambulance services across Northern Ireland.

3 The Southern Division of the Ambulance Service is broadly co-terminus with the Southern Health and Social Care Trust.

**Mr Allister** asked the Minister of Health, Social Services and Public Safety for an update on the process for the replacement of the Non-Executive Directors in the Northern Health and Social Care Trust that have now completed their second term, including an indication of (i) when the positions were advertised; (ii) how many applications were received; and (iii) how many people were interviewed.

**(AQW 44359/11-15)**

**Mr Wells:** The appointments for 5 non executive members of the Board of the Northern Health and Social Care Trust were due to come to an end on 31 March 2015. Arrangements have been made to have each of these 5 appointments extended with effect from 1 April 2015. This has ensured continuity of Board membership and will allow sufficient time for a competition to appoint 5 new members to the NHSCT to be advertised and managed.

**Mrs Dobson** asked the Minister of Health, Social Services and Public Safety to detail the significant ongoing service pressures which are being experienced by the Southern Health and Social Care Trust (SHSCT) in relation to the provision of Speech and Language Therapy to children; and the waiting times experienced by children for appointments in each clinic within the SHSCT catchment area, broken down by each month of the last three years.

**(AQW 44389/11-15)**

**Mr Wells:** There is currently a capacity gap in the Southern Health and Social Care Trust (SHSCT) for SLT services to children, with demand in excess of the commissioned service capacity. The Trust advises that in the past two years service pressures have resulted in longer waiting times. It cites the reasons for these pressures as follows:

- i. The impact of demography, which has seen a growth in the population of children in the SHSCT area in excess of the regional average growth.
- ii. An increased referral rate for services; from 4% 2011/12 to 15% for 2013/14.
- iii. Continued staffing issues including long-term unplanned sick leave, maternity leave, and vacancies.
- iv. Challenges of securing and retaining staff as funding is only temporary (waiting list initiative allocations).

Waiting times for SLT appointments for children in the SHSCT have fluctuated from 2 to 8 months since September 2013 (Annex A).

#### **Annex A**

##### **Waiting Times For First Appointments**

	<b>Numbers Waiting</b>	<b>Waiting Times (Months)</b>
September 2013	169	4-5
October 2013	249	5
November 2013	302	6
December 2013	395	6
January 2014	32	2
February 2014	44	2
March 2014	0	3
April 2014	160	4
May 2014	223	4
January 2014	260	4
July 2014	317	4
August 2014	374	5
September 2014	374	5
October 2014	401	6
November 2014	430	6
December 2014	538	6
January 2015	733	6
February 2015	769	7
March 2015	814	8

**Note:** the SHSCT has advised that the data requested from 2012 to August 2013 can only be obtained manually at a disproportionate cost.

**Mrs Dobson** asked the Minister of Health, Social Services and Public Safety how many applicants have been refused direct payments in each Health and Social Care Trust, in each month of the last two years.

**(AQW 44390/11-15)**

**Mr Wells:** The information requested is not held centrally and was therefore requested from Health and Social Care (HSC) Trusts. Their responses can be found below.

**Belfast HSC Trust**

The Older People service refused one direct payment in December 2014 and the Adult Learning Disability service refused one direct payment within the last two years.

**Northern HSC Trust**

Within the past two years, two Direct Payments have been refused by the Children's Directorate. The Mental Health Directorate refused one Direct Payment within the last two years and in October 2014 one Direct Payment was deferred while another service option was explored.

**South Eastern HSC Trust**

Children's Disability Service has refused two requests for Direct Payments; one in July 2013 and one in August 2014.

**Southern HSC Trust**

The Trust has not refused any direct payments within the last two years.

**Western HSC Trust**

The Trust does not routinely collect this information. Clients are always offered direct payments where appropriate.

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety for a breakdown of current services directed towards sufferers of (i) Myalgic Encephalopathy; (ii) Chronic Fatigue Syndrome; and (iii) Fibromyalgia.

**(AQW 44392/11-15)**

**Mr Wells:** Health and Social Care Trusts do not provide a specialist CFS/'ME' service, but GPs may refer to a wide range of specialists such as cardiology or neurology depending on the most prominent presenting conditions by the individual patient. Provision of services are determined on a case-by-case basis and tailored to the patient's need. Services for fibromyalgia are also provided on the same basis.

NICE CG53 which has been endorsed for Northern Ireland provides national guidance on diagnosis and management of CFS/ME in adults and children. Following a successful pilot in the Northern Trust, this model is now in place in the Northern and Belfast Trust areas. Expansion of the model to other HSC Trusts will be subject to affordability within the challenging financial position for Health and Social Care in 2015/16.

Patients with Fibromyalgia will continue to be referred as appropriate to pain management services and specialities such as rheumatology and neurology.

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety what measures his Department are taking to ensure that patients suffering from Myalgic Encephalopathy, Chronic Fatigue Syndrome and Fibromyalgia are diagnosed and receive all necessary treatment for their condition.

**(AQW 44393/11-15)**

**Mr Wells:** Health and Social Care Trusts do not provide a specialist CFS/'ME' service, but GPs may refer to a wide range of specialists such as cardiology or neurology depending on the most prominent presenting conditions by the individual patient. Provision of services are determined on a case-by-case basis and tailored to the patient's need. Services for fibromyalgia are also provided on the same basis.

NICE CG53 which has been endorsed for Northern Ireland provides national guidance on diagnosis and management of CFS/ME in adults and children. Following a successful pilot in the Northern Trust, this model is now in place in the Northern and Belfast Trust areas. Expansion of the model to other HSC Trusts will be subject to affordability within the challenging financial position for Health and Social Care in 2015/16.

Patients with Fibromyalgia will continue to be referred as appropriate to pain management services and specialities such as rheumatology and neurology.

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety for his assessment of the need to train GPs and other healthcare professionals to ensure that patients suffering from Myalgic Encephalopathy, Chronic Fatigue Syndrome and Fibromyalgia are diagnosed and receive all necessary treatment for their condition.

**(AQW 44394/11-15)**

**Mr Wells:** Responsibility for post-graduate junior doctors in training in Northern Ireland lies with the Northern Ireland Medical and Dental Training Agency (NIMDTA). NIMDTA provides initial training to all doctors wishing to specialise in General Practice. Diagnosis and treatment of ME/CFS and Fibromyalgia is covered within the GP curriculum.



The NICE guideline CG53 'Chronic fatigue syndrome/myalgic encephalomyelitis (or encephalopathy): Diagnosis and management of CFS/ME in adults and children' was published in August 2007 and reviewed in February 2014. The review indicated there had been no developments in the evidence base relating to this guidance in the past 7 years which would merit specific update training.

Health and Social Care Trusts do not provide a specialist CFS/ME service, but GPs may refer to a wide range of specialists such as cardiology or neurology, depending on the most prominent conditions presented by the individual patient. Provision of services is determined on a case-by-case basis and is tailored to the patient's needs. Services for fibromyalgia are also provided on the same basis.

**Mr McCarthy** asked the Minister of Health, Social Services and Public Safety how he will ensure that people with a rare or ultra-rare disease in Northern Ireland and their families and carers will be able to access the full range of required support for their condition, including specialist adjustments to housing, respite care, counselling services and financial support; and how he will ensure that those providing the full range of support will be fully briefed on the needs of those with rare diseases.  
(AQW 44398/11-15)

**Mr Wells:** I plan to publish by June 2015 the Northern Ireland Implementation Plan for Rare Disease. The plan covers all rare diseases, generic and non-generic conditions; ultra-rare disease is a subset of rare disease in this context. While the plan will focus on actions to ensure that rare disease patients, their families and carers have access to the best possible healthcare and treatment within available resources, it will also reinforce awareness of the need to ensure that patients have access to appropriate social services and financial support.

**Mr Agnew** asked the Minister of Health, Social Services and Public Safety to detail (i) the current waiting times for an assessment for children with suspected autism in each Health and Social Care Trust; (ii) how this complies with his Department's objective of early intervention in the Autism Strategy; and (iii) his Department's understanding of the impact a prolonged delay in assessment for autism has on a child's development.  
(AQW 44402/11-15)

**Mr Wells:**

- (i) The table below shows the current waiting times for an assessment for children with suspected autism in each HSC Trust as at the end of February 2015.

Trust	0 to 4 weeks	> 4 to 8 weeks	> 8 to 13 weeks	>13 to 18 weeks	>18 to 26 weeks	>26 to 39 weeks	>39 to 52 weeks	> 52 weeks	Total Waiting
Belfast	62	37	59	66	87	168	126	24	629
Northern	59	68	65	71	65	37	0	0	365
South Eastern	16	33	19	28	28	3	0	0	127
Southern	14	8	9	0	0	0	0	0	31
Western	30	31	31	30	42	17	0	0	181
Regional	181	177	183	195	222	225	126	24	1333

- (ii) Although the increase in waiting times is unhelpful and can delay Autism specific intervention, child and family support is not predicated on a diagnosis. Each HSC Trust is required to identify risks and provide families with information about how to access family support services whilst waiting on Autism specific assessment.
- (iii) The HSC Board is working with all HSC Trusts to develop a new standard operating model which will focus on developing early intervention teams and seek to integrate and align autism services with other child development and young people's mental health services. It is anticipated that, in the medium to longer term, this will help in the development of new ways of working with a view to improving access to a timely assessment.

**Mr Easton** asked the Minister of Health, Social Services and Public Safety for an update on the cost to the South Eastern Health and Social Care Trust of the court case for the closure of the Bangor Community Hospital GP ward.  
(AQW 44451/11-15)

**Mr Wells:** To date the South Eastern Health and Social Care Trust has not been invoiced in relation to the costs of the Judicial Review of the closure of the GP Ward at Bangor Community Hospital.

**Mr McCarthy** asked the Minister of Health, Social Services and Public Safety to provide any available statistics with respect to ultra-rare diseases or rare diseases in Northern Ireland, over the last ten years.  
(AQW 44452/11-15)

**Mr Wells:** The Department of Health, Social Services and Public Safety nor the Health and Social Care Board do not currently maintain databases for rare disease / ultra-rare disease or routinely collect statistics for rare disease as a whole. Clinical data bases and statistics are held for a very small number of individual rare conditions

The draft Northern Ireland Implementation Plan for Rare Diseases proposes an action to improve co-ordination of existing and additional rare disease registries/resources/databases to facilitate the creation of a Northern Ireland Register for Rare Disease which will include ultra-rare diseases. It is hoped the final plan will be published in June 2015. The implementation of this action, and all other actions, will be subject to available resources.

**Mr McCarthy** asked the Minister of Health, Social Services and Public Safety to outline all information and statistical databases with respect to ultra-rare and rare diseases currently in existence in Northern Ireland; and to provide details of his intention to establish a rare disease registry in Northern Ireland, including whether the registry will include ultra-rare diseases. **(AQW 44453/11-15)**

**Mr Wells:** The Department of Health, Social Services and Public Safety nor the Health and Social Care Board do not currently maintain databases for rare disease / ultra-rare disease or routinely collect statistics for rare disease as a whole. Clinical data bases and statistics are held for a very small number of individual rare conditions

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**Mr McCarthy** asked the Minister of Health, Social Services and Public Safety whether he intends to pursue the establishment of a Centre of Excellence for Rare Diseases; and if his Department intends to cooperate with other Centres of Excellence for Rare Diseases throughout the UK. **(AQW 44454/11-15)**

**Mr Wells:** I can confirm that the draft Northern Ireland Implementation Plan for Rare Diseases proposes the establishment of a Genomics Medicines Centre. These centres work collaboratively through Genomics England and are viewed world-wide as centres of excellence. My Department is currently engaged in discussions with Genomics England about the prospects for establishing a regional centre in Northern Ireland subject to business case approval and available funding.

**Mr McCarthy** asked the Minister of Health, Social Services and Public Safety to outline the service cooperation for a child or adult with an ultra-rare or rare disease in Northern Ireland if they move to, or live in, another part of the UK. **(AQW 44455/11-15)**

**Mr Wells:** When a patient ceases to be a resident of Northern Ireland, Health and Social Care bodies cease to have responsibility for that patient. Health records will be transferred to that patient's new health care provider when a request for them is received by the new provider or at the request of the patient. We would expect the relevant health professionals from Northern Ireland and the patient's new jurisdiction to liaise concerning the patient's medical history and treatment.

**Mr McCarthy** asked the Minister of Health, Social Services and Public Safety how he intends to provide services for those with ultra-rare diseases, including adults or children who are the only sufferer, or one of only a few sufferers, of a particular ultra-rare disease. **(AQW 44456/11-15)**

**Mr Wells:** I plan to publish by June 2015 the Northern Ireland Implementation Plan for Rare Disease. The plan covers all rare diseases, generic and non-generic conditions; ultra-rare disease is a subset of rare disease in this context. While the plan will focus on actions to ensure that rare disease patients, their families and carers have access to the best possible healthcare and treatment within available resources, it will also reinforce awareness of the need to ensure that patients have access to appropriate social services and financial support.

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety, following the publication of Cytokine network analysis of cerebrospinal fluid in myalgic encephalomyelitis/chronic fatigue syndrome in the journal *Molecular Psychiatry*, who is responsible for considering how this research can be taken forward and translated into a diagnostic test and treatment for Myalgic Encephalopathy and Chronic Fatigue Syndrome. **(AQW 44457/11-15)**

**Mr Wells:** My Department is guided by NICE in the development of services for people with ME/CFS and for evidence of the effectiveness of treatments for the condition. The development of the Cytokine network analysis of cerebrospinal fluid in ME/CFS, as a diagnostic test for patients is the responsibility of the research community but ultimately would need to be assessed and recommended by NICE in order to be endorsed by health service commissioning authorities.

The current guidance is NICE CG53 – Chronic Fatigue Syndrome / Myalgic encephalomyelitis (or encephalopathy): Diagnosis and management of CFS/ME in adults and children. This was issued in August 2007 and reviewed in February 2014.

**Mr Flanagan** asked the Minister of Health, Social Services and Public Safety to outline his Department's plans to deliver a comprehensive plan of investment for General Practice and to secure its future.

**(AQW 44473/11-15)**

**Mr Wells:** Whilst the number of GPs per head in Northern Ireland remains comparable with that in England and Wales, GP services in Northern Ireland remain under pressure given an increase from 7.2m GP consultations in 2004 to 12.7m consultations in 2014.

There are a number of strands of medical workforce planning under way at present. The Centre for Workforce Intelligence (CFW) has been appointed to review the medical workforce including undergraduate intake levels. In addition, the Health and Social Care Board are currently undertaking some work specifically on GP workforce planning (e.g. examining initiatives to improve the recruitment and retention of trained GPs and including areas such as part time working and child care arrangements). No final decision will be taken until the Department has considered the findings of these reviews. Any increase to the number of GP trainees would require increased funding and any decisions would need to take account of the overall funding position for health.

On 1 April 2015 I announced a wide ranging package of investment in GP services, totalling in excess of £15m. Whilst this will not deal with all the challenges we face from rising demand it will help us address and plan for the current difficulties and future challenges that we face.

The package of measures I announced will also reduce the level of bureaucracy facing our GPs, so they can spend more time with their patients and less time filling in forms. We are also considering how GPs wishing to return to practice in Northern Ireland can be facilitated to do so on a timelier basis.

Included in the package is:

- Up to £3.1million of investment in Out Of Hours GP services.
- Up to £1.2million of investment helping GPs meet demand for blood tests and other diagnostic work in the community delivered through GP Federations.
- Up to £300,000 to recruit and retain GPs.
- Releasing up to £10million of funding for GP Practices to borrow to upgrade and expand their premises and £350,000 to meet the ongoing costs of these new premises.

**Mr Flanagan** asked the Minister of Health, Social Services and Public Safety whether there is a shortage of GPs; and for his assessment of whether the 62 places allocated for training each year are sufficient to meet the need in coming years.

**(AQW 44474/11-15)**

**Mr Wells:** Whilst the number of GPs per head in Northern Ireland remains comparable with that in England and Wales, GP services in Northern Ireland remain under pressure given an increase from 7.2m GP consultations in 2004 to 12.7m consultations in 2014.

There are a number of strands of medical workforce planning under way at present. The Centre for Workforce Intelligence (CFW) has been appointed to review the medical workforce including undergraduate intake levels. In addition, the Health and Social Care Board are currently undertaking some work specifically on GP workforce planning (e.g. examining initiatives to improve the recruitment and retention of trained GPs and including areas such as part time working and child care arrangements). No final decision will be taken until the Department has considered the findings of these reviews. Any increase to the number of GP trainees would require increased funding and any decisions would need to take account of the overall funding position for health.

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**Mr Flanagan** asked the Minister of Health, Social Services and Public Safety why there are only 6.4 GPs per 100,000 people, compared with 8 per 100,000 in Scotland and 6.6 in England and Wales; and what plans he has to improve this situation.

**(AQW 44476/11-15)**

**Mr Wells:** Whilst the number of GPs per head in Northern Ireland remains comparable with that in England and Wales, GP services in Northern Ireland remain under pressure given an increase from 7.2m GP consultations in 2004 to 12.7m consultations in 2014.

There are a number of strands of medical workforce planning under way at present. The Centre for Workforce Intelligence (CFW) has been appointed to review the medical workforce including undergraduate intake levels. In addition, the Health and Social Care Board are currently undertaking some work specifically on GP workforce planning (e.g. examining initiatives to improve the recruitment and retention of trained GPs and including areas such as part time working and child care arrangements). No final decision will be taken until the Department has considered the findings of these reviews. Any increase to the number of GP trainees would require increased funding and any decisions would need to take account of the overall funding position for health.

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- Releasing up to £10million of funding for GP Practices to borrow to upgrade and expand their premises and £350,000 to meet the ongoing costs of these new premises.

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety for his assessment of the adequacy of Emergency Departments to treat patients presenting with mental health issues, including suicidal tendencies.  
(AQW 44507/11-15)

**Mr Wells:** All Emergency Departments (EDs) are striving to provide an environment which is safe, supportive and minimises distress for patients presenting with mental health/suicide ideation/self-harm issues, in line with the National Institute for Health and Care Excellence (NICE) Guideline CG 16.

As part of the implementation of this guidance, a Regional Emergency Department Mental Health and Self Harm Care Pathway was introduced, which ensures that risks are noted at the triage stage. This has led to improved response times.

The HSC Board invested further resources (£175k in 2013/14 and £350k in 2014/15 FYE) in liaison psychiatry services, which led to increased access to specialist mental health staff in Emergency Departments during 2014.

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety to detail the number of staff trained in Emergency Departments for patients presenting with (i) mental health; (ii) suicide ideation; and (iii) self-harm issues.  
(AQW 44508/11-15)

**Mr Wells:** Details of the numbers of staff in Emergency Departments who are trained for patients presenting with (i) mental health (ii) suicide ideation and (iii) self-harm issues are not held centrally and can only be obtained at disproportionate cost.

However I can confirm that training for ED staff in these areas has been delivered and that further sessions are planned for April, May and July.

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety to detail the amount of funding his Department has spent on implementing National Institute for Health and Care Excellence Guidelines CG 16 on (i) mental health; (ii) suicide ideation; and (iii) self-harm issues.  
(AQW 44509/11-15)

**Mr Wells:** The implementation of National Institute for Health and Care Excellence (NICE) Guidelines is not supported by a dedicated budget and it is not possible to provide a detailed breakdown of funding into the three areas as requested, as there is significant overlap in service provision to meet the needs of individuals who present with these issues.

However, following the endorsement of NICE CG 16 on the early management of self harm and the subsequent NICE CG 133 relating to the longer term management of self harm for use in Northern Ireland, the Health and Social Care Board (HSCB) and Public Health Agency (PHA) established a regional group to address self-harm related issues. The key areas for action include:

- GP education and training specifically in relation to NICE CG 16 and CG 133;
- standardising care services for people attending Emergency Departments (EDs) who self harm and/or are suicidal; and
- improving access to a more timely mental health assessment following ED attendance.

The HSCB and PHA have made significant investments in support of this objective to ensure that those individuals who self harm, or may be at risk of self harm, receive the best possible treatment and support.

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety for an update on the implementation of each of the 99 proposals put forward in the Transforming Your Care plan.

**(AQW 44595/11-15)**

**Mr Wells:** My department is currently preparing a progress report on the 99 proposals in Transforming Your Care. I will provide an update to the Northern Ireland Assembly once that work has been completed.

**Lord Morrow** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 43677/11-15 is this answer related to liquid medication for supervised swallow apply to (i) HMP Magilligan, (ii) HMP Maghaberry and (iii) all other prison facilities including the Young Offender Centre.

**(AQW 44596/11-15)**

**Mr Wells:** Healthcare provision for the Northern Ireland Prison Service is delivered by the South Eastern Health and Social Care Trust. The Trust's Prison Healthcare 'In-Possession' Policy applies to HMP Maghaberry, HMP Magilligan and HMP Hydebank Wood and states that when supervised swallow administration is required liquid preparations must be used, if available, to reduce the risk of diversion.

**Mr Agnew** asked the Minister of Health, Social Services and Public Safety how much has been spent by his Department on Special Education Needs, in each of the last three years.

**(AQW 44626/11-15)**

**Mr Wells:** Article 3 of the Education (NI) Order 1996 provides a definition for "special educational needs" as someone who has a learning difficulty which calls for special educational provision to be made for them.

As this is a term utilised in the educational context, my Department does not gather such data.

**Mr McNarry** asked the Minister of Health, Social Services and Public Safety how many Republic of Ireland citizens have used medical facilities in Northern Ireland in each of the last five years.

**(AQW 44634/11-15)**

**Mr Wells:** It is possible to provide the number of inpatient admissions (Table 1) and outpatient attendances (Table 2) at consultant-led services for patients from the Republic of Ireland in each of the last five years.

Information is also available on the number of registered cross border workers who maintain permanent residence in the Republic of Ireland but work in Northern Ireland and are therefore entitled to access NHS services in each of the last four years (Table 3).

**Table 1: Admissions of residents of the Republic of Ireland to HSC hospitals in Northern Ireland, 2009/10 – 2013/14**

HSC Trust	2009/10	2010/11	2011/12	2012/13	2013/14
Belfast	22	52	62	76	38
Northern	31	32	18	0	23
South Eastern	45	53	36	20	31
Southern	1,984	1,766	1,503	1,283	1,265
Western	2,023	2,200	2,409	2,240	1,960
Northern Ireland	4,105	4,103	4,028	3,619	3,317

**Source:** Hospital Inpatient System

**Table 2: Attendances at consultant-led outpatient services in Northern Ireland by residents of the Republic of Ireland, 2009/10 – 2013/14**

HSC Trust	2009/10	2010/11	2011/12	2012/13	2013/14
Belfast*	-	-	-	299	256
Northern	38	23	21	12	8
South Eastern	79	43	64	46	44
Southern*	-	516	527	532	447
Western	1,802	1,891	2,116	1,942	2,069

HSC Trust	2009/10	2010/11	2011/12	2012/13	2013/14
Northern Ireland	1,919	2,473	2,728	2,831	2,824

**Source:** Health and Social Care Trusts

\* Information on attendances at consultant-led outpatient services for patients with an address in the Republic of Ireland is only available from 2010/11 in the Southern Trust and from September 2012 in the Belfast Trust.

**Table 3: Number of cross border workers registered for primary care in Northern Ireland, 2012 – 2015**

Date	Registered Cross Border Workers
Mar-12	1,638
Mar-13	1,682
Mar-14	1,807
Mar-15	1,931

**Source:** Health and Social Care Business Services Organisation

**Mr McNarry** asked the Minister of Health, Social Services and Public Safety what identification does the Northern Ireland Health Service require from Republic of Ireland citizens using health facilities in Northern Ireland, in terms of (i) passports, (ii) health service number and (iii) health and care number.

**(AQW 44635/11-15)**

**Mr Wells:** As part of the bilateral healthcare arrangements that exist between the Republic of Ireland and the United Kingdom, Republic of Ireland citizens can provide a European Health Insurance Card (EHIC), passport, driving licence or another official document as proof of their residency in the Republic of Ireland. This entitles them to free immediately necessary treatment which arises during their visit to Northern Ireland. The same rule applies to UK residents visiting the Republic of Ireland.

**Mr McNarry** asked the Minister of Health, Social Services and Public Safety what mechanisms are in place for (i) recoupment of funds from the Health Service in the Irish Republic and (ii) how much has been recouped, in respect of Republic of Ireland citizens using Northern Ireland health service facilities, in each of the past five years.

**(AQW 44636/11-15)**

**Mr Wells:** As part of EU obligations the United Kingdom has bilateral arrangements with the Republic of Ireland on the provision of healthcare. The financial flows from these arrangements are dealt with centrally by the Department of Health in England, on behalf of all four UK jurisdictions. This is a centrally held budget and there is no breakdown of reimbursement costs by individual UK country. Department of Health officials regularly review the arrangements to ensure that they continue to represent a fair deal for the UK.

**Mr Flanagan** asked the Minister of Health, Social Services and Public Safety whether the Northern Ireland Fire and Rescue Service is planning to introduce a full time service in Enniskillen; and if so, what impact this would have on retained firefighters in (a) Enniskillen; (b) Irvinestown; (c) Lisnaskea; (d) Belleek; and (e) Clogher.

**(AQW 44658/11-15)**

**Mr Wells:** A Fire Station risk profiling exercise recently completed by NIFRS for Enniskillen Station has indicated that Wholetime day crewing would contribute in a positive way to a reduction in risk for both the communities and the firefighters within Enniskillen town and the wider Fermanagh area.

NIFRS intend to introduce Wholetime personnel, on a Day Crewing basis as a pilot scheme, into Enniskillen Station for a period of up to 12 months with a 6 month review period.

During the pilot scheme the number of call outs for Retained firefighters within Enniskillen Station during the hours of 8am to 6pm Monday to Friday will be monitored.

**Mr Lyttle** asked the Minister of Health, Social Services and Public Safety for his assessment of the Chief Executive Officer of the Northern Ireland Fire and Rescue Service's assessment that the impact of the budget cuts on the Fire Service has the potential to fundamentally dismantle the Fire Service's role in the province and increase risks to public and firefighter safety.

**(AQW 44659/11-15)**

**Mr Wells:** The Northern Ireland Fire and Rescue Service (NIFRS) has been asked to finalise its efficiency plans for 2015/16. Discussions between Department officials and NIFRS senior team regarding the savings proposals are ongoing

NIFRS savings proposals must be prioritised on the basis of those that minimise the impact on service delivery. Any changes to service delivery must ensure the continued safety of both the public and the firefighters who deliver the service

NIFRS will consider the requirement for Public Consultation in any potential changes to service delivery.

**Mr Beggs** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 37998/11-15, when the temporary closure of Whiteabbey Hospital Minor Injuries Unit will end; and what plans have been made to reinstate the service.

**(AQW 44687/11-15)**

**Mr Wells:** Financial planning for 2015/16 is ongoing and all Health and Social Care Trusts must deliver substantial savings in order to live within budget and meet rising demand across HSC services. The Northern Health and Social Care Trust has proposed in its savings plan that the temporary closure of Whiteabbey Hospital Minor Injuries Unit will continue in 2015/16. The savings plan also indicates that the Trust will consult on a permanent closure of the Minor Injuries Unit.

**Mr Eastwood** asked the Minister of Health, Social Services and Public Safety to detail the number of patients that have been diagnosed with sarcoma, in each of the last five years.

**(AQW 44700/11-15)**

**Mr Wells:** The latest information available from the Northern Ireland Cancer Registry indicates that there were 493 patients diagnosed with sarcoma during the five year period from 2009 to 2013, broken down by year of diagnosis and gender below:

Year of diagnosis	Number of sarcomas diagnosed		
	Male	Female	Total
2009	46	49	95
2010	46	54	100
2011	56	50	106
2012	53	59	112
2013	37	43	80
<b>Total</b>	<b>238</b>	<b>255</b>	<b>493</b>

**Source:** Northern Ireland Cancer Registry (NICR)

**Ms Sugden** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 43733/11-15, what plans he has to train and recruit additional frontline ambulance service staff in order to curb long term expenditure on private ambulance services.

**(AQW 44710/11-15)**

**Mr Wells:** Recruitment matters are the responsibility of individual HSC employers. The Northern Ireland Ambulance Service (NIAS) is currently undertaking a comprehensive recruitment programme across a number of operational frontline groups (Emergency Medical Technicians (EMTs), Ambulance Care Attendants (ACAs) and Emergency Medical Dispatchers) as part of the stabilisation and modernisation of the workforce in line with patient needs and commissioners' expectations.

During the summer of 2014 NIAS recruited qualified Paramedics and EMTs thereby offering staff in training for these positions an opportunity to gain full time permanent employment within the NIAS. The programme has continued in early 2015 with the recruitment of unqualified EMTs with the first cohort of 20 trainees starting their training in March 2015; the second cohort of 24 to start training in July 2015; and a further two cohorts planned for Autumn 2015.

In addition NIAS has also recently recruited qualified ACAs who will be taking up their permanent posts in May 2015 as well as unqualified ACAs to backfill any vacancies resulting from the career opportunities provided through the recruitment to EMT posts.

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 42274/11-15, to detail each specific action plan as agreed by each Integrated Care Partnership.

**(AQW 44724/11-15)**

**Mr Wells:** I refer the Member to the response I provided to AQW 42681/11-15 which sought details of the action plans for each Integrated Care Partnership. My response provided an overview of the key elements reflected across the majority of the ICP action plans.

As noted in response to AQW 42681/11-15, there is some variation in the format and content of these action plans; however the summary table below sets out elements of each specific action plan:

ICP area	Areas covered by action plan(s)	Key elements of action plan(s)
Belfast	Frail Elderly Stroke Respiratory Diabetes	Summarises key actions in respect of care pathway implementation, reporting/monitoring and governance including planned timescales, outputs and outcomes
Northern	Frail Elderly Stroke Respiratory Diabetes	Summarises key actions in respect of care pathway implementation, lead responsibility, timescales, outcomes/ outputs
South Eastern	Frail Elderly Stroke Respiratory Diabetes	Summarises key actions in respect of care pathway implementation, lead responsibility, outcomes/objectives, and outputs
Southern	Frail Elderly Diabetes Stroke Respiratory	Summarises key actions in the context of commissioning specification requirements including local commissioning context, gaps in current services, proposed service changes, lead responsibility and funding implications
Western	Frail Elderly Diabetes Stroke Respiratory Cardiology End of Life Care	Summarises key actions in respect of care pathway implementation, reporting and communication including lead responsibility, timescale, progress, outcomes and links to the RICE (Risk stratification, information sharing, care pathways and evaluation) agenda.

**Mr Easton** asked the Minister of Health, Social Services and Public Safety how many patients have sought medical help for the misuse of legal highs in the South Eastern Health and Social Care Trust, in the last two years.

**(AQW 44726/11-15)**

**Mr Wells:** Information on the number of people who have sought treatment for the misuse of legal highs within the South Eastern Health and Social Care Trust is not collected, and could only be provided at disproportionate cost.

**Mr Allister** asked the Minister of Health, Social Services and Public Safety whether the training facilities at the new ambulance hub in Ballymena will provide province-wide training for the Northern Ireland Ambulance Service.

**(AQW 44730/11-15)**

**Mr Wells:** Training facilities throughout the Northern Ireland Ambulance Service including those in new builds may be utilised to meet the needs of the Service on either a local, Divisional or regional basis and are not ring-fenced as exclusive to a particular Station or Division.

The new ambulance station in Ballymena does contain a lecture training room which will primarily be used for training within the area (Northern Division) but could be used for staff training from any Division.

**Mr Agnew** asked the Minister of Health, Social Services and Public Safety to detail (i) the total number of vacancies for suitably qualified staff for autism spectrum disorder assessments in the Northern Health and Social Care Trust; (ii) when these vacancies arose; (iii) the date advertisements to fill these vacancies were published; and (iv) the recruitment timetable for these vacancies.

**(AQW 44751/11-15)**

**Mr Wells:** The Northern Trust has supplied the following information. There are currently three (1.5 total whole-time equivalent [WTE]) vacancies for staff qualified to carry out autism spectrum disorder assessments in the Trust.

Grade	Headcount	WTE	Date vacancy arose	Date advert published	Recruitment Timetable
Clinical Psychologist Band 8A	1	0.8	April 15	14/3/15	Interview May 2015
Occupational Therapist Band 5	1	0.4	March 15	Post under review	Post under review
Speech and Language Therapist Band 5	1	0.3	March 15	Post under review	Post under review



**Mr Flanagan** asked the Minister of Health, Social Services and Public Safety to detail the number of registered carers in each (i) Health and Social Care Trust area; and (ii) district council area.

**(AQW 44752/11-15)**

**Mr Wells:** The Health and Social Care (HSC) Trusts do not hold registers of carers. Some HSC Trusts may hold a voluntary mailing list for carers, which is used to provide carers related information.

Further information on the number of carers in Northern Ireland can be found in the response to the written Assembly Question - AQW 43917/11-15.

**Mr B McCrea** asked the Minister of Health, Social Services and Public Safety to detail (i) how many MRI Scanners are held by each Health and Social Care Trust; (ii) the cost of each MRI scanner; and (iii) the average cost of performing each individual MRI scan.

**(AQW 44755/11-15)**

**Mr Wells:** The following table provides details in respect of i.) the number of MRI Scanners held by each Health and Social Care Trust; ii.) the cost of each MRI Scanner and iii.) the average cost of performing each MRI Scan.

The costs provided in respect of each MRI Scan are approximate as these are dependent on the clinical specification and complexity of each case.

HSC Trust	Number of MRI Scanners	Cost of MRI Scanner	Approximate Average Cost of MRI Scan
Belfast	7	£1m - £1.5m	£240
Northern	1	£1.4m	£170
South Eastern	2	£683k & £848k	£150 to £630
Southern	1	£1.077m	£150
Western	2	£700k - £950k	£203

The cost of each MRI Scan varies and is dependent on the type of scan; the complexity of the particular MRI Scanner and, the associated support services.

**Mr B McCrea** asked the Minister of Health, Social Services and Public Safety what steps he is taking to support the development of precision medicine.

**(AQW 44757/11-15)**

**Mr Wells:** Precision medicine is aimed at tailoring medical treatment to the individual characteristics of each patient, in contrast to a 'one size fits all' approach. It is expected to transform medicine in the coming decades, leading to more accurate diagnoses, more targeted treatments and better health outcomes.

Precision medicine is therefore of great significance, in both the immediate and long term, to the health and competitiveness of the global medical and life sciences sectors. Through its demonstrable track record of regional, national and global collaboration between industry, clinicians and academia, coupled with resident expertise and unique research data stores. Northern Ireland is exceptionally positioned to develop and leverage the significant opportunities precision medicine presents.

There has already been significant investment in the sphere of personalised medicine in Northern Ireland, and it features strongly in the recent MATRIX Life and Health Sciences Foresight Report as a key sectoral strength. A number of our indigenous companies are recognised leaders in precision medicine, as are both Northern Ireland universities, while our integrated health and social care system is seen as giving us a unique advantage within the UK in terms of health and care research. Some notable areas where our significant capability is reflected include the Centres of Excellence for Cancer Research and Cell Biology, Infection and Immunity and Experimental Medicine at Queen's University; and for Stratified Medicine and Biomedical Sciences Research at the University of Ulster.

In recognition of these strengths and opportunities the Minister for Enterprise Trade and Investment, Arlene Foster, and I have led a bid for Northern Ireland to host the UK Precision Medicine Catapult. Catapults are technology and innovation centres which are designed to accelerate and simplify the path from research to commercial products in a range of industries. We understand that Northern Ireland is one of the regions shortlisted to host the centre, which could potentially lead to an investment in the region of approximately £50m and the creation of 150 jobs. A decision on the location of the Catapult is expected to be announced after the General Election.

Also in the realm of personalised medicine, my Department is participating in a bid for Northern Ireland to become one of the UK's 11 Genomic Medicine Centres (GMCs) within the terms of the 100,000 Genomes project being led by Genomics England. The project is aiming to create a unique legacy for patients by collecting and decoding 100,000 human genomes by 2017, with a view to increasing understanding of certain medical conditions, transforming the prediction and prevention of disease and facilitating the personalisation of treatments to genetic variants. A GMC for Northern Ireland would allow our researchers and clinicians to be at the forefront of medical innovation, while also bringing better treatments to patients with cancers and rare diseases.

**Mr B McCrea** asked the Minister of Health, Social Services and Public Safety to detail the ratio of the minimum number of staff per hospital bed in each Health and Social Care Trust.

**(AQW 44758/11-15)**

**Mr Wells:** The policy direction in Northern Ireland for Nurse to Bed Ratios is within Delivering Care: Nurse Staffing Levels in Northern Ireland agreed by my predecessor Mr Edwin Poots.

Delivering Care advocates a range as opposed to a minimum level. The range varies from 1.25 nurses per bed to 1.8 nurses per bed depending on specialism, acuity and dependency. All Trusts are working towards achieving 1.3 nurses per bed in general medical wards and 1.25 nurses per bed in general surgical wards. In addition each Ward should ensure 100% of a Ward Sister/Charge Nurse's time is allocated to fulfilling their ward leadership responsibilities; supervise clinical care; oversee and maintain nursing care standards; teach clinical practice and procedures; be a role model for good professional practice and behaviours; oversee the ward environment and assume high visibility as a nurse leader for the ward.

The HSCB has allocated £12million to implement Delivering Care within general and specialist Medical and Surgical wards.

**Mr Campbell** asked the Minister of Health, Social Services and Public Safety what plans he has to recognise Parkinson's Awareness Week 2015.

**(AQW 44761/11-15)**

**Mr Wells:** I am aware of the significant impact that Parkinson's disease can have on those affected by the disease, as well as their families and carers. I welcome Parkinson's Awareness Week 2015 which will help in raising public awareness and understanding of this condition.

I have recently accepted an invitation to meet with representatives of Parkinson's UK to discuss a range of issues concerning those affected by Parkinson's Disease in Northern Ireland.

**Mr Dallat** asked the Minister of Health, Social Services and Public Safety what steps he has taken to ensure that all candidates applying for positions on the Board of Northern Ireland Fire and Rescue Service (NIFRS), who have previous been in the employment of NIFRS, address any experiences that could influence their suitability for positions on the Board.

**(AQW 44766/11-15)**

**Mr Wells:** In keeping with the Code of Practice issued by the Commissioner for Public Appointments for Northern Ireland previous employment does not form part of the Public Appointment process, therefore, this information is not sought from the applicant or discussed at interview. However, applicants are asked to identify on their application form their current employment, any real or perceived conflicts, potential probity issues and to confirm that they are able to meet the time commitment. These issues are explored further at interview.

My Department is committed to an appointment process which is open, fair, transparent and equitable to all and which complies fully with the Code of Practice issued by the Commissioner for Public Appointments for Northern Ireland (the Commissioner).

**Mr McGimpsey** asked the Minister of Health, Social Services and Public Safety to list the dates that the Ministerial Co-ordination Group on Suicide Prevention has met.

**(AQW 44770/11-15)**

**Mr Wells:** The Ministerial Co-ordination Group on Suicide Prevention has met on eleven occasions: 26 June 2007, 5 July 2007, 16 October 2007, 23 June 2008, 20 January 2011, 28 June 2012, 31 January 2013, 18 September 2013, 26 March 2014, 4 September 2014 and 16 April 2015.

**Mr Gardiner** asked the Minister of Health, Social Services and Public Safety to detail the attendance times of the Northern Ireland Fire and Rescue Service in each of the last five years; and for his assessment of how they will be affected by the budget reductions in 2015/16.

**(AQW 44773/11-15)**

**Mr Wells:** The table below details the Northern Ireland Fire and Rescue Service (NIFRS) attendance times\* in each of the last 5 years:

Year	First Appliance			Second Appliance		
	High Risk 6 mins	Med Risk 12 mins	Low Risk 21 mins	High Risk 9 mins	Med Risk 15 mins	Low Risk 24 mins
2010/11	75%	92%	93%	73%	84%	84%
2011/12	77%	87%	88%	72%	79%	85%
2012/13	76%	86%	94%	71%	78%	85%
2013/14	61%	81%	88%	60%	72%	84%

Year	First Appliance			Second Appliance		
	High Risk 6 mins	Med Risk 12 mins	Low Risk 21 mins	High Risk 9 mins	Med Risk 15 mins	Low Risk 24 mins
2014/15	59%	78%	84%	60%	70%	82%

\* subject to data cleansing exercise.

NIFRS has been asked to develop savings plans to meet a 5.5% reduction to its 2015/16 budget. Savings proposals must be prioritised based on those that minimise the impact on service delivery while ensuring the continued safety of the public and the firefighters who deliver the service.

Prior to being notified of its 2015/16 budget allocation, NIFRS had identified that the current Emergency Response Standards (ERS) for NI, introduced in 2006 and based solely on "Dwelling Risk Assessment", require updating to reflect the risk data and information now available. NIFRS has drafted a revised set of ERS which will be subject to public consultation in the coming weeks.

**Mr Gardiner** asked the Minister of Health, Social Services and Public Safety to detail the capital budget for the Northern Ireland Fire and Rescue Service; and for his assessment of the current pressures.

**(AQW 44774/11-15)**

**Mr Wells:** I have agreed a capital budget of £3,437,190 for the Northern Ireland Fire and Rescue Service (NIFRS) for 2015/16. This allocation will help address a number of NIFRS capital priorities, such as premises' replacement and refurbishment works; ICT upgrading and continued investment in the NIFRS fleet.

Current constraints on my capital budget mean that there is a shortfall of need of £30m between identified need and available funding. My ability to fund capital investment projects across all parts of DHSSPS is therefore severely restricted. The NIFRS allocation will be less than they would have wished for but is considered manageable.

**Mr Easton** asked the Minister of Health, Social Services and Public Safety what services are available in the South Eastern Health and Social Care Trust to help people deal with addiction to legal highs.

**(AQW 44794/11-15)**

**Mr Wells:** Under the New Strategic Direction for Alcohol and Drugs Phase 2, a range of alcohol and drug education, early intervention, and treatment and support services are commissioned from a number of providers by the HSC in the South Eastern Health and Social Care Trust (SEHSCT) area – details of these services are provided at the following link: [http://www.publichealth.hscni.net/sites/default/files/DrugsAlcohol\\_Directory\\_SouthEastern\\_12\\_12.pdf](http://www.publichealth.hscni.net/sites/default/files/DrugsAlcohol_Directory_SouthEastern_12_12.pdf). While these services are not specifically focused on New Psychoactive Substances, they should all be able to provide appropriate advice, guidance and treatment for those who have issue with these substances.

In respect of the funding for FASA:

- In 2014/15, the SEHSCT contracted with FASA to provide an Alcohol Information and Education Service at an annual cost of £46,292.
- In addition, the Public Health Agency currently provides funding to FASA for the delivery of a One Stop Shop service in the Bangor/Ards area. The service provides an information, support and sign posting service for young people and their families in relation to substance misuse and wider issues including mental health, sexual health, employment etc. Funding is £130,000 per annum.

**Mr Easton** asked the Minister of Health, Social Services and Public Safety what funding the South Eastern Health and Social Care Trust provides to Forum For Action on Substance Abuse in Bangor to assist with programmes that address drug addiction.

**(AQW 44795/11-15)**

**Mr Wells:** Under the New Strategic Direction for Alcohol and Drugs Phase 2, a range of alcohol and drug education, early intervention, and treatment and support services are commissioned from a number of providers by the HSC in the South Eastern Health and Social Care Trust (SEHSCT) area – details of these services are provided at the following link: [http://www.publichealth.hscni.net/sites/default/files/DrugsAlcohol\\_Directory\\_SouthEastern\\_12\\_12.pdf](http://www.publichealth.hscni.net/sites/default/files/DrugsAlcohol_Directory_SouthEastern_12_12.pdf). While these services are not specifically focused on New Psychoactive Substances, they should all be able to provide appropriate advice, guidance and treatment for those who have issue with these substances.

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**Mr Easton** asked the Minister of Health, Social Services and Public Safety to detail the cost to the South Eastern Health and Social Care Trust of dealing with people with drug addictions, in the last financial year.

**(AQW 44796/11-15)**

**Mr Wells:** The South Eastern Health and Social Care Trust (SEHSCT) provides a range of interventions for those who are dependent on alcohol or/and other drugs. The service sits within the Mental Health programme of care and is multidisciplinary in nature, comprising of doctors, nurses and social workers across a range of services. The costs for these services in 2014/15 were in excess of £1.7m, broken down as follows:

Service	Provider	Cost
Trust Tier 2, 3 and 4 Services	SEHSCT	£1,384,949.00
Services which compliment Trust's own services	ASCERT & Dunlewey Substance Advice	£114,000
"Alcohol and You"	Addictions NI	£63,664
	FASA	£46,292
	ASCERT (Family Intervention Service)	£76,800
	ASCERT (Drop in Service )	£46,324
<b>Total cost</b>		<b>£1,732,029</b>

Other alcohol and drug services are also funded in the area by the Public Health Agency.

**Mr Easton** asked the Minister of Health, Social Services and Public Safety what his Department is doing to help protect the budget of the Northern Ireland Fire and Rescue Service in North Down.

**(AQW 44797/11-15)**

**Mr Wells:** The Northern Ireland Fire and Rescue Service (NIFRS) has been asked to finalise its efficiency plans for 2015/16. Discussions between Department officials and NIFRS senior team regarding the savings proposals is ongoing

NIFRS savings proposals must be prioritised on the basis of those that minimise the impact on service delivery. Any changes to service delivery must ensure the continued safety of both the public and the firefighters who deliver the service

NIFRS will consider the requirement for Public Consultation in any potential changes to service delivery.

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety to outline the process in place, including the timeframe, whereby his Department will publish the outcomes of the consultation into the Individual Funding Request process for access to specialised medicines.

**(AQW 44802/11-15)**

**Mr Wells:** The period of public consultation on the recommendations of the evaluation of the Individual Funding Request process ends on the 8 May 2015. When the public consultation is completed, the responses will be carefully and objectively analyzed by officials who will produce a submission for my consideration. Analysis can often be complex and time consuming; however, that process will be completed as quickly as possible.

An account of the views expressed and the reasons for any decisions made in the light of the consultation process will be made public promptly, subject to respondents' requests for confidentiality.

**Mr Eastwood** asked the Minister of Health, Social Services and Public Safety to detail the capital infrastructure projects financed by Private Finance Initiative in Foyle in 2013/14; and the cost of each project.

**(AQW 44803/11-15)**

**Mr Wells:** No new PFI projects were undertaken within the Foyle Area during 2013/14.

There is only one existing project. The Western Health and Social Care Trust made a unitary charge payment of £2,114,040 in 2013/14 for the PPP/PFI Altnagelvin Laboratory and Pharmacy Services Centre. This project was completed as a PFI in 2007, and the annual unitary charge payment is part of the 25 year concession on that project.

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety to outline the rationale for merging mental health and suicide prevention into the new Protect Life 2 strategy.

**(AQW 44807/11-15)**

**Mr Wells:** The decision to merge mental health promotion and suicide prevention within a single strategy was informed by a review of international evidence and best practice, and by feedback from engagement with key stakeholders in the suicide prevention field. The majority of participants in the strategy development workshops held in 2014 considered that efforts to prevent suicide and to build positive mental health were complementary, and they wished to see these approaches linked within a single strategy.

The World Health Organisation advises that national strategy for suicide prevention should include policies relating to mental health promotion. This means the inclusion of early interventions that promote stronger psychological resilience in population groups that have greater vulnerability to suicide risk.

**Mr Flanagan** asked the Minister of Health, Social Services and Public Safety to outline the estimated additional costs, through increased transportation requirements, as a result of the proposed changes to day centres in Fermanagh. (AQW 44819/11-15)

**Mr Wells:** The Western Trust has advised my Department that if their proposals on changes to day care services for older people are implemented, day care centres that remain at Level 1 will not be affected by any increased transport costs. For day care centres classified as Level 2, contracting arrangements for transport costs will need to be reviewed. It is not possible to estimate this cost in advance of the review.

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety for an update on the current provision of a consultant neurologist with a multiple sclerosis specialism, within the Northern Health and Social Care Trust; and whether any permanent positions will be filled in the near future. (AQW 44922/11-15)

**Mr Wells:** Recruitment matters are the responsibility of HSC employers. The Northern Health and Social Care Trust (NHSCT) reports that a general neurology service for NHSCT Trust residents is provided by a Northern Trust consultant and Belfast Trust visiting consultants.

The Trust advises over the past year due to staffing issues there has been a reduced Belfast Trust visiting consultant service available. However, Belfast Trust management has informed NHSCT that it is actively seeking to recruit to two permanent neurology consultant positions.

In the meantime the Belfast Trust has employed a locum consultant neurologist with a specialist interest in multiple sclerosis who will be providing general neurology clinics in the Northern Trust for patients with a range of neurology conditions including multiple sclerosis.

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety to detail the action his Department plans to take in light of a significant increase in drug related deaths caused by legal highs. (AQW 44923/11-15)

**Mr Wells:** Information shows that drug related deaths have increased from 102 in 2011 to a provisional 115 in 2013 (the last year for which figures are available). It is difficult to determine if New Psychoactive Substances (we do not use the term "Legal High" as it is misleading) are having a direct impact on this increase. In many of these tragic incidents poly-drug misuse (including prescription drug misuse, alcohol, New Psychoactive Substances, and illegal drugs) and bingeing seems to be a risk factor. That is not to underplay the risks associated with New Psychoactive Substances; I believe every drug related death is a tragedy that we need to work across Government and across sectors to try to prevent.

The Executive's strategy to prevent and address the harm related to substance misuse, the New Strategic Direction for Alcohol and Drugs Phase 2, specifically recognises New Psychoactive Substances as an emerging issue. It should be noted that £8 million is allocated each year to the implementation of the NSD Phase 2 and a further £8 million is allocated to alcohol and drug treatment and support services through the mental health budget.

A key focus of activity has been on restricting supply. As you will be aware legislation in this area is reserved to the UK Government. It is worth noting that in recent years almost 500 of these chemicals have been classified and banned under the UK-wide Misuse of Drugs Act 1971. However, new substances continue to emerge. Following lobbying from this Department, and other sources, the Home Office established an Expert Panel to look at the UK's legislative response to the issue. Its main recommendation was that the UK Government brings forward legislation to undertake a general ban on the sale of psychoactive substances. The Home Office are currently working with us and the other devolved administrations to develop appropriate proposals. I support these developments and hope this legislation can be brought forward early in the life of the new UK Government.

I also welcome the recent action taken by Belfast City Council to address the sale of New Psychoactive Substances (NPS) under the General Product Safety Regulations.

My Department has led the establishment of the Drug and Alcohol Monitoring and Information System (DAMIS) to identify new substances or trends at an early stage and provide appropriate advice to health professionals, teachers, those working in criminal justice, drug and/or alcohol users, the general public, and community and voluntary organisations. This system also feeds into the Home Office and the Advisory Council on the Misuse of Drugs.

Raising awareness is important, and we have to be clear that people should not take any substance that hasn't been prescribed for them. However, we need to be careful in putting out messages about specific drugs. The evidence shows that public information campaigns on drug misuse are at best ineffective, and at worst can actually encourage experimentation and use. We therefore try to ensure we put out targeted information to those at risk.

Finally, we commission and provide a range of treatment and support services. The full list of services is available on the PHA website at the following link: <http://www.publichealth.hscni.net/publications/drug-and-alcohol-directories-services>. It

should be noted that while these substances are new, they often mimic existing drugs and therefore treatment services should be able to deal with those presenting under existing treatment models. The PHA is working to develop the alcohol and drug misuse workforce, including rolling out training on NPS and other substances.

**Mr Ramsey** asked the Minister of Health, Social Services and Public Safety how many people in Foyle are in receipt of direct payments as a result of caring for a person with a disability.  
(AQW 44927/11-15)

**Mr Wells:** The information requested is not available. However, figures on the number of direct payments in effect at 31 March 2015 by Programme of Care (POC) for the Western Health and Social Care (HSC) Trust is available and can be found in Table 1 below.

**Table 1. Number of Direct Payments in Effect in the Western HSC Trust at 31 March 2015 by Programme of Care.**

POC	Direct Payments in Effect
Carers	5
Elderly	147
Learning Disability	143
Mental Health	8
Physical Disability	111
<b>Total</b>	<b>414</b>

**Source:** CC8 Community Information Return

**Mr Gardiner** asked the Minister of Health, Social Services and Public Safety for an update on the non-admission policies to statutory residential care homes.  
(AQW 44942/11-15)

**Mr Wells:** All Health and Social Care Trusts have completed their evaluation of the future role and functions of their statutory residential care homes against the regional criteria agreed by the Health and Social Care Board (HSCB) in June 2014, following an extensive consultation process. In line with the regional process, all Health and Social Care Trusts have submitted their proposals to the HSCB. The Department is now working with the HSCB to consider how these proposals should be brought forward for consultation. It remains the case that Trusts' current policy on permanent admissions to homes under review will be maintained pending the outcome of the review.

**Mr Clarke** asked the Minister of Health, Social Services and Public Safety what is the target waiting time for the ENT Clinic in each Health and Social Care Trust.  
(AQW 45004/11-15)

**Mr Wells:** The 2015/16 Ministerial target for outpatient waiting times states that, from April 2015, at least 60% of patients should wait no longer than 9 weeks for a first outpatient appointment, and no patient should wait longer than 18 weeks.

**Mr McGlone** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 44643/11-15, in light of major deficiencies in this practice, including staff members not getting paid on the due date, what urgent measures will be taken to rectify this situation.  
(AQW 45009/11-15)

**Mr Wells:** Business Services Organisation (BSO) has advised that there have been a number of payroll problems impacting on a specific group of staff in the Cookstown area who are managed through the Northern Health and Social Care Trust's (NHST) Domiciliary Care Management System (SOSCARE).

To eliminate further issues, the following measures have been put in place:

- a. Payroll Shared Services Centre (PSSC) will monitor payments to this group of staff for the next 3 months, which will include a full review of every line submitted in staff timesheets.
- b. A checklist is in place with sign-off required by Payroll at each stage to ensure no further errors in the conversion from the Domiciliary Care Management System (SOSCARE) to the regional payroll system (HRPTS) occurs. This checklist will be provided to BSO Senior Management on the Tuesday morning prior to payday, along with reports detailing payments to all Domiciliary Care staff in the Cookstown area.
- c. A change to the upload mechanism within HRPTS has been requested so that more information is provided to Payroll staff in order to improve their ability to cross reference and check that the information from SOSCARE has successfully transferred to HRPTS.

- d Payroll Shared Services and NHSCT HR will meet with representatives of the affected staff the week commencing 27th April to address all issues raised and agree communication and escalation processes.

**Mr Attwood** asked the Minister of Health, Social Services and Public Safety how many people in (i) Northern Ireland; and (ii) west Belfast are in receipt of direct payments as a result of caring for a person with a disability.

**(AQW 45086/11-15)**

**Mr Wells:** The information requested is not available. However, figures on the number of direct payments in effect at 31 March 2015 by Programme of Care (POC) for Northern Ireland and the Belfast Health and Social Care (HSC) Trust is available and can be found in Table 1 below.

**Table 1. Number of Direct Payments in Effect in Northern Ireland and the Belfast HSC Trust at 31 March 2015 by Programme of Care.**

POC	Direct Payments in Effect	
	Belfast HSC Trust	Northern Ireland
Carers	11	16
Elderly	111	761
Learning Disability	160	912
Mental Health	30	115
Physical Disability	201	857
<b>Total</b>	<b>513</b>	<b>2,661</b>

**Source:** CC8 Community Information Return

## Department of Justice

**Mr Weir** asked the Minister of Justice to outline the (i) action taken; and (ii) future plans to tackle the smuggling and misuse of illicit and prescribed drugs in prisons.

**(AQW 44373/11-15)**

**Mr Ford (The Minister of Justice):** Measures are in place to combat the smuggling of drugs into prison and to reduce their use. The measures include education on the dangers of drug use, searching, drug testing and support for those with addictions. Joint operations with the PSNI regularly target those attempting to bring drugs into prisons. There are sanctions available for those prisoners found to be abusing drugs, and visitors may be banned from future visits by the Governor if they have been found attempting to smuggle illicit items. Such cases are also reported to PSNI.

In relation to prescribed medicines, the South Eastern Health and Social Care Trust assess all prisoners for their suitability to hold medication; those considered at risk will be subject to supervised swallow arrangements. Lockable steel cabinets are in place for the storage of medication by those assessed suitable for in-possession use.

A joint review of substance misuse is currently underway with the SEHSCT.

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 44166/11-15 and AQW 44262/11-15, which agencies under his departmental remit meets some or all of the costs in these instances.

**(AQW 44385/11-15)**

**Mr Ford:** A number of offenders under Probation Board for Northern Ireland (PBNI) supervision in the community reside in hostels designated as approved premises. Residents are required to pay a service charge during their stay to cover costs such as lighting, heating and food in those premises where this is provided.

In exceptional circumstances, where an individual is not entitled to benefits and the assessed risk to the public is such that only approved premises are deemed adequate, then PBNI may cover the costs for that individual where they do not have the resources to pay themselves.

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 43915/11-15, which arm's-length bodies supply funding or in-kind support to the (i) Law Society; and (ii) Bar Council, including how much has been provided in each instance over the last three financial years.

**(AQW 44536/11-15)**

**Mr Ford:** No arm's-length body of the Department of Justice supplied funding or in-kind support to the Law Society or the Bar Council in each of the last three financial years.

**Lord Morrow** asked the Minister of Justice, pursuant AQW 43847/11-15, why only one court house has a specific youth cell; and whether there is a particular reason why the court house in question has this facility.

**(AQW 44537/11-15)**

**Mr Ford:** There are no designated or material differences between court custody cells for youths and those for adults, however at all venues it is necessary to ensure that children in custody are held separately from adults.

In relation to Lisburn courthouse, the reference to a youth cell was because of its proximity or accessibility to the youth courtroom.

**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 at the date of answer.

**(AQW 44549/11-15)**

**Mr Ford:**

- (i) One order has 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 this order was made cannot be provided without a risk of contravening the terms of the order.
- (iii) The order is extant.
- (iv) The order has not been discharged.
- (v) Of the orders made since 2006 four remain extant. Information prior to 2006 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.

**Mr B McCrea** asked the Minister of Justice what steps he is taking to ban legal highs.

**(AQW 44574/11-15)**

**Mr Ford:** Legal highs, or New Psychoactive Substances, mimic the effects of drugs already controlled under the Misuse of Drugs Act.

The power to amend this legislation is reserved and lies with Westminster. Whilst this is the case, my Department continues to work with the PSNI, DHSSPS and local councils to highlight the dangers associated with the misuse of these and other harmful substances. For example, Environmental Health Officers have used consumer legislation to successfully prosecute retailers of these substances and I have long supported action to end the sale and distribution of these harmful substances.

In October 2014, the Home Office published the response to the Expert Panel Report on New Psychoactive Substances and I understand that they are currently exploring how a general prohibition can be framed in new legislation. I have continued to press Home Office Ministers to act on tackling this legislative deficiency. My Department will continue to engage with the Home Office as they work to bring forward, as soon as is practicable, legislative proposals for change that will be effective in tackling these substances.

**Lord Morrow** asked the Minister of Justice for an outline of his Department's draft proposals for the abolition of Preliminary Investigations/Mixed Committals within the forthcoming Justice Bill.

**(AQW 44578/11-15)**

**Mr Ford:** The proposals in the Justice Bill to abolish preliminary investigations and mixed committals will mean that future committal hearings in the magistrates' courts will be by way of preliminary inquiry, and it will no longer be possible to require witnesses at preliminary inquiries to give oral evidence.

The Bill also proposes the direct committal, without holding a preliminary inquiry, of an accused person and any co-defendants to the Crown Court in cases involving murder and manslaughter; and proposes the direct committal of other cases where a defendant indicates, in the magistrates' court, an intention to plead guilty at arraignment.

As well as streamlining procedures, these reforms will principally help to improve the experience of vulnerable victims and witnesses, particularly as the practice of giving oral evidence and cross-examination at committal can add unnecessary stress and anxiety, in advance of the trial.

**Lord Morrow** asked the Minister of Justice to detail the number of deaths in custody per prison facility in each of the last three years to date; and of these, for a breakdown of which were recorded as death by suicide.

**(AQW 44579/11-15)**

**Mr Ford:** The information requested is presented in the table below:



	2012-13	2013-14	2014-15
Maghaberry	6	3	2
Magilligan	2	0	1
Hydebank Wood	0	1	0

The Coroners Service for Northern Ireland is responsible for establishing cause of death. To date one inquest has been completed with a finding that the individual committed suicide.

**Lord Morrow** asked the Minister of Justice, pursuant to AQW44261/11-15 to provide a breakdown for the figures provided on how many cases (i) progressed to trial on all charges; (ii) did not progress to trial on any charges; (iii) progressed to trial on some but not all charges.

**(AQW 44580/11-15)**

**Mr Ford:** Information on the number of defendants involved in Mixed Committals and Preliminary Investigations during 2014/15 that were (i) committed and (ii) not committed to the Crown Court is outlined in the table below. Identification of the charge information requested would incur a disproportionate cost.

**Mixed Committals and Preliminary Investigations<sup>1</sup> at the Magistrates' Court during 2014/15<sup>2</sup>**

Court Division	No. of defendants involved in Mixed Committals and PIs		No. of defendants involved in Mixed Committals and PIs that were funded by Legal Aid			
	Committed to Crown Court	Not Committed to Crown Court	Solicitor only		Solicitor and Counsel	
			Committed to Crown Court	Not Committed to Crown Court	Committed to Crown Court	Not Committed to Crown Court
Belfast	24	15	10	10	14	3
Londonderry	0	0	0	0	0	0
Antrim	0	0	0	0	0	0
Fermanagh and Tyrone	8	1	3	1	4	0
Armagh and South Down	7	0	2	0	1	0
Ards	7	0	2	0	5	0
Craigavon	10	2	5	0	5	2
<b>Total</b>	<b>56</b>	<b>18</b>	<b>22</b>	<b>11</b>	<b>29</b>	<b>5</b>

**Source:** Integrated Court Operations System (ICOS)

P Data are currently provisional and may be subject to change.

1 Relates to defendants listed into court with a hearing type of either 'Mixed Committal' or 'Preliminary Investigation' where the sitting was confirmed.

2 Relate to the period April 2014 to February 2015.

**Mr Easton** asked the Minister of Justice how many public inquiries his Department has taken part in over the last four financial years; and at what cost.

**(AQW 44616/11-15)**

**Mr Ford:** My Department, including its agencies but not its arm's-length bodies, has taken part in two public inquiries over the last four financial years. The cost per public inquiry is outlined in the table below:

Financial Year	Historical Institutional Abuse <sup>1</sup> £s	Hyponatraemia related Deaths <sup>2</sup> £s	Total £s
2011-12	0	0	0
2012-13	0	0	0
2013-14	9,685	3,751	13,436

Financial Year	Historical Institutional Abuse <sup>1</sup> £s	Hyponatraemia related Deaths <sup>2</sup> £s	Total £s
2014-15	8,995	0	8,995

- 1 Since March 2013, my Department has supplied material and support to the Historical Institutional Abuse Inquiry set up by the Office of the First Minister and Deputy First Minister. Expenditure includes legal counsel and travel costs. Departmental salaries and other administrative costs have been excluded. Further engagement with the Inquiry is due to take place in late 2015.
- 2 In June 2013, Coroner's Office staff took part in the Inquiry into Hyponatraemia related deaths set up by the Department of Health, Social Services and Public Safety. Expenditure includes legal counsel and travel costs. Coroner's Office salary costs have been excluded.

**Lord Morrow** asked the Minister of Justice, based on the number of Fine Default Reviews currently under summons and within the court system, for the total estimated cost in legal aid for solicitor only defence; and the estimated cost in each court division.

**(AQW 44650/11-15)**

**Mr Ford:** It is not possible for the Legal Services Agency Northern Ireland to estimate the total Legal Aid cost of the 3,976 cases currently under summons and within the court system until the outcome of each of these cases is known.

Based on the minimum fees payable under the Magistrates Court and County Court Appeals (Criminal Legal Aid) (Costs) Rules (Northern Ireland) and the Legal Aid for Crown Court Proceedings (Costs) Rules (Northern Ireland) 2005, the estimate of the minimum amount payable is £300,100.

The breakdown of the estimate for each of the Court Divisions is as follows:

Court Division\Court Tier	Crown Court	Magistrates Court
Antrim	791.00	23,550.00
Ards	678.00	20,625.00
Armagh And South Down	339.00	40,800.00
Belfast	3,051.00	81,300.00
Craigavon	0	52,950.00
Fermanagh And Tyrone	791.00	46,800.00
Londonderry	0	28,425.00
<b>Grand Total</b>	<b>5,650.00</b>	<b>294,450.00</b>

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 44261/11-15, to detail the total paid in legal aid; and in each court division.

**(AQW 44651/11-15)**

**Mr Ford:** The total Legal Aid fees paid to date in respect of the cases which were the subject of AQW 44261/11-15 is £510,120.50 (inclusive of VAT of £77,644.48 and disbursements of £19,424.43).

The total paid for each court division is detailed in the table below:

Court Division	Total
Belfast	£96,990.38
Ards	£0.00
Craigavon	£42,870.83
Fermanagh and Tyrone	£309,971.16
Armagh and South Down	£60,288.13
<b>Total</b>	<b>£510,120.50</b>

**Mr Allister** asked the Minister of Justice how many consultation responses were received in support of the proposed changes in abortion legislation.

**(AQW 44674/11-15)**

**Mr Ford:** The information requested is contained in 'The Criminal Law on Abortion: Lethal Fetal Abnormality and Sexual Crime. Response to the Consultation and Policy Proposals' published on 16 April 2015. The document is available on the Department of Justice website:

<http://www.dojni.gov.uk/index/public-consultations/archive-consultations/consultation-on-abortion-2014.htm>.

For ease of reference, the information on responses received by the Department to the consultation is as follows:

- 47 responses from representative organisations and 133 individually written responses supported change to the criminal law on abortion;
- 18 responses from representative organisations and 579 individually written responses opposed change;
- 921 letters written in support of seven lobby campaigns opposed change;
- 23,622 signatures to a petition opposed change;
- Sinn Féin, the Green Party, the Workers Party, the Progressive Unionist Party, the Labour Party of Northern Ireland and the Socialist Party supported change;
- The SDLP and TUV opposed change.

**Mr Allister** asked the Minister of Justice how many consultation responses were received which were opposed to the proposed changes in abortion legislation.

**(AQW 44675/11-15)**

**Mr Ford:** The information requested is contained in 'The Criminal Law on Abortion: Lethal Fetal Abnormality and Sexual Crime. Response to the Consultation and Policy Proposals' published on 16 April 2015. The document is available on the Department of Justice website:

<http://www.dojni.gov.uk/index/public-consultations/archive-consultations/consultation-on-abortion-2014.htm>.

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- 921 letters written in support of seven lobby campaigns opposed change;
- 23,622 signatures to a petition opposed change;
- Sinn Féin, the Green Party, the Workers Party, the Progressive Unionist Party, the Labour Party of Northern Ireland and the Socialist Party supported change;
- The SDLP and TUV opposed change.

**Mr Allister** asked the Minister of Justice to list the political parties which expressed support for the proposed changes in abortion legislation.

**(AQW 44678/11-15)**

**Mr Ford:** The information requested is contained in 'The Criminal Law on Abortion: Lethal Fetal Abnormality and Sexual Crime. Response to the Consultation and Policy Proposals' published on 16 April 2015. The document is available on the Department of Justice website:

<http://www.dojni.gov.uk/index/public-consultations/archive-consultations/consultation-on-abortion-2014.htm>.

For ease of reference, the information on responses received by the Department to the consultation is as follows:

- 47 responses from representative organisations and 133 individually written responses supported change to the criminal law on abortion;
- 18 responses from representative organisations and 579 individually written responses opposed change;
- 921 letters written in support of seven lobby campaigns opposed change;
- 23,622 signatures to a petition opposed change;
- Sinn Féin, the Green Party, the Workers Party, the Progressive Unionist Party, the Labour Party of Northern Ireland and the Socialist Party supported change;
- The SDLP and TUV opposed change.

**Mr Allister** asked the Minister of Justice to list the political parties which expressed opposition to the proposed changes in abortion legislation.

**(AQW 44680/11-15)**

**Mr Ford:** The information requested is contained in 'The Criminal Law on Abortion: Lethal Fetal Abnormality and Sexual Crime. Response to the Consultation and Policy Proposals' published on 16 April 2015. The document is available on the Department of Justice website:

<http://www.dojni.gov.uk/index/public-consultations/archive-consultations/consultation-on-abortion-2014.htm>.

For ease of reference, the information on responses received by the Department to the consultation is as follows:

- 47 responses from representative organisations and 133 individually written responses supported change to the criminal law on abortion;
- 18 responses from representative organisations and 579 individually written responses opposed change;
- 921 letters written in support of seven lobby campaigns opposed change:
- 23,622 signatures to a petition opposed change;
- Sinn Féin, the Green Party, the Workers Party, the Progressive Unionist Party, the Labour Party of Northern Ireland and the Socialist Party supported change;
- The SDLP and TUV opposed change.

**Lord Morrow** asked the Minister of Justice whether there are any charges within the court system, or pending, in relation to the recall to Maghaberry Prison of Richard O'Hara.

**(AQW 44714/11-15)**

**Mr Ford:** At 21 April 2015 there were no charges within the court system.

The Department of Justice does not hold information on any charges that may be pending. The decision whether to prosecute is taken by the Public Prosecution Service (PPS). I am committed to respecting the independence of the PPS. You may therefore wish to direct your question to the Director of Public Prosecutions.

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 44261/11-15, how many law firms do these figures represent (i) overall; and (ii) by court division.

**(AQW 44721/11-15)**

**Mr Ford:** The 74 defendants involved in a mixed committal or preliminary investigation during the period 01 April 2014 to 28 February were represented by a total of 29 law firms.

The number of law firms representing defendants in each court division is outlined in the table below.

**No. of legal firms<sup>1</sup> representing defendants that were involved in Mixed Committals and Preliminary Investigations at the Magistrates' Court during 2014/15<sup>P,2</sup>**

Court Division	No. of defendants involved in Mixed Committals and Preliminary Investigations	No. of firms representing defendants involved	No. of defendants funded by Legal Aid	No. of firms representing defendants funded by Legal Aid	No. of firms representing defendants funded by Legal Aid	
					Solicitor only	Solicitor and Counsel
Belfast	39	15	37	15	9	9
Londonderry	0	0	0	0	0	0
Antrim	0	0	0	0	0	0
Fermanagh and Tyrone	9	8	8	8	4	4
Armagh and South Down	7	4	3	3	2	1
Ards	7	4	7	4	2	2
Craigavon	12	9	12	9	4	5

**Source:** Integrated Court Operations System;

P Data are currently provisional and may be subject to change;

1 Figures will include the same law firm representing defendants in multiple court divisions i.e. the same law firm representing a defendant in two different court divisions will be counted twice in this table;

2 Relate to the period April 2014 to February 2015.

**Mr Easton** asked the Minister of Justice to outline the legal position on the sale of legal highs.

**(AQW 44722/11-15)**

**Mr Ford:** It should be noted that the Misuse of Drugs Act 1971, which is the primary legislation, is a matter reserved for Westminster and the NI Assembly has no powers in this area.

Under this 1971 Act Temporary Class Drugs Orders provide an early temporary response for supply offences but the sophistication of these substances produces many operational difficulties for the police, the scientists and the legislators.

Many of these products are often sold, under various brand names and chemical compositions, as bath salts or plant food. As they chemically fall into neither of these categories, trades description legislation applies. You may be aware that utilising the 2005 General Product Safety Regulations, Belfast City Council successfully prosecuted a number of individuals who faced charges of supplying a dangerous product, namely new psychoactive substances, from a city centre shop. I understand that under the terms of the court order they are prohibited from selling these substances anywhere in Northern Ireland. Sentencing is to follow.

In October 2014, the Home Office published the response to the Expert Panel Report on New Psychoactive Substances, which recommended that further consideration is given to adopting the legislative approach implemented by the ROI. The aim is to frame new legislation and to ensure that it is robust.

I have been pressing Home Office Ministers to act to address this recommendation and my Department will continue to engage with the Home Office as they work to bring forward, as soon as is practicable, robust legislative proposals for change that will be effective in tackling these substances.

**Mr Easton** asked the Minister of Justice how many people have been (i) prosecuted; and (ii) convicted for selling proscribed narcotics in each of the last three years.

**(AQW 44727/11-15)**

**Mr Ford:** Drugs offences may be prosecuted under the Misuse of Drugs Act 1971, the Medicines Act 1968, the Criminal Attempts and Conspiracy (Northern Ireland) Order 1983 and the Customs and Excise Management Act 1979. The most recent prosecutions and convictions data available relate to 2013.

Prosecutions and Convictions at courts in Northern Ireland for supplying drugs offences, 2011 - 2013

	2011	2012	2013
Prosecutions	65	73	90
Convictions	48	60	75

**Note:**

- 1 Data are collated on the principal offence rule; only the most serious offence for which an offender is prosecuted or convicted is included.
- 2 The figures provided relate to prosecutions and convictions for all classifications of the offences specified.

**Mr Easton** asked the Minister of Justice how many businesses have been found to be in breach of legislation relating to the sale of legal highs.

**(AQW 44728/11-15)**

**Mr Ford:** My Department does not hold this information. I understand that all court cases against premises selling new psychoactive substances have been taken forward by local Councils under the General Product Safety Regulations 2005.

**Mr Eastwood** asked the Minister of Justice to detail the capital infrastructure projects financed by Private Finance Initiative in Foyle in 2013/14; and the cost of each project.

**(AQW 44804/11-15)**

**Mr Ford:** The Department of Justice, including its agencies but not its arm's-length bodies, did not undertake any capital infrastructure projects financed by Private Finance Initiative in Foyle in the 2013-14 financial year.

**Mr Lynch** asked the Minister of Justice how many enquiries were completed by the Historical Enquiries Team; and how many of these enquiries led to arrests.

**(AQW 44813/11-15)**

**Mr Ford:** The management of the Historical Enquiries Team was a matter for the Chief Constable, who is accountable to the Northern Ireland Policing Board. 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.

**Mr Lynch** asked the Minister of Justice (i) how many people have been charged by the Historical Enquiries Team; (ii) how many were convicted; and (iii) to detail the charges faced.

**(AQW 44816/11-15)**

**Mr Ford:** The management of the Historical Enquiries Team was a matter for the Chief Constable, who is accountable to the Northern Ireland Policing Board. 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.

**Mr Lynch** asked the Minister of Justice to detail the total cost to date of the Historical Enquiries Team.  
(AQW 44818/11-15)

**Mr Ford:** The management of the Historical Enquiries Team was a matter for the Chief Constable, who is accountable to the Northern Ireland Policing Board. 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.

**Mr Allister** asked the Minister of Justice to set out the date, offence charged and outcome, including any penalty imposed, in respect of the 53 charges to which he referred in the fuel laundering debate on 20 April 2015.

(AQW 44825/11-15)

**Mr Ford:** This issue is a reserved matter which falls within the remit of HM Revenue and Customs. They have provided the table below which is of completed cases. The remaining cases are currently charged and awaiting trial. All offences are charged under Section 170 of the Customs and Excise Management Act 1979 which relates to fraudulent evasion of duty.

#### OILS Convictions

These figures are for all types of oils fraud not just fuel laundering plants

1/4/15 – 31/3/16		
Date	Defendant	Sentence
13/4/15	R Burton	4 months suspended 2 years
13/4/15	B Bell	6 months suspended 2 years
1/4/14 – 31/3/15		
Date	Defendant	Sentence
11/8/14	R Kinghan	£2000 fine
1/9/14	P Burns	Conditional discharge 2 years
6/10/14	J Ryan	£3500 fine
9/12/14	E McIlroy	3 months suspended 2 years
12/12/14	P O'Neill	12 months suspended 3 years
1/4/13 – 31/3/14		
Date	Defendant	Sentence
19/6/13	P Carr	18 months suspended 3 years + £98,000 Confiscation Order
18/4/13	B McGurgan	12 months suspended 3 years
14/3/14	D McCartan	2 months suspended 1 year
20/11/13	P White	£500 fine
18/10/13	J Cavanagh	£1000 fine
18/10/13	E Fearon	£4000 fine
21/2/14	K Grant	3 months suspended 1 year
18/11/13	M Fearon	£1000 fine
7/5/13	C Trainor	3 months suspended 3 years
1/4/12 – 31/3/13		
Date	Defendant	Sentence
1/5/12	J Mulligan	£400 fine + £500 compensation order
13/11/12	K Rice	£600 fine

15/11/12	L Donnelly	6 months suspended 12 months + £3000 fine
14/3/13	C Kelly	24 months suspended 3 years
25/10/12	K Shanley	11 months suspended 3 years
25/10/12	S Rice	11 months suspended 3 years
20/11/12	E McCrossan	6 months suspended 2 years
20/11/12	L Larkin	4 months suspended 2 years
<b>1/4/11- 31/3/12</b>		
<b>Date</b>	<b>Defendant</b>	<b>Sentence</b>
26/9/11	J Murnin	4 months suspended +£900 fine
26/9/11	P Hamilton	Bound over for 18 months
31/10/11	H Collins	£300 fine
31/10/11	P Callan	5 months suspended 3 years

**Lord Morrow** asked the Minister of Justice whether the legal aid fee for criminal defence representation is reduced if the prosecution offers no evidence at the commencement of a hearing, either at magistrates court contest or crown court trial. (AQW 44827/11-15)

**Mr Ford:** Under the relevant Rules, if the prosecution offers no evidence (or no further evidence) and the case is discontinued a contest fee is paid in respect of the Magistrates' Court proceedings and a basic trial fee is paid in respect of Crown Court proceedings. There is no reduction made to the prescribed fees.

**Lord Morrow** asked the Minister of Justice what is the legal aid total to date in the case of each defendant in case number 14/020710 in the Fermanagh-Tyrone court division, shown by law firm and counsel. (AQW 44828/11-15)

**Mr Ford:** Case number 14/020710 is an on-going Crown Court case. To date, no costs have been paid in respect of the Crown Court Proceedings.

The Agency has, however, received some bills from the legal representatives in respect of the Magistrates' Court proceedings and has paid the following fees in respect of each of the defendants:

Defendant	Legal Representative	Profit Costs	Vat	Total
Geoffrey Ellis	Solicitor	£4,507.93	£901.59	£5,409.52
	Junior Counsel	£10,873.59	£2,174.72	£13,048.31
Harry McMahon	Solicitor	£12,557.80	£2,511.56	£15,069.36
	Junior Counsel	£7,283.10	£1,456.62	£8,739.72
David Power	Solicitor	£3,194.30	£638.86	£3,833.16
<b>Total</b>				<b>£46,100.07</b>

**Mr Ross** asked the Minister of Justice to detail the anticipated annual savings from each of the proposed courthouse closures. (AQW 44866/11-15)

**Mr Ford:** As detailed within the consultation paper the projected financial savings from the closure of the courthouses are as set out in the table below.

Courthouse	Annual recurrent savings
Armagh	£217,406
Ballymena	£223,351
Enniskillen	£92,439
Limavady	£33,866
Lisburn	£143,865

<b>Courthouse</b>	<b>Annual recurrent savings</b>
Magherafelt	£50,971
Newtownards	£191,818
Strabane	£101,012
<b>Total</b>	<b>£1,054,728</b>

The consultation process is still on-going and, as no decisions have been made on the proposals, NICTS has not formally engaged with Department of Finance and Personnel Properties Division to assess any work or associated costs in the event that the Old Townhall Building is re-opened.

**Mr Ross** asked the Minister of Justice to detail the anticipated cost of refurbishing the old town hall in Belfast for additional court hearings in the event of other courthouse closures.

**(AQW 44867/11-15)**

**Mr Ford:** As detailed within the consultation paper the projected financial savings from the closure of the courthouses are as set out in the table below.

<b>Courthouse</b>	<b>Annual recurrent savings</b>
Armagh	£217,406
Ballymena	£223,351
Enniskillen	£92,439
Limavady	£33,866
Lisburn	£143,865
Magherafelt	£50,971
Newtownards	£191,818
Strabane	£101,012
<b>Total</b>	<b>£1,054,728</b>

The consultation process is still on-going and, as no decisions have been made on the proposals, NICTS has not formally engaged with Department of Finance and Personnel Properties Division to assess any work or associated costs in the event that the Old Townhall Building is re-opened.

**Mr Easton** asked the Minister of Justice to explain the reasons for the underspend by the PSNI for the last financial year.

**(AQW 44884/11-15)**

**Mr Ford:** 2014-15 was an extremely challenging year for financial planning, with significant uncertainty over in-year budget cuts and the 2015-16 budget. The Chief Constable is very much alive to the need to make savings and to deliver a balanced budget. Therefore, in response to in-year cuts and the need to plan for an uncertain level of cuts in future years, PSNI implemented cost reduction plans with a focus on planning for the longer term. Establishing that trend resulted in this underspend, but breaking the trend simply to avoid the underspend would have run counter to what the Chief Constable is trying to achieve.

**Mr Easton** asked the Minister of Justice whether his Department will retain the underspend by the PSNI.

**(AQW 44885/11-15)**

**Mr Ford:** The Department has no facility to carry forward funding between financial years.

The allocation of funding carried forward under the Budget Exchange Scheme (the system available to Devolved Administrations to carry forward a limited amount of underspend at NI block level) is a matter for the Executive.

**Mr Moutray** asked the Minister of Justice to detail the number of (i) prosecutions; and (ii) convictions for human trafficking related offences over the past twelve months.

**(AQW 44913/11-15)**

**Mr Ford:** The most recent prosecutions and convictions data available relate to 2013. There was one prosecution at courts in Northern Ireland in 2013, in relation to human trafficking offences. This did not result in a conviction.

However, during the year 2013, there were convictions secured in Northern Ireland courts for offences such as brothel keeping, controlling prostitution for gain and entering into an arrangement to control criminal property.



**Note:**

- 3 Data are collated on the principal offence rule; only the most serious offence for which an offender is prosecuted or convicted is included.
- 4 The figures provided relate to convictions for all classifications of the offences specified.

**Mr Moutray** asked the Minister of Justice to list the voluntary organisations providing search and rescue services which his Department has funded in each of the last three years; and the amount of funding his Department provided in each year. (AQW 44950/11-15)

**Mr Ford:** My Department assumed responsibility for the allocation of available Executive funding to voluntary search and rescue groups from 1 April 2015. Previously some of the groups received funding from DCAL. I announced on 3 April that funding for 2015/16 has been allocated as follows:

Skywatch	£1,280
Irish Cave Rescue Organisation	£11,682
North West Mountain Rescue Team	£25,000
Lough Neagh Rescue	£4,560
Foyle Rescue	£3,108
Search and Rescue Dogs Association	£10,480*
Mourne Mountain Rescue Team	£18,000

\* A further £2,000 was allocated to Search and Rescue Dogs Association on 15 April 2015 following an additional award.

**Mr Moutray** asked the Minister of Justice what action his Department is taking to deal with the problems posed by legal highs. (AQW 44951/11-15)

**Mr Ford:** Legal highs, or New Psychoactive Substances, mimic the effects of drugs already controlled under the Misuse of Drugs Act.

The power to amend this legislation is reserved and lies with Westminster. Whilst this is the case, my Department continues to work with the PSNI, DHSSPS and local councils to highlight the dangers associated with the misuse of these and other harmful substances. For example, my Department has engaged with Belfast City Council Environmental Health Officers regarding the use of consumer protection legislation to successfully prosecute retailers of these substances. I have long supported action to end the sale and distribution of these harmful substances.

In October 2014, the Home Office published the response to the Expert Panel Report on New Psychoactive Substances and I understand that they are currently exploring how a general prohibition for these substances can be framed in new legislation. I have been pressing Home Office Ministers on this issue and my Department will continue to engage with the Home Office as they work to bring forward, as soon as is practicable, legislative proposals for change that will be effective in tackling these substances.

**Mr Easton** asked the Minister of Justice what is the current law on hate speeches. (AQW 44954/11-15)

**Mr Ford:** There is no specific offence of hate speech under criminal law. The Public Order (Northern Ireland) Order 1987 created offences of arousing fear or hatred amongst defined groups. These offences include the use of threatening, abusive or insulting words or written material, publishing or distribution of written material and the showing or broadcasting of insulting images or sounds.

In addition, the Criminal Justice (No. 2) (Northern Ireland) Order 2004 provides for increased sentences when offences are aggravated by hostility based on victim's membership of designated groups. All criminal offences have the capacity to be aggravated in this manner.

**Mr Easton** asked the Minister of Justice what discussions he has had with the PSNI on the comments made by Dee Fennell in Lurgan on Easter Sunday. (AQW 44955/11-15)

**Mr Ford:** I have seen reporting of comments alleged to have been made in Lurgan on Easter Sunday. An individual has been charged in connection with these and as the matter is before the courts it would be inappropriate for me to comment.

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 44341/11-15, whether his Department approves of non-Blue Badge holders remaining in a designated disabled parking bay on the basis other disabled bays were available at the time; and if so, whether this is the standard position across the courts estate.

**(AQW 44990/11-15)**

**Mr Ford:** The Department does not approve of the inappropriate use of disabled parking facilities.

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 44468/11-15, how many individual law firms these figures represent.

**(AQW 45025/11-15)**

**Mr Ford:** The table provided indicates the number of individual law firms involved in preliminary investigations or mixed committals currently pending in each court division listed as of 27 March 2015.

For example, in total there are seven individual firms representing defendants in the ten cases and of those, five individual firms are funded by legal aid.

**Mixed Committals and Preliminary Investigations pending at the Magistrates' Court at 27 March 2015**

Court Division	No. of Mixed Committals and Preliminary Investigations	No. of individual firms representing defendants involved	No. of individual firms representing defendants funded by Legal Aid	No. of individual firms representing defendants funded by Legal Aid	
				Solicitor only	Solicitor and Counsel
Belfast	5	3	2	1	1
Londonderry	0	0	0	0	0
Antrim	0	0	0	0	0
Fermanagh and Tyrone	1	1	1	1	0
Armagh and South Down	0	0	0	0	0
Ards	2	2	1	1	0
Craigavon	2	1	1	0	1
<b>Total</b>	<b>10</b>	<b>7</b>	<b>5</b>	<b>3</b>	<b>2</b>

**Source:** Integrated Court Operations System (ICOS)

**Lord Morrow** asked the Minister of Justice what percentage of cases were refused leave at High Court to apply for judicial review in the (i) 2013/14; and (ii) 2014/15 financial years.

**(AQW 45026/11-15)**

**Mr Ford:** During 2013/14, 13.3% of applications for leave to apply for a Judicial Review were refused, with provisional data indicating that 22.6% were refused during 2014/15.

**Mr Givan** asked the Minister of Justice, in light of the proposed relocation of Lisburn and Newtownards Courts to the Old Town Hall building in Belfast, to provide details of the structural survey that has been submitted to the Court Service on the works that are required to render the Old Town Hall building fit for purpose; and the estimated cost of works that are required to this building to make it fit for purpose and to address any structural problems that may exist.

**(AQW 45125/11-15)**

**Mr Ford:** As the consultation process is still on-going, no decision has been made on any proposals. Consequently, Northern Ireland Courts and Tribunal Service has not formally engaged with Department of Finance and Personnel Properties Division to assess any work or associated costs in the event that the Old Townhall Building is re-opened.

**Mr Moutray** asked the Minister of Justice whether he has held any meetings with the PSNI in the last twelve months on dissident republican activity in Upper Bann.

**(AQW 45157/11-15)**

**Mr Ford:** I have regular meetings with the Chief Constable where we discuss security related matters throughout Northern Ireland. We have not had a specific meeting about dissident republican activity in Upper Bann.

**Mr Moutray** asked the Minister of Justice to detail the number of (i) prosecutions; and (ii) convictions for terrorism related offences, in each of the last three years in Upper Bann.

**(AQW 45163/11-15)**

**Mr Ford:** Terrorism offences may be prosecuted under the Terrorism Act 2000, the Terrorism (Northern Ireland) Act 2006 and the Counter Terrorism Act 2008.

The most recent prosecutions and convictions data available relate to 2013. Information on the location of an offence is not included as part of convictions databases held by the Department. However, information in relation to prosecutions and convictions at courts in the Craigavon Court Division in 2011 - 2013, has been provided.

**Prosecutions and convictions for terrorism offences at courts in Craigavon Court Division, 2011 – 2013**

	2011	2012	2013
Prosecutions	2	2	1
Convictions	0	0	1

**Note:**

- 5 Data are collated on the principal offence rule; only the most serious offence for which an offender is prosecuted or convicted is included.
- 6 The figures provided relate to convictions for all classifications of the offences specified.

## Department for Regional Development

**Mr Weir** asked the Minister for Regional Development, pursuant to AQW 42443/11-15, how this response is consistent with AQW 42441/11-15, which indicates that his Department has responsibility for naming bridges but has no policy or process in place for doing so.

**(AQW 44374/11-15)**

**Mr Kennedy (The Minister for Regional Development):** I welcome the opportunity to explain the reasoning behind my answers to your previous questions.

The Roads (NI) Order 1993 confers power on my Department to construct bridges. In so doing, it also confers power on my Department to name or alter the names of bridges constructed under that Order as such functions are incidental to the construction of bridges.

My Department has no formal policy, nor has criteria been developed, in relation to the naming of bridges. My Department's practice is to name or refer to bridges after geographical features (e.g. M3 Lagan Bridge, Toome Bridge etc). This practice is designed to avoid controversy or affect community relations, which has the potential to occur if a bridge is named after an individual or an event.

As naming a bridge does not provide any meaningful benefits to the travelling public, there is no compelling need to derive a set of criteria for naming structures that may, potentially, result in substantial and unnecessary capital and maintenance expenditure, considering the number of bridges within the public road network.

**Mr McCallister** asked the Minister for Regional Development to detail the level of funding provided by his Department to Disability Action Transport Services in (i) 2013/14; (ii) 2014/15; and (iii) 2015/16.

**(AQW 44446/11-15)**

**Mr Kennedy:** I can advise that my Department provided funding to Disability Action for the delivery of Disability Action Transport Services in:

- (i) 2013/14 - £2,946,819;
- (ii) 2014/15 - £2,946,819;
- (iii) 2015/16 - £2,315,000.

**Mr Easton** asked the Minister for Regional Development what plans his Department has to improve cycling laneways.

**(AQW 44458/11-15)**

**Mr Kennedy:** I plan to publish the final Bicycle Strategy this summer together with a draft Delivery Plan. Work is also underway to prepare a draft Bicycle Network for Belfast to be published later this year. This will be followed in due course by bicycle networks for other urban areas.

My Department has statutory responsibility for the public road network but very limited responsibility for off road routes or 'laneways'. However, I am working with other Departments to develop a greenways strategic plan for Northern Ireland to assist local authorities and their partners to develop greenways within their areas.

**Lord Morrow** asked the Minister for Regional Development what action is being taken to address anti-social behaviour, including driving offences, at Tamnamore Park and Ride.

**(AQW 44472/11-15)**

**Mr Kennedy:** I am disappointed to hear of reports of the anti-social behaviour at the new park and ride facility at Tamnamore. It appears this occurs late at night after the facility has been vacated by those using the site for its intended purpose. I have therefore asked my officials to discuss the issue with the PSNI and also to consider additional measures, including the provision of CCTV, to deter or prevent the inappropriate use of the facility.

**Ms Sugden** asked the Minister for Regional Development, pursuant to AQW 43696/11-15, to detail the funding reduction to each Rural Community Transport Partnership for the year 2015/2016, by (i) per cent; and (ii) the raw figures calculated.

**(AQW 44499/11-15)**

**Mr Kennedy:** The table below shows the budget allocation for 2014/15 for RCTP's. DRD internal reallocations eventually raised the total budget to £3.6m

#### 2014/15 RCTP Funding

RCTP	Initial 2014/15 Budget Allocation	Internal Reallocations	Final 2014/15 budget	Initial 2015/16 Award	Change vs Initial Allocation	% change vs Initial Allocation
CDM	£554,119	£37,407	£591,526	£443,085	−£111,034	−20.04%
DDAT	£343,951	£84,352	£428,303	£323,543	−£20,408	−5.93%
Easilink	£414,295	£107,384	£521,679	£334,000	−£80,295	−19.38%
FCT	£352,151	£223,097	£575,248	£350,613	−£1,538	−0.44%
LVRT	£144,000	£51,639	£195,639	£125,587	−£18,413	−12.79%
NCCT	£486,796	£173,921	£660,717	£419,122	−£67,674	−13.90%
SACT	£155,361	£58,402	£213,763	£128,354	−£27,007	−17.38%
SAP	£299,328	£141,315	£440,643	£310,630	£11,302	3.78%
<b>Totals</b>	<b>£2,750,000</b>	<b>£877,519</b>	<b>£3,627,519</b>	<b>£2,434,934</b>	<b>−£315,066</b>	<b>−11.46%</b>

**Ms Sugden** asked the Minister for Regional Development to detail (i) the amount of money provided for each Rural Community Transport Partnership in 2015/2016; and (ii) the number of trips, and cost per trip, proposed by each Partnership in their funding application.

**(AQW 44501/11-15)**

**Mr Kennedy:** The table below provides the requested information

RCTP	Funding Offer 2015/16	Projected Trips 2015/16	Grant Per trip	Funding Requested	Cost er trip
CDM	£443,085	56,950	£7.78	£623,693	£10.95
DDAT	£323,543	14,670	£22.05	£423,632	£28.88
Easilink	£334,000	38,000	£8.79	£520,000	£13.68
FCT	£350,613	27,000	£12.99	£484,447	£17.94
LVRT	£125,587	7,920	£15.86	£212,431	£26.82
NCCT	£419,122	50,000	£8.38	£620,000	£12.40
SACT	£128,354	16,450	£7.80	£184,644	£11.22
SAP	£310,630	29,220	£10.63	£429,471	£14.70
<b>Total</b>	<b>£2,434,934</b>	<b>240,210</b>	<b>£10.14</b>	<b>£3,498,319</b>	<b>£14.56</b>

**Mr Easton** asked the Minister for Regional Development how many people have been taken to court for unpaid parking fines, over the last two years.

**(AQW 44523/11-15)**

**Mr Kennedy:** Penalty Charge Notices are a civil matter and therefore no one has been taken to court.

**Mr Easton** asked the Minister for Regional Development how much it cost his Department to take people to court over unpaid parking fines, over the last two years.

**(AQW 44524/11-15)**

**Mr Kennedy:** Penalty Charge Notices are a civil matter and therefore no one has been taken to court nor have any costs been incurred by my Department.

**Lord Morrow** asked the Minister for Regional Development how he plans to address and prevent theft from, and criminal damage to, vehicles at Ballygawley Park and Ride.

**(AQW 44538/11-15)**

**Mr Kennedy:** I am aware of two incidents of theft at the Ballygawley Park & Ride facility over the last twelve months, including the incident reported by your office, which involved the theft of wheel trims from a car that was parked over the weekend.

The Park and Ride facility at Ballygawley is proving to be very popular and is currently being extended to provide a total of 133 car parking spaces. The street lighting within the car park is also being improved. It is hoped that these improvements, together with increased usage of the facility and the open nature of the site, will deter those who may be thinking of interfering with vehicles.

I have asked officials to contact PSNI and ask them to increase the frequency of their visits to the site.

**Mr Weir** asked the Minister for Regional Development how much funding for transport his Department provided to Disability Action in (i) 2014/15; and (ii) 2015/16.

**(AQW 44541/11-15)**

**Mr Kennedy:** The funding provided to Disability Action is as follows:

(i) 2014/15 £2,946,819

(ii) 2015/16 £2,315,000

Based on the 2013/14 audited accounts, my Department currently provides up to 43% of the Disability Action total funding.

**Mr Weir** asked the Minister for Regional Development how much funding for transport for people with a disability his Department provided to Down Community Transport in (i) 2014/15; and (ii) 2015/16.

**(AQW 44542/11-15)**

**Mr Kennedy:** Down Community Transport received funding from the Rural Transport Fund to provide Dial-a-lift services to its members. These services are available to its members with a disability.

In 2014/15 their funding totalled £428,303 and in 2015/16 funding was £323,542.

**Mr Weir** asked the Minister for Regional Development when groups in receipt of departmental funding, for the provision of transport for people with disabilities, were notified of the cuts to their 2015/16 funding.

**(AQW 44543/11-15)**

**Mr Kennedy:** I can advise that letters of offer were issued to Rural Community Transport Partnerships (RCTPs) on 30 March 2015 and Disability Action (DA) on 02 April 2015.

However, my officials had discussions with the RCTP's on 11 March and with DA on 12 March 2015 to discuss budget allocations. These meetings were arranged as soon as practicably possible after my Department's budget allocation was confirmed.

**Mr Weir** asked the Minister for Regional Development to outline the rationale for the level of cuts in funding for groups who provide transport for people with disabilities.

**(AQW 44544/11-15)**

**Mr Kennedy:** I have been working intensively with officials to determine how best to spend the limited resources that are available to me. My Department delivers key water, transport and road services. The population relies on my Department's services 24 hours a day. However, I am facing £60 million of pressures for this financial year and the scale of reduction required to meet that cannot be delivered without an impact on core services.

However, while I fully support the services provided by all community transport service providers, there will unfortunately be a reduction in the level of funding available and I have tried to minimise this. It should be noted that since becoming Minister, I have protected the baseline budget for community transport year on year and where possible supplemented with in-year funding.

My Department will be working closely with the service providers to explore ways of delivering the service in a more cost efficient manner and will seek to minimise the impact on the end user.

**Mr Agnew** asked the Minister for Regional Development what discussions he has had with Translink on extending the concessionary fares scheme for people with disabilities to discounted ticket products, including any conclusions and future actions. (AQW 44571/11-15)

**Mr Kennedy:** I can advise that my officials have discussed this matter with Translink. Under the current ticketing system, holders of a half-fare Smartpass are restricted to purchasing single tickets for each leg of their journeys. This requirement is based on audit advice to minimise the risk with paper tickets of fraud or waste due to the return or multi-journey portion of a ticket either being used by an ineligible passenger or not used at all.

Recent improvements in ticketing technology may offer solutions to the audit concerns with regard to the availability of a wider range of ticket products. Translink has undertaken to consider the scope for change within the design of the replacement for the existing Wayfarer system, which is expected to be in place by 2018, subject to the availability of funding.

It is unlikely that any changes to software and the existing ticketing infrastructure in the interim would be economically viable or deliverable in advance of development of the new ticketing system.

**Mr Eastwood** asked the Minister for Regional Development to detail (i) the scope of a tender issued by Translink stating Northern Ireland Railways intention to provide a modern, fit for purpose station in the city of Derry and (ii) the implications of the tender for the old Waterside station and proposed integrated transport hub. (AQW 44581/11-15)

**Mr Kennedy:** As part of the first stage of the procurement exercise to appoint an Integrated Design Team for Londonderry Train Station, Translink have issued a Pre-Qualification Questionnaire (PQQ) for design services including Architectural, Civil/Structural Engineering, Permanent Way Engineering, Mechanical & Electrical Engineering and New Engineering Contract Project Manager.

As part of the second stage of the procurement exercise, Translink will issue Invitation To Tender (ITT) documents which will include the Project Option of redeveloping the old Waterside Station into a modern, fit for purpose railway station.

**Mr Dunne** asked the Minister for Regional Development for an update on residents' parking schemes in (a) Bangor; (b) Holywood; and (c) Donaghadee. (AQW 44638/11-15)

**Mr Kennedy:** Legislation is currently being finalised for the first residents' parking schemes to be introduced in Northern Ireland. Once these schemes are in place they will be reviewed to ensure the legislation fits the purpose of the schemes and they are operating correctly.

I am aware of the requests for implementation of residents' parking schemes in both Bangor and Holywood where commuter parking is causing local difficulties. However, my Department has received no previous requests for the consideration of residents' parking in Donaghadee.

Bangor Town Centre is identified in the Belfast Metropolitan Transport Plan (BMTP) as an area of parking restraint and therefore would be regarded as a high priority.

Whilst Holywood is not specifically identified within the BMTP in this respect, a number of requests have been received for the provision of residents' parking within residential areas of the town centre, some of which have been found suitable for possible implementation of a Residents' Parking Scheme. Accordingly, my officials have added these locations to their list of areas for future consideration, once all the areas identified within the BMTP have been addressed.

Therefore I am currently unable to indicate a timescale as to when any future schemes for Bangor, Holywood and Donaghadee might be taken forward as this will be dependent, to some degree, on the successful implementation of the initial schemes.

**Mr Dunne** asked the Minister for Regional Development when the first scheduled grass cutting is due to take place in North Down. (AQW 44639/11-15)

**Mr Kennedy:** My Department is currently experiencing significant pressures on its resource budgets which fund many of its maintenance activities and this situation is likely to continue for some time. As a result, a review of its maintenance activities has been carried out to identify where savings can be made.

Grass cutting is one of the functions where reductions in service levels are required to achieve the required savings and my Department will be carrying out one full cut of all grassed areas under its maintenance control, with additional cuts to sightlines carried out as resources permit.

I can confirm that cutting of sightlines is due to commence within the next week with the full cut of all grassed areas following on from this, albeit with a deferred commencement date compared with previous years for the reasons outlined above.

**Mrs Dobson** asked the Minister for Regional Development what proportion of Translink busses have seatbelts fitted; and what policies are followed in relation to their usage. (AQW 44645/11-15)

**Mr Kennedy:** The table below shows the number of seat belts fitted as at 1st March 2015:

Division	Fleet Size	Seat belted Vehicles	Seat belted Percentage
Ulsterbus	1,081	728	67.35%
Ulsterbus Fleet Prioritised for use on School Transport	389	364	93.57%
Metro	275	43	15.64%

All Ulsterbus vehicles purchased since 2008 have been built and supplied with seat belts fitted.

Regarding Translink's policy in relation to their usage, all seat belted buses have notices and internal visual displays promoting the wearing of seat belts whilst the vehicles are in motion. Use of such facilities is a matter for the individual passenger.

**Lord Morrow** asked the Minister for Regional Development to detail the number of parking attendants employed by contracted service provider NSL, broken down by area of their base.

**(AQW 44648/11-15)**

**Mr Kennedy:** Details of the number of parking attendants employed by the contracted service provider NSL, broken down by area of their base are set out in the table below:

**NSL Traffic Attendants Employed by Base as at 20/4/15**

<b>Southern Divison</b>	
Newry	9
Portadown	12
Armagh	3
Banbridge	3
Downpatrick	3
Lisburn	7
<b>Total</b>	<b>37</b>
<b>Eastern Divison</b>	
Belfast	48
Newtownards	4
Bangor	7
<b>Total</b>	<b>59</b>
<b>Western Divison</b>	
Strabane	4
Londonderry	15
Magherafelt	4
Cookstown	4
Dungannon	3
Omagh	6
Enniskillen	5
<b>Total</b>	<b>41</b>
<b>Northern Divison</b>	
Antrim	2
Ballymena	10
Ballymoney	3
Coleraine	12

Limavady	3
Larne	2
Carrickfergus	7
<b>Total</b>	<b>39</b>
<b>Total Contract</b>	<b>176</b>

The total number of Traffic Attendants currently employed by NSL is 176, of which 107 are normally deployed Monday to Saturday between approximately 8.00am and 6.00pm. In addition, two Traffic Attendants patrol Belfast up to 10.30pm from Tuesday to Saturday and a much scaled down service is provided on Sundays.

**Lord Morrow** asked the Minister for Regional Development, pursuant to AQW 43437/11-15, how many parking tickets were issued in Fivemiletown on the day in question.

**(AQW 44649/11-15)**

**Mr Kennedy:** I can confirm that no Penalty Charge Notices were issued in Fivemiletown on 4 March 2015.

**Mr Flanagan** asked the Minister for Regional Development what works are planned to realign sections of the A4 Sligo Road near the junction with Old Rossorry Road.

**(AQW 44662/11-15)**

**Mr Kennedy:** My Department has a scheme proposal for the A4 Sligo Road, Enniskillen to provide a right turning lane at the junction with Old Rossorry Link Road.

This proposal is included in the 2015-2017 Local Transport and Safety Measures programme for the Fermanagh/Omagh area, however, based on current funding allocations, this scheme has not as yet been included in the construction programme.

**Mr Weir** asked the Minister for Regional Development how many street lights in North Down (i) were broken or not operating on 1 January 2015; (ii) were fixed, repaired or replaced between 1 January 2015 and 31 March 2015; and (iii) are scheduled for repair in 2015/16.

**(AQW 44671/11-15)**

**Mr Kennedy:**

- (i) Whilst it is not possible to indicate how many lights were inoperative on a specific date, 942 lights were recorded as being defective from TransportNI's night scouting returns for North Down for the period 15 December 2014 to 2 January 2015.
- (ii) A total of 488 lights were repaired during the period 1 January 2015 to 31 March 2015.
- (iii) Some 454 job repair cards, raised prior to 31 March 2015, remain with the street lighting contractor. Until all returns are received, it is not possible at this stage to say how many of these have been repaired.

**Mr Weir** asked the Minister for Regional Development how much of his departmental budget was spent on repairing or replacing street lights in (i) North Down; and (ii) Northern Ireland between 1 January 2015 and 31 March 2015; and what is the corresponding budget allocated for 2015/16.

**(AQW 44672/11-15)**

**Mr Kennedy:** Officials are unable to provide details of the amount of the Departmental budget that was spent on repairing or replacing street lights in North Down as figures are not collated for individual Section Offices or District Council areas..

Final expenditure figures for street lighting repairs in Northern Ireland are not yet available for the period 1 January 2015 to 31 March 2015. However, preliminary figures indicate that £3,033k was spent on street lighting maintenance during that period, which includes the costs of street lighting electrical inspection and testing.

Whilst there is no funding available for external contractors to replace street lights, I have directed my officials to ensure that public safety is not compromised, by ensuring that electrical and structural hazards are dealt with and continuing with the inspection and testing of street lighting equipment. My Department's Operation & Maintenance staff will provide a limited repair service as far as their resources permit.

As in previous years, I will be submitting robust bids in the Monitoring Rounds throughout the year for the funding needed to maintain street lighting services.

**Lord Morrow** asked the Minister for Regional Development whether his Department is in default of disability discrimination regulations by not enforcing parking restrictions, as demonstrated by the continuing violations of disabled parking bays in Coalisland.

**(AQW 44718/11-15)**



**Mr Kennedy:** Parking enforcement can only be applied where prescribed parking restrictions exist. Enforcement at locations where few restrictions are present will be considered as available resources permit. My Department must prioritise its finite parking enforcement resources so that it can provide an effective and balanced enforcement service.

There are two prescribed disabled parking bays in Coalisland, which are located in residential areas and may be enforced upon request. My Department has not been advised of, or observed any misuse of these bays, nor has it received any requests for enforcement.

**Mr Dickson** asked the Minister for Regional Development for his assessment of the future use of zebra crossings on the road network; and whether standards require new or upgraded zebra crossings to be placed on a speed table.

**(AQW 44741/11-15)**

**Mr Kennedy:** Controlled crossings are provided to facilitate safe and convenient access for pedestrians and cyclists. The legislation governing their installation is The Zebra, Pelican and Puffin Pedestrian Crossings Regulations (Northern Ireland) 2006.

The selection of the type of controlled pedestrian crossing to be installed at a given location is dependent upon a number of factors. These include the level of pedestrian demand, the type of road, and traffic volumes and speeds at the location. Zebra crossings tend to be more suitable where pedestrian flows are quite low and traffic speeds are already low, such as in the vicinity of roundabouts.

The Road Humps Regulations (Northern Ireland) 1999 permit the use of a road hump in connection with a Zebra crossing, but not within the zig-zag road markings on either side of the crossing, and provided that the location of the road hump conforms to the other requirements in the regulations. Where these requirements can be met, there is benefit in providing a road hump as vehicle speeds will be slower on the approach and pedestrians can cross the carriageway at the same level as the footway. One such example of a zebra crossing, used in conjunction with a speed table, is at North Street in Carrickfergus.

**Mr Dallat** asked the Minister for Regional Development to detail the timeline for the completion of Phase II of the upgrade of the Belfast-Derry railway, including the passing loop.

**(AQW 44763/11-15)**

**Mr Kennedy:** The anticipated start date for the Phase II works subject to approval of a revised business case is currently June 2015, with substantial completion targeted by December 2016.

**Mr Dallat** asked the Minister for Regional Development what records exist relating to correspondence between his Department and his counterparts in Dublin on funding of the Magilligan-Greencastle Ferry Service in the last ten years.

**(AQW 44765/11-15)**

**Mr Kennedy:** There is no record of correspondence between my Department and counterparts in Dublin in the last ten years relating to the funding of Magilligan-Greencastle Ferry service.

**Mr Agnew** asked the Minister for Regional Development (i) to explain the rationale for permitting exploratory drilling by Infrastrata on publicly owned land close to a public water supply at Woodburn Reservoir; (ii) to detail the chemicals to be used in the drilling process; and (iii) what contractual arrangement his Department has entered into with the operator for this site, and possible future sites.

**(AQW 44855/11-15)**

**Mr Kennedy:**

- (i) The use of land owned by Northern Ireland Water ("NI Water") is an operational matter for the company. NI Water has its own Board, comprised of Executive and non-Executive directors who are responsible for operation and management, including decisions about use of NI Water land. In line with its corporate governance procedures, the Board considered and approved the proposal to lease a small area within Woodburn Forest for the drilling of an exploratory oil well. The work will be undertaken by Infrastrata, under licence awarded by the Department of Enterprise Trade and Investment (DETI). All work will be subject to the approval and agreement of the Department of the Environment (DoE), DETI and the Department of Agriculture and Rural Development's (DARD) Forest Service, which currently leases the land from NI Water. Infrastrata's "Consent to Drill", which allows work to proceed, is awarded by DETI, in consultation with DoE's Northern Ireland Environmental Agency (NIEA) and the Health & Safety Executive. Infrastrata has produced a detailed Project Environmental Report which has been considered by NIEA.
- (ii) NI Water has advised that Infrastrata provided details of the chemicals to be used in the drilling work to NIEA as part of the Water Order Consent process and information about this and the drilling process may be available from DoE.
- (iii) My Department has not entered into any contractual arrangement with Infrastrata for this or any other site.

**Mr D Bradley** asked the Minister for Regional Development when construction work will begin on the Armagh North and East West Link Roads; and what the anticipated costs are for each project.

**(AQW 44967/11-15)**

**Mr Kennedy:** I am grateful to the Member for his continued support for the A28 Armagh East Link and the A3 North & West Link Road proposals.

Following a Public Information event held in June 2014 for the A28 Armagh East Link, my officials have been carrying out a review of the Preferred Corridor for the proposal. This review, which has included updating the traffic and environmental surveys, is expected to be completed in the coming months. The current preferred option costs in the range of £12m - £20m, although this is subject to change following completion of the ongoing work.

In relation to the A3 Armagh North & West proposal, which is expected to cost in the range £55-£75m, I am of the opinion it would not be appropriate to make a decision on the preferred route pending development of the Armagh City & District Council Masterplan for the Mullinure Area.

A significant amount of development work has already been progressed on these proposals, although much remains to be done. Unfortunately, I am unable to provide an indication of when these schemes may be expected to commence on site, as delivery remains subject to clearance of the statutory procedures, continuing demonstration of satisfactory economic appraisals and the availability of funding in future budget settlements.

**Mr McKay** asked the Minister for Regional Development to list the service routes that are being affected by cutbacks to North Coast Community Transport.

**(AQW 44969/11-15)**

**Mr Kennedy:** My Department provides a grant to North Coast Community Transport (NCCT) in support of the services it decides to provide as an independently constituted charity. My officials have issued a letter of offer to NCCT but, at the time of writing, this has still to be formally agreed and returned. My Department receives statistics through the year on dial a lift trips, active membership and reasons for trips but I have not received anything relating to this year as yet.

My Department believes that through continued efficiencies and the use of all financial resources available to it, NCCT and other community transport operators should be able to minimise the impact on service users.

## Department for Social Development

**Mr Dickson** asked the Minister for Social Development what specific schemes exist to address the issue of fuel poverty in the private rented sector.

**(AQW 42617/11-15)**

**Mr Storey (The Minister for Social Development):** My Department provides energy efficiency measures to address the issue of fuel poverty in the private rented sector through the Warm Homes and Affordable Warmth Schemes.

The Warm Homes Scheme has been operational since 2009 and will end on 31 March 2015. To qualify for the Warm Homes Scheme, applicants must be in receipt of a qualifying benefit.

My Department held a public consultation regarding the new Affordable Warmth Scheme between February and May 2014.

The new Affordable Warmth Scheme was introduced on 15 September 2014. This scheme will actively target households considered to be most at risk of fuel poverty and includes those in low paid work who do not necessarily qualify for benefits. To qualify for the scheme, the gross annual household income must be less than £20,000.

There is evidence that the Warm Homes Scheme improved the energy efficiency of properties of some landlords with large portfolios, over 50 properties in some cases. This was never the intention of the scheme. My Department considers that private landlords have a responsibility to ensure that the properties they are letting have adequate heating systems and adequate insulation. In the case of privately rented properties, the landlord must be registered with my Departments Landlord Registration Scheme and the landlord must contribute 50% towards the cost of the works approved. Where the approved works cost more than the grant limit, my Department will contribute up to 50% of the grant limit.

**Mr Weir** asked the Minister for Social Development to detail the (i) number of (a) successful; (b) unsuccessful community care grant applications in North Down in each of the last three years; and (ii) amount awarded in each case.

**(AQW 43264/11-15)**

**Mr Storey:** The number of total applications, successful applications, unsuccessful applications and amount paid in the last three financial years in the North Down Constituency are set out in the table below.

Year	Applications	Successful	Unsuccessful	Amount Paid
2011-12	880	370	510	£200,000
2012-13	800	320	480	£197,000
2013-14	660	280	380	£176,000

Year	Applications	Successful	Unsuccessful	Amount Paid
<b>Total</b>	<b>2,340</b>	<b>960</b>	<b>1,370</b>	<b>£573,000</b>

\* Frequencies rounded to the nearest 10, Amounts rounded to nearest £1,000. Totals may not sum due to rounding

The information provided is an Official Statistic. The production of all such statistics is governed by the Principles and Protocols of the Code of Practice for Official Statistics. This is enforced by the UK Statistics Authority.

**Mr Easton** asked the Minister for Social Development to detail the cost to the Housing Executive of grass cutting and general garden maintenance in Kilcooley Estate, Bangor in 2013/14.

**(AQW 43314/11-15)**

**Mr Storey:** The Housing Executive has advised that the total cost for grass cutting and general garden maintenance for Kilcooley Estate, Bangor in 2013/14 was £29,481.85.

**Mr Lyttle** asked the Minister for Social Development to detail (i) why the Northern Ireland Housing Executive Planned Maintenance Programme, Project number 2578095, scheduled for October 2013 has yet to be delivered; (ii) when it will be delivered; and (iii) whether it will include cavity wall insulation.

**(AQW 44300/11-15)**

**Mr Storey:** In relation to (i) the Housing Executive has advised that this project is an external maintenance scheme (ECM) which, on the basis of an eight year cycle of such works to all properties, should have been programmed to start in 2013, which is eight years after the last ECM was completed in this area. The eight year cycle represents the Housing Executive's ambitions with regard to ensuring external maintenance standards are preserved. However, funding available for delivery of this programme has been insufficient to maintain the desired maintenance cycles and as a result the cycle has now slipped to 12 years.

However, in recognition of the need that under-investment has been building in Housing Executive homes, I have made available new capital funding in 2015/16.

As a result the ECM budget has more than doubled from £8.4m last year to £18m this year. This is designed to begin a process of catching up on the recognised backlog of ECM work. The Housing Executive is currently working on the production of an Asset Management Strategy and five year investment plan which will be available in the summer and, in part, will be designed to provide longer term certainty over the investment programme and allow tenants to be kept informed of progress as it relates to their area. In terms of communication the Housing Executive will publish their scheduled programme of works in their annual Housing Investment Plans for each council area and senior managers will present their plans to Councils after their publication.

A key part of the five year plan will be to invest sufficiently in ECMs to reinstate the previously agreed cycle times.

The welcome increases in investment this year will not bridge the existing gap between investment need and available resources and this broader question is currently being examined as part of my Department's Social Housing Reform Programme.

In relation to (ii) this project, in common with other ECM works, has now unfortunately slipped significantly in programme terms and is currently scheduled to deliver in 2017. Given the delay involved, the Housing Executive has now committed to reviewing the timing of this particular project with a view to advancing the start date.

In relation to (iii) when the Lower Braniel project works are instigated these will include an evaluation of the cavity wall position and any defects in this regard will be addressed.

**Mr Nesbitt** asked the Minister for Social Development to detail the outputs and impacts as a result of work undertaken by the Rathcoole Neighbourhood Renewal Partnership since 2006 to address (a) employment and training opportunities; (b) poverty; (c) community health; (d) educational attainment; (e) sectarianism and racism; (f) social inequalities; and (g) the challenges facing young people in the area.

**(AQW 44356/11-15)**

**Mr Storey:** The Department for Social Development publishes a number of reports, including Measurement of Outcomes Reports and Neighbourhood Renewal Annual Reports; that provide evidence on the absolute change that is being recorded over time across a number of key economic and social outcomes as a result of interventions carried out under the Neighbourhood Renewal Strategy.

Information relevant to the Rathcoole Neighbourhood Renewal Area can be accessed from the Department's website as follows:

- <http://www.dsdni.gov.uk/nra-rathcoole-mor-2014.pdf>
- <http://www.dsdni.gov.uk/nra-rathcoole-nra-annual-report-2013-pdf>

**Mr Weir** asked the Minister for Social Development, pursuant to AQW 43991/11-15, why the Bangor Social Security Office was not converted to the jobs and benefits delivery model.

**(AQW 44361/11-15)**

**Mr Storey:** The Bangor Social Security Office was not converted to the Jobs and Benefits delivery model for a number of reasons not least the challenges faced in seeking to identify a suitable new site in Bangor despite a number of site searches.

Subsequent consideration of extending and converting the existing site, although leased, was not progressed due to capital funding constraints faced by the Department.

These constraints led to the closure of the Jobs and Benefits Project in 2010 with eight offices remaining outstanding and continuing to operate under the Social Security Office delivery model.

**Lord Morrow** asked the Minister for Social Development what consideration has been given to the option of electronic forms for Disability Living Allowance and ESA50.

**(AQW 44379/11-15)**

**Mr Storey:** Disability Living Allowance claim forms are currently available for completion and printing from the government website [www.nidirect.gov.uk](http://www.nidirect.gov.uk). A DLA claim pack can also be obtained by phoning Disability and Carers Service, Benefit Enquiry Line or by contacting any Social Security/Jobs and Benefits offices

In Great Britain where Personal Independence Payment has already replaced DLA (for working age people aged 16-64) Department of Work and Pensions are exploring improvements to the PIP operating model including what a digital service could be like. Officials are tracking this work.

In response to Dr Litchfield's Year 5 recommendations from his review of the Work Capability Assessment, the Agency is currently reviewing all Employment and Support Allowance claimant forms and letters. This review includes investigating the feasibility of providing an electronic version of the ESA 50 for completion and printing.

**Mr Dickson** asked the Minister for Social Development to outline the work being undertaken by his Department and the Northern Ireland Housing Executive to seek removal of tributes to illegal paramilitary organisations situated within the publicly funded memorial area created within Kilcooley Estate, Bangor in 2009.

**(AQW 44399/11-15)**

**Mr Storey:** Officials from DSD and the Housing Executive had been involved in discussions with the local community on this issue but were unable to bring a conclusion to the matter. The Housing Executive's Cohesion Unit is about to embark on the new 'Building Relationships in the Community 2' programme and they will look at restarting discussions regarding this matter as part of this programme.

**Mr Allister** asked the Minister for Social Development whether he will bring the Welfare Reform Bill back to the Assembly; and if so, when.

**(AQW 44463/11-15)**

**Mr Storey:** It is extremely disappointing that the Welfare Reform Bill was unable to complete its legislative passage through the Assembly on the 5th March 2015. It is still my intention to bring the Bill back to the Assembly to enable the Final Stage to be completed. At present I am unable to provide any indication as to when this is likely to happen as political discussions are continuing on reaching an agreement on any outstanding matters.

**Mr Allister** asked the Minister for Social Development to detail the amount of Neighbourhood Renewal funding allocated, or projected to be allocated, to each organisation in 2015/16; and the amount paid to each in the 2014/15 financial year.

**(AQW 44465/11-15)**

**Mr Storey:** In December 2014, in answer to AQW 39456/11-15, a list of projects and level of funding provided was sent to the NI Assembly Library. The funding allocated to projects for the 2014/15 financial year was included on this list. As organisations have up to 3 months to submit claims for payment for services provided, it is not possible at this time to give the final amount paid to each in respect of 2014/2015.

A list of Neighbourhood Renewal funded projects, and their projected allocated funding for the 2015/2016 financial year can be accessed through the NI Assembly Library.

**Lord Morrow** asked the Minister for Social Development whether he will engage with the President of Appeals Tribunals to ascertain the opinions/concerns of benefits panel members in relation to audio recordings of hearings.

**(AQW 44471/11-15)**

**Mr Storey:** My officials are developing procedures and processes to pilot recording of tribunal hearings. As part of the preparatory work, we will engage with the President of Tribunals and seek his views.

**Mr Weir** asked the Minister for Social Development how much has been received in rent or charges from the use of Newtownards Courthouse as a facility for welfare tribunals.

**(AQW 44481/11-15)**

**Mr Storey:** The Department for Social Development (DSD) is statutorily responsible for The Appeals Service (TAS) and all costs associated with operating the tribunal is borne by DSD.

The Department has not received any rent or charges from the use of Newtownards Courthouse as a facility for welfare tribunals

**Mr B McCrea** asked the Minister for Social Development for an update on welfare reform.  
(AQW 44514/11-15)

**Mr Storey:** The Welfare Reform Bill did not complete its legislative passage through the Assembly, as scheduled on the 9th March 2015. This further delay in the Bill receiving Royal Assent has meant that the work which is needed to prepare for implementation of the changes has also had to be stopped. This continuing delay is frustrating not only for those involved in delivering social security or even for those who advise claimants on their rights but more importantly for the thousands of people across Northern Ireland who are now becoming totally confused as to what changes will be brought in by the Bill and how these changes will impact on them.

This further delay will also result in additional costs for the Executive as the HM Treasury reduce the Northern Ireland Block grant because we have not implemented Welfare Reform. For this financial year the cost will be £114 million and my colleague the Minister for Finance and Personnel has already advised the Assembly, in March of this year that the potential costs for the Block in 2016/17 will be a further £196 million. From a departmental perspective, this further delay also has the effect of putting the Executive and this Assembly in the position which there are no agreed arrangements for how social security benefit and tax credits payments will be made to new claimants from mid 2016 as DWP/HMRC start to turn off the legacy benefit systems.

As Minister for Social Development I am concerned about this extremely serious situation and I believe it is important to bring the attention of all in this Assembly the implications of not having an agreed way forward on how social security and tax credit payments are to be made to new claimants.

**Mr Hussey** asked the Minister for Social Development to detail the number of unlettable voids in District 5, Belfast in each of the last twelve months, broken down by bedrooms per property.  
(AQW 44528/11-15)

**Mr Storey:** I assume the member is referring to Housing Executive properties. The information is not available in the format requested as the Housing Executive's computerised records for this issue does not incorporate information about the number of bedrooms per property. However, the Housing Executive has provided the table below detailing the number of non-lettable voids in Shankill (formerly known as District 5) from April 2014 to March 2015.

Month	Number of n-lettable voids
April 2014	148
May 2014	149
June 2014	150
July 2014	147
August 2014	149
September 2014	147
October 2014	147
November 2014	148
December 2014	37
January 2015	39
February 2015	40
March 2015	40

The Housing Executive advises that its non-lettable voids includes properties pending demolition; pending improvement schemes and those properties held for decanting purposes to facilitate schemes; proposed stock transfers to housing associations; and those properties void for exceptional circumstances.

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**Mr Easton** asked the Minister for Social Development how many public inquiries his Department has conducted over the last four financial years; and at what cost.  
(AQW 44529/11-15)

**Mr Storey:** My Department has not conducted any public inquiries in the period in question.

**Mr Hussey** asked the Minister for Social Development to detail the number of lettable voids in District 5, Belfast in each of the last twelve months, broken down by bedrooms per property.

**(AQW 44530/11-15)**

**Mr Storey:** I assume the Member is referring to Housing Executive properties. The information is not available in the format requested as, in relation to this question, the Housing Executive's computerised records do not incorporate information about the number of bedrooms per property. However, the Housing Executive has provided the table attached detailing the number of lettable voids in Shankill (formerly known as District 5) from April 2014 to March 2015.

Month	Lettable Voids
April 2014	31
May 2014	46
June 2014	37
July 2014	28
August 2014	24
September 2014	21
October 2014	26
November 2014	19
December 2014	28
January 2015	13
February 2015	14
March 2015	25

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**Note:** Lettable voids figures may include those properties that are difficult to let, lettable and awaiting repairs.

**Mr Hussey** asked the Minister for Social Development to detail the number of properties in District 5, Belfast which are owned by (i) the Northern Ireland Housing Executive; and (ii) registered Housing Associations.

**(AQW 44533/11-15)**

**Mr Storey:** In relation to:-

- (i) The Housing Executive has advised that at 31 March 2015 they owned 3,377 properties in their Shankill district office area (formerly District 5 area).
- (ii) Housing Associations have confirmed that they own 1,605 properties in the area formerly known as District 5; in addition they have 77 units of sheltered accommodation.

**Mr Ramsey** asked the Minister for Social Development for an update on his Department's plans for the future of the North West Development Office, including for current employees.

**(AQW 44551/11-15)**

**Mr Storey:** The Regeneration Bill currently progressing through the Assembly provides the legislative basis for the Department for Social Development (DSD) to transfer urban regeneration and community development powers to local government from 1 April 2016. As my Department will mainly be transferring powers rather than functions, there will be no compulsory transfer of DSD staff to local councils as a result of these powers transferring. Staff working in this area will become surplus when those powers transfer. These staff are within the Department's Urban Regeneration and Community Development Group (URCDG) and includes 44 staff in the North West Development Office.

Arrangements are in place to support capacity building and business continuity in local government by providing the new councils with access to DSD staff (on temporary secondment) who have experience in urban regeneration and community development.

Officials in my Department wrote to new Council Chief Executives earlier this month asking for any secondment requirements they may have. Staff in North West Development Office can apply for any secondment requirements identified, including those in Derry and Strabane Council. Secondments could be for a period of up to 2 years.

Redeployment opportunities for surplus staff will arise from the Northern Ireland Civil Service Voluntary Exit Scheme. While it is not possible at this stage to identify exactly where redeployment opportunities will be, DSD has offices throughout Northern Ireland including the North West.

**Mr Ramsey** asked the Minister for Social Development whether his Department is considering, as an option, relocating staff members from the North West Development Office to Belfast.

**(AQW 44552/11-15)**

**Mr Storey:** The Regeneration Bill currently progressing through the Assembly provides the legislative basis for the Department for Social Development (DSD) to transfer urban regeneration and community development powers to local government from 1 April 2016. As my Department will mainly be transferring powers rather than functions, there will be no compulsory transfer of DSD staff to local councils as a result of these powers transferring. Staff working in this area will become surplus when those powers transfer. These staff are within the Department's Urban Regeneration and Community Development Group (URCDG) and includes 44 staff in the North West Development Office.

There may be opportunities for URCDG staff to transfer to Councils on temporary secondment to support capacity building and business continuity in local government. Officials in my Department wrote to new Council Chief Executives earlier this month asking for any secondment requirements they may have. Staff in North West Development Office can apply for any secondment requirements identified, including those in Derry and Strabane Council. Secondments could be for a period of up to 2 years.

Redeployment opportunities for surplus staff will arise from the Northern Ireland Civil Service Voluntary Exit Scheme. While it is not possible at this stage to identify exactly where redeployment opportunities will be, DSD has offices throughout Northern Ireland including the North West.

**Mr Ramsey** asked the Minister for Social Development when he expects to inform employees based at the North West Development Office of departmental plans for the future of their roles.

**(AQW 44553/11-15)**

**Mr Storey:** The Regeneration Bill currently progressing through the Assembly provides the legislative basis for the Department for Social Development (DSD) to transfer urban regeneration and community development powers to local government from 1 April 2016. As my Department will mainly be transferring powers rather than functions, there will be no compulsory transfer of DSD staff to local councils as a result of these powers transferring. Staff working in this area will become surplus when those powers transfer. These staff are within the Department's Urban Regeneration and Community Development Group (URCDG) and includes 44 staff in the North West Development Office.

An HR Strategy has been drafted and is currently at consultation stage with Trade Union Side with a response expected by the end of April 2015. The Strategy identifies redeployment opportunities emanating from the Northern Ireland Civil Service Voluntary Exit Scheme as the means by which the surplus position in URCDG will be managed. While it is not possible at this stage to identify exactly where redeployment opportunities will be, DSD has offices throughout Northern Ireland including the North West.

Following consultation with Trade Union Side, URCDG Directors will engage in further communication with their staff, including staff in NWDO.

**Mr Hussey** asked the Minister for Social Development how much money has his Department spent on maintenance and improvements in District 5, Belfast in each year since May 2011.

**(AQW 44583/11-15)**

**Mr Storey:** I assume the member is referring to Housing Executive properties. They have provided the tables below regarding the amount spent each year on maintenance and improvements in their Shankill Office area (formerly known as its District 5 office) since May 2011: -

(i) Maintenance Spend on NIHE Homes:

Year	Expenditure £
01/05/2011 to 31/12/11	1,737,723
01/01/2012 to 31/12/12	1,619,509
01/01/2013 to 31/12/13	1,538,010
01/01/2014 to 31/12/14	1,732,832
01/01/2015 to date	496,032
<b>Total</b>	<b>7,124,106</b>

(ii) Improvements Spend on NIHE Homes:

Year	Expenditure £
01/05/2011 to 31/12/2011	1,885,220
01/01/2012 to 31/12/2012	1,770,456
01/01/2013 to 31/12/2013	2,728,721
01/01/2014 to 31/12/2014	4,083,206
01/01/2015 to date	1,071,570
<b>Total</b>	<b>11,539,173</b>

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**Mr Hussey** asked the Minister for Social Development, pursuant to AQW 43609/11-15 how many people were (i) listed on the housing waiting lists over the past twelve months, with Rathcoole and North Belfast as an area of choice (ii) further broken down by the number of bedrooms required in each case.

**(AQW 44584/11-15)**

**Mr Storey:** The information is not available in the format requested as the Housing Executive advises that waiting list information is collated on a quarterly basis.

The tables below detail the number of applicants on the waiting list and in housing stress broken down by number of bedrooms for Rathcoole and the North Belfast Parliamentary Constituency.

**Table 1 - Rathcoole**

Number of Bedrooms Required	30 June 2014		30 September 2014		31 December 2014		31 March 2015	
	Waiting List	Housing Stress	Waiting List	Housing Stress	Waiting List	Housing Stress	Waiting List	Housing Stress
1	279	146	283	149	266	137	274	152
2	95	56	93	55	97	55	96	55
3	26	9	25	10	25	11	23	7
4	6	3	6	2	7	2	4	1
5	1	1	1	1	1	1	1	1
<b>Total</b>	<b>407</b>	<b>215</b>	<b>408</b>	<b>217</b>	<b>396</b>	<b>206</b>	<b>398</b>	<b>216</b>

**Table 2 - North Belfast Parliamentary Constituency**

Number of Bedrooms Required	30 June 2014		30 September 2014		31 December 2014		31 March 2015	
	Waiting List	Housing Stress	Waiting List	Housing Stress	Waiting List	Housing Stress	Waiting List	Housing Stress
1	2,242	1,286	2,280	1,292	2,219	1,272	2,291	1,321
2	1,073	683	1,063	701	1,015	663	1,034	678
3	282	143	297	158	288	159	290	157
4	84	44	82	46	79	43	76	44
5	11	5	12	7	16	8	18	9
6	2	-	2	-	1	-	1	-
7	1	-	1	-	1	-	1	-
<b>Total</b>	<b>3,695</b>	<b>2,161</b>	<b>3,737</b>	<b>2,204</b>	<b>3,619</b>	<b>2,145</b>	<b>3,711</b>	<b>2,209</b>

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**Mr Hussey** asked the Minister for Social Development to detail the number of un-lettable voids in Rathcoole, North Belfast on a month by month basis, over the last twelve months, broken down by bedrooms per property.

**(AQW 44585/11-15)**

**Mr Storey:** The information is not available in the format requested, as the Housing Executive does not collate details of its non-lettable voids by bedroom size. However they have provided the table below detailing non-lettable voids in Rathcoole from April 2014 to March 2015.

Month	Number of non-lettable voids
April 2014	96
May 2014	91
June 2014	91
July 2014	90
August 2014	93
September 2014	91
October 2014	91
November 2014	91
December 2014	91
January 2015	92
February 2015	94
March 2015	93

The Housing Executive advises that non-lettable may include properties pending demolition; pending improvement schemes and those properties held for decanting purposes to facilitate such schemes; proposed stock transfers to Housing Association; and those properties void for exceptional circumstances.

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**Mr Hussey** asked the Minister for Social Development to detail the number of lettable voids in Rathcoole, north Belfast on a month by month basis, over the last twelve months, broken down by bedrooms per property.

**(AQW 44586/11-15)**

**Mr Storey:** I assume the Member is referring to Housing Executive properties. The information is not available in the format requested as, in relation to this question, the Housing Executive's computerised records do not incorporate information about the number of bedrooms per property. However, the Housing Executive has provided the table attached detailing the number of lettable voids in Rathcoole from April 2014 to March 2015.

Month	No. of Lettable Voids
April 2014	3
May 2014	3
June 2014	3
July 2014	11
August 2014	3
September 2014	5
October 2014	8
November 2014	4
December 2014	4
January 2015	6
February 2015	2
March 2015	6

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**Note:** Lettable voids figures may include those properties that are difficult to let, lettable and awaiting repairs.

**Mr Wilson** asked the Minister for Social Development how many cars have been supplied through the Mobility Scheme in each of the last 5 years.

**(AQW 44587/11-15)**

**Mr Storey:** The information requested is not available. The Motability Scheme whereby people who receive the higher rate mobility component of the Disability Allowance may exchange all or part of their allowance in return for a car is administered by the independent charity Motability. Information on administrative matters relating to the scheme can be obtained from Motability by writing to: Declan O'Mahony, Director, Motability, Warwick House, Roydon Road, Harlow, Essex, CM19 5PX.

**Mr Wilson** asked the Minister for Social Development what the cost of supplying mobility cars to claimants has been in each of the last 5 years.

**(AQW 44588/11-15)**

**Mr Storey:** My Department does not hold the information requested. The Motability Scheme whereby people who receive the higher rate mobility component of the Disability Living Allowance may exchange all or part of their allowance in return for a car is administered by the independent charity Motability. Information on administrative matters relating to the scheme can be obtained from Motability by writing to: Declan O'Mahony, Director, Motability, Warwick House, Roydon Road, Harlow, Essex, CM19 5PX.

**Mr Wilson** asked the Minister for Social Development in each of the last five years, what checks have been carried out to ensure that those who receive mobility cars are actually eligible for the support.

**(AQW 44589/11-15)**

**Mr Storey:** The Motability Scheme whereby people who receive the the higher rate mobility component of the Disability Living Allowance may exchange all or part of their allowance in return for a car is administered by the independent charity Motability. Given this is an optional choice made by the claimant there are no specific checks carried out by the Department regarding eligibility to the Motability scheme.

However, all DLA claimants in receipt of the higher rate mobility component are subject to the same review arrangements where appropriate, regardless of whether or not they exchange all or part of their mobility allowance in return for a car. In instances where entitlement to the DLA higher rate mobility component ceases then eligibility for the Motability scheme will end at the same time.

Information on administrative matters relating to the Motability Scheme including measures in place to protect the scheme can be obtained from Motability by writing to: Declan O'Mahony, Director, Motability, Warwick House, Roydon Road, Harlow, Essex, CM19 5PX.

**Mr Dunne** asked the Minister for Social Development for an update on the delivery of Neighbourhood Renewal funding for the 3G sports pitch in Kilcooley, Bangor.

**(AQW 44603/11-15)**

**Mr Storey:** The timeframe for the delivery of the Neighbourhood Renewal funding for this project will be dependent upon the outcome of the assessment processes being carried out by the potential funders, the completion of the statutory processes and the availability of finance.

**Mr Campbell** asked the Minister for Social Development when he hopes to have proposals for major investment into the Portrush and Causeway Coast area in preparation for the Open Golf Championship in 2019.

**(AQW 44605/11-15)**

**Mr Storey:** In September last year the Ministerial sub-group established to oversee the regeneration of Portrush visited the town to view improvements that had already been delivered. The Ministerial sub-group also considered a number of major infrastructure projects that could need to be taken forward to enable Portrush and the wider North Coast area to take maximise advantage of the economic opportunities that the Open Championship will bring to the area.

The Ministerial sub-group considered that, as a recurring event of global significance, the Open Championship presents a unique opportunity to deliver major economic benefits by transforming the tourism offer of Portrush. Consequently, the sub-group agreed that its preferred approach would be for central government to deliver a significant programme of works, in the period up to 2019.

I have circulated a draft Executive Paper setting out the regeneration proposals for Portrush to my Ministerial colleagues. I aim to table this paper for discussion at an Executive meeting in the very near future.

**Mr Campbell** asked the Minister for Social Development, pursuant to to AQW 44106/11-15, how many Disability Living Allowance recipients in each constituency were aged between (i) 0 and 16; (ii) 16 and 35; and (iii) 35 and 65 years old.

**(AQW 44606/11-15)**

**Mr Storey:** The table below details the number of people in receipt of Disability Living Allowance as of November 2014 for the age groups requested broken down by constituency.

Assembly Area	DLA Recipients (15 and under)	DLA Recipients (16-34)	DLA Recipients (35-65)
Belfast East	990	1,100	4,570
Belfast North	1,410	1,940	8,040
Belfast South	840	1,230	4,610
Belfast West	1,700	2,410	9,570
East Antrim	870	950	3,910
East Londonderry	830	1,120	4,970
Fermanagh and South Tyrone	880	1,260	5,200
Foyle	1,060	1,760	7,770
Lagan Valley	980	960	3,820
Mid Ulster	1,050	1,280	5,610
Newry And Armagh	1,040	1,480	6,590
North Antrim	930	1,180	4,750
North Down	690	830	3,350
South Antrim	1,080	1,010	4,340
South Down	1,160	1,480	6,070
Strangford	840	920	3,990
Upper Bann	1,000	1,530	6,870
West Tyrone	890	1,580	7,220
Unknown	50	110	490

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**Mr Campbell** asked the Minister for Social Development, pursuant to AQW 44106/11-15, what was the population in each constituency aged between 0 - 65 years old; and what percentage of that population was claiming Disability Living Allowance. (AQW 44607/11-15)

**Mr Storey:** The following table details the population aged 0-65 years, the number of people in receipt of DLA as of November 2014, aged 0-65, and the percentage of that population in receipt of DLA, by Assembly Area.

The percentage of the population was derived from the Northern Ireland Statistics and Research Agency, Mid-Year population Estimates for 2013.

Assembly Area	Population (aged 0-65)	DLA Recipients (aged 0-65)	DLA Recipients as % of the population (aged 0-65)
Belfast East	77,770	6,660	8.6%
Belfast North	86,950	11,390	13.1%
Belfast South	97,730	6,680	6.8%
Belfast West	82,770	13,680	16.5%
East Antrim	75,770	5,730	7.6%
East Londonderry	84,970	6,910	8.1%
Fermanagh and South Tyrone	89,940	7,340	8.2%
Foyle	89,670	10,600	11.8%
Lagan Valley	87,120	5,760	6.6%

Assembly Area	Population (aged 0-65)	DLA Recipients (aged 0-65)	DLA Recipients as % of the population (aged 0-65)
Mid Ulster	88,440	7,950	9.0%
Newry And Armagh	100,320	9,110	9.1%
North Antrim	92,120	6,860	7.5%
North Down	73,450	4,870	6.6%
South Antrim	86,870	6,440	7.4%
South Down	95,780	8,710	9.1%
Strangford	75,220	5,740	7.6%
Upper Bann	104,610	9,390	9.0%
West Tyrone	79,490	9,690	12.2%

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**Mr Campbell** asked the Minister for Social Development, pursuant to AQW 43756/11-15, how many of the of the 539 agency workers are from a (i) Protestant; (ii) Roman Catholic; and (iii) non determined community background.

**(AQW 44609/11-15)**

**Mr Storey:** The information requested is not available. The Housing Executive has advised that, as the agency workers are not employees of the Housing Executive, they do not hold monitoring information on them.

**Mr Hussey** asked the Minister for Social Development to detail the number of applicants on the housing waiting list over the last twelve months in each housing area in North Belfast, broken down by number of bedrooms required.

**(AQW 44653/11-15)**

**Mr Storey:** The information is not available in the format requested as the Housing Executive does not collate information on waiting lists on a monthly basis. However, the Housing Executive has provided the information in the tables attached for the number of applicants in the North Belfast Parliamentary Constituency, broken down by housing need assessment area and the number of bedrooms required on a quarterly basis.

#### Waiting List - Quarter 1 ending 30 June 2014

Quarter 1 ending 30 June 2014														
No. of Bedrooms	1		2		3		4		5		6		7	
	Waiting List	Housing Stress	Waiting List	Housing Stress	Waiting List	Housing Stress	Waiting List	Housing Stress	Waiting List	Housing Stress	Waiting List	Housing Stress	Waiting List	Housing Stress
Housing Need Assessment Area	Waiting List	Housing Stress	Waiting List	Housing Stress	Waiting List	Housing Stress	Waiting List	Housing Stress	Waiting List	Housing Stress	Waiting List	Housing Stress	Waiting List	Housing Stress
Ainsworth/Woodvale	87	41	48	21	7	1	2	1	0	0	0	0	0	0
Central Glengormley	135	83	60	38	15	9	5	4	2	1	0	0	0	0
Hightown	7	7	7	6	1	1	0	0	0	0	0	0	0	0
Longlands/Bawnmore	60	41	36	26	19	8	7	5	0	0	1	0	0	0
Mid Shankill	142	75	52	25	14	6	8	3	2	0	0	0	0	0
North Belfast 1	996	632	511	373	139	85	39	21	4	3	0	0	1	0
North Belfast 2	409	191	197	96	52	21	11	4	1	0	1	0	0	0
Rathcoole	279	146	95	56	26	9	6	3	1	1	0	0	0	0
Rathfern	5	2	13	5	5	2	2	0	0	0	0	0	0	0
Rushpark	101	56	45	33	5	1	2	1	0	0	0	0	0	0
Whiteabbey	19	11	10	4	1	1	2	2	0	0	0	0	0	0

## Waiting List - Quarter 2 ending 30 September 2014

Quarter 2 ending 30 September 2014														
No. of Bedrooms	1		2		3		4		5		6		7	
Housing Need Assessment Area	Waiting List	Housing Stress	Waiting List	Housing Stress	Waiting List	Housing Stress	Waiting List	Housing Stress	Waiting List	Housing Stress	Waiting List	Housing Stress	Waiting List	Housing Stress
Ainsworth/Woodvale	79	35	38	18	7	2	2	1	0	0	0	0	0	0
Central Glengormley	142	90	61	38	17	10	5	4	1	1	0	0	0	0
Hightown	10	8	6	6	2	1	0	0	0	0	0	0	0	0
Longlands/Bawnmore	60	38	45	34	22	9	6	4	0	0	1	0	0	0
Mid Shankill	142	67	48	27	14	6	5	1	2	0	0	0	0	0
North Belfast 1	1,022	643	520	389	141	92	41	26	6	5	0	0	1	0
North Belfast 2	408	187	188	96	57	23	12	5	1	0	1	0	0	0
Rathcoole	283	149	93	55	25	10	6	2	1	1	0	0	0	0
Rathfern	6	2	12	4	6	3	2	0	0	0	0	0	0	0
Rushpark	102	57	45	31	7	2	1	1	0	0	0	0	0	0
Whiteabbey	23	14	9	4	1	1	2	2	0	0	0	0	0	0

## Waiting List - Quarter 3 ending 31 December 2014

Quarter 3 ending 31 December 2014														
No. of Bedrooms	1		2		3		4		5		6		7	
Housing Need Assessment Area	Waiting List	Housing Stress	Waiting List	Housing Stress	Waiting List	Housing Stress	Waiting List	Housing Stress	Waiting List	Housing Stress	Waiting List	Housing Stress	Waiting List	Housing Stress
Ainsworth/Woodvale	73	31	38	17	6	1	1	0	0	0	0	0	0	0
Central Glengormley	148	103	59	34	19	13	5	4	0	0	0	0	0	0
Hightown	10	10	8	8	2	1	0	0	0	0	0	0	0	0
Longlands/Bawnmore	65	42	48	37	25	15	8	4	0	0	0	0	0	0
Mid Shankill	122	59	40	23	10	3	4	1	2	0	0	0	0	0
North Belfast 1	1,004	628	493	373	137	89	37	24	8	6	1	1	1	0
North Belfast 2	401	182	179	84	48	19	12	5	3	0	1	0	0	0
Rathcoole	266	137	97	55	25	11	7	2	1	1	0	0	0	0
Rathfern	8	5	11	5	8	4	2	0	0	0	0	0	0	0
Rushpark	96	58	39	26	7	1	1	1	0	0	0	0	0	0
Whiteabbey	22	14	6	3	2	2	2	2	1	1	0	0	0	0

**Waiting List - Quarter 4 ending 31 March 2015**

Quarter 4 ending 31 March 2015														
No. of Bedrooms	1		2		3		4		5		6		7	
Housing Need Assessment Area	Waiting List	Housing Stress	Waiting List	Housing Stress	Waiting List	Housing Stress	Waiting List	Housing Stress	Waiting List	Housing Stress	Waiting List	Housing Stress	Waiting List	Housing Stress
Ainsworth/Woodvale	79	37	37	18	5	2	2	1	0	0	0	0	0	0
Central Glengormley	147	104	64	38	15	12	6	4	0	0	0	0	0	0
Hightown	10	10	7	6	2	1	0	0	0	0	0	0	0	0
Longlands/Bawnmore	69	46	48	34	30	15	9	6	1	1	0	0	1	0
Mid Shankill	118	58	43	19	12	4	3	0	2	0	0	0	0	0
North Belfast 1	1,049	664	514	391	141	95	35	23	8	6	0	0	0	0
North Belfast 2	416	177	167	80	49	17	9	4	4	0	1	0	0	0
Rathcoole	274	151	96	56	23	7	4	1	1	1	0	0	0	0
Rathfern	8	5	11	6	6	3	2	0	0	0	0	0	0	0
Rushpark	97	55	43	28	8	1	4	3	0	0	0	0	0	0
Whiteabbey	20	11	7	4	1	1	2	2	1	1	0	0	0	0

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.

**Mr Hussey** asked the Minister for Social Development to detail the number of flats occupied in (i) Carncoole House; (ii) Glencool House; (iii) Monkscoole House; and (iv) Abbotscoole House in Rathcoole, North Belfast.  
(AQW 44654/11-15)

**Mr Storey:** The Housing Executive has provided the table attached detailing the number of occupied flats in the four multi-storey blocks in Rathcoole.

Multi-Storey block	Occupied
Carncoole House	45
Glencool House	22
Monkscoole House	20
Abbotscoole House	37

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Note: The figures do not include unoccupied flats held for decanting purposes, in preparation for relet or flats which have been sold.

**Lord Morrow** asked the Minister for Social Development how many Employment Support Allowance appeals have been decided in the absence of an oral hearing in each of the last two financial years, broken down by appeal district and the outcome.

(AQW 44656/11-15)

**Mr Storey:** The table below sets out the total number of ESA paper based appeal outcomes made by The Appeal Tribunal in 2013/14 and 2014/15 and how many of those decisions were more or less advantageous to the appellant.

**Table: ESA Appeal Outcomes 2013-2015**

Tribunal District	1 April 2013 – 31 March 2014			1 April 2014 – 31 March 2015		
	Appeal Outcomes	Less Advantageous	More Advantageous	Appeal Outcomes	Less Advantageous	More Advantageous
Armagh	118	114	4	59	54	5
Ballymena	317	300	17	72	71	1
Ballymoney	47	43	4	19	19	0
Banbridge	108	106	2	31	31	0
Belfast	1636	1562	74	464	451	13
Coleraine	212	197	15	59	58	1
Cookstown	52	50	2	16	16	0
Craigavon	236	229	7	90	84	6
Downpatrick	166	156	10	32	31	1
Dungannon	168	163	5	68	64	4
Enniskillen	96	92	4	38	38	0
Limavady	68	68	0	22	21	1
Londonderry	223	215	8	63	61	2
Magherafelt	88	86	2	37	35	2
Newry	256	243	13	70	70	0
Newtownards	231	218	13	54	53	1
Omagh	115	109	6	51	49	2
Strabane	73	71	2	18	18	0
<b>Totals</b>	<b>4210</b>	<b>4022</b>	<b>188</b>	<b>1263</b>	<b>1224</b>	<b>39</b>

**Mr Allister** asked the Minister for Social Development to outline (i) the financial implications of changes in claimant behaviour and further administrative costs, as referred to in the financial annex to the Stormont House Agreement: and (ii) any discussions with the Treasury on the implications of same.

**(AQW 44676/11-15)**

**Mr Storey:** At Stormont Castle in December 2014, the five Executive parties agreed a comprehensive package of measures on how the changes to the welfare system should be implemented in Northern Ireland. This agreement enabled the Welfare Reform Bill to return to the Assembly to complete its legislative passage. On 22 January 2015, the Northern Ireland Executive formally approved the Stormont Castle Agreement as well as the resources required to fund all of the planned expenditure.

The Executive agreed total expenditure of £564 million over a six year period of which £26 million was for further administration costs. The £26 million represents 4.6% of the total expenditure being made available by the Executive and this figure is referred to in the financial annex to the Stormont Castle Agreement.

There have been a number of engagements with HM Treasury on the financial consequences of the Stormont House Agreement. These included discussions on the costs of the package of measures agreed at Stormont Castle and whether there were Annually Managed Expenditure implications including the costs of any claimant behavioural issues. The discussions with HM Treasury will continue as the details of the different schemes are finalised and agreed by the Executive.

**Mr Agnew** asked the Minister for Social Development what efforts have been made by his Department to reduce costs through minimising the use of postal correspondence.

**(AQW 44691/11-15)**

**Mr Storey:** The Department of Finance and Personnel Central Procurement Directorate is currently in the planning stage to procure a Northern Ireland Civil Service-wide collaborative contract for Postal Services. It is hoped that this contract will be in place by the end of the financial year and that it will deliver a value for money solution which will provide savings on what is currently spent on provision of these services.

In terms of my Department, the Child Maintenance Service and the Social Security Agency are the two areas with the greatest volume of post.

The implementation of the Child Maintenance Service 2012 scheme which is essentially paperless, has resulted in a reduction in post handled by Belfast staff of just over 60%. The Social Security Agency is also committed to finding ways to reduce its dependency on post by making greater use of digital services both online and through modern telephony and scanning infrastructure. The Agency is however dependent upon the Department for Work and Pensions in Great Britain for its benefits systems as well as progression with the implementation of welfare changes in Northern Ireland to effect more significant improvements in this regard.

For the Department as a whole there has been a decrease of £49729.85 in postal costs in the last two financial years.

#### Departmental Postage Costs

Description	2013-14 Total (£)	2014-15 (to date) Total (£)
Business Reply	226,451.60	235,251.50
Franking Machines	573,870.55	610,004.14
Post Paid Impressions	92,664.49	61,081.27
Postage	1,229,491.37	1,166,411.25
<b>Grand Total</b>	<b>2,122,478.01</b>	<b>2,072,748.16</b>

**Mrs Cameron** asked the Minister for Social Development how many food banks are currently in operation within each constituency, broken down by year of opening.

**(AQW 44693/11-15)**

**Mr Storey:** The Department for Social Development does not hold the detail of the number of food banks currently in operation in Northern Ireland. However, my Department has undertaken research to have a better understanding of how many food banks are in operation and why people in Northern Ireland are using food banks. It is anticipated that this work will be published before summer 2015.

**Mrs Cameron** asked the Minister for Social Development to detail the level of funding his Department provides to food banks.

**(AQW 44694/11-15)**

**Mr Storey:** My Department has no funding relationship with food banks but has developed links with them through a partnership approach, aimed at ensuring Benefit Uptake promotional material is issued to those receiving help from food banks.

**Mrs Cameron** asked the Minister for Social Development to detail the number of claimants in each constituency that received out of work benefits, broken down by benefit, in each of the last four years.

**(AQW 44695/11-15)**

**Mr Storey:** The tables below provide the number of claimants by constituency for out of work benefits, in each of the last four years. The latest figures available are at November 2014.

#### Employment and Support Allowance claimants by constituency

Constituency	Nov-11	Nov-12	Nov-13	Nov-14
Belfast East	1,560	2,740	4,440	5,510
Belfast North	2,710	4,970	7,770	9,620
Belfast South	1,500	2,730	4,400	5,560
Belfast West	2,580	4,650	7,640	9,520
East Antrim	1,360	2,420	3,760	4,740
East Londonderry	1,930	3,380	5,240	6,460
Fermanagh and South Tyrone	1,620	2,700	3,940	5,100
Foyle	2,090	4,250	6,980	8,780
Lagan Valley	1,300	2,260	3,540	4,390
Mid Ulster	1,830	3,070	4,720	5,910
Newry and Armagh	1,920	3,680	5,560	7,080
North Antrim	1,890	3,150	4,990	6,270



Constituency	Nov-11	Nov-12	Nov-13	Nov-14
North Down	1,060	1,840	3,000	3,720
South Antrim	1,420	2,410	3,760	4,750
South Down	1,970	3,240	5,140	6,360
Strangford	1,340	2,210	3,440	4,320
Upper Bann	2,250	3,860	6,000	7,530
West Tyrone	1,720	3,290	5,370	6,760
Unknown	240	250	980	1,430
<b>Total</b>	<b>32,290</b>	<b>57,110</b>	<b>90,650</b>	<b>113,800</b>

#### Incapacity Benefit and Severe Disablement Allowance claimants by constituency

Constituency	Dec-11	Nov-12	Nov-13	Dec-14
Belfast East	4,300	2,890	1,060	220
Belfast North	7,480	4,910	1,780	340
Belfast South	4,300	2,960	1,090	240
Belfast West	7,850	5,250	1,870	380
East Antrim	3,670	2,500	960	170
East Londonderry	5,000	3,420	1,280	320
Fermanagh and South Tyrone	4,400	3,130	1,270	300
Foyle	7,920	5,320	2,030	440
Lagan Valley	3,430	2,340	920	180
Mid Ulster	5,030	3,420	1,350	290
Newry and Armagh	5,990	4,040	1,710	390
North Antrim	4,850	3,250	1,270	300
North Down	3,050	2,160	880	160
South Antrim	3,850	2,660	1,130	210
South Down	5,280	3,680	1,430	320
Strangford	3,530	2,380	910	230
Upper Bann	6,100	4,080	1,550	290
West Tyrone	6,120	4,140	1,680	380
Unknown	460	370	270	80
<b>Total</b>	<b>92,620</b>	<b>62,890</b>	<b>24,420</b>	<b>5,240</b>

#### Income Support claimants by constituency

Constituency	Nov-11	Nov-12	Nov-13	Nov-14
Belfast East	3,710	3,080	2,300	1,830
Belfast North	7,980	6,560	4,820	3,950
Belfast South	3,750	3,080	2,180	1,670
Belfast West	9,490	7,830	5,910	4,880
East Antrim	2,740	2,310	1,780	1,370
East Londonderry	4,010	3,330	2,480	2,020
Fermanagh and South Tyrone	3,360	2,750	1,900	1,420
Foyle	7,820	6,450	4,560	3,600

Constituency	Nov-11	Nov-12	Nov-13	Nov-14
Lagan Valley	2,600	2,210	1,690	1,340
Mid Ulster	3,760	3,170	2,310	1,810
Newry and Armagh	4,930	4,130	3,100	2,380
North Antrim	3,610	2,980	2,210	1,740
North Down	2,190	1,820	1,420	980
South Antrim	2,760	2,320	1,820	1,370
South Down	4,000	3,460	2,520	1,930
Strangford	2,320	2,030	1,610	1,320
Upper Bann	4,770	3,930	2,970	2,330
West Tyrone	4,930	4,060	2,880	2,180
Unknown	600	390	790	820
<b>Total</b>	<b>79,320</b>	<b>65,880</b>	<b>49,230</b>	<b>38,930</b>

**Jobseeker's Allowance claimants by constituency**

Constituency	Nov-11	Nov-12	Nov-13	Nov-14
Belfast East	2,640	2,900	2,730	2,370
Belfast North	4,770	5,300	5,060	4,390
Belfast South	2,950	3,220	3,060	2,580
Belfast West	4,770	5,380	4,850	4,200
East Antrim	2,210	2,630	2,240	1,790
East Londonderry	3,400	3,490	3,210	2,760
Fermanagh and South Tyrone	2,790	2,790	2,650	2,250
Foyle	5,440	5,750	5,490	5,100
Lagan Valley	1,980	2,310	2,080	1,710
Mid Ulster	2,500	2,660	2,400	1,770
Newry and Armagh	4,090	4,040	3,640	2,950
North Antrim	2,880	3,150	2,830	2,250
North Down	1,960	2,120	1,920	1,770
South Antrim	2,050	2,250	2,060	1,640
South Down	3,220	3,410	2,980	2,540
Strangford	2,130	2,440	2,270	2,060
Upper Bann	3,570	3,790	3,550	2,960
West Tyrone	3,370	3,490	3,450	2,970
Unknown	350	410	450	350
<b>Total</b>	<b>57,070</b>	<b>61,520</b>	<b>56,920</b>	<b>48,390</b>

All figures in the above tables have been rounded to the nearest 10, totals may not sum due to rounding.

The information provided is an Official Statistic. The Production and dissemination of all such Statistics is governed by the Principles and Protocols of the Code of Practice for Official Statistics. This is enforced by UK Statistics Authority.

**Mrs Cameron** asked the Minister for Social Development how many claimants with low income receive (i) tax credits; (ii) income support; and (iii) housing benefit.

**(AQW 44696/11-15)**

**Mr Storey:** The information requested is not available in the form requested as I am unable to provide figures for Tax Credits which is administered by HM Revenue and Customs.

At November 2014, which is the latest date published figures are available, 38,930 claimants were receiving Income Support. At 31 March 2015 there were 166,600 tenants with a live housing benefit claim across both the public and private rented sectors. The figure above is rounded to the nearest 10.

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**Mr Eastwood** asked the Minister for Social Development to detail the number of North West Development Office staff that will be transferring to local councils in the North West.  
(AQW 44697/11-15)

**Mr Storey:** The Regeneration Bill currently progressing through the Assembly provides the legislative basis for the Department for Social Development to transfer urban regeneration and community development powers to local government from 1 April 2016. As my Department will mainly be transferring powers rather than functions, there will be no compulsory transfer of DSD staff to local councils as a result of these powers transferring. Staff working in this area will become surplus when those powers transfer. These staff are within the Department's Urban Regeneration and Community Development Group and include 44 staff in the North West Development Office.

Staff will not be transferring to local councils however arrangements are in place to support capacity building and business continuity in local government by providing the new councils with access to DSD staff (on temporary secondment) who have experience in urban regeneration and community development.

Officials in my Department wrote to new Council Chief Executives earlier this month asking for any secondment requirements they may have. Staff in North West Development Office can apply for any secondment requirements identified, including those in Derry and Strabane Council. Secondments could be for a period of up to 2 years.

**Mr Eastwood** asked the Minister for Social Development to detail the number of North West Development Office staff that will be redeployed within the Northern Ireland Civil Service as a result of the closure of that office.  
(AQW 44698/11-15)

**Mr Storey:** The Regeneration Bill currently progressing through the Assembly provides the legislative basis for the Department for Social Development to transfer urban regeneration and community development powers to local government from 1 April 2016. As my Department will mainly be transferring powers rather than functions, there will be no compulsory transfer of DSD staff to local councils as a result of these powers transferring. Staff working in this area will become surplus when those powers transfer. These staff are within the Department's Urban Regeneration and Community Development Group (URCDG) and include 44 staff in the North West Development Office.

Arrangements are in place to support capacity building and business continuity in local government by providing the new councils with access to DSD staff (on temporary secondment) who have experience in urban regeneration and community development.

Should the councils identify any posts to be filled by DSD staff (on temporary secondment) with experience in urban regeneration and community development, these will be made available to all URCDG staff at the appropriate grade to apply should they wish to do so. Staff remaining in North West Development Office will be redeployed to posts in the Northern Ireland Civil Service.

**Mr Eastwood** asked the Minister for Social Development whether staff redeployed as a result of the closure of the North West Development Office will be redeployed in the North West.  
(AQW 44699/11-15)

**Mr Storey:** As a result of the closure of the North West Development Office, staff will be redeployed in line with the Northern Ireland Civil Service (NICS) Redeployment Policy.

The NICS Voluntary Exit Scheme and subsequent redeployment opportunities will be the means by which the surplus position in the North West Development Office will be managed. At this stage it is not possible to identify exactly where redeployment opportunities will be. However my Department has offices throughout Northern Ireland, including in the North West.

**Mr Gardiner** asked the Minister for Social Development what funding his Department, or any of its arm's-length bodies, has spent on Raymond McCreesh Park.  
(AQW 44772/11-15)

**Mr Storey:** None.

**Mr McNarry** asked the Minister for Social Development (i) what plans exist to refit and install tenants into the houses in the Hopewell Avenue, Crescent and Place areas of the lower Shankill, Belfast; (ii) what alternative plans he has for these houses; and (iii) why these properties are they currently lying vacant.  
(AQW 45005/11-15)

**Mr Storey:** In June 2009 the Housing Executive Board approved a regeneration plan for the Lower Shankill estate, which recommended the demolition of housing in the Hopewell area to facilitate extensive redesign and redevelopment of the estate.

It was originally proposed that new mixed tenure housing would be built on the central area between Shankill Parade and Florence area. However, due to the downturn in the housing market it has been difficult to attract private housing investment. Plans are still in place to demolish 28 units at 37-83 Hopewell Crescent and 11-17 Shankill Parade.

With regard to social housing, Choice Housing Association is currently developing 33 new homes which is being constructed in two phases. This housing will be offered to the families displaced from Hopewell Crescent. In fact some families have already moved into their new homes, but it is likely to be a further 12-15 months before all the new housing is complete.

As families move out, the Housing Executive is securing the dwellings in preparation for demolition. There are currently eight properties vacant and secured. It is anticipated that a further phase of social housing will be developed on the cleared area however; this will be dependent on housing demand as evidenced by the waiting list.

**Mr McElduff** asked the Minister for Social Development to outline his plans to address acute housing need in areas with the highest demand, including North Belfast, West Belfast and the City of Derry.

**(AQO 8022/11-15)**

**Mr Storey:** In the 2014/15 financial year, the Programme for Government target was exceeded and 2013 new social housing units were started. Of these, 978 were in the three areas mentioned.

In relation to this year the Housing Executive is working closely with the Department for Social Development and housing associations to deliver 1,500 units starting on-site in the current year 2015/16.

The Housing Executive is responsible for assessing the level of social housing need and determining the need for schemes in specific geographic areas and formulating the social housing programme.

The Housing Executive carry out an annual housing needs assessment of all district councils in order to examine the supply and demand of new social housing. This assessment is then used to determine the Housing Executive's unmet housing needs prospectus, which identifies locations where there is general unmet housing need beyond the schemes included in the Social Housing Development Programme and where it has not been possible to secure new build sites.

Housing need is identified by the number deemed to be in housing stress. This is where applicants have 30 points or more on the Housing Executive's Housing Selection Scheme. Housing need in Northern Ireland is addressed through the Social Housing Development Programme in a fair and equitable way.

Much has been achieved in addressing housing need. There is no doubt that the serious financial challenges we face moving forward will make this an increasingly difficult task, however the delivery of Social Housing will remain a priority.

**Mr Dallat** asked the Minister for Social Development what action his Department is taking to regulate the private rented sector.

**(AQO 8029/11-15)**

**Mr Storey:** The Rent Order 1978 and The Private Tenancies Order 2006 sets out the law relating to the regulation of the private rented sector and provides council environmental health officers with the powers to enforce private rented sector legislation. Under this legislation private landlords must:

- fulfil tenancy management duties;
- comply with notice to quit periods;
- provide tenants with a rent book free of charge; and
- ensure tenants are free from harassment and illegal eviction.

If a private tenancy commenced after 1 April 2007 a landlord must provide the tenant with a written statement of tenancy terms and a landlord can only charge a market rent on a property built before 1945 if the property meets the statutory fitness standard.

More recent developments to further regulate the private rented sector included:

- The introduction of the Tenancy Deposit Scheme on 1 April 2013. Currently 38,000 deposits have been protected amounting to £21m; and
- The Landlord Registration Scheme, which was introduced on 25 February 2014, gives councils the information they need to ensure that landlords comply with private rented sector law. Currently 40,737 landlords have registered and given details of 87,651 private tenancies.

The Department is currently undertaking a review of the role and regulation of the Private Rented Sector. The purpose of this review is to identify ways in which the sector can be enabled to provide a viable, attractive and good quality housing option for a broad range of households.

A discussion paper will be published for public consultation before summer 2015.

**Ms Boyle** asked the Minister for Social Development to confirm that social housing will continue to be allocated on the basis of objective need.

**(AQO 8023/11-15)**

**Mr Storey:** The current system of accessing the social housing waiting list and allocating social housing has been in place since 2000. In line with commitments made within my Department's Housing Strategy, independent research was commissioned both to analyse the way social housing is accessed and allocated and make recommendations for further improvement to current approaches and systems. Public and stakeholder responses to a consultation on the research supported the continuation of allocations on the basis of need. I have no plans to change this.

**Mr Girvan** asked the Minister for Social Development how many new houses are scheduled to be delivered by Housing Associations in South Antrim within the next two years.

**(AQO 8024/11-15)**

**Mr Storey:** I can advise you that over the next two years, 19 schemes are currently programmed to be delivered through the Social Housing Development Programme in the South Antrim Parliamentary Constituency area. These schemes will deliver a total of 328 social housing units.

**Mr Ó Muilleoir** asked the Minister for Social Development for his assessment of the contribution of the Ballynafeigh Community Centre to community relations, social uplift and welfare in South Belfast.

**(AQO 8025/11-15)**

**Mr Storey:** Ballynafeigh is one of 34 groups, spread across Northern Ireland, which currently receives funding by way of the Community Investment Fund (CIF). CIF is one of the Voluntary and Community Unit's baseline programmes. It includes support for core costs of local community development groups, particularly where this leads to improved services to local communities. Ballynafeigh Community Centre has been awarded CIF funding of £63,084.98 for 2015/16 to provide support for core costs of local community development groups. Core costs include three essential salaries.

The Fund is targeted towards community development activity with an emphasis on building more cohesive and sustainable communities through:

- support for community development activity to build better relationships within and between communities;
- capacity-building by and for community organisations, especially where activity is low or fragmented, as a prerequisite to further work on improvement of local services;
- support for and promotion of good practice; and
- an emphasis on building more cohesive and sustainable communities.

Additionally in the period from May 2008 to April 2014 the Housing Executive provided funding through their Community Cohesion Unit totalling £48,536.73 to Ballynafeigh Community Development Association for various shared programmes and activities. These included a shared neighbourhood programme and funding towards a shared neighbourhood coordinator.

However, the Housing Executive is not currently funding the Ballynafeigh Community Development Association as some of the funding programmes, which were time limited, ceased.

From 1 April 2016 responsibility for urban regeneration and community development will transfer from the Department for Social Development to the new councils established as part of the Reform of Local Government. DSD therefore has no CIF contractual commitments to these groups beyond March 2016.

**Mr Gardiner** asked the Minister for Social Development to detail how many Northern Ireland Housing Executive or Housing Association homes are currently empty in Upper Bann.

**(AQO 8026/11-15)**

**Mr Storey:** The Housing Executive has advised that at 31 March 2015 it had 37 vacant properties, while Housing Associations advise they currently have 22 vacant properties in the Upper Bann Parliamentary constituency.

A number of the properties are awaiting imminent relet and are being used for decanting purposes. The Housing Executive and Housing Associations continue to work to bring properties back into use as quickly as possible, for example by carrying out major repairs and improvements.

**Ms Cochrane** asked the Minister for Social Development for an update on potential legislation for gambling.

**(AQO 8027/11-15)**

**Mr Storey:** The gambling law has not kept pace with technological and other changes in the gambling industry and is under review. The review has proven a lengthy process given the complex and cross-cutting nature of many of the policy issues around gambling and the age of the existing legislation.

I am currently considering the options available to me for potential legislation on gambling.

**Mr Swann** asked the Minister for Social Development whether he has worked with the Minister of Finance and Personnel to calculate how much the failure of the Northern Ireland Assembly to agree the Final Stage of the Welfare Reform Bill has cost the Northern Ireland Executive since 9 March 2015.

**(AQO 8028/11-15)**

**Mr Storey:** The Minister of Finance and Personnel and I continually discuss the financial and operational implications of the continuing delay in the Welfare Reform Bill completing its legislative passage through the Assembly. In March the Minister of Finance and Personnel informed the Assembly that the continuing delay in the implementation of welfare reform will mean that the £114 million reduction will apply in full to the Executive's budget in 2015-16. Whilst HM Treasury have not yet indicated the level of reductions beyond 2015-16, the Social Security Agency (SSA) estimates that the foregone UK Exchequer savings of not implementing Welfare Reform in Northern Ireland are as follows:

2016-17	2017-18	2018-19	2019-20
£196m	£283m	£366m	£366m

In addition to the Resource DEL reductions applied by HM Treasury, non-implementation could also lead to significant capital costs associated with developing a bespoke IT system for Northern Ireland which is likely to cost in the region of £705 million along with the annual maintenance costs of the system.

Failure to proceed with the Welfare Reform Bill will also put at risk the other aspects of the total package agreed in the Stormont House Agreement.

**Mr McGlone** asked the Minister for Social Development to detail any recent engagement he has had with the construction industry.

**(AQO 8030/11-15)**

**Mr Storey:** My Department continues to be actively engaged with the construction industry on a number of fronts namely:

- **Housing Supply Forum** – Chaired by John Armstrong, Managing Director of the Construction Employers Federation (CEF). The Forum was established to identify ways to support an increase in the supply of housing in Northern Ireland and has engaged directly with several representatives from the construction sector in its work throughout 2014 and 2015. A Final report from the Forum is currently being prepared.
- **Procurement Policy** - I have had correspondence from the CEF on concerns raised regarding the Northern Ireland Public Procurement Policy and I have offered a meeting with my officials to discuss the matter.
- **Developer Contributions** - Both the CEF and National Housing Building Council (NHBC) were engaged in considering the research specification for new Northern Ireland-specific research into the economic impact of Developer Contributions – a key outcome of the recent public consultation. This new research will involve extensive and structured engagement with stakeholders, including the construction industry.
- **Together Building a United Community (TBUC)** – my officials have also recently met with CEF representatives to discuss the potential for mixed-tenure shared housing pilots under the TBUC Programme.
- **The Social Housing Reform Programme** - Established to consider options for the development of a social housing sector fit for the future, which is tenant-focused, sustainable and enables investment in our communities. As part of this, the options for structural reform are being identified and assessed including how the landlord function of the Housing Executive might be delivered in the future. To inform this work a significant survey of some 22,000 properties has been undertaken to determine the investment requirement needed to properly maintain homes. The Programme has tested the capacity and appetite of the construction industry within Northern Ireland, and other jurisdictions, to take on and execute this investment programme.
- **Affordable Warmth** - Officials from my Department have also engaged with the National Insulation Association (NIA) in relation to the industry concerns around the standard of cavity wall insulation in housing across Northern Ireland. The issue which was highlighted by the NIA has been considered and is reflected in the measures available to home owners as part of my Department's Affordable Warmth Scheme.
- **Construction Industry Forum for Northern Ireland (CIFNI)** - Officials from my Department also regularly attend CIFNI meetings, a body chaired by the Director of Central Procurement Directorate (CPD), whose purpose is to provide a strategically focused interface between the construction industry in Northern Ireland and the devolved administration. It provides the opportunity to establish and strengthen relationships between the industry and all arms of the devolved administration and facilitates the consideration and development of matters of mutual interest.
- **New Government Office in Strabane** - My Department is responsible for the development of a new government office in Strabane. The multi-purpose centre will provide a modern Jobs & Benefits office and a Department of Agriculture and Rural Development (DARD) Direct Office. I attended the construction site in Urney Road Strabane on 4 March 2015 along with Minister O'Neill from DARD to meet the contractors and view the excellent progress being made on the new offices. When complete, it will provide a first class service to the people of Strabane who will be able to access a full range of benefit services as well as receive assistance with employment opportunities.

**Mr Craig** asked the Minister for Social Development how much has been spent on new and refurbished social housing in Lagan Valley during the past 10 years.

**(AQO 8031/11-15)**

**Mr Storey:** The total investment, including government funding and private finance contributed by housing associations, in delivering new and refurbished social housing in the Lagan Valley Parliamentary Constituency through the Social Housing Development Programme (SHDP) during the past ten years is £144.3 million.

The Housing Executive has advised that the amount spent on their maintenance schemes in the past ten years in the Lagan Valley Parliamentary Constituency was as follows:-

- Planned Maintenance: £37,929,565.60\*
- Response Maintenance: £25,087,942.95\*
- Capital Improvements: £ 30,447,624.68\*

\* Figures include forecast outturns for 2014/15

**Mr Hilditch** asked the Minister for Social Development to give an update on the Housing Executive kitchen and window replacement scheme in Greenisland.

**(AQO 8032/11-15)**

**Mr Storey:** The Housing Executive has advised that the Greenisland kitchen scheme has an estimated start date of 17 August 2015 and also the Glassillan Greenisland kitchen scheme for 50 properties commenced in February 2015 with 21 properties completed to date. In relation to double glazing, the Greenisland double glazing scheme commenced in January 2015 and 69 properties have been completed to date.

## Northern Ireland Assembly Commission

**Mr Moutray** asked the Assembly Commission when will the outcome of the consultation on the flying of the Union Flag at Parliament Buildings be made public.

**(AQW 44910/11-15)**

**Mrs Cochrane (The Representative of the Assembly Commission):** The formal consultation carried out as part of the Equality Impact Assessment (EQIA) on the Review of the Flying of the Union Flag at Parliament Buildings ended on 2 February 2015. This consultation represented step 5 of the EQIA process. The next step in the process is step 6 - decision and publication of the results of the EQIA.

'Policy Arc', the consultancy company carrying out the consultation on behalf of the Assembly Commission, is scheduled to present a 'Final Decision' report to the Commission at its meeting on 13 May 2015. This report will include the findings of the consultation and recommendations to the Commission. The decision on whether or not to adopt the recommendations of the report rests with the Assembly Commission. Once the Commission has made its decision, the report will be published on the Northern Ireland Assembly website.

For information, the steps in the Equality Impact Assessment Process (EQIA) process are attached at Annex 1.

### **Annex 1: Steps in the Equality Impact Assessment Process (EQIA) process**

- Step 1: Definition of the aims of the policy
- Step 2: Consideration of available data and research
- Step 3: Assessment of potential and actual impacts
- Step 4: Consideration of measures
- Step 5: Formal consultation (including pre-consultation)
- Step 6: Decision and publication of the results of the EQIA
- Step 7: Monitoring for adverse impact





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# Northern Ireland Assembly

Friday 8 May 2015

## Written Answers to Questions

### Department of Agriculture and Rural Development

**Mr D McIlveen** asked the Minister of Agriculture and Rural Development when European funding will be available for the Local Action Groups to distribute within communities.

**(AQW 44919/11-15)**

**Mrs O'Neill (The Minister of Agriculture and Rural Development):** Local Action Groups (LAGs) will undertake funding workshops for potential project promoters at the Balmoral show. These workshops will continue through the summer to enable calls for applications to open once the programme and business case are approved.

**Mr Flanagan** asked the Minister of Agriculture and Rural Development (i) whether a formal process was put in place to allow existing civil servants to express an interest in taking up a position in the Forest Service when it relocates to Fermanagh; (ii) how many people expressed an interest; and (iii) how many vacant positions there are expected to be at the time of relocation.

**(AQW 45353/11-15)**

**Mrs O'Neill:**

- (i) On 29 October 2014 all NICS staff were issued a questionnaire and formally invited to express an interest in posts in each of the four DARD regional relocations, including Forest Service's relocation to Enniskillen. All responses were collated by the NI Statistical and Research Agency and this information is currently held on a central database.
- (ii) 435 expressions of interest in a post in Forest Service's relocation to Enniskillen were received.
- (iii) It is expected that there will be up to 20 vacant posts to be filled in Enniskillen at the time of relocation but the final figure may vary.

### Department of Culture, Arts and Leisure

**Mr Easton** asked the Minister of Culture, Arts and Leisure whether any departmental staff have the use of a company car as part of their contract.

**(AQW 44958/11-15)**

**Ms Ní Chuilín (The Minister of Culture, Arts and Leisure):** No staff in my Department has the use of a company car as part of their contract.

**Mr Dunne** asked the Minister of Culture, Arts and Leisure for an update on the Casement Park Stadium Redevelopment Project.

**(AQW 45067/11-15)**

**Ms Ní Chuilín:** On the 18th December 2014 Mr Justice Horner quashed the existing planning approval for the Casement Park project.

Following the outcome of the Judicial Review the Ulster Council GAA, the Department and the relevant team members have studied the decision in order that a new planning application will fully address and take into account the points raised in the judgement.

It is anticipated that a Consultation process to support the planning application will commence shortly and subject to the outcome of this consultation, it is envisaged that a new application will be submitted in late September 2015 onwards.

Subject to approval from DOE Planning, it is possible that the new stadium construction works may commence on site in early 2016.

The redevelopment of Casement Park is an Executive Programme for Government pledge and therefore remains a key priority.

DCAL is committed to the redevelopment of Casement Park and will work with all parties to facilitate this becoming a reality.

**Mr B McCrea** asked the Minister of Culture, Arts and Leisure what assessment of value for money was given to the spend on City of Culture Legacy programmes, given the serious budgetary constraints facing this Department and its arm's-length bodies.

**(AQW 45091/11-15)**

**Ms Ní Chuilín:** Evidence from European Cities of Culture demonstrates that continued support and investment is required to fully achieve benefits associated with hosting a City of Culture year. In November 2013, I made a commitment to maximising the successful impact of City of Culture 2013 by seeking additional funding to support further socio economic development in the North West, an area which continues to suffer from significant deprivation and inequality.

My Department has secured more than £6m of funding through in year monitoring round bids from January 2014 to date to meet this commitment.

My Department's focus on the North West reflects the need to support innovative solutions to positively impact the lives of those most in need. I am committed to harnessing opportunities presented following City of Culture 2013 in parallel with supporting the core infrastructure of our creative and cultural sector.

## Department of Education

**Mr Allister** asked the Minister of Education whether there are any plans to include Irish in the logo of the Education and Skills Authority.

**(AQW 45330/11-15)**

**Mr O'Dowd (The Minister of Education):** The logo of the Education Authority includes the Authority's name in English, Irish and Ulster Scots.

**Mr McKinney** asked the Minister of Education for a timeframe as to when the extended schools programme will be allocated for schools as part of the 2015/16 budget.

**(AQW 45366/11-15)**

**Mr O'Dowd:** The 2015-16 Extended Schools allocation letter issued to the Education Authority on 6 May 2015. The letter, and accompanying Annexes, provides details of individual funding allocations available to qualifying schools.

## Department for Employment and Learning

**Mr Flanagan** asked the Minister for Employment and Learning to detail on his Department's proposed public consultation on paying students monthly including (i) the date it will be launched (ii) how long it will run (iii) how he intends to engage with current and future students as part of the consultation and (iv) when he expects to implement any changes following the consultation.

**(AQW 44988/11-15)**

**Dr Farry (The Minister for Employment and Learning):** The frequency of student finance payments was raised with me by the National Union of Students – Union of Students in Ireland at their annual conference at the end of March. At the event, I committed to exploring this issue and the first step will be a public consultation. . A specific launch date is yet to be determined. It is envisaged that the consultation will run for a twelve week period and my Department will facilitate opportunities for current and future students to respond to the consultation.

The consultation will examine the merits and feasibility of a range of options for changing the frequency at which payments are made, including monthly payments throughout the course of the year with two instalments in September.

It will draw on payment frequency practices elsewhere in the UK, Europe and internationally and detail any additional costs associated with the options identified. It will also outline the timescales associated with each option in regard to implementation.

**Ms Sugden** asked the Minister for Employment and Learning to detail how the Enabling Success Strategy will target economic inactivity in rural areas.

**(AQW 45010/11-15)**

**Dr Farry:** The strategy fully recognises the geographical variances of economic inactivity in Northern Ireland, particularly in terms of the different issues and barriers experienced in urban and rural areas.

In response to this, the strategy will seek to test a range of different interventions in both urban and rural areas, through a competitive pilot testing process, as outlined in the implementation plan's Project B.

This will allow a number of innovative, small-scale initiatives to be tested for their potential to improve outcomes for the target groups. The process will allow for the incremental development, testing and evaluation of initiatives to identify models of best practice through robust performance data.

Examples of approaches that may warrant further exploration through the pilot testing model may include:

- innovative ways to sustainably engage with people from the target groups at an early stage and on a voluntary basis;
- engaging and supporting people from the target groups to improve their pre-employment and job skills in non-traditional settings;
- providing bespoke, holistic mentoring support to people from the target groups to motivate and support them towards and into employment;
- addressing issues of transport deprivation, isolation and accessibility, and;
- lifting job-search horizons and improving labour mobility in rural settings, amongst others.

This process will also help to identify the key success factors for different circumstances by providing evidence on how to approach different forms of disengagement, such as the urban and rural aspects of inactivity.

Based upon the outcomes of this approach, a geographical action plan may be developed.

**Ms Sugden** asked the Minister for Employment and Learning to detail the immediate steps for the implementation of the Enabling Success Strategy.

**(AQW 45013/11-15)**

**Dr Farry:** 'Enabling Success' is a major 15 year strategy which sets out the Executive's long-term vision and commitment to sustainably reduce economic inactivity in Northern Ireland. The strategy will be implemented through a series of 11 cross-departmental projects, subject to the availability of necessary resources.

The strategy was agreed by the Executive on 16 April and three projects have already been initiated, as detailed below:

- Project A – development of an outcomes framework, based on a co-design approach with key stakeholders and the target groups, to inform and guide the competitive pilot testing process;
- Project C – development, delivery and evaluation of a geographically focused control group project in an area with high levels of economic inactivity; and
- Project K – a series of research projects will be undertaken to identify new sources of data to inform the implementation process and to accurately monitor the progress of the target groups towards and into employment, in line with the strategic objectives.

Other projects will be initiated on a priority basis, subject to adequate resources being secured on a cross-departmental basis.

**Ms Sugden** asked the Minister for Employment and Learning how his Department will increase the provision of support for lone parents and carers, to enable them to participate fully in the Enabling Success Strategy.

**(AQW 45015/11-15)**

**Dr Farry:** Lone parents and carers are two of the key target groups of 'Enabling Success'.

The strategy commits to help these groups to make the transition towards and into the labour market, on a voluntary basis, through an innovative competitive pilot testing process.

This will be based upon an outcomes-focused, co-design approach which will develop, test and refine a number of small-scale initiatives for their effectiveness in helping all of the target groups, including lone parents and carers, to progress towards and into the labour market.

Examples of approaches that may warrant further exploration through the pilot testing model may include:

- innovative ways to sustainably engage with people from the target groups at an early stage and on a voluntary basis;
- engaging and supporting people from the target groups to improve their pre-employment and job skills in non-traditional settings;
- providing bespoke, holistic mentoring support to people from the target groups to motivate and support them towards and into employment;
- addressing issues of transport deprivation, isolation and accessibility, and;
- lifting job-search horizons and improving labour mobility in rural settings, amongst others.

The strategy is committed to addressing the complex issues associated with economic inactivity in Northern Ireland and to help people in the target groups to overcome their personal labour market barriers by providing the tailored solutions required to move into employment.

The first key step in this process will be to improve engagement with people in the target groups, at an early stage and on a voluntary basis. This will be crucial for the success of the strategy. Once voluntary engagement has been secured, the second key step will be to refine and enhance the package of support mechanisms to assist individuals towards and into the labour market.

## Department of Enterprise, Trade and Investment

**Ms Ruane** asked the Minister of Enterprise, Trade and Investment how much Tourism NI spent on legal fees and legal advice related to challenges which were made against their decision to fund English only signage in the Downpatrick area.  
(AQW 44137/11-15)

**Mrs Foster (The Minister of Enterprise, Trade and Investment):** It is not possible to disaggregate legal costs by geographic area. Legal advice taken by Tourism NI in relation to language policy and associated issues amounted to £13,500.

**Ms Ruane** asked the Minister of Enterprise, Trade and Investment what was the total cost of the Tourism NI's legal defence for the November 2014 Freedom of Information Tribunal Enquiry taken by the Committee on the Administration of Justice.  
(AQW 44138/11-15)

**Mrs Foster:** Tourism NI's legal defence costs for the Freedom of Information First Tier Tribunal were £3,000.

**Ms Ruane** asked the Minister of Enterprise, Trade and Investment what aspects of language usage are being reviewed within Tourism NI; and whether this review is specific to the Irish language.  
(AQW 44139/11-15)

**Mrs Foster:** Tourism NI is taking the opportunity to review visitor needs regarding language provision. The current review is not restricted to any specific language.

**Ms Ruane** asked the Minister of Enterprise, Trade and Investment what is the timeframe for the Tourism NI's review of language, including the proposed completion date.  
(AQW 44140/11-15)

**Mrs Foster:** I am expecting that Tourism NI's review of language policy should be completed by early autumn. The review will not be restricted to any specific language.

**Mr Allister** asked the Minister of Enterprise, Trade and Investment why has there been no declaration of political activity by the recently appointed chair of Tourism NI, given his admission of DUP membership when appointed to chair the Maze and Long Kesh Development Corporation.  
(AQW 44369/11-15)

**Mrs Foster:** The Commissioner for Public Appointments, Northern Ireland requires the political activity of appointees (if any declared) to be published. Mr Brannigan did not declare any political activity in the last 5 years.

Political activity should be declared where an appointee has either:-

obtained office as a councillor, MP, MEP or MLA, stood as a candidate, spoken on behalf of a political party, acted as a political agent, held office in a political party, canvasses on behalf of a political party or helped at elections, undertaken any other political activity which the candidate considers relevant or made a significant loan or donation to a party.

Personal membership of a political party, not involving any of the above activities is non-recordable.

**Mr Allister** asked the Minister of Enterprise, Trade and Investment what political activity the recently appointed Chair of Tourism NI has been involved in since 2010.  
(AQW 44371/11-15)

**Mrs Foster:** In relation to this appointment Mr Brannigan has declared no political activity in the past 5 years.

Political activity should be declared where an appointee has either:-

obtained office as a councillor, MP, MEP or MLA, stood as a candidate, spoken on behalf of a political party, acted as a political agent, held office in a political party, canvasses on behalf of a political party or helped at elections, undertaken any other political activity which the candidate considers relevant or made a significant loan or donation to a party.

Personal membership of a political party, not involving any of the above activities is non-recordable.

**Ms Sugden** asked the Minister of Enterprise, Trade and Investment why social enterprises are excluded from applying to InvestNI's Innovation Vouchers scheme; and whether she has plans to provide similar support for social enterprises.  
(AQW 44413/11-15)

**Mrs Foster:** Social enterprises are in fact eligible to apply to Invest NI's Innovation Voucher programme and have been so since the introduction of the programme in June 2008.

As stated at <http://www.investni.com/innovation-vouchers.html>, the programme is open to small and medium-sized enterprises with fewer than 250 employees and either an annual turnover not exceeding €50million or balance sheet total not exceeding

€43million. Medium-sized enterprises should also not have received assistance through Invest NI's R&D Programme in the past 5 years. Companies in the transport and agricultural sectors are excluded in line with State Aid guidelines.

A number of social enterprises have been awarded Innovation Vouchers and benefitted from the expertise offered by Universities and Colleges throughout Northern Ireland and the Republic of Ireland. Application to the Innovation Voucher programme is a competitive process and as with all applying enterprises, priority is given to those commercial and social enterprises that demonstrate most potential to further develop their business.

**Mr McCallister** asked the Minister of Enterprise, Trade and Investment what economic impact assessment her Department has carried out on the current Easter licensing laws.

**(AQW 44418/11-15)**

**Mrs Foster:** To ask the Minister of Enterprise, Trade and Investment what economic impact assessment her Department has carried out on the current Easter licensing laws.

**Mr McCallister** asked the Minister of Enterprise, Trade and Investment what surveys her Department has carried out on tourists' attitudes to local Easter licensing laws.

**(AQW 44420/11-15)**

**Mrs Foster:** Neither my Department nor Tourism NI has carried out any specific surveys on tourists' attitudes to local Easter licensing laws.

**Mr B McCrea** asked the Minister of Enterprise, Trade and Investment what steps she took to secure more funding for NI Screen in the 2015/16 Budget.

**(AQW 44428/11-15)**

**Mrs Foster:** In March 2014 I approved a four year funding package for NI Screen of up to £42.8 million for the period of their Opening Doors Strategy, 2014 - 2018. Due to budgetary pressures Invest NI was unable to make a firm commitment to the full amount and the offer was structured as an annual commitment of £8 million, with the balance of £2.7 million being subject to a business case from NI Screen and availability of funding.

Invest NI bid for additional funds during 2014/15 and was able to secure sufficient funding to support the implementation of the Opening Doors Strategy in full for that year. However, due to ongoing budgetary uncertainty I would anticipate that Invest NI will again bid in-year during 2015/16 for budget to enable the full implementation of the Strategy, subject to receipt of an appropriate business case from NI Screen.

**Mr B McCrea** asked the Minister of Enterprise, Trade and Investment how much money her Department has allocated to NI Screen in each of the last five financial years, including money received from in-year monitoring rounds.

**(AQW 44430/11-15)**

**Mrs Foster:** My Department has allocated a total of approximately £38 million to NI Screen over the last 5 years, including monies received through in year monitoring rounds. The table below provides the breakdown by financial year as requested:

Financial Year	Budget Allocated £	Associated Strategy
2010/11	£5,704,229	Driving Global Growth
2011/12	£6,676,650	Driving Global Growth
2012/13	£7,900,000	Driving Global Growth
2013/14	£7,000,000	Driving Global Growth
2014/15	£10,703,998	Opening Doors
<b>Total</b>	<b>£37,984,877</b>	

Invest NI is the largest funder of NI Screen and this support has resulted in a range of substantial economic benefits for Northern Ireland, including the attraction of a number of internationally mobile film, television and animation investment projects. Building on that success, NI Screen developed an ambitious and exiting new Opening Doors Strategy which is projected to bring further significant net economic benefit to Northern Ireland.

**Mr D Bradley** asked the Minister of Enterprise, Trade and Investment to detail the number of new jobs supported by Invest NI in each year since 2005, broken down by constituency.

**(AQW 44858/11-15)**

**Mrs Foster:** The table below shows the number of new jobs promoted by Invest NI during the 9 year period 2005-06 to 2013-14, broken down by constituency. Information for the year just ended, 2014-15, is currently being finalised.

Parliamentary Constituency	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14
Belfast East	211	737	362	1,183	434	982	271	214	1,684
Belfast North	189	149	128	178	406	491	472	307	1,755
Belfast South	1,061	883	611	299	275	975	1,003	1,160	1,287
Belfast West	118	138	148	121	107	85	299	372	337
East Antrim	329	172	401	115	109	178	142	517	323
East Londonderry	183	177	538	149	151	183	159	160	254
Fermanagh & South Tyrone	306	905	431	533	270	328	261	480	453
Foyle	811	1,000	1,158	271	340	438	380	466	871
Lagan Valley	471	212	183	154	241	336	308	273	236
Mid Ulster	289	402	385	475	339	292	647	803	543
Newry & Armagh	753	537	524	1,008	199	714	265	307	375
North Antrim	205	363	237	268	91	153	175	207	464
North Down	144	324	93	128	51	88	177	103	183
South Antrim	228	130	120	260	170	766	268	247	490
South Down	465	196	193	649	211	210	284	172	386
Strangford	232	168	134	189	175	109	169	120	165
Upper Bann	436	207	210	357	780	197	219	511	424
West Tyrone	242	237	251	179	217	161	195	642	391

**Mr D McIlveen** asked the Minister of Enterprise, Trade and Investment what her Department has done to ensure access to super fast broadband in rural areas in North Antrim.

**(AQW 45250/11-15)**

**Mrs Foster:** In recent years my Department supported a number of projects, including one specifically targeted in the North Antrim area, aimed at increasing the footprint of fixed-wireless superfast broadband networks.

My Department also led on the deployment of Fibre-to-the-Cabinet technology to nearly 2,500 cabinets across Northern Ireland, including 143 in North Antrim, enabling the delivery of superfast broadband.

In February 2014, my Department contracted BT to deliver the Northern Ireland Broadband Improvement project (NIBIP) which will, inter alia, extend the availability of superfast broadband to those who have limited choice across Northern Ireland and including North Antrim. Further details on the project can be found on the NI Direct platform at <http://www.nidirect.gov.uk/index/information-and-services/leisure-home-and-community/technology-and-online-services/broadband-improvement-project.htm>.

Recognising that NIBIP will not deliver superfast broadband to all premises, in February 2015, my Department awarded a further contract to BT for delivery of the Superfast Roll-out Programme, under which they will provide superfast broadband improvements for 38,000 premises across Northern Ireland, by December 2017, including in areas of North Antrim. The project has commenced with an extensive survey and design process, which will take several months to complete. Further details on roll-out will be published to the NI Direct platform when available.

My officials are also assisting the Department of Culture, Media and Sport in its proposed expansion of the Super-connected Cities Programme in Northern Ireland. Under the expansion, to be branded as Super-connected Northern Ireland, there is an opportunity for the new Super-Councils to deliver a voucher scheme, similar to that which had been delivered in the Belfast and Derry & Strabane District Council areas, to support the installation costs of high speed broadband access for businesses, charities and social enterprises.

Moreover, officials are also facilitating Avanti Communications as it seeks to deliver a pilot project which, with the support of UK Government funding, will test superfast satellite broadband services in Fermanagh and Antrim. These counties were chosen by Avanti as suitable, based on their geography and clustering of premises.

**Mr Allister** asked the Minister of Enterprise, Trade and Investment whether exploration licence PL3-10, granted to Rathlin Energy, means that in the event of discovery of commercially viable oil and or gas deposits, the company can proceed, without further licence, to extract the oil on a commercial basis; and if not, what further licensing steps would arise.

**(AQW 45304/11-15)**

**Mrs Foster:** In the event of discovery of commercially viable oil and/or gas Rathlin Energy Limited cannot proceed without further permissions - a petroleum licence confers general rights on the Licensee 'to search for, bore for and get petroleum', however these rights remain subject to the Licensee obtaining separate permissions for various operations including drilling.

A range of regulatory authorities are likely to be involved in determining whether drilling may proceed and under what conditions - DOE has primary responsibility for planning and environmental matters, the Health & Safety Executive NI (HSENI) has broad responsibility for health and safety, and local councils regulate environmental health aspects such as noise, light and dust. In addition, DETI will only grant "consent to drill" where it is satisfied that all regulatory obligations will be met and that either planning permission or permitted development rights have been approved by DOE Planning.

In order to produce oil or gas from a discovery the Licensee must prepare a development and production programme which would require permissions from several regulatory authorities. DETI's approval of this programme is a pre-requisite for the Licence to continue into the 'production period'.

## Department of the Environment

**Lord Morrow** asked the Minister of the Environment (i) to outline the requirement of Equality Impact Assessments being carried out in relation to all council policy decisions or amendments to existing policies; (ii) whether these assessments are being correctly carried out across all councils as and when required; and (iii) whether he will provide, or place in the Assembly Library, a copy of his Department's guidance to councils on the importance of Equality Impact Assessments.

**(AQW 44788/11-15)**

**Mr Durkan (The Minister of the Environment):** Council policies are a matter for each individual district council, as a separate legal entity. In developing its policy, a district council must have due regard to the need to promote equality of opportunity and have regard to the desirability of promoting good relations, as required by Section 75 of the Northern Ireland Act 1998. Since my department has no responsibilities for these matters it would not be appropriate for me to respond to your request but instead it would be a matter for each individual council and for the Equality Commission for Northern Ireland which has responsibility for monitoring the Equality Scheme of public authorities.

**Mr Agnew** asked the Minister of the Environment what evidence base is used in determining the effectiveness and appropriateness of questions on the driving licence theory test; and to detail (i) who sets the questions; and (ii) whether questions are consistent across all test centres.

**(AQW 45379/11-15)**

**Mr Durkan:** The content of all theory test questions is based upon the official learning materials which are published through The Stationery Office (TSO). All questions are subjected to rigorous trialling as part of an optional trial section at the end of all theory tests. Once a new question has reached the required minimum number of exposures, the performance data of the question is analysed by professional psychometricians to ensure that it is performing effectively and within the required tolerances. Unless the question performs within tolerance, it will not be used in the live theory test. This same trialling process is also used for hazard perception video clips.

Theory test questions are drafted by the Driving & Vehicle Standards Agency in Great Britain and are subject to review by a panel of subject matter experts, which includes input from staff in the Driver & Vehicle Agency, as required.

Test questions are grouped into exam papers, ensuring that the combination of questions is equally balanced across all exam papers. Exam papers are allocated randomly to candidates across all theory test centres.

## Department of Finance and Personnel

**Mr Easton** asked the Minister of Finance and Personnel how many people have died from the misuse of legal highs in the South Eastern Health and Social Care Trust, in the last two years.

**(AQW 44725/11-15)**

**Mr Hamilton (The Minister of Finance and Personnel):** Legal highs are defined as substances that mimic the effects of illegal drugs but are structurally different enough to avoid being classified as illegal substances under the Misuse of Drugs Act.

Death certificates, for the South Eastern Health and Social Care Trust that were registered in 2012 and 2013, were examined to determine if the recorded cause of death text included a reference to New Psychoactive Substances<sup>1</sup> that were legal during this time. None were found to mention these substances.

It should however be noted that drug related deaths are referred to the Coroner's Service and thus there is usually a period between when a death occurs and when it is registered. As a result, drug related deaths that occurred in 2012 or 2013 may not have been registered during these

years. Finalised mortality data for the 2013 registration year are the latest available. Finalised data for 2014 will be available in Summer 2015.

1 Methylphenidate based New Psychoactive Substances including ethylphenidate, dichloromethylphenidate, methylnaphthidate, isopropylphenidate and propylphenidate, and dimethocaine and salvia divinorum.

## Department of Health, Social Services and Public Safety

**Mr Dallat** asked the Minister of Health, Social Services and Public Safety to detail (i) the total cost of ambulance maintenance contracts; (ii) the names of existing contractors for maintenance contracts; and (iii) the due date for renewal of the contracts. **(AQW 37437/11-15)**

**Mr Wells (The Minister of Health, Social Services and Public Safety):**

- (i) The total cost of ambulance maintenance contracts is £5,194,000. This is based on estimated annual expenditure figures which the Northern Ireland Ambulance Service (NIAS) advertised on e-sourcing and is in respect of a 5 year contract.
- (ii) The following contractors are currently listed on the maintenance framework document:
  - Donnelly Brothers (Belfast) Ltd;
  - Donnelly Brothers Garages (Dungannon) Ltd;
  - Stewart Commercials Ltd;
  - D&H Motors Ltd; and
  - Philip Graham Vehicle Repairs Ltd.
- (iii) NIAS has a maintenance framework which runs until 31 October 2018 with the potential for a further 3 years. This is for operational areas of Northern Division, Southern Division, South Eastern Division and Belfast Division. A tender is currently ongoing for the Western Division

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety to detail (i) whether any public money has been spent on the practice or support of reparative or conversion therapy on lesbian, gay, bisexual or transgender individuals; (ii) a breakdown of any money spent on the practice or support of reparative or conversion therapy in each Health and Social Care Trust; (iii) whether he has given any consideration to introducing legislation to prevent the practice of reparative or conversion therapy in Northern Ireland.

**(AQW 44362/11-15)**

**Mr Wells:**

- (i) The Department does not fund any organisation to carry out reparative or conversion therapy on lesbian, gay, bisexual or transgender individuals.
- (ii) Statutory services within the HSC have not used or prescribed reparative or conversion therapy.
- (iii) There is no law either permitting or banning the use of conversion therapy in Northern Ireland. Consideration has not been given to introducing legislation.

**Mr Easton** asked the Minister of Health, Social Services and Public Safety to detail the current budget for each GP practice in North Down.

**(AQW 44663/11-15)**

**Mr Wells:** GP Practices do not receive a budget allocation; their income is relative to their workload. There are several funding streams for GP Practices, including:

- Global sum
- Quality and Outcomes Framework (QOF)
- Enhanced Services
- Premises

Approximately half the money which a Practice receives is in the form of the global sum. The exact amount a Practice receives is based on the workload for each patient and takes into account age and gender of patients, levels of morbidity and mortality in the local area, the number of registered patients in nursing and residential homes (who have a higher workload) and patient list turnover (newer patients tend to need more services than longer-established ones). The global sum is reviewed on a quarterly basis to take account of changes to the Practice's population.

A Practice's income can be increased if they contract to deliver additional services such as those within QOF and Enhanced Services.

As part of their GMS contract Practices are also entitled to funding for their premises.



**Ms Sugden** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 43733/11-15, whether he will consider reviewing the use of private ambulance services as part of his Department's efficiency savings.

**(AQW 44708/11-15)**

**Mr Wells:** Independent ambulances are used to deliver services when ambulances from the Northern Ireland Ambulance Service are unable to meet requests for transport for patient transfer and discharge. By using independent providers, Trusts are able to maintain flows across hospitals and avoid delays for patients requiring admission. Maintaining patient flow is essential in the provision of safe, quality care and efficient use of resources.

Trusts are expected to give due consideration to all areas of potential savings and efficiencies without impacting on the delivery of safe and effective services.

**Ms Sugden** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 43733/11-15, to outline how private ambulance services are monitored for training, health and safety, and professional practice.

**(AQW 44712/11-15)**

**Mr Wells:** Health and Social Care Trusts, which use the services of private ambulance providers, specify in their agreements with the contractors the Trust's requirements in respect of training, health and safety and professional practice and monitor compliance with these.

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety for a breakdown of the cost of outsourcing research, in each of the last three years.

**(AQW 44719/11-15)**

**Mr Wells:** HSC R&D Division of the Public Health Agency distributes the HSC R&D Fund on behalf of DHSSPS. Approximately £10.5m of allocated funding is awarded annually across five main areas of strategic priority for health and social care in Northern Ireland. The most significant investment is in creating an R&D infrastructure of skilled professionals, based within HSC trusts and the two Northern Ireland universities. These skilled research staff deliver a portfolio of clinical trials and other high quality research studies, supported from both commercial and non-commercial sources. Building on this infrastructure, HSC R&D Division funds a series of award schemes, either exclusively or in partnership with other funders. Funding is awarded for high quality projects of international standard, assessed through independent peer review, which are of relevance and value in the development of evidence-based health and social care services for the people of Northern Ireland and beyond.

The profile of spending over the last 3 years is as follows:

2012/13	10,386,000
2013/14	11,749,000
2014/15	13,402,804

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety to detail the number of children who have been (i) diagnosed with; and (ii) in receipt of treatment for, Attention Deficit Hyperactivity Disorder (ADHD), broken down by Health and Social Care Trust.

**(AQW 44720/11-15)**

**Mr Wells:** The information requested is not available and could only be provided at disproportionate cost.

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety for a breakdown of the waiting times for (i) the diagnosis; and (ii) initial assessment of children with Attention Deficit Hyperactivity Disorder, broken down by Health and Social Care Trust, in the last three years.

**(AQW 44723/11-15)**

**Mr Wells:**

- (i) The waiting times for a diagnosis for Attention Deficit Hyperactivity Disorder (ADHD) can vary dependent upon the needs of each individual child or young person. Also, a diagnosis of ADHD can be a process rather than a single event which can occur over a series of appointments or various assessments/observations. Waiting times for an ADHD diagnosis is therefore not available. Health and Social Care (HSC) Trusts are required to follow the National Institute for Health and Care Excellence (NICE) guidance to ensure that the assessment process is comprehensive, inclusive and detailed.
- (ii) Table 1 below details the waiting times for an initial assessment for ADHD in each of the last three years by HSC Trust area.

**Table 1**

HSC Trust	Year		
	2012/13	2013/14	2014/15
Belfast	27 weeks	48 weeks	13 weeks
Northern	>13 weeks	9-13 weeks	9-13 weeks
South Eastern	-	-	6 weeks A
Southern	The Southern Trust state that all children referred to either the Community Paediatric Department or to the Child/Adolescent Mental Health Service are seen within nine weeks		
Western	16 weeks	9 weeks	9 weeks

**Source:** HSC Trusts

Please note that the information detailed in this table has not been validated by the Department;

- A This information has been taken from the date the professional seeing the child judges that the child is going forward for assessment rather than the date of referral from the GP/other source. The South Eastern Trust did not provide figures for 2012/13 or 2013/14.

**Mr Agnew** asked the Minister of Health, Social Services and Public Safety to detail (i) the number of referrals for assessment for an autism spectrum disorder; and (ii) the total number of suitably qualified and trained staff employed to undertake referrals in the Northern Health and Social Care Trust, in each of the last four years.

**(AQW 44750/11-15)**

**Mr Wells:** (i)The number of referrals received by the Northern Health and Social Care (HSC) Trust for assessment for Autism Spectrum Disorder (ASD) are detailed in Table 1 below.

**Table 1: The number of assessments for ASD received by the Northern HSC Trust at year ending 31st March in each of the previous four years**

Year	No. of Children Referred	No. of Adults Referred	Total No. of Referrals
2012	650	15	665
2013	654	62	716
2014	849	64	913
2015	1,006	94	1,100

**Source:** Northern HSC Trust

Note: These figures have not been validated by the Department

(ii)The total number of suitably qualified staff employed to undertake referrals for ASD in the Northern HSC Trust are detailed in Table 2 below.

**Table 2: The number of suitably qualified and trained staff employed to undertake referrals for ASD at 31st March, in each of the last four years**

Year	Children		Adult	
	Headcount	WTE	Headcount	WTE
2012	-	-	4	0.4
2013	-	-	6	0.625
2014	-	-	6	1.125
2015	11	4.8	7	1.225

**Source:** Northern HSC Trust

**Note:** These figures have not been validated by the Department; The Northern HSC Trust was unable to provide figures for 2012 – 2014 for staff employed to undertake referrals of children for ASD, figures for these years recorded by the Trust excluded the medical input which was not dedicated resource at the outset but was part of the core service. Therefore recorded figures for these years are not directly comparable with current figures.

**Mr B McCrea** asked the Minister of Health, Social Services and Public Safety what percentage of admissions to Emergency Departments have been (i) major traumas; and (ii) non-emergencies, broken down by Health and Social Care Trust in each of the last three years.

**(AQW 44756/11-15)**

**Mr Wells:** It is assumed that this question refers to the number of attendances (new and unplanned reviews) at emergency care departments.

Information on the percentage of attendances at emergency care departments for (i) major traumas, and (ii) non-emergency issues is detailed in the table below for each of the last three years.

For this question, attendances at emergency care departments for major trauma refer to the number of attendances assessed as 'Immediate' or 'Very Urgent' on the Manchester Triage Scale (MTS), whilst non-emergencies refer to attendances assessed as 'Standard' or 'Non-Urgent' on the MTS.

**Percentage of Attendances Assessed as Major Trauma and Non-Emergency (2012/13 - 2014/15) 1, 2, 3**

HSC Trust	2012/13		2013/14		2014/15	
	Major Trauma	Non-Emergency	Major Trauma	Non-Emergency	Major Trauma	Non-Emergency
Belfast	12.5%	44.3%	12.4%	45.0%	13.7%	43.8%
Northern	11.5%	48.7%	11.4%	50.4%	11.9%	48.8%
South Eastern	12.0%	46.9%	12.2%	48.2%	11.6%	49.0%
Southern	15.4%	40.8%	17.3%	39.0%	17.4%	37.6%
Western	8.4%	52.5%	10.8%	48.8%	13.8%	45.8%
Northern Ireland	12.1%	46.2%	12.9%	46.0%	13.7%	44.8%

**Source:** Regional Data Warehouse

- 1 Information is provisional and may be subject to change
- 2 Excludes information on ENT & RAES attendances at RVH, and attendances at Lagan Valley and Downe in 12/13 and 13/14
- 3 Care should be taken when comparing across HSC Trusts as there may be a slight variation in the levels patients are assessed at on the MTS across departments

**Mr McGimpsey** asked the Minister of Health, Social Services and Public Safety for a breakdown of how much has been spent on treating each type of cancer in the last two years.

**(AQW 44771/11-15)**

**Mr Wells:** The table below presents a summary of all identifiable costs relating to cancer treatment in a hospital setting for 2012/13 and 2013/14. A split by type is not available.

Point of treatment	2012/13 £m	2013/14 £m
Inpatients	75.4	74.4
Day-case attendances	29.1	28.3
Chemotherapy and radiotherapy costs for inpatients and day-cases	28.6	32.3
Chemotherapy delivery day-cases	8.8	9.2
Outpatients	23.5	24.7
<b>Total</b>	<b>165.4</b>	<b>168.9</b>

**Source:** TFR/HRG Returns

Substantial palliative care and other community and personal social services are provided in support of people with cancer outside of hospital. The Department does not currently collect details of community expenditure by condition.

**Mrs Dobson** asked the Minister of Health, Social Services and Public Safety whether the Southern Health and Social Care Trust will publish their three year plan for supporting people with learning disabilities.

**(AQW 44790/11-15)**

**Mr Wells:** The Southern Health and Social Care Trust is aiming to complete its three year plan for supporting people with learning disabilities in August 2015. Once completed and approved, it will be published on the Trust's website.

The Learning Disability Carers Forum will be involved in this process, including service users, through planned Focus Groups.

**Mrs Dobson** asked the Minister of Health, Social Services and Public Safety for his assessment of the accessibility of symptom management treatments for multiple sclerosis, particularly (i) Sativex; (ii) Fampyra; and (iii) Botox, in each Health and Social Care Trust.

**(AQW 44792/11-15)**

**Mr Wells:** Sativex and Fampyra are not approved for use in Health and Social Care (HSC) and I would not expect to see them routinely prescribed. Botox is readily available to patients where it is clinically indicated in all HSC Trusts.

**Mr Lyttle** asked the Minister of Health, Social Services and Public Safety for his assessment of the British Medical Association Northern Ireland Council's report that as a result of failed medical workforce planning and an inadequate number of trained GPs to replace the number that are leaving and retiring from the profession due to intolerable workloads, general practice is now in crisis as the recommendations to avert this situation have been ignored; and what urgent action he is taking to address this matter

**(AQW 44793/11-15)**

**Mr Wells:** On 1 April 2015 I announced a wide ranging package of investment in GP services, totalling in excess of £15m. Whilst this will not deal with all the challenges we face from rising demand it will help us address and plan for the current difficulties and future challenges that we face.

The package of measures I announced will also reduce the level of bureaucracy facing our GPs, so they can spend more time with their patients and less time filling in forms. We are also considering how GPs wishing to return to practice in Northern Ireland can be facilitated to do so on a timelier basis.

Included in the package is:

- Up to £3.1million of investment in Out Of Hours GP services;
- Up to £1.2million of investment helping GPs meet demand for blood tests and other diagnostic work in the community delivered through GP Federations;
- Up to £300,000 to recruit and retain GPs; and
- Releasing up to £10million of funding for GP Practices to borrow to upgrade and expand their premises and £350,000 to meet the ongoing costs of these new premises.

My Department has established a Regional Workforce Planning Group to take forward Transforming Your Care recommendations relating to work issues. A Medical Workforce Planning sub group has been established to develop a suite of medical workforce plans for primary and secondary care for the 5 year period 2013/14 to 2018/19. The GP medical workforce group included representatives from the HSCB, NI Medical & Dental Training Agency, NI General Practitioners Committee, Royal College of GPs and my Department. No final decision will be taken until the Department has considered the findings of these reviews. Any increase to the number of GP trainees would require increased funding and any decisions would need to take account of the overall funding position for health.

The number of GPs in Northern Ireland per 100,000 people is comparative to England and Wales.

**Mr Easton** asked the Minister of Health, Social Services and Public Safety how many ambulances currently operate in the South Eastern Health and Social Care Trust area.

**(AQW 44798/11-15)**

**Mr Wells:** Information on the number of emergency vehicles (emergency ambulances and Rapid Response Vehicles) currently in operation within the South Eastern Division of the Ambulance Service, is detailed in the table below.

Division	Emergency Ambulance	Rapid Response Vehicle
South Eastern Division 1	21	9

The South Eastern Division of the Ambulance Service is broadly co-terminus with the South Eastern Health and Social Care Trust.

**Mr Flanagan** asked the Minister of Health, Social Services and Public Safety to outline the proposed changes to day centres in Fermanagh; and for an estimation of the expected savings to the Western Health and Social Care Trust of the changes to each day centre.

**(AQW 44817/11-15)**

**Mr Wells:** The proposed changes to day care centres for older people in the Western Trust area are set out in detail in the consultation document "Proposal for the Future of Day Care Services for Older People", which is available at;

[http://www.westerntrust.hscni.net/pdf/DAYCARE\\_REFORM\\_CONSULTATION\\_DOC\\_V3\\_-\\_final\\_120215.pdf](http://www.westerntrust.hscni.net/pdf/DAYCARE_REFORM_CONSULTATION_DOC_V3_-_final_120215.pdf)

The document includes the proposed changes for day care centres in Fermanagh.

The Western Trust has advised me that the proposals, if implemented, would deliver estimated savings of £200k per annum (full year effect).

**Mr Flanagan** asked the Minister of Health, Social Services and Public Safety to detail (i) the number of users of each day centre in Fermanagh; (ii) how many potential users are not availing of day centres; (iii) what barriers exist to getting more users for each day centre; and (iv) what steps the Western Health and Social Care Trust intend to take to increase the usage of day centres.

**(AQW 44820/11-15)**

**Mr Wells:** It has been assumed that the question is referring to day care services for older people.

- (i) The Western Trust has advised me that there are currently 241 service users availing of day care services for older people in the Fermanagh area;
- (ii) Information on the number of potential users who are not availing of day care services for older people is not available. There are currently 6 people on the waiting list for day care services for older people in the Fermanagh area;
- (iii) I am not aware of any barriers that exist to accessing day care services for older people; and
- (iv) the Western Trust continuously reviews attendance at day care centres and seeks to encourage referrals where an assessment of need indicates such attendance would benefit individuals.

**Mr Flanagan** asked the Minister of Health, Social Services and Public Safety whether the Western Health and Social Care Trust accept that fewer users will be prepared to travel long distances to access day centres whether the day centres in Garrison, Belcoo and Teemore be downgraded.

**(AQW 44822/11-15)**

**Mr Wells:** The Western Trust's proposals on its day care services for older people are currently out for consultation. The Trust is not therefore in a position to comment on the detail of the proposals pending the outcome of the consultation process. The consultation period has been extended to 22 May 2015 to allow sufficient time for as wide a range of views as possible. Any concerns on the proposals should be submitted to the Western Trust by the closing date so that they can be taken into account as part of the review process.

I should also add that with regard to travel time the Trust is required to comply with my Department's Minimum Standards for Day Care Settings (2012), which state "If possible, service users' journey to and from day care settings should not normally exceed 45 minutes".

**Mrs Dobson** asked the Minister of Health, Social Services and Public Safety how he intends to address the increase in demand for spinal surgery which, coupled with recent consultant requirements, has led to the lengthening of waiting times.

**(AQW 44881/11-15)**

**Mr Wells:** The Health and Social Care (HSC) Board will continue to support the Belfast Trust in its efforts to recruit new spinal surgeons in line with the investment available in as timely a manner as possible.

Opportunities to identify and use non recurrent funding to deliver additional capacity in the independent sector or NHS in GB, as interim initiatives, will also continue to be pursued.

Within the last month, the HSC Board, supported by the Public Health Agency (PHA) has commenced a review of current referrals to the spinal surgery services. An increase in the number of referrals for facet injections (steroid medication which anaesthetises the joint and blocks pain) has been noted. These treatments have the potential to be delivered by other specialists such as anaesthetists specialising in chronic pain. The HSC Board and PHA will discuss the potential to transfer some of this work to anaesthetics (which is likely to be easier to secure (in terms of capacity) with the Belfast Trust, as a means of reducing pressure on the current spinal capacity.

**Mr Flanagan** asked the Minister of Health, Social Services and Public Safety why the analysis carried out on day centres in the Western Health and Social Care Trust area was not included as part of the public consultation documentation to give respondents access to all the information.

**(AQW 44882/11-15)**

**Mr Wells:** The Western Trust has advised me that the public consultation document includes relevant extracts from the analysis undertaken on day care centres for older people in the Western Trust area. The Trust did not include the full detailed analysis as it considered some of the information was not sufficiently relevant to the proposals. However, the Trust has advised that this will be made available if requested.

**Mr Flanagan** asked the Minister of Health, Social Services and Public Safety what consideration has been given to the Western Health and Social Care Trust providing orthopaedic surgery in the South West Acute Hospital, given the lengthy waiting list and the availability of space following the cessation of the waiting list initiative with 3fivetwo Healthcare.

**(AQW 44887/11-15)**

**Mr Wells:** There are no plans at present to provide orthopaedic surgery in the South West Acute Hospital. The Western Health and Social Care Trust is working with the Health and Social Care Board to increase elective orthopaedic activity in the Trust area. This will initially focus on increasing operating capacity on the Altnagelvin Area Hospital site; it is not possible at this time to provide orthopaedic surgery across two sites. Orthopaedic and fracture outpatient clinics are provided at the South West Acute Hospital.

**Mr Dickson** asked the Minister of Health, Social Services and Public Safety to detail (i) the number of people waiting for; and (ii) the average waiting time for a consultation with a neurologist in Craigavon Area Hospital.

**(AQW 44889/11-15)**

**Mr Wells:**

- (i) Information on the number of patients waiting, in weeks, for a first consultant led outpatient appointment in the neurology specialty at Craigavon Area Hospital, at 18th April 2015, is shown below.

	Number of patients waiting, in weeks, for a first consultant led outpatient appointment in the neurology specialty at Craigavon Area Hospital, at 18th April 2015						
	0-6 weeks	>6-9 weeks	>9-12 weeks	>12-15 weeks	>15-18 weeks	>18 weeks	Total
Craigavon Area	267	136	111	117	80	503	1,214

**Source:** Southern HSC Trust

- (ii) The average waiting time for a first consultant led outpatient appointment in the neurology specialty in Craigavon Area Hospital at 18th April 2015 was 15 weeks.

**Mr Dickson** asked the Minister of Health, Social Services and Public Safety how many Health and Social Care services are provided by private healthcare providers across all services, such as mental health services, care in the community and initial assessments.

**(AQW 44890/11-15)**

**Mr Wells:** Commissioners decide which health and social care services are required and how to purchase those services. The aim is to provide safe, sustainable and high quality services and to secure best value for money. The number of services provided by private health and social care providers is not collected centrally and the information could only be obtained at a disproportionate cost.

**Mr Dickson** asked the Minister of Health, Social Services and Public Safety how many clinical contracts have been awarded to public providers since 2010.

**(AQW 44891/11-15)**

**Mr Wells:** The HSC Board commissions the vast majority of its services from public sector providers through Service Agreements, rather than formal contractual arrangements, for example with each of the Health and Social Care Trusts.

Since 2010, one clinical contract has been awarded to a public provider, namely a cardiac surgery contract awarded by the HSC Board to Guys & St Thomas' Hospitals, London.

**Mr Dickson** asked the Minister of Health, Social Services and Public Safety for a breakdown of the health services which have been put out to tender, broken down by (i) service; and (ii) fiscal value; and to detail the cost of the tendering process.

**(AQW 44892/11-15)**

**Mr Wells:** The information sought is not readily available, and could only be obtained at disproportionate cost.

**Mr Eastwood** asked the Minister of Health, Social Services and Public Safety to detail the timeframe for payment of (i) overtime; and (ii) mileage claims to employees in each Health and Social Care Trust.

**(AQW 44893/11-15)**

**Mr Wells:** Payroll services for HSC staff are provided by the Business Services Organisation (BSO) Payroll Shared Services Centre (PSSC). BSO has advised the following:

Monthly paid HSC staff

Time and travel, including overtime, for monthly paid HSC staff, is paid a month in arrears e.g. all hours and travel undertaken in April will be due for payment in May. The deadline for submission of this information to the BSO Payroll Shared Services Centre is the third working day of the following month. Late submissions will be paid in the next month's pay.

Weekly and fortnightly paid HSC staff:

Pay periods for weekly paid HSC staff run from Friday to Thursday and all data in relation to additional hours is required to be submitted to the BSO Payroll Shared Services Centre by 10 am every Friday. This is then paid the following Thursday.

A monthly travel claim is due on the third working day of the month and typically is paid on the last week/fortnight of the month.

**Mr Ramsey** asked the Minister of Health, Social Services and Public Safety whether an application made under the EU Directive on Cross Border Healthcare (Article 56) would be approved for treatment in an addiction facility in the Republic of Ireland where a patient feels they would receive superior treatment than in a facility in Northern Ireland.  
(AQW 44924/11-15)

**Mr Wells:** Each application for healthcare services under Directive 2011/24/EU on cross-border healthcare is considered on its individual circumstances therefore it would not be possible to advise in advance whether an application would be approved.

Generally, under the provisions of the Directive, EU residents in Northern Ireland can choose to obtain healthcare services in another member State and seek reimbursement of the costs, provided the service is the same as or equivalent to a service that would have been provided to the patient within the health service here. Under the Directive prior authorisation from the Health and Social Care Board is required where the treatment proposed involves either prior or subsequent follow up care in Northern Ireland, the patient has not been assessed by a health service clinician as requiring the treatment sought, or the treatment involves at least a one night stay in hospital.

**Mr Ramsey** asked the Minister of Health, Social Services and Public Safety how many children in Foyle are currently entitled to respite care due to a disability.  
(AQW 44925/11-15)

**Mr Wells:** The information requested is not available and could only be provided at disproportionate cost.

**Mr Ramsey** asked the Minister of Health, Social Services and Public Safety when his Department expects the current review of respite care facilities and packages in Foyle will conclude.  
(AQW 44926/11-15)

**Mr Wells:** The Western Health and Social Care Trust advised that the review of its respite services has been extended until after the summer holiday period. This will ensure further engagement with all of the key stakeholders in respect of the proposed service model.

**Mr Ramsey** asked the Minister of Health, Social Services and Public Safety to outline all spend by his Department on anti-suicide measures specific to the River Foyle, in the last five years.  
(AQW 44928/11-15)

**Mr Wells:** The Public Health Agency manages the Department's allocation of funding for suicide prevention services across Northern Ireland. In the last five years (2010-2015) the Agency has allocated £205,000 on direct initiatives to address the problem of suicide on the river Foyle. In addition a further £28,000 has been invested in an investigation into technical options to improve safety on the Foyle Bridge. A breakdown of this expenditure is set out below.

Provider	Programme/Project	Amount
Foyle, Search & Rescue	Recurrent allocation towards Foyle Search & Rescue core costs.	£125,000
University of Ulster	A study into why the Foyle Bridge has become a focus for suicide attempts.	£5,000
Foyle, Search and Rescue	Suicide Prevention Project - New radio system to help co-ordinate responses to suicidal individuals and/or intoxicated persons near the river or the bridges> Purchase of two jet skis to improve response times and access shallow waters for recovery and rescue.	£9,820
Foyle, Search & Rescue	Improve volunteer recruitment, training, community awareness, and awareness of the water safety.	£21,043
Clinical Translational Research and Innovation Centre	WH&SCT – to examine how new technology could be used to address health improvement	£10,000

Provider	Programme/Project	Amount
Derry City Council	Contribution to joint suicide prevention programme with the Council, including set up costs associated with the implementation of CCTV cameras on the Foyle Bridge	£20,000
Derry Healthy Cities	Business Case to examine innovative solutions to address how the bridges and rivers could be used to enhance and promote the health and wellbeing of local population.	£10,000
Foyle Search & Rescue	Life Preservation on the Foyle - Volunteer training on water survival techniques and purchase of "dry suits".	£3,655
Hyder Consulting (UK) Ltd	Investigation into technical options to improve safety on the Foyle Bridge.	£28,000

**Mr Swann** asked the Minister of Health, Social Services and Public Safety what procedures are in place for patients to complain about treatment received in a hospital outside Northern Ireland, having being sent to that hospital by a Health and Social Care Trust for treatment.

**(AQW 44965/11-15)**

**Mr Wells:** The HSC Complaints Procedure: Standards and Guidelines for Resolution and Learning; details the procedures for members of the public should they wish to make a complaint about treatment they have received in any hospital setting that has been funded by the HSC service.

Paragraph 3.23 of the Procedure states "Where the complainant lives in Northern Ireland and the complaint is about events elsewhere, the HSC Board or HSC Trust who commissioned the service or purchased the care for that service user is responsible for coordinating the investigation and ensuring that all aspects of the complaint are investigated. HSC contracts with service providers must include a requirement to provide all documentation relating to the care of service users and a provision to comply with the requirements of the HSC Complaints Procedure".

A copy of the HSC Complaints procedures is available via the following link: -

[http://www.dhsspsni.gov.uk/hsc\\_complaints\\_revised\\_standards\\_and\\_guidelines\\_for\\_resolution\\_and\\_learning\\_updated\\_february\\_2015\\_-2.pdf](http://www.dhsspsni.gov.uk/hsc_complaints_revised_standards_and_guidelines_for_resolution_and_learning_updated_february_2015_-2.pdf)

**Mr Flanagan** asked the Minister of Health, Social Services and Public Safety (i) whether the Western Health and Social Care Trust has adopted a policy of not replying to representations from political representatives on behalf of constituents with regards to accessing health and social care services; (ii) if so, when the policy was adopted; (iii) whether such a policy exists in any other Health and Social Care Trust; and (iv) for his assessment of this policy.

**(AQW 44979/11-15)**

**Mr Wells:** The Western Health and Social Care Trust does not have such a policy.

**Ms Maeve McLaughlin** asked the Minister of Health, Social Services and Public Safety for an update on the timescale for the new North Wing at Altnagelvin Hospital.

**(AQW 44981/11-15)**

**Mr Wells:** Enabling works continue in respect of the North Wing development at the Altnagelvin Hospital site; design work and tender preparation for the North Wing Ward Accommodation are also progressing.

The Western Health and Social Care Trust anticipate that they will award the contract and commence construction on site by mid/late autumn 2015.

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety to detail the nature of the Health and Social Care Board's review into audiology provision; and to provide (i) a timeline; and (ii) the scope; and whether best practice in other countries was given any consideration.

**(AQW 44992/11-15)**

**Mr Wells:** The Health and Social Care Board is working with audiology services towards the implementation of Audiology Quality Standards in Northern Ireland, a programme of continuous service improvement. These standards have provided the basis for the current review into audiology provision.

- i) It is anticipated that the review will be completed by the end of June 2015.
- ii) The scope of the review is linked to one of the key audiology quality standards; access to the service in a timely way; developing an understanding of the balance of demand and available services required to deliver an audiology service that provides care for patients within the waiting time standards.



Good practice within NI and GB is referenced in the review, for example, the use of direct access pathways for referral to audiology for adults with hearing loss, to assess and fit appointments, and the development of standardised information to inform the commissioning of services.

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety for his assessment of his ministerial portfolio's capacity to deal with older people's policy and the active ageing strategy, as part of the Executive restructuring plan for 2016. (AQW 44994/11-15)

**Mr Wells:** My Department will play its full role in taking forward the changes to Northern Ireland Departments agreed by the Executive.

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety to detail the specific commissioning plans for 2015/16. (AQW 44995/11-15)

**Mr Wells:** The Commissioning Plan Direction for 2015/16 sets my priorities, standards and targets for the year ahead and is available on the Department's website at <http://www.dhsspsni.gov.uk/2015-16-commissioning-plan-direction.pdf>.

The Health and Social Care Board, in consultation with the Public Health Agency, is currently finalising the Commissioning Plan for 2015/16 and it is expected that a final draft of the Plan will be submitted to the Department for consideration and approval in the near future. The Plan will describe the actions that will be taken across health and social care during 2015/16 to meet the requirements of the Commissioning Plan Direction and to ensure continued improvement in the health and wellbeing of the people of Northern Ireland.

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety to detail, in percentage terms, the growth in demand for (i) GP; (ii) nursing; (iii) pharmacy; (iv) laboratory/diagnostic testing; and (v) domiciliary care services since 2005. (AQW 44996/11-15)

**Mr Wells:**

- (i) The growth in demand for GP services can be demonstrated through the increase in GP consultations. In 2004/05 the rate per person was 4.58, resulting in an estimated 8.2 million consultations. In 2013/14, the rate had increased to 6.60 per person, resulting in an estimated 12.7 million consultations, an increase of 54.9%. GP consultation figures include consultations with GPs, practice nurses, treatment room nurses and home visits.
- (ii) Information on the growth in demand for nursing is not collected centrally and was requested from the Public Health Agency (PHA). Their response is detailed below. Between 2007/08 and 2013/14, the number of community nursing contacts increased by 15.7%, as detailed in Table 1 below. Information prior to 2007/08 was not provided.

**Table 1**

Community Nursing Contacts		Percentage change
2007/08	2013/14	
1,152,474	1,333,206	+15.7%

**Source:** HSC Trust Financial Returns

- (iii) Growth in demand for pharmacy services can be demonstrated through the increase in the number of items dispensed in the community. In 2005 (calendar year), 27.98 million items were dispensed in Northern Ireland in the community. In 2013 (calendar year), 38.66 million items were dispensed in Northern Ireland in the community, an increase of 38.2%.
- (iv) Growth in demand for laboratory/diagnostic testing can be demonstrated by the increase in the number of patients waiting for a diagnostic test. Information relating to diagnostic waiting times for all diagnostic services (examinations, tests or procedure) is available from quarter ending March 2010 onwards. Between the quarter ending March 2010 and quarter ending March 2014, the number of patients waiting for a diagnostic service increased from 48,371 to 69,042, an increase of 42.7%.
- (v) Growth in demand for domiciliary care can be demonstrated by considering the increase in provision of domiciliary care.

Between 2008 and 2014, the number of clients receiving a domiciliary care service during a survey week in September increased by 4.9% and the estimated number of domiciliary care contact hours provided during a survey week in September increased by 12.8%, as detailed in Table 2 below.

**Table 2**

	During a survey week in		Percentage change
	September 2008	September 2014	
Clients receiving a domiciliary care service	23,060	24,189	+4.9%
Estimated number of domiciliary care hours provided	222,393	250,798	+12.8%

**Source:** CC7b Community Information Return

Prior to 2008, an alternative data source was in place which collected information on domiciliary care packages in effect. Between quarter ending 30 June 2005 and quarter ending 30 June 2007, the number of domiciliary care packages in effect increased by 18.3%, as detailed in Table 3 below.

**Table 3**

Domiciliary care packages in effect during quarter ending		Percentage change
June 2005	June 2007	
8,121	9,608	+18.3%

**Source:** CC7 Community Information Return

**Mr Dickson** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 43571/11-15, to detail the pressures felt by the Belfast Health and Social Care Trust that results in expenditure on agency nurses to be £5m, 2200 per cent higher than the Southern Health and Social Care Trust in 2013/14.

**(AQW 45006/11-15)**

**Mr Wells:** The use of agency staff is a necessary requirement to ensure a flexible, responsive mechanism to sustain safe and effective service delivery.

Belfast Health and Social Care Trust has stated that the Trust uses agency staff to complement their workforce, primarily to cover short-term vacancies arising from sickness or maternity leave absence, or where there is a temporary increase in demand for which recurrent funding is not available to make additional permanent appointments, for example, the surge in unscheduled care demand in winter.

Reasons for agency use across Trusts will vary and expenditure on agency staff will fluctuate in line with service needs. BHSC employ the majority of nursing and midwifery staff across the region, 34% (6,177wte) against 15-18% for the other Trusts. It should therefore be expected that their use of agency staff will be higher than for the other Trusts.

**Ms Sugden** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 44408/11-15, for the timescale for the delivery of projects within the three work streams in the Northern Health and Social Care Trust area; and to detail the stakeholders who will partner his Department in their delivery.

**(AQW 45011/11-15)**

**Mr Wells:** Implementation of the Atlantic Philanthropies/Delivering Social Change Dementia strategy is being taken forward on a regional basis by a project team led by the Health and Social Care Board and the Public Health Agency, working in close collaboration with all five Health and Social Care Trusts, including the Northern Trust.

Funding is currently available to enable the three work streams to run until 2017.

There will be close engagement with a wide range of stakeholders including the voluntary and community sector, academics, and the business sector. Task groups and focus groups emerging from the work streams will include people living with dementia and their carers.

**Mr Swann** asked the Minister of Health, Social Services and Public Safety to detail (i) the financial support his Department has provided to the Royal Society for the Prevention of Accidents for Home Accident Prevention in each of the last three years; (ii) the amount awarded for this year; and (iii) the amount proposed for the next financial year.

**(AQW 45038/11-15)**

**Mr Wells:** My Department's grant allocation to the Royal Society for the Prevention of Accidents in each of the past three years is as follows.

- 2014-15: £94, 327
- 2013-14: £94, 327
- 2012-13: £94, 327

My Department hopes to be in a position to advise voluntary and community sector organisations about 2015/16 funding decisions in the near future.

**Mr Swann** asked the Minister of Health, Social Services and Public Safety to detail the amount of funding he will provide to Home and Accident Prevention Northern Ireland to support their work which supports his newly launched Home Accident Prevention Strategy.

**(AQW 45040/11-15)**

**Mr Wells:** During 2014-15 the Department supported 16 local Home Accident Prevention Northern Ireland (HAPNI) Groups with a total of £23,201 funding which was allocated and administered by the Public Health Agency (PHA). No additional funding has been allocated to HAPNI to support the implementation of the strategy, rather it is expected that better use will be made of existing funds from a range of sectors for example channeling investment through the core Health Visiting Programme or Family Support Hubs for children and young people, or through the Creating Caring Communities work for older people.

PHA delivers the home accident prevention agenda in partnership with local councils, Trusts, the Royal Society for the Prevention of Accidents, HAPNI and others. Both PHA and local government invest significantly in a Home Safety Check Scheme which is delivered by Home Safety Officers. The scheme includes advice and information as well as the supply of home safety equipment. The scheme is highlighted in the Home Accident Prevention Strategy. The model of delivering this programme of work is part of ongoing discussions with the new Councils to agree priorities for partnership working.

**Mr Flanagan** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 44657/11-15, (i) when it was decided to hold the event in Enniskillen; (ii) when the hotel was booked; (iii) to publish a copy of the flier distributed including the Enniskillen event; (iv) for a link to the Department's press notification; (v) when the notification was issued; and (vi) whether the event was only brought to the attention of the local media and attendees as a result of a press statement put out by Cancer Focus.

**(AQW 45051/11-15)**

**Mr Wells:**

- (i) Following feedback from stakeholders on the benefits of holding a second event in the Western Trust area, it was decided on 24th March to hold an event in Enniskillen.
- (ii) The hotel was booked on the 30th March.
- (iii) (iv) Copy of press notice and flyer attached at Annex A.
- (v) Notification was issued on 8th April.
- (vi) The event was brought to the attention of the local media as soon as possible, after the venue and attendance of panel members had been confirmed. A flyer advertising the event was distributed as follows:
  - 108 copies to MLAs
  - Local and regional charities, including Cancer Focus
  - Every GP surgery
  - Through the Department's Press Office to local Press and NI Direct. The event was covered in the Fermanagh Herald and one of their journalists attended.
  - The Prescription Charges Coalition.

#### **Annex A**

From: Press Office (DHSSPS)

Sent: 08 April 2015 14:01

Subject: DHSSPS News Release - ANNOUNCEMENT OF PUBLIC MEETINGS FOR INDIVIDUAL FUNDING REQUEST EVALUATION

Importance: High

Please see public meeting announcement grateful if you would put in your papers.

Many thanks

DHSSPS Press Office

DEPARTMENT OF HEALTH, SOCIAL SERVICES AND PUBLIC SAFETY  
Announcement of Public meetings for Individual Funding Request Evaluation

Health Minister Jim Wells has commissioned an evaluation of the Individual Funding Request (IFR) process.

Minister Wells said: "Whether you are a patient, a carer, a member of Health and Social Care staff or just interested in our Health Services then this is an opportunity to have your opinions considered."

The evaluation was in response to concerns that the process was not providing access to specialist drugs that are not routinely available in circumstances where there is an agreed clinical need.

The evaluation is complete and five recommendations have been published which aim to strengthen the process and improve access to specialist drugs not routinely available.

The recommendations are as follows:

- That the existing exceptionality criteria should be amended to remove the reference to 95%.
- That the establishment of regional scrutiny committees should be considered to ensure all IFR applications are subject to regionally consistent clinical input and peer review.
- That the existing IFR guidance should be revised to include greater transparency and to enhance patient involvement.
- That the Department should establish a Specialist Medicines Fund to meet the costs of administering and maintaining increased access to specialist drugs.
- In order to resource the new fund, the HSC should re-introduce charging for prescriptions.

The Minister invited everyone with an interest to attend their local meeting: "Public meetings have been organised to provide an opportunity for public discussion of the proposed changes. I would encourage anyone interested in the evaluation and its purpose to come along and have an opportunity to add your views and comments into the process."

The Public Meetings will take place from 7- 8.30 pm at a number of venues across Northern Ireland as listed below:

- 16 April 2015 Killyhevlin Hotel, Enniskillen BT74 6RW
- 21 April 2015 Antrim Civic Centre, 50 Stiles Way, Antrim BT41 2UB
- 28 April 2015 Belfast City Hospital, 51 Lisburn Road, Belfast BT9 7AB

Notes to editors:

1. Whilst registration is not compulsory, to assist with catering arrangements it would be helpful if you could register your intention to attend by emailing us at [IFRPC@dhsspsni.gov.uk](mailto:IFRPC@dhsspsni.gov.uk)

or post to:

Secondary Care Directorate  
DHSSPSNI  
Castle Building  
Belfast  
BT4 3SQ

2. Media queries to DHSSPS Information Office on 028 9052 0567 or out of office hours contact the Duty Press Officer via pager number 076 9971 5440 and your call will be returned.

This is an automated distribution service - please do not reply to this email address.

**Mr Flanagan** asked the Minister of Health, Social Services and Public Safety to outline the expected level of support, including counselling and debriefing, provided to (i) firefighters; and (ii) paramedics who have been at the scene of a fatal road traffic collision.

**(AQW 45053/11-15)**

**Mr Wells:** Northern Ireland Fire and Rescue Service

The Northern Ireland Fire and Rescue Service (NIFRS) has a Critical Incident Stress Management Policy which provides guidance to Fire Incident Commanders in dealing with the effects of traumatic incidents. This includes Road Traffic Accidents where there have been fatalities.

There are 4 main stages within NIFRS process:

#### **Stage 1 Demobilisation**

Demobilisation usually happens at the scene - the Incident Commander will gather all personnel and discuss the incident during a hot debrief. It is an opportunity to thank personnel for their efforts and ensure the operational readiness of personnel and equipment for further calls, but also to discuss the health and wellbeing of personnel and remind them that coping mechanisms are available and how they can be sought. Personnel will be reminded they can talk to line managers should they require help and of the availability of counselling. At this stage should the Incident Commander feel additional help is needed he will arrange further support either individually or as a group.

#### **Stage 2 Defusing**

If a decision is taken to provide a defusing session it takes place within a few days. An officer trained with Critical Incident Stress Management (CISM) techniques will meet personnel as a means of providing Psychological First Aid. At this the Incident is discussed and an update provided. Individuals who may need further support are identified.

#### **Stage 3 Debriefing One to one or group**

If needed a more formal debriefing (usually after about a week) may take place with individuals or groups by a CISM trained Officer, with no immediate line management responsibility for the group/individual. This process allows the individual to come to terms with the nature of the event and highlight any further support.

#### **Stage 4 Counselling**

Counselling, although offered as stage 4, it is available at any stage of the process. All personnel are aware that NIFRS provides a confidential counselling service freely available to all staff via an external provider.

### Northern Ireland Ambulance Service

The nature of incidents that Northern Ireland Ambulance Service (NIAS) frontline personnel, including paramedics, attend on a day to day basis can be of an emotional and physiologically demanding nature and include such incidents as fatal road traffic collisions, death of a child, murder enquiries, cardiac arrests etc.

All NIAS Trust staff have access to a 24/7 confidential counselling support via CareCall, an independent and confidential counselling service. Part of this service is to improve mental wellbeing and develop mechanisms to cope if required. Staff are advised of access to this service at employment stages along with regular reminders from operational managers who would routinely remind staff involved in such incidents of the availability of CareCall. In addition, local management arrangements will support staff on the ground following attendance to such incidents. This may include standing the crew down for a period of time following the incident, providing informal counsel and support, or referral through the Occupational Health system if required.

All operational staff also undertake Safetalk training as part of the annual post proficiency training or as part of their Ambulance Care Attendant /Emergency Medical Technician/Paramedic training. This enables them to identify people at risk including patients and their peers. This supports staff being able to identify any risks or indications that a colleague may need support particularly due to the effects of any stressful situations on their mental health.

**Mr Flanagan** asked the Minister of Health, Social Services and Public Safety whether his Department holds any information on the cost implications of people being reluctant to leave hospitals on Saturday because of their superstition.  
(AQW 45054/11-15)

**Mr Wells:** My Department does not hold this information.

**Mr Dunne** asked the Minister of Health, Social Services and Public Safety whether provision can be made for motorcycle parking at the Ulster Hospital, similar to that which is in place at the Mater and Royal Victoria Hospitals.  
(AQW 45065/11-15)

**Mr Wells:** The policy on car parking provision and management in the Health and Social Care (HSC) sector for Northern Ireland makes clear that decisions relating to specific HSC site car parking, including hospitals, rest with each Health and Social Care Trust.

The South Eastern Health and Social Care Trust have confirmed that motorcycle parking both for staff and members of the public is available at the Ulster Hospital and is located adjacent to the Care of the Elderly building.

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety to detail the action his Department is taking to alleviate the waiting times for children's autism diagnosis in the Belfast Health and Social Care Trust.  
(AQW 45073/11-15)

**Mr Wells:** The HSC Board is working with Belfast HSC Trust (and all HSC Trusts) to develop a new standard operating model which will focus on developing early intervention teams and seek to integrate and align autism services with other child development and young people's mental health services. It is anticipated that, in the medium to longer term, this will help in the development of new ways of working with a view to improving access to a timely assessment and diagnosis.

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety for a breakdown of all specialist nurses employed by each Health and Social Care Trust, broken down by (a) number; (b) specialism; and (c) whole time equivalent.  
(AQW 45104/11-15)

**Mr Wells:** HSC Trusts have supplied the requested information, shown in the tables below. In order to preserve comparability between Trusts, the term 'Specialist Nurse' has been defined as those graded as such and employed at Agenda for Change Band 7 and above. Figures have not been verified by the Department.

### Belfast HSC Trust

Specialty	Headcount	WTE
Accident & Emergency Services	2	2.0
Anaesthetics	3	3.0
Breast Surgery	2	1.8
CAMHS	2	1.53
Cardiology	12	11.99
Cardiothoracic Surgery	2	1.8
Childrens Hospital	1	1.0
Critical Care	7	6.6

<b>Specialty</b>	<b>Headcount</b>	<b>WTE</b>
Dermatology	3	2.69
Endoscopy	1	0.96
ENT	1	1.0
Fractures	2	2.0
General Surgery	5	4.1
Gynae/Family Planning	4	3.98
Laboratories	4	4.0
Learning Disability	1	1.0
Medical Wards	6	5.28
Mental Health	3	2.8
Nephrology	11	9.61
Neurosciences	5	4.6
Older People Services	10	9.92
Oncology & Haematology	5	5.0
Ophthalmology	6	5.85
Outpatients	1	1.0
Paediatrics	11	8.86
Palliative Care	21	17.63
Rheumatology	5	5.0
Theatres	1	1.0
Trauma & Orthopaedics	2	2.0
Urology	1	1.0
Vascular Surgery	1	0.85

**Northern HSC Trust**

<b>Specialty</b>	<b>Headcount</b>	<b>WTE</b>
Angina	1	1.0
Breast Care	1	1.0
Child and Adolescent Mental Health	16	15.91
Cardiac Rehab	4	3.8
Colorectal Cancer	1	1.0
Colposcopy	1	0.38
Continence	1	1.0
Dermatology ICATS	3	3.0
Diabetes	6	6.0
Endoscopy	3	2.7
Emergency Nurse Practitioner	8	7.12
ENT ICATS	1	1.0
Epilepsy	1	1.0
Genitourinary	1	1.0
Haematology	2	2.0
Health Protection	1	1.0

Specialty	Headcount	WTE
Heart Failure	5	4.0
Inflammatory Bowel Disease	2	0.5
Lung Cancer	2	1.5
Multiple Sclerosis	1	0.5
Ophthalmology ICATS	2	1.6
Paediatric Continence	1	1.0
Paediatric Diabetes	1	1.0
Palliative Care	5	4.3
Parkinson	1	1.0
Renal	2	2.0
Respiratory	3	3.0
Rheumatology	6	5.5
Stoma	2	2.0
Stroke	2	2.0
Tissue Viability	1	1.0
Urology	2	2.0

**South Eastern HSC Trust**

Specialty	Headcount	WTE
Breast Care	2	2.0
Cardiac Rehab/Liaison	3	2.8
Chest Pain	2	2.0
Colorectal Cancer	1	1.0
Continence	4	4.0
Dermatology - ICATS	2	2.0
Diabetes	4	3.5
Diabetes	8	7.6
Endoscopy	5	4.5
Gynaecology Cancer	1	1.0
Haematology	1	1.0
Haemovigilance	2	1.8
Head & Neck Cancer	1	1.0
Heart Failure	4	3.5
Lung Cancer	1	1.0
Ophthalmology - ICATS	1	1.0
Osteoporosis	1	0.67
Paed Asthma & Allergy	1	1.0
Paed Diabetic	2	2.0
Paed ENT	1	1.0
Pain (Acute)	3	2.81
Pain (Chronic)	2	2.0
Preassessment	7	6.88

Specialty	Headcount	WTE
Respiratory	4	3.43
Respiratory	2	2.0
Resus Officers	2	1.8
Rheumatology	2	1.8
Scleroderma	1	0.67
Sexual Health	1	1.0
Skin Cancer	2	2.0
Stroke	1	1.0
Tissue Viability	1	0.88
Urology Cancer	2	2.0

**Southern HSC Trust**

Specialty	Headcount	WTE
Addiction	1	1.0
Child and Adolescent Mental Health	13	12.64
Cancer	12	11.8
Cardiology	4	3.85
Child Protection	6	4.8
Childrens Community Nursing	3	3.0
Cognitive Behavioural Therapy	7	6.75
Colorectal	2	1.85
Continence	5	5.0
COPD	4	3.1
Dermatology	1	0.80
Diabetes	8	7.33
Eating Disorders	1	1.0
Emergency	10	9.41
Endoscopy	2	2.0
ENT	1	1.0
Epilepsy	2	2.0
Family Nurse Partnership	6	5.2
Forensic	1	1.0
Fracture	1	1.0
Gastroenterology	1	1.0
GUM	1	1.0
Haemovigilance	1	1.0
Health Visiting / School Nursing	2	2.0
Heart Failure	4	3.93
ICU	1	1.0
Infection Control / Tissue Viability	10	7.73
IV Therapy	1	1.0
Looked After Children	1	1.0



<b>Specialty</b>	<b>Headcount</b>	<b>WTE</b>
Maternity	5	3.9
Medicines Mgt	1	1.0
Memory Services	1	0.96
Minor Injuries	6	5.0
Neonatal	5	4.55
Neurology	1	1.0
Occupational Health	3	3.0
Older People	2	1.8
Paediatric	6	5.26
Palliative	6	5.79
Parkinsons	1	1.0
Psychiatric Liaison	1	1.0
Public Health Nurse for Travellers	1	1.0
Rapid Reponse	3	3.0
Respiratory	4	3.5
Rheumatology	3	3.0
Stroke	5	4.0
Urology	2	1.87

**Western HSC Trust**

<b>Specialty</b>	<b>Headcount</b>	<b>WTE</b>
Cardiac Rehab	6	5.6
Challenging Behaviour	2	2.0
Community Children's Nursing	5	5.0
Continence	4	4.0
Critical care	6	6.0
Diabetes Nurses	10	9.93
Eating Disorders	2	2.0
Emergency Department	13	13.0
Endoscopy	4	3.5
Epilepsy (Adult)	1	1.0
Forensic Psychiatry	1	1.0
GUM Clinic	2	2.0
Haematology	1	1.0
Haemovigilance	2	1.5
Head and Neck	1	1.0
Heart Failure	4	4.0
Infection Control	8	7.6
Milk Bank	1	1.0
Multiple Sclerosis	1	1.0
Neuro Disability	1	1.0
Neo-natal ICU	2	2.0

Specialty	Headcount	WTE
Occupational Health	3	3.0
Oncology (Cancer Services)	9	9.0
Ophthalmology	1	1.0
Paediatrics	7	6.08
Pain Management (Acute and Chronic)	3	3.0
Palliative Care	4	4.0
Parkinson's	2	2.0
Psychological Therapies	6	6.0
Renal Therapies	2	2.0
Respiratory	3	3.0
Resuscitation	2	2.0
Rheumatology	2	2.0
Safeguarding Children	4	4.0
Sexual Abuse	2	2.0
Sexual Health	1	1.0
Smoking Cessation	3	3.0
Stoma Care	3	3.0
Stroke	2	2.0
Suicide Prevention	1	1.0
Tissue Viability	4	3.8
Trauma and Orthopaedics	3	3.0
Tuberculosis	2	1.0
Urology	3	3.0
Vascular	2	1.0

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety to detail his Department's projected savings from merging the proposed mental health and suicide prevention protect life 2 strategy.

**(AQW 45107/11-15)**

**Mr Wells:** There are no projected savings from merging mental health promotion and suicide

prevention within one strategy. Suicide prevention and mental health promotion services are already commissioned and delivered by the Public Health Agency within a single Thematic Action Plan for Mental and Emotional Wellbeing and Suicide Prevention.

**Ms McGahan** asked the Minister of Health, Social Services and Public Safety to detail the total number of patients who have been referred to 3fivetwo Healthcare and are currently waiting on appointments for a CT scan; and of these, to detail (i) how many patients are from the Southern Health and Social Care Trust; and (ii) whether there are procedures in place for quickly dealing with those patients who have a history of cancer when presenting with symptoms that prompt referrals to 3fivetwo Healthcare regarding CT scans.

**(AQW 45131/11-15)**

**Mr Wells:** The total number of patients who have been referred to 3fivetwo Healthcare and who are currently awaiting appointments for a CT scans is 164.

- (i) Of these, 159 patients are from the Southern Health and Social Care Trust.
- (ii) Referrals are triaged by the referring Trust, prior to transfer to an independent sector provider, and categorised according to clinical priority which takes account of all medical history.

**Mr Frew** asked the Minister of Health, Social Services and Public Safety, pursuant to AQO 7966/11-15, what services and facilities will be placed in the new Northern Ireland Ambulance Station in Ballymena.

**(AQW 45144/11-15)**

**Mr Wells:** The new NIAS Ambulance Station at Ballymena will provide office accommodation for the Northern Divisional Headquarters as well as accommodation for parking and garaging facilities.

The office areas will include a training room, a meeting room and storage rooms to allow restocking of ambulances and other vehicles. The stand-by area for the paramedics and other personnel will include kitchen and tea making facilities, seating and IT network access points.

There will be 5 A&E and Rapid Response Vehicles along with Patient Care Service (PCS) vehicles at the new facility. The garage will provide enclosed parking for up to 12 NIAS A&E ambulances, rapid response and PCS vehicles. A vehicle wash bay and a minor maintenance bay will be provided. On-site parking for approximately 60 vehicles will also be provided.

**Mr McGimpsey** asked the Minister of Health, Social Services and Public Safety what advice his Department is giving Northern Ireland Fire and Rescue Service (NIFRS) to make 5.5 per cent efficiency savings for the financial year 2015/16 now that he is aware that NIFRS Fire Board, via the Chief Executive Officer and the Chief Fire Officer, has made it clear it cannot make 5.5 per cent efficiency savings without compromising public and firefighter safety.

**(AQW 45158/11-15)**

**Mr Wells:** The Northern Ireland Fire and Rescue Service (NIFRS) has been asked to develop savings plans to meet a 5.5% reduction to its 2015/16 budget.

Savings proposals must be prioritised based on those that minimise the impact on service delivery. Any changes to service delivery must ensure the continued safety of both the public and the firefighters who deliver the service. Discussions between Department officials and NIFRS senior team regarding the savings proposals are ongoing.

NIFRS will consider the requirement for Public Consultation in any potential changes to service delivery.

**Mr McGimpsey** asked the Minister of Health, Social Services and Public Safety, given that the Northern Ireland Fire and Rescue Service (NIFRS) Fire Board via the Chief Executive Officer and the Chief Fire Officer has made it clear it cannot make 5.5 per cent efficiency savings without compromising public and firefighter safety, whether he will still honour his commitment to the Assembly when he stated that he would not impose cuts to NIFRS that would impact on frontline services.

**(AQW 45159/11-15)**

**Mr Wells:** I have made it clear that I will not preside over unsafe services. The Northern Ireland Fire and Rescue Service (NIFRS) have been asked to finalise their efficiency plans on the basis of those that minimise the impact on service delivery, and ensure the continued safety of the public and firefighters who deliver the service.

Discussions between Department officials and NIFRS senior team regarding the savings proposals are ongoing, to ensure these principles are met.

NIFRS will consider the requirement for Public Consultation in any potential changes to service delivery.

**Mr Swann** asked the Minister of Health, Social Services and Public Safety what inspection or control mechanisms are in place to ensure that associated dentists' contracts with principals are not unfair or open to abuse.

**(AQW 45178/11-15)**

**Mr Wells:** A dental associateship and contract is a private matter, being a business relationship between dentists. An associate is self-employed and is not an employee of the practice principal or owner. Under an associate contract the practice principal or owner provides a surgery, equipment, materials, support staff and patients to the associate; and the associate pays the practice principal or owner a proportion of their earnings for these facilities.

Dentists in general dental practice are independent practitioners and whilst they contract to the HSCB to provide health service care and treatment to patients, the business arrangements within the practice are a separate and internal matter. Associate contracts also contain conditions relating to the provision of private dental services.

Neither my Department, nor any other HSC organisation, has any role in the inspection or content of dentist associate contracts. It is the responsibility of the signatories to understand and be satisfied with the terms and conditions of an associate contract before entering into it. A dentist should always seek legal advice or approach their professional organisation, the British Dental Association, before signing such a contract. As with all contracts, either party can seek to renegotiate with each other to make an adjustment, or to challenge any provision through the courts, if they believe they have legitimate cause.

**Mr B McCrea** asked the Minister of Health, Social Services and Public Safety for an update on adoption legislation.

**(AQW 45201/11-15)**

**Mr Wells:** A draft Bill has been prepared and a Third Draft Executive paper, seeking agreement to consult, is being considered by Executive colleagues.

**Mr Weir** asked the Minister of Health, Social Services and Public Safety how many patients have sought medical help for the misuse of legal highs in each of the last five years.

**(AQW 45229/11-15)**

**Mr Wells:** Information on the number of people who have sought medical help for the misuse of legal highs is not collected, and could only be provided at disproportionate cost.

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety whether the Health and Social Care Board intend to appoint a new director of the Transforming Your Care initiative; and if so, to provide a timeframe for this appointment.

**(AQW 45262/11-15)**

**Mr Wells:** I am advised by the Health and Social Care Board that, from 1 May 2015, Mrs Pamela McCreedy will be seconded on a part-time basis to the role of Director of Operations with the Northern Health and Social Care Trust. This is a temporary arrangement while the Trust proceeds with the recruitment process for a Deputy Chief Executive/Director of Operations.

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety for a breakdown of the £30m spend on National Institute for Health and Care Excellence approved cancer drugs in 2015/16, broken down by (a) cancer type; and (b) number of patients.

**(AQW 45268/11-15)**

**Mr Wells:** I refer the Member to my response to AQW 42537 11-15 which he asked in March 2015 and also inform him that the final out turn for cancer drug spend for 2015-16 will not be available until April 2016 at the earliest.

**Mr B McCrea** asked the Minister of Health, Social Services and Public Safety what steps he is taking to reduce surgery waiting lists.

**(AQW 45284/11-15)**

**Mr Wells:** I have been advised by the Health and Social Care Board that it is working with Trusts to ensure the full delivery of funded elective capacity, including the effective management of waiting lists. The Board continues to engage with providers to maximize theatre utilisation in line with recognised best practice.

In addition, the Board is working with Trusts to ensure that plans are in place to expand capacity in specialties where demand exceeds capacity. The pace at which this can be achieved is clearly dependent on the availability of resources, which are currently under significant pressure and in some specialties, the availability of specialist staff.

**Mr Flanagan** asked the Minister of Health, Social Services and Public Safety to outline the current waiting times for a wisdom tooth removal in the Western Health and Social Care Trust.

**(AQW 45342/11-15)**

**Mr Wells:** Information on the number of patients waiting, in weeks, for wisdom tooth removal in the Western Health and Social Care Trust at 31st December 2014, the most recent date for which Official Statistics are available, is shown in the table below.

	Number of patients waiting, in weeks, for inpatient treatment for wisdom tooth removal at 31st December 2014					Total
	0-6	>6-13	>13-21	>21-26	>26	
Western	17	*	9	0	<5	35

**Source:** DHSSPS Inpatient Waiting Times Dataset In line with Branch policy, cell sizes have been masked to protect patient confidentiality.

## Department of Justice

**Mr Campbell** asked the Minister of Justice what has been the change in the rates of reoffending among 18 to 25 year olds between 2009 and 2014.

**(AQW 44747/11-15)**

**Mr Ford (The Minister of Justice):** Changes in recording systems mean that complete information to perform this analysis is not available prior to the 2010/11 cohort. However, information can be provided for two years 2010/11 and 2011/12.

Of those aged 18-25 included in the 2010/11 cohort, 22% reoffended within one year of receipt of a non-custodial disposal or release from custody and 24% from the 2011/12 cohort.

Since the offending-related characteristics of those included in each cohort may differ in extent or severity, great care needs to be taken in making comparison across years and should not be done without taking account of these underlying characteristics. This is a major statistical exercise and there is currently no such analysis for those aged 18-25 from these

cohorts. However, statistical analyses already undertaken on the overall cohorts (i.e. all ages) for these two years suggests that there is no real difference in the rates of reoffending between the 2010/11 and 2011/12 cohorts (where the initial overall reoffending rates were 17% and 19% respectively).

Due to the time delay needed to establish if reoffending has occurred (i.e. up to twelve months for any subsequent offence to have occurred and a further six months for disposal), the most up to date information available is based on the 2011/12 cohort. Information on the 2012/13 cohort should become available later this year.

**Lord Morrow** asked the Minister of Justice to outline the correct procedure for certifying legal aid for Junior Counsel at committal proceedings at magistrates court; and whether the granting of an extension to Senior Counsel should be approved by the District Judge at committal or by the Crown Judge prior to trial.

**(AQW 44888/11-15)**

**Mr Ford:** Criminal Legal Aid in respect of proceedings in the Magistrates Court is granted by the District Judge (Magistrates Court) by virtue of Article 28 of the Legal Aid, Advice and Assistance (Northern Ireland) Order 1981. Legal aid is granted with reference to whether the defendant can afford their defence (the means test), and whether it is in the interests of justice that legal aid be granted (the merits test).

Any person returned for trial at the Crown Court may be granted free legal aid, if in the view of the court the individual's means are insufficient to enable them to fund their own representation.

If the court is satisfied that the applicant is of insufficient means and the individual is returned for trial on a charge of murder, criminal legal aid will be granted. If the court is so satisfied when the individual is returned for trial on any other charge, criminal legal aid may be granted if, in the view of the court having regard to all the circumstances of the case, it is desirable in the interests of justice that legal aid should be granted.

In any case in which legal aid is granted under Article 29 of the Legal Aid, Advice and Assistance (Northern Ireland) Order 1981, it carries with it an automatic entitlement to representation by one counsel. Where the charge is one of murder, or the case appears to present exceptional difficulties, the court may certify that in its opinion the interests of justice require that the assisted person shall have the services of two counsel. The term "exceptional" means that the case for or against the assisted person involves substantial novel or complex issues of law or fact, such that it could not be adequately presented by one counsel.

Article 29 of the 1981 Order empowers either the District Judge (Magistrates' Court) to grant legal aid upon returning the defendant for trial or the trial judge when the case is returned to the Crown Court.

**Mr Easton** asked the Minister of Justice whether any departmental staff have the use of a company car as part of their contract.  
**(AQW 45045/11-15)**

**Mr Ford:** No staff in my Department or its agencies has the use of a company car as part of their contract.

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 44383/11-15, whether this equates to a no-go area; and what engagement agencies within his departmental remit have held to ensure parity of law enforcement.  
**(AQW 45099/11-15)**

**Mr Ford:** The PSNI has confirmed that there are no "no-go areas" within Northern Ireland.

With reference to the flag issue, the police only act to remove flags where there are substantial risks to public safety.

**Lord Morrow** asked the Minister of Justice to detail the circumstances around a fire in Maghaberry Prison on 23 April 2015, including whether it was deliberate.  
**(AQW 45105/11-15)**

**Mr Ford:** On 23 April, a group of prisoners in Roe House deliberately started a fire. The fire was extinguished by the Fire Service and there was no requirement to evacuate prisoners from their cells. A PSNI investigation into the circumstances of this incident is underway.

**Mr Givan** asked the Minister of Justice to detail the timescale for the appointment for a new Chief Coroner in Northern Ireland; and what impact any delay in making this appointment will have on current Inquests, including the Kingsmill Inquest.  
**(AQW 45232/11-15)**

**Mr Ford:** My Department is considering how best to improve the performance of the Coroners Service in relation to legacy inquests, as required in the Stormont House Agreement.

My officials are in discussion with the Lord Chief Justice's Office on improving the resources for the Coroners Service in anticipation of the Lord Chief Justice assuming the Presidency of the Coroners Courts. These improvements are likely to include appointing a number of senior Judges to deal with legacy inquests. These discussions will also determine how many Coroners are required to deal with the normal business levels of the Coroners Service.

The Coroners service currently has three full-time Coroners, including the senior Coroner. In addition, one High Court Judge and one County Court Judge have been appointed as Coroners.

The assignment of a Coroner to hear the Kingsmill inquest is currently the responsibility of the Senior Coroner, and will become the responsibility of the Lord Chief Justice when he assumes the Presidency of the Coroners Courts.

**Mr D McIlveen** asked the Minister of Justice whether his Department is open to solutions to enable Ballymena Court House to remain open.

**(AQW 45234/11-15)**

**Mr Ford:** My Department will consider any proposals put forward in relation to any court location, including those proposed for closure in the consultation on the rationalisation of the court estate.

**Mr Weir** asked the Minister of Justice to detail the number of convictions for drug related offences in North Down in the last twelve months.

**(AQW 45236/11-15)**

**Mr Ford:** Drugs offences may be prosecuted under the Misuse of Drugs Act 1971, the Medicines Act 1968, the Criminal Attempts and Conspiracy (Northern Ireland) Order 1983 and the Customs and Excise Management Act 1979.

The most recent convictions data available relate to 2013. Information on the location of an offence is not included as part of convictions databases held by my Department. However, there were 189 convictions at courts in the Ards Court Division in 2013, for drugs offences. Of these, 90 were listed for Newtownards Court Office and one was listed for Bangor Court Office.

**Note:**

- 1 Data are collated on the principal offence rule; only the most serious offence for which an offender is prosecuted or convicted is included.
- 2 The figures provided relate to convictions for all classifications of the offences specified.

**Mr Attwood** asked the Minister of Justice, given the environmental impact, to outline the actions he is taking to tackle organised illegal fuel laundering.

**(AQO 8151/11-15)**

**Mr Ford:** Fuel laundering is a reserved matter which falls within the remit of HM Revenue and Customs. As Minister of Justice and chair of the Organised Crime Taskforce (OCTF), however, I take a close interest in the issue.

HMRC, in conjunction with their counterparts in the Republic of Ireland, has recently introduced a new fuel marker which is a significant development in the fight against fuel fraud. This is part of an ongoing programme of work which includes random testing, disruption of laundering sites and, wherever possible, the prosecution of offenders.

My Department is facilitating an OCTF workshop on fuel laundering to be held before the summer – there will be a wide range of invitees, including from the Northern Ireland Environment Agency.

## Department for Regional Development

**Mr Flanagan** asked the Minister for Regional Development, pursuant to AQW 43085/11-15, to detail the number of Clabby residents who have contacted his Department or Transport NI to request additional traffic calming measures.

**(AQW 44438/11-15)**

**Mr Kennedy (The Minister for Regional Development):** My Department received one request in June 2014 from a resident of Clabby seeking an extension to the 30mph speed limit and associated traffic calming measures along Clabby Road. My officials subsequently met with PSNI Traffic Branch representatives on site and decided that an extension to the 30mph was appropriate due to further development along Clabby Road. As the original area covered by the 30mph speed limit had already been traffic calmed, it was also considered appropriate to extend the traffic calming measures to cover the new 30mph zone.

**Lord Morrow** asked the Minister for Regional Development, pursuant to AQW 43437/11-15, on how many occasions in the last 12 months has the contracted service provider inadvertently assigned more traffic attendants to an area than were required (i) in the locale in question; and (ii) the area of base in question.

**(AQW 44716/11-15)**

**Mr Kennedy:** In the twelve month period ending 31 March 2015, NSL has over deployed in this base area on one occasion as recorded on AQW 43437/11-15.

**Mr Weir** asked the Minister for Regional Development what plans for 2015/16 his Department has to repair street lights in North Down.

**(AQW 44731/11-15)**

**Mr Kennedy:** My Department only has limited funding available at present to maintain the street lighting stock. I have directed that my officials should continue to ensure the public's safety is not compromised by ensuring that Inspection & Testing of street lighting equipment continues, as well as the repair of any electrical or structural defects which may result in a direct hazard to the public. My Department's Operation & Maintenance staff will provide a limited repair service, giving priority to groups of lights which are out and groups of lights which are operating continuously. Single outages and day burners will be dealt with in the most operationally efficient manner, with focus on those that have been out for the longest period. It is anticipated that the resources available will allow for approximately a quarter of the outages to be fixed. This is not the level of service that I would like to provide but is a consequence of the very challenging budgetary pressures currently facing my Department.

**Mr Weir** asked the Minister for Regional Development to detail the 2015/16 budget allocated for the repair of street lights in North Down.

**(AQW 44732/11-15)**

**Mr Kennedy:** Repairs to defective street lights in the North Down area will be funded from the overall street lighting maintenance allocation for TransportNI's Southern Division.

**Mr Weir** asked the Minister for Regional Development what plans his Department has to repair street lights, reported as broken or faulty in 2014/15, but not repaired before the end of that financial year.

**(AQW 44733/11-15)**

**Mr Kennedy:** At present, my Department is completing as many street lighting repairs as possible, with priority being given to defects reported and for which works orders were issued in the 2014/15 financial year. However, after this work in progress is completed in the coming weeks, street lighting maintenance contractors will only be employed to deal with electrical or structural hazards. Whilst my Department's own internal workforce will strive to repair as many defective street lights as possible, including defects reported in 2014/15 for which works orders had not been issued prior to the end of the financial year.

**Mr Clarke** asked the Minister for Regional Development (i) how much is the annual energy cost of the street light network; (ii) how are these costs calculated; (iii) whether the cost depends on how many hours the lights are on; (iv) whether there are energy costs when lights have failed.

**(AQW 44740/11-15)**

**Mr Kennedy:** The annual cost of electricity for street lighting varies from year to year, depending on the prevailing cost of electricity and the number of street lights and their associated wattage. In recent years, the annual cost has typically been in excess of £10 million. The outturn costs for the 2014-15 financial year have still to be finalised, but I can confirm that in 2013-14, for example, street lighting electricity cost just over £10.6 million.

Fortunately, like many other electricity consumers, my Department has recently seen a reduction in the unit cost of electricity. However, while prices have fallen, the number of street lights that my Department is responsible for has been increasing each year, as new housing development streets and other new roads are adopted into the public road network.

Street lighting electricity is unmetered and electricity costs are calculated by multiplying the numbers of each type of light by their respective wattage, by their annual operating hours, by the appropriate cost per Kilowatt Hour (kWh). To get the most competitive electricity prices for street lighting, a procurement competition is run each year to ensure we avail of the lowest available prices.

The cost of electricity is based on the normal operating hours of the equipment, that is, either dusk to dawn or, for example, continuous operation. There is no additional financial cost levied by the electricity supplier if lights are burning longer, for example, due to a fault or while maintenance is being carried out. However, my Department recognises the unwelcome environmental impact of unnecessary daytime burning, and seeks to rectify such situations as quickly as possible.

In the same way as there is no additional charge for day burning lights, neither is there a reduction for lights that have failed, unless the equipment is physically disconnected from the electricity supply and removed from the inventory.

**Mr Dickson** asked the Minister for Regional Development whether his Department has considered implementing a policy, similar to Network Rail in GB, to phase out all level crossings to improve safety on the rail network.

**(AQW 44742/11-15)**

**Mr Kennedy:** In Northern Ireland safety matters remain the operational responsibility of the NI Transport Holding Company and its subsidiary NI Railways but this is overseen by my Department, in its role as the Safety Authority for Northern Ireland. In common with both Network Rail and Irish Rail, NI Railways has embarked on a level crossing Safety Improvement Project. The policy of all three organisations is broadly similar in prioritising crossing closures.

NI Railways has a Crossings Management Group that consists of people with a range of expertise from across the business. The objective of the group is to improve level crossing safety and the strategy adopted has three main elements: Closure/

Safety Improvement; Compliance and Engagement. This is similar to the Network Rail strategy of the 4 E's (Education, Enforcement, Enablement, and Engineering.)

The most effective way of reducing level crossing risk is to eliminate the crossings completely. Such closures require the agreement of authorised users, and often, more than one user has the right to use a crossing. Negotiations with users can be protracted, and if a closure project requires planning permission it can take some time to get the necessary consents before construction can commence. Nevertheless, NI Railways has successfully closed over 60 level crossings in the last 5 years.

NI Railways is now at a point in the project where other technical solutions will be progressed for those crossings that may remain open, including signalling schemes, warning lights and additional crossing telephones.

NI Railways has now fully adopted a Level Crossing Risk Model that was developed by Network Rail. This will mean that in future, the assessment of risk and the identification of suitable mitigations will be managed using the same approach as Network Rail, the aim of which is to make all crossings as safe as is practical.

**Mr Dickson** asked the Minister for Regional Development to list the location of all puffin crossings.  
(AQW 44743/11-15)

**Mr Kennedy:** Details of the locations of all puffin crossings are set out below, by local government area:

#### **Antrim and Newtownabbey**

- High Street, Antrim
- Fountain Street, Antrim

#### **Ards and North Down**

- |  |   |
|--|---|
| <ul style="list-style-type: none"> <li>■ Bridge Street, Comber</li> <li>■ New Street at High Street, Donaghadee</li> <li>■ High Street, Kilaughey Road, Donaghadee</li> <li>■ Parade/New Street junction, Donaghadee</li> <li>■ Moat Street, Bridge Street, High Street, Donaghadee</li> <li>■ Main Street, Kircubbin</li> </ul> | <ul style="list-style-type: none"> <li>■ High Street adjacent to Meeting House Lane, Newtownards</li> <li>■ High Street at Conway Square, Newtownards</li> <li>■ Castle Place near Movilla Street, Newtownards</li> <li>■ Gibson Lane at Regent Street, Newtownards</li> <li>■ Zion Place, Newtownards</li> </ul> |
|--|---|

#### **Armagh City, Banbridge and Craigavon**

- |   |   |
|---|---|
| <ul style="list-style-type: none"> <li>■ Alexander Road, Armagh</li> <li>■ Barrack Hill, Armagh</li> <li>■ Cathedral Rd, Armagh</li> <li>■ College Hill, Armagh</li> <li>■ College Hill at Armstrong PS, Armagh</li> <li>■ Irish Street at Christian Brothers School, Armagh</li> <li>■ Killylea Road, Armagh</li> <li>■ Lonsdale Road, Armagh</li> <li>■ Loughgall Road, Armagh</li> <li>■ Mall East at White Walk, Armagh</li> <li>■ Mall West, Armagh</li> <li>■ Mall West at Sainsburys, Armagh</li> <li>■ Moy Road, Armagh</li> <li>■ Newry Rd, Armagh</li> <li>■ Portadown Road, Armagh</li> <li>■ Railway Street, Armagh</li> <li>■ Upper English Street, Armagh</li> <li>■ Kinelowen Street, Keady</li> <li>■ Main Street, Markethill</li> <li>■ Main Street, Middletown</li> <li>■ Church Street, Poyntzpass</li> <li>■ Main Street, Richhill</li> </ul> | <ul style="list-style-type: none"> <li>■ New Line, Richhill</li> <li>■ Market Street, Tandragee</li> <li>■ Portadown Road, Tandragee</li> <li>■ Bridge Street at Railway Street, Banbridge</li> <li>■ Castlewellan Road at Tesco's, Banbridge</li> <li>■ Commercial Road, Banbridge</li> <li>■ Huntly Road, Banbridge</li> <li>■ Kenlis St, Banbridge</li> <li>■ Lurgan Road at Banbridge Academy, Banbridge</li> <li>■ Newry Road, Banbridge (at Abercorn PS), Banbridge</li> <li>■ Newry Street at the Cutt, Banbridge</li> <li>■ Newry Street near War Memorial, Banbridge</li> <li>■ Main Street, Rathfriland</li> <li>■ Avenue Road at Kings Park PS, Lurgan</li> <li>■ Francis Street St Winifred's Terrace, Lurgan</li> <li>■ William Street at Charles Street, Lurgan</li> <li>■ Bridge Street at Bachelors Walk, Portadown</li> <li>■ Loughgall Road, Portadown,</li> <li>■ Lurgan Road at Kernan Shops, Portadown</li> <li>■ Old Lurgan Road at Bocombra PS, Portadown</li> <li>■ Main Street, Waringstown</li> </ul> |
|---|---|



**Belfast City Council**

- University Road at Elmwood Avenue
- Dee Street at Island Street
- Connsbrook Avenue at Strandburn Crescent
- Cliftonville Road at Belfast Royal Academy
- Oldpark Road at Cliftondene Crescent
- Beechmount Avenue at Islandbawn Street
- Whitewell Road at Whitewell Parade
- Hollywood Road at Station Road
- Blacks Road at Oranmore Drive
- Antrim Road at Adela Place
- Ravenhill Road at St Judes
- Crumlin Road at Mater Hospital
- Donegall Road at Maldon Street
- Kings Road at Comber Greenway
- Beersbridge Road at Comber Greenway
- Lisburn Road at Cranmore Park
- Great Victoria Street at Glengall Street
- Oldpark Road at Manor Street
- Short Strand at Albertbridge Road
- Upper Lisburn Road at Locksley Park
- Grosvenor Road at Distillery Street
- Oldpark Road at Oldpark Avenue
- Glen Road at St Oliver Plunkets
- Springfield Road at Cupar Street
- Hawthornden Way at Campbell College
- East Bridge Street at Central Station
- Falls Road at Beechview Park
- Mountpottinger Road at Mountforde Road
- Sandown Road at Comber Greenway
- Milltown Road at Grays Park
- Upper Newtownards Road at Ormeston Avenue

**Causeway Coast and Glens**

- Railway Road, Coleraine
- Circular Road, Coleraine
- Castlerock Road, Coleraine
- Moyle Road, Ballycastle
- Ann Street, Ballycastle
- Main Street, Limavady
- Irish Green Street, Limavady
- Main Street, Dungiven

**Derry City and Strabane**

- Carlisle Road, Londonderry at Fountain Street
- Ferryquay Street, Londonderry
- Foyle Embankment, Londonderry at City Hotel
- John Street, Londonderry at Carlisle Square
- Orchard Street/Bridge Street, Londonderry
- Queens Quay, Londonderry at City Hotel
- Queens Quay, Londonderry at P&D Car Park
- Rosstown Road, Londonderry
- Strand Road, Londonderry at Council Offices
- Main Street, Castlederg
- William St, Castlederg
- Melmount Road, Strabane at Beechmount Avenue
- Railway Street, Strabane at Fire Station
- Derry Road, Strabane

**Fermanagh and Omagh**

- Main Street, Derrylin
- The Brook, Enniskillen
- Main Street, Maguiresbridge
- Main Street, Belleek
- Kevlin Road, Omagh
- Drumragh Avenue, Omagh

**Lisburn and Castlereagh**

- Purdysburn Road at Royal Lodge Road
- Eastlink Road at Moat Park
- Antrim Road at Railway Bridge
- Eastlink Road at Comber Greenway
- Railway Street at Wallace Avenue
- Antrim Road at Benson Street
- Queensway at Lambeg Station

**Mid and East Antrim**

- Doury Road/Thomas Street, Ballymena
- Larne Road/Casement Street, Ballymena
- North Road/Galgorm Street, Ballymena
- Pats Brae/Linenhall Street, Ballymena
- Main street, Ahoghill
- Main Street, Cullybackey
- Main Street, Portglenone
- Lower Cairncastle Road, Larne

**Mid Ulster**

- Rainey Street, Magherafelt
- Church Street, Maghera
- Hillhead Road, Stewartstown
- Church Street, Cookstown
- Orritor Street, Cookstown
- Westland Road South, Cookstown
- Main Street, Clogher

**Newry, Mourne and Down**

- Drumaness Walk, Downpatrick
- High Street at Windmill Street, Ballynahinch
- Windmill Street at Leisure Centre, Ballynahinch
- High Street/Lisburn Street/Main Street, Ballynahinch
- Main Street, Ballynahinch
- Central Promenade, Newcastle
- Main Street at Railway Street, Newcastle
- Main Street at Downs Road, Newcastle
- Central Promenade at Post Office, Newcastle
- Railway Street at Bus Station, Newcastle
- Shimna Road at Castle Park, Newcastle
- Buttercrane Quay at Shopping Centre, Newry
- Great Georges Street South at Church Street, Warrenpoint
- Seaview, Warrenpoint
- Upper Dromore Road south-east of Burren Road, Warrenpoint

**Mr Dickson** asked the Minister for Regional Development for a breakdown of number of (i) pelican; and (ii) puffin crossings in each constituency.

**(AQW 44744/11-15)**

**Mr Kennedy:** My Department is unable to provide this information in the format requested.

**Ms Lo** asked the Minister for Regional Development what plans his Department has to introduce zero tolerance enforcement of urban clearways and cycle lanes; and whether he has had any discussions on this issue with the Minister of the Environment.

**(AQW 44745/11-15)**

**Mr Kennedy:** In accordance with the Parking Enforcement Protocol, my Department's parking enforcement service provider adopts a zero tolerance approach when vehicles parked in contravention of prescribed parking restrictions are detected; this includes those on urban clearways during times of operation and mandatory cycle lanes. I have not had any discussions on this issue with the Minister of the Environment.

**Mr Dallat** asked the Minister for Regional Development to detail a timeline for the completion of a bypass at Dungiven.

**(AQW 44764/11-15)**

**Mr Kennedy:** Draft Orders for the 30 kilometre Londonderry to Dungiven dual carriageway, including a dual carriageway bypass of Dungiven, were published in December 2011. The published scheme was examined at a Public Inquiry in September/October 2012 and the Inspector produced his report in March 2013, which contained a number of recommendations. One of these recommendations was to examine a suggested route for the Dungiven bypass that was put forward by a third party on the final day of the Public Inquiry, and my officials are therefore quality assuring the route.

This work is nearing completion and, when I am satisfied that all of the issues have been appropriately reviewed, I will issue a Departmental Statement. The Inspector's report will be published alongside the Departmental Statement.

I am pleased to inform you that the scheme has been structured to accommodate a phased delivery in up to three parts, which would allow construction of a bypass of Dungiven to proceed ahead of the remainder of the scheme. However, it is too early to say when the scheme would be built; progression to construction would, subject to final approval of the business case, be reliant upon funding being made available by the Executive.

**Mr Eastwood** asked the Minister for Regional Development to detail the capital infrastructure projects financed by Private Finance Initiative in Foyle in 2013/14; and the cost of each project.

**(AQW 44806/11-15)**

**Mr Kennedy:** My Department had no capital infrastructure projects financed by Private Finance Initiative in the immediate Foyle constituency in 2013/14.

**Lord Morrow** asked the Minister for Regional Development to list the no-go areas for traffic and parking attendants.

**(AQW 44829/11-15)**

**Mr Kennedy:** I can confirm there are no "no-go areas" for Traffic Attendants in Northern Ireland.

**Lord Morrow** asked the Minister for Regional Development, pursuant to AQW 42688/11-15, to outline the meetings, discussions and actions which have occurred on this matter since 16 December 2013.

**(AQW 44830/11-15)**

**Mr Kennedy:** Details of the meetings, discussions and actions are listed in the table below:

Date	Action/Issue	Comment
15 Jan 2014	Informal consultation	Botanic Avenue and High Street frontagers received letter drops outlining the proposed ranks.
15 Jan 2014	From a local business	Phone call request for further information regarding the Botanic Avenue proposal.
16 Jan 2014	From a local business	Comments received regarding the Botanic Avenue proposal.
20 Jan 2014	Meeting with Belfast Public Hire Taxi Drivers (BPHTD)	Officials presented 2 draft options for the Donegall Square North rank. One option removed the adjacent disabled parking bay, and the other provided a double width rank, which extended into the adjacent bus/Belfast Rapid Transit lane. BPHTD requested a new rank in High Street/Bridge Street.
21 Jan 2014	Email to Belfast City Council (BCC)	Officials referred expressed concerns of BPHTD regarding pedestrian signage to BCC.
22 Jan 2014	From Local Business	Objection received to the Botanic Avenue proposal.
3 Mar 2014	Response	Comments noted.
27 Jan 2014	From Translink	Objection received to the High Street proposal.
13 Feb 2014	Response	Comments noted.
5 Feb 2014	From a Local Business	Objection received to the Botanic Avenue proposal.
3 Mar 2014	Response	Comments noted.
6 Feb 2014	From a Local Business	Objection received to the Botanic Avenue proposal.
3 Mar 2014	Response	Comments noted.
March 2014	Development of Design	Preparation of a draft proposal for a new rank as requested at High Street/Bridge Street.
27 Mar 2014	Belfast City Centre Change Working Group (BCCCWG)	Officials advised members of the proposal for a double rank in Donegall Square North.
2 Jul 2014	To Public Hire Reps	Opinion sought on Botanic Avenue, High St and Dublin Road ranks from taxi representatives, namely the Public Hire Coalition, the Accessible Taxi Association of NI, and the Belfast Public Hire Taxi Drivers.
3 Jul 2014	BCCCWG	Officials wrote to members of BCCCWG, seeking its views on the proposal for a double taxi rank in Donegall Square North.
21 Jul 2014	From BPHTD	Reply to letter of 2 July 2014.
11 Aug 2014	Response	
8 Dec 2014	From Accessible Taxi Association of NI	Reply to letter of 2 July 2014.
19 Dec 2014	Response	

**Mr Flanagan** asked the Minister for Regional Development for an update on the adoption of Hazelwood, Irvinestown.  
(AQW 44832/11-15)

**Mr Kennedy:** My Department intends to issue a contract to complete the outstanding work in Hazelwood, as well as works required for two other nearby developments, namely Briars Hill and Spruce Hill. I expect this work to be completed and adoption of all three developments into the public network to be completed within the next 6 months.

**Mr D Bradley** asked the Minister for Regional Development to detail the investment his Department has made to improve the (i) Newry to Crossmaglen; and (ii) Crossmaglen to Dundalk Roads since 2005.  
(AQW 44859/11-15)

**Mr Kennedy:** Details of investment on the Newry to Crossmaglen and Crossmaglen to Dundalk Roads since 2005 are included in the table below;

**Maintenance Schemes**

Location	Measures provided	Year	Costs
B30 Newry Road at Creggan	Carriageway resurfacing	2013	£106K
B30 Newry Road, Silverbridge	Carriageway resurfacing	2014	£210K
B30 Newry Road at Fords Cross	Carriageway resurfacing	2013	£195K
B30 Newtown Road	Surface Dressing	2012	£7K
B30 Hall Road	Surface Dressing	2012	£9K
B30 Newry Road Crossmaglen	Surface Dressing	2012	£12K
B30 Newry Road Crossmaglen	Surface Dressing	2011	£2K
B30 Silverbridge Road at Cashel	Surface Dressing	2011	£7K
B30 Newry Road Silverbridge	Surface Dressing	2010	£6K
Dundalk Road Crossmaglen, various locations	Surface Dressing	2005-2010	£4K
B30 at by Flemings	C'way strengthening	2014	£20K
B30 at Strugan	Verge Strengthening	2011	£5K
B30 near Milltown Road	Drainage Improvement	2012	£5K

**Minor Works Schemes**

Location	Measures provided	Year	Costs
Clonalig Primary School towards Culaville	Footway (including road widening)	2006	£420k
B30 Donaldson at Creggan	Footbridge, and footway link	2012	£180k
Clonalig Primary School, A37 Concession Road, Cullaville	Completion of footway link including road widening	2013	£200k

**Traffic Management Schemes**

Location	Measures provided	Year	Costs
Newry Road, Camlough	Gateway Traffic Calming features, central hatching, traffic islands and enhanced signage	2009/10	£20k
Newry to Crossmaglen	Upgrade of road markings, provision of chevron signs and enhanced warning signs at various locations	2005-2015	£15k
Crossmaglen to Dundalk	Upgrade of road markings, provision of chevron signs and enhanced warning signs at various locations	2005-2015	£5k
Crossmaglen Village	Traffic Calming and enhanced signage	2008/09	£8k
Cullaville Road, Crossmaglen at Clonalig Primary School	Flashing school signs	2010	£10k

**Street Lighting Schemes**

Location	Year	Cost
Silverbridge	2005	£12K
Anduff Chapel	2006	£18K
Cregganbridge	2014	£12K

**Mr Flanagan** asked the Minister for Regional Development whether a regulation has been brought forward to change the maximum speed limit on the Clabby Road, Clabby, to 30mph.

**(AQW 44861/11-15)**

**Mr Kennedy:** Under Article 37 of the Road Traffic Regulation (Northern Ireland) Order 1997, Clabby Road in Clabby becomes a 30mph restricted road by virtue of the fact that it contains a system of street lighting where lamps are placed not more than 185 metres apart.

Rather than bringing forward a regulation, there is a requirement in this instance for a revocation of the existing 40mph statutory rule, which covers this stretch of road, and this process is ongoing.

**Mr Flanagan** asked the Minister for Regional Development, pursuant to AQW 44034/11-15, to detail the estimated cost of carrying out sufficient works to the road in Boho to prevent future flooding.

**(AQW 44864/11-15)**

**Mr Kennedy:** The cost of raising the road at Samsonagh would be in the region of £25,000 but, given the poor ground conditions, it would only provide temporary relief as the road would likely sink back to its present position within a relatively short period of time. Whilst detailed costings have not been prepared, it is anticipated a more permanent solution would cost hundreds of thousands of pounds. This level of expenditure could not be justified given the road classification (a lightly trafficked U class road) and its usage and the fact that a reasonable alternative exists which would add less than 5 minutes to journey times.

**Mr Lyttle** asked the Minister for Regional Development to detail the routes in Belfast that will be selected for infrastructural improvements for cycling.

**(AQW 44868/11-15)**

**Mr Kennedy:** My Department is currently working on a draft Bicycle Network for Belfast, which I plan to publish later this year.

The plan strives to create a comprehensive network of high quality joined up arterial routes to connect the city and provide links to shops, community facilities, places of education and work places. It is envisaged that this will consist of 8 arterial routes to link to the city centre as well as 3 orbital routes.

I propose to deliver bicycle infrastructure to give a coherent and connected network of safe cycling routes and provide citizens with the freedom and confidence to use the bicycle.

**Mr Lyttle** asked the Minister for Regional Development for an update on the proposed Translink pilot for improved bicycle carriage on buses.

**(AQW 44869/11-15)**

**Mr Kennedy:** Currently the carriage of bicycles on buses is limited to folding bikes due to limits on capacity. Officials have had discussions with Translink about carrying out a pilot scheme in Belfast. They are researching other pilot schemes in Great Britain and will evaluate the issues raised in their consideration of a Belfast Scheme.

**Mr Lyttle** asked the Minister for Regional Development for an update on the 2015/16 budget for Active School Travel and Safe Routes to School.

**(AQW 44870/11-15)**

**Mr Kennedy:** The funding available in 2015/16, year three of the Active School Travel Programme, will be over £1million.

This figure includes around £400,000 for the actual programme, jointly funded by the Public Health Agency. I have also set aside capital funding of up to £1million, to improve cycling and walking infrastructure near to schools including those participating in the Active School Travel Programme.

The initial TransportNI capital budget targeted to Safe Routes to School in 2015/16 is £150k.

**Mr Lyttle** asked the Minister for Regional Development what action he has taken to avoid potential EU infractions that could arise in respect of Belfast Harbour water quality and non adherence with EU requirements for recovery of water costs and water pricing policies.

**(AQW 44871/11-15)**

**Mr Kennedy:** Through the Price Control process, my Department and NI Water along with other key water stakeholders prioritise investment to minimise the risk of infraction by addressing the requirements of key directives such as the Urban Wastewater Treatment Directive (UWWTD) and Water Framework Directive (WFD).

A large number of influences impact on the water quality in Belfast Harbour, including discharges from the sewerage assets in Belfast and contributions from River Lagan. NI Water manages the sewerage system and Belfast Wastewater Treatment Works (WWTW) to minimise the impact.

Belfast WWTW is regulated by the Northern Ireland Environment Agency under the Urban Wastewater Treatment Directives (UWWTD) and I am advised that the effluent discharged from the WWTW has met the UWWTD standards consistently for a number of years. This has been achieved through routine and planned maintenance programmes at the site.

In order to develop a strategic approach to drainage infrastructure across Northern Ireland, in line with the requirements of the Water Framework Directive, the Urban Waste Water Treatment Directive and the European Floods Directive, I

obtained Executive approval to set up an interdepartmental working group, led by my Department. The Strategic Drainage Infrastructure Programme Board has been established to develop a Strategic Drainage Infrastructure Plan to support economic growth, protect the environment and address flood risk. The plan will be designed to address environmental risks including the risk of infraction proceedings in respect of water quality in Belfast Lough.

With regard to the infraction risk concerning the recovery of water costs and water pricing policies, water pricing arrangements for the agriculture and industrial sectors have been in place for many years and the majority of these customers are metered and charged according to usage. Trade effluent charges are also in place for discharges from industry. The European Commission has recently questioned why domestic water charging has not yet been introduced, in line with the EU Water Framework Directive. However, households in Northern Ireland already make a contribution towards the cost of water and sewerage services through contributions paid through the Regional Rate, and my Department is working closely with DOE and DEFRA to mount a robust defence of the decision not to introduce further charging for domestic water.

**Mr Allister** asked the Minister for Regional Development what is the scale of cuts, in both actual and percentage terms, being implemented in his Department's budget in 2015/16, specifying the level of cut in each programme.

**(AQW 44875/11-15)**

**Mr Kennedy:** My Department has had to manage cuts and pressures of some £60 million on Non Ring-Fenced Resource DEL budget, around 18% of the 2014-15 baseline as part of 2015 Budget.

The table below shows how I have allocated my 2015-16 Budget to business areas, the pressures as a result of the cuts in Budget 2015 and the percentage pressure against the Opening Baselines within each area of my Department.

**Budget 2015-16 Non Ring Fenced Resource Allocations:**

<b>Business Area (Programme)</b>	<b>Opening Baseline 2015-16 £m</b>	<b>Pressures £m</b>	<b>Pressure on 2015-16 Opening Baseline %</b>
TransportNI	139.5	38.5	27.6
Translink	61.0	13.0	21.3
NI Water	109.2	4.7	4.3
Other Elements within Department	23.4	4.0	17.1
EU Funds	0.5	-	-
<b>Total</b>	<b>333.6</b>	<b>60.2</b>	<b>18.0</b>

For details specifying the level and impact of cuts in each programme I would refer you to three recent AQW's (AQ44441/11-15, AQ44443/11-15 and AQ 44444/11-15) asked by Mr Easton MLA (North Down) for which I provided answers on 24 April 2015. These can be accessed via the following link: <http://aims.niassembly.gov.uk/questions/search.aspx>

**Mr Easton** asked the Minister for Regional Development whether his Department has retained ownership of any car parks in Bangor.

**(AQW 44877/11-15)**

**Mr Kennedy:** All off-street car parks, with the exception of Park & Ride and Park & Share car parks, transferred to the new councils on 31 March 2015. I can also confirm that the two Park & Ride car parks at Abbey Street and Dufferin Avenue in Bangor will transfer to Translink within the next few months.

**Mr Easton** asked the Minister for Regional Development whether his Department has retained ownership of any car parks in Hollywood.

**(AQW 44878/11-15)**

**Mr Kennedy:** My Department has not retained any car parks in Hollywood.

**Lord Morrow** asked the Minister for Regional Development, pursuant to AQW 43437/11-15 and in respect of the additional quota of traffic attendants inadvertently assigned, on the day in question, (i) to which area they should have been assigned; and (ii) whether the area they should have been assigned to had any traffic attendant presence.

**(AQW 44886/11-15)**

**Mr Kennedy:** The additional Traffic Attendants deployed in Fivemiletown on 4 March 2015 mostly comprised of new staff in training and as such were not assigned to any other area.

**Mr Lyttle** asked the Minister for Regional Development whether the Rural Transport Fund will be continued in the next Programme for Government, or budget period 2016-2020; and whether it would be a grant aid or tendered contract. (AQW 44909/11-15)

**Mr Kennedy:** The Programme for Government for 2016-2020 has yet to be agreed by the Executive.

Budget negotiations for 2016/17 will begin later this year and I will be seeking to ensure my departmental allocation reflects need.

Grant support to the community organisations must meet all relevant EU, licensing and procurement rules and this is something that is kept under constant review.

**Mr Moutray** asked the Minister for Regional Development for an update on the completion of Millennium Way, Lurgan. (AQW 44912/11-15)

**Mr Kennedy:** I am pleased to confirm that the Notice of Making of the Vesting Order for the extension to Millennium Way was published week commencing 23 March 2015. The Vesting Order became operative on 28 April 2015.

The scheme involves the construction of 430 metres of new road between Malcolm Road and Gilford Road and upgrading of the existing junctions between Millennium Way/Malcolm Road and Gilford Road/Banbridge Road.

The new road, which also accommodates cyclists and pedestrians, will reduce congestion within the area and traffic flows through the local residential areas.

It is important to point out that construction of the proposal remains subject to the project continuing to have a satisfactory economic appraisal, and funding being made available in future budget settlements.

**Mr McNarry** asked the Minister for Regional Development how much expenditure has been incurred by Translink through the use of Private Hire taxis in each of the last three years. (AQW 44915/11-15)

**Mr Kennedy:** The relevant statistics are as outlined in the tables below:

**NIR:**

	2011/12	2012/13	2013/14
<b>Total</b>	<b>£69,827</b>	<b>£64,136</b>	<b>£38,533</b>

**Bus:**

	2011/12	2012/13	2013/14
<b>Total</b>	<b>£667</b>	<b>£490</b>	<b>£355</b>

Translink has advised that use of taxis is closely regulated and they are only used when it is the most economically viable solution. Some staff involved do not drive or have access to a car. In addition, there may not be appropriate public transport links to the destination at the time of day required which is often very early or very late in the day. These annual costs are less than the significant costs that would arise should services have to be cancelled due to staff not being in the correct place.

**Mr McKinney** asked the Minister for Regional Development to outline the rationale behind minimum pricing costs for On-Street parking Pay and Display metres in Belfast's controlled parking zones compared with other districts; and for his assessment of the value for money represented by Belfast Tariff C for drivers who will be parking for less than 15 minutes. (AQW 44916/11-15)

**Mr Kennedy:** When my officials set and review on-street parking charges within their respective geographic areas, they seek to take account of local conditions and consider a number of key issues such as the:

- need to influence where drivers park, allowing for higher turnover of short stay spaces;
- need to make efficient use of existing car park provision;
- availability and cost of alternative off-street parking places; and
- need to fully recover the cost of providing the car park services in line with the Department of Finance and Personnel guidance in Managing Public Money in Northern Ireland.

This explains why car parking charges within Belfast, the largest business and commercial centre, are higher than those applicable to other areas.

The cost of parking for less than 15 minutes within areas governed by the use of Tariff C of the On-Street Parking Order (Northern Ireland) 2000 is currently 30p. I consider this to represent good value for money for what is, in essence, premium parking in close proximity to the main commercial centre of Belfast.

**Mr McKinney** asked the Minister for Regional Development to outline the rationale for the imposition of a 15 pence charge for cashless payments for On-Street parking in controlled parking zones.

**(AQW 44917/11-15)**

**Mr Kennedy:** A service charge is paid to Parkmobile to cover its operational and administrative costs for providing the service, and, is automatically applied when choosing this cashless payment option for each complete parking event irrespective of its duration.

**Mr Easton** asked the Minister for Regional Development whether any departmental staff have the use of a company car as part of their contact.

**(AQW 44957/11-15)**

**Mr Kennedy:** No DRD staff have the use of a company car as part of their contract.

**Mr Lyttle** asked the Minister for Regional Development to outline the rationale for the reduction of the Door 2 Door budget by over 20 per cent for 2015/16.

**(AQW 44966/11-15)**

**Mr Kennedy:** The Door 2 Door scheme ceased on 31/03/13 and was replaced by the interim Disability Action Transport Scheme, operated by Disability Action.

I am facing £60 million of pressures for this financial year and the scale of reduction required to meet that cannot be delivered without an impact on core services. It was necessary to reduce grant to the Community Transport budget impacting on the Rural Transport Fund, Disability Action and other smaller grants.

Last year the community transport budget was £7.15m. This year it totals £4.99m. This represents a reduction of 30%. As shown in the table below the reduction in grant to Disability Action was 21%. Services provided by Disability Action Transport scheme are targeted at those over 80, registered blind and in receipt of either the Mobility or Care component of Disability Living Allowance. This service is provided in 29 towns and cities across Northern Ireland.

	2014/15	2015/16	£ Reduction	% Reduction
Disability Action	£2.95m	£2.32m	£0.63m	21%
RCTPs	£3.63m	£2.43m	£1.2m	33%
Other	£0.57m	£0.24m	£0.33m	58%
<b>Total</b>	<b>£7.15m</b>	<b>£4.99m</b>	<b>£2.16m</b>	<b>30%</b>

The department believes that through continued efficiencies and the use of all financial resources available to it Disability Action should be able to minimise the impact on service users.

**Mr McKay** asked the Minister for Regional Development what impact the cuts to North Coast Community Transport will have on people with disabilities and mobility problems.

**(AQW 44970/11-15)**

**Mr Kennedy:** Whilst I fully support the services provided by all community transport service providers, there will unfortunately be a reduction in the level of funding available and I have tried to minimise this. It should be noted that since becoming Minister, I have protected the baseline budget for community transport year on year and where possible supplemented with in-year funding.

Statistics from North Coast Community Transport (NCCT) for last year suggest that trips by disabled people (as defined by NCCT) accounted for 43% of the total trips.

My department believes that through continued efficiencies and the use of all financial resources available to it, all community transport operators should be able to minimise the impact on service users.

**Mr McKay** asked the Minister for Regional Development whether his decision to cut funding to North Coast Community Transport was subject to an equality impact assessment.

**(AQW 44971/11-15)**

**Mr Kennedy:** The primary policy drivers for my department in regard to support for community transport schemes are the Regional Transportation Strategy (RTS) and the Accessible Transport Strategy (ATS)

In 2012 and building on the RTS, a new Strategy, "Ensuring a Sustainable Transport Future": A New Approach to Regional Transportation was adopted. This was subject to an EQIA at this time. The ATS was subject to an EQIA in April 2005.

As there has not been any change to the underlying policies, no further EQIA exercises have not been carried out.

I can also confirm that a High Level Equality Screening Assessment was carried out for the draft budget that was issued for consultation on 27th November 2014. This referred at page 19 to a reduction in the grants for rural and community transport.



**Mr McKay** asked the Minister for Regional Development whether his decision to cut funding to North Coast Community Transport was subject to rural proofing.

**(AQW 44972/11-15)**

**Mr Kennedy:** The policy to provide Rural Transport Fund support to Rural Community Transport Partnerships predated both the Rural Transport Strategy (RTS) and the Accessible Transport Strategy (ATS).

As there has not been any change to the underlying policy, rural proofing, which is a non-statutory process, was not therefore required to be carried out.

My department referred to rural proofing considerations in its draft budget consultation on its 2015/16 spending and saving proposals dated 27th November 2014. By its nature many of the services funded or provided by this department impact on rural areas.

**Mr McKay** asked the Minister for Regional Development to detail the percentage of funding cut to each community transport group for 2015/16.

**(AQW 44973/11-15)**

**Mr Kennedy:** The table below shows the budget allocation for 2014/15 for RCTP's against the award for 2015/16.

**2014/15 RCTP Funding**

RCTP	Initial 2014/15 Budget Allocation	Initial 2015/16 Award	% change
CDM	£554,119	£443,085	-20.04%
DDAT	£343,951	£323,543	-5.93%
Easilink	£414,295	£334,000	-19.38%
FCT	£352,151	£350,613	-0.44%
LVRT	£144,000	£125,587	-12.79%
NCCT	£486,796	£419,122	-13.90%
SACT	£155,361	£128,354	-17.38%
SAP	£299,328	£310,630	3.78%
<b>Totals</b>	<b>£2,750,000</b>	<b>£2,434,934</b>	<b>-11.46%</b>

In 2014/15 whilst the baseline budget was £2.75m, my Department's internal reallocations eventually raised the total budget to £3.6m.

**Ms Maeve McLaughlin** asked the Minister for Regional Development for an update on the Waterside Railway Station.

**(AQW 44982/11-15)**

**Mr Kennedy:** As part of the first stage of the procurement exercise to appoint an Integrated Design Team for Londonderry Train Station, Translink have issued a Pre-Qualification Questionnaire (PQQ) for design services including Architectural, Civil/Structural Engineering, Permanent Way Engineering, Mechanical & Electrical Engineering and New Engineering Contract Project Manager.

As part of the second stage of the procurement exercise, Translink will issue Invitation To Tender (ITT) documents which will include the Project Option of redeveloping the old Waterside Station into a modern fit for purpose railway station.

**Lord Morrow** asked the Minister for Regional Development, given that councils are taking over parking enforcement, when he will issue regulations on parking violations and restrictions to be enforced by all councils.

**(AQW 44984/11-15)**

**Mr Kennedy:** On 1 April 2015 most of my Department's car parks transferred to the new councils as a going concern, which included the requirement to ensure that the car parks are being used properly. The function of on-street parking enforcement remains with my Department.

Early negotiations concluded that, by agreement, the arrangements for parking enforcement of the car parks would continue unchanged, with Councils utilising the services of my Department's current service provider, NSL Services Group.

Through a series of meetings and negotiations between my Department and new council officials during approximately the last twelve months, an Agency Agreement was agreed and signed, which enables parking enforcement services to continue to operate as they have done previously until at least October 2016.

**Lord Morrow** asked the Minister for Regional Development what action has been taken by his Department to address the issue of a default in equality regulations by failing to enforce parking restrictions in specific areas, but not in others.  
**(AQW 44987/11-15)**

**Mr Kennedy:** Parking enforcement can only be carried out where prescribed parking restrictions exist. Enforcement of locations where few restrictions are present will be considered depending on the availability of resources. My Department seeks to prioritise utilisation of its finite parking enforcement resources so that it can provide an effective and balanced enforcement service.

**Lord Morrow** asked the Minister for Regional Development, pursuant to AQW 43726/11-15 and specifically the sentence "the fact that a contract was offered implies that the service and facilities to facilitate such, were for a sole user", whether this implication is sufficient to constitute the contract as lawful.  
**(AQW 44989/11-15)**

**Mr Kennedy:** Translink has advised that it believes that the contract is lawful.

**Mr Dickson** asked the Minister for Regional Development whether his Department has considered additional traffic calming measures on the Upper Road in Greenisland.  
**(AQW 45008/11-15)**

**Mr Kennedy:** My Department does not intend to provide any additional 'formal' traffic calming measures on the Upper Road Greenisland. However, as a result of representations from elected representatives about driver behaviour on the B90, TransportNI in conjunction with the PSNI, recently carried out a review of speed limits along the B90 from the A8 to the B149 Beltoy Road.

This review indicated that, given the gradual increase in residential development and traffic volumes around Greenisland, a revision of the current speed limits along the B90 at Greenisland would better reflect the function of the road and help improve driver respect and in turn compliance with the speed limits. With this in mind, it has been agreed to begin the consultation process to provide a 40mph limit to the west of Greenisland to include the Monkstown Road junction and extend the existing 40mph limit to the east of the village to include the development around the Trooperslane Road junction.

**Mr Agnew** asked the Minister for Regional Development for an update on the progress of the College Park Avenue/Rugby Road residents parking scheme.  
**(AQW 45016/11-15)**

**Mr Kennedy:** You will be aware from previous correspondence that formal consultation on my Department's proposal to implement a residents' parking scheme in this area was carried out between 29 October and 19 November 2014, during which a number of objections and representations were received.

My officials met with some of the objectors during March 2015 and the issues they raised are now being considered with a view to making a decision on the way forward. It is envisaged the earliest a scheme could be implemented on the ground would be towards the end of the 2015/2016 financial year, although this is very much dependent upon there being a positive outcome to the consultation process.

**Mr Eastwood** asked the Minister for Regional Development for an update on the A5 development; and when draft vesting orders and a draft direction order on the project will be published.  
**(AQW 45030/11-15)**

**Mr Kennedy:** Following on from the legal challenge to the A5 Western Transport Corridor in 2013, four draft reports have been developed to assess any impacts on all designated environmentally sensitive sites (nine in total) in the vicinity of the scheme and, where appropriate, mitigation measures are proposed.

Public consultation on these reports concluded at the end of November 2014 and responses received will be taken into account as scheme development progresses.

The next step is the publication of the draft Vesting Orders and draft Direction Order. A new Environmental Statement for the scheme will also be published at the same time as these draft Orders. Publication of the draft Orders and Environmental Statement will be followed by a six week public consultation period. This is likely to lead to the need for a second Public Inquiry on the scheme.

It is my intention to circulate a paper to Executive colleagues in the coming weeks. This will outline the way forward with the scheme.

**Mr Allister** asked the Minister for Regional Development why the Harbour Commissioner's building did not fly the Union flag on 21 April 2015.  
**(AQW 45059/11-15)**

**Mr Kennedy:** The Harbour Office is not a government building as defined in section 3 of the Flags (Northern Ireland) Order 2000.

**Lord Morrow** asked the Minister for Regional Development, pursuant to AQW 42871/11-15, given the contract merely implies sole use, why Translink staff are engaged in ensuring no other taxi operative uses this rank, to the extent of providing a security presence to this effect.

**(AQW 45101/11-15)**

**Mr Kennedy:** Translink has advised that the presence of security staff at Central Station is to provide regular patrols of the premises and to be alert to any inappropriate or anti-social behaviour that might occur.

As part of its patrol activities, security staff may challenge private taxis availing of the facilities provided for the current taxi service provider.

**Mr Moutray** asked the Minister for Regional Development how many people have been taken to court over the issue of unpaid parking fines in Upper Bann in each of the last four years.

**(AQW 45109/11-15)**

**Mr Kennedy:** Penalty Charge Notices are a civil matter and therefore no one has been taken to court.

**Mr Moutray** asked the Minister for Regional Development to detail the cost of rail fares between Portadown and Great Victoria Street, Belfast in each of the last four years.

**(AQW 45165/11-15)**

**Mr Kennedy:** The relevant statistics are outlined in the following table:

Portadown - GVS	Single	Return	Weekly	Monthly
April 2015	£8.40	£13.00	£52.00	£181.50
April 2014	£8.10	£12.50	£50.00	£175.50
April 2013	£7.70	£12.00	£47.50	£166.00
April 2012	£7.70	£12.00	£47.50	£166.00

**Mr Dickson** asked the Minister for Regional Development to outline Translink's position on relaying track on the Dargan Viaduct, during the York Street Interchange project.

**(AQW 45173/11-15)**

**Mr Kennedy:** Translink is currently engaging with my Department's Transport NI York Street Interchange Project Team to co-ordinate the design and construction of essential enabling works to the Dargan Viaduct piers and foundations in order to facilitate future dualling of the section between Yorkgate and Donegall Quay.

It is hoped to bring forward a Business Case in 2016/17 for these enabling works to coincide with the York Street Interchange project schedule. The scheme will be dependent on funding availability within the next Comprehensive Spending Review period.

There are no plans to relay the track this year or next.

**Lord Morrow** asked the Minister for Regional Development, pursuant to AQW 44475/11-15, how many objections have been received in respect of each proposal.

**(AQW 45183/11-15)**

**Mr Kennedy:** I can confirm three objections were received to the rank proposed for Botanic Avenue and one objection was received in respect of the rank proposed for High Street, Belfast.

**Lord Morrow** asked the Minister for Regional Development, pursuant to AQW 42871/11-15, how will the wording of the new contact or notice of invitation to tender read in comparison to the existing version.

**(AQW 45184/11-15)**

**Mr Kennedy:** The contract for the supply of taxi services at Central Station is up for renewal later this year.

The relevant paperwork for the tendering process has yet to be drawn up therefore I am unable to say how the wording of the new contract differs, if at all, from the previous contract.

**Mr Agnew** asked the Minister for Regional Development, pursuant to AQW 28401/11-15, for an update on the percentage of Derry's water supply which was abstracted from the River Faughan for the periods since his last response.

**(AQW 45196/11-15)**

**Mr Kennedy:** The percentage of water supplied to the Londonderry area by water abstracted from the River Faughan in each of the two years since my last response was as follows:-

Year	Percentage
2013/14	60%
2014/15	60%

**Mr Dallat** asked the Minister for Regional Development to detail (i) the monetary income from advertising on buses; (ii) the procurement procedure used; and (iii) the date for renewal of the current contracts.

**(AQW 45208/11-15)**

**Mr Kennedy:** The relevant information to the various points is outlined below:

- i) This information has previously been provided in response to AQW 40792. Translink has indicated that advertising income could be around £770k in 2014/15.
- ii) Translink is a recognised independent centre of procurement expertise (CoPE) and the procurement procedure used followed the standard process adopted in all such instances, in line with DFP Central Procurement Division guidance.
- iii) The contract is due to terminate on 31 December 2017.

## Department for Social Development

**Mr Hussey** asked the Minister for Social Development to detail the number of (i) lettable; and (ii) un-lettable voids in North Belfast, broken down by (a) housing area; and (b) bedrooms per property, in each of the last twelve months.

**(AQW 44652/11-15)**

**Mr Storey (The Minister for Social Development):** I assume the Member is referring to Housing Executive properties. The information is not available in the format requested as, in relation to this question, the Housing Executive's computerised records do not incorporate information broken down by local housing area or by the number of bedrooms per property. However, the Housing Executive has provided the table attached detailing the number of (i) lettable; and (ii) unlettable voids in North Belfast District Office at the end of each month from 30 April 2014 to 31 March 2015.

### North Belfast Lettable and Unlettable Voids

	Lettable Voids	Unlettable Voids
April 2014	62	112
May 2014	71	117
June 2014	63	124
July 2014	72	133
August 2014	66	135
September 2014	46	151
October 2014	55	149
November 2014	64	151
December 2014	80	153
January 2015	60	158
February 2015	47	164
March 2015	73	167

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.

#### Notes:

The Housing Executive advises:

- i) lettable voids may include properties that are difficult to let, awaiting repairs;
- ii) unlettable voids may include properties pending demolition, pending improvement schemes, held for decanting purposes to facilitate schemes and proposed stock transfers to housing associations; and
- iii) the increase in the unlettable voids from April 2014 can be attributed to Redevelopment Areas at Carlisle/New Lodge and Fortwilliam Parade, where there are currently 145 properties pending demolition.

**Mr Eastwood** asked the Minister for Social Development to detail the capital infrastructure projects financed by Private Finance Initiative in Foyle in 2013/14; and the cost of each project.

**(AQW 44857/11-15)**

**Mr Storey:** My Department is not aware of any capital infrastructure projects financed by Private Finance Initiative in Foyle in 2013/14.

**Mr Dickson** asked the Minister for Social Development how six closed questions and three consultation events is considered adequate for the Social Housing Reform Programme, Regulatory Framework Consultation.

**(AQW 45007/11-15)**

**Mr Storey:** This consultation is considered at least adequate for the following reasons. Firstly, it is facilitated by a proforma that is based on six questions to which respondents may reply without restriction. Respondents may use the proforma or reply through their own written submission. Based on previous consultations, many typically will.

Secondly, as well as the 3 public events the Department has used a range of communication channels to extend the reach of the consultation:

- 35 tweets
- 1 Facebook post
- 6 website articles (Housing Rights Service (HRS) x 2, Housing Executive (NIHE) x 2, NI Community Relations Council & Disability Action)
- 3 press articles
- 1 stakeholder newsletter article

Thirdly, the Tenant Participation Strategy consultation which ran from 15 January until 8 April 2015, also examined the most directly tenant-focussed parts of the proposed regulatory framework. It was the subject of 3 public meetings and 21 additional events.

**Mr Agnew** asked the Minister for Social Development to detail the number of Housing Executive properties which are yet to be fully double glazed in (i) East Belfast; and (ii) North Down; and on what dates will every Housing Executive property in these areas be fully double glazed.

**(AQW 45017/11-15)**

**Mr Storey:** The Housing Executive has advised that in East Belfast there are 35 properties yet to be fully double glazed and these will be completed by June 2015. In North Down, there are two double glazing schemes currently on site. Phase 1 has 245 dwellings with 28 to be completed and Phase 2 has 187 dwellings with 90 to be completed. Both of these schemes will be completed by June 2015.

**Mr Allister** asked the Minister for Social Development what is the scale of cuts, in both actual and percentage terms, being implemented in his Department's budget in 2015/16, specifying the level of cut in each programme.

**(AQW 45058/11-15)**

**Mr Storey:** The Department's opening budget allocation of £591million for 2015-16 represents a £63million (9.6%) reduction on the opening 2014-15 allocation. Details of where budget reductions have been applied can be found in our 2015-16 Savings Plan, published on the Department's internet site ([www.dsdni.gov.uk](http://www.dsdni.gov.uk)) on 13 April.

**Mr Agnew** asked the Minister for Social Development whether there is an age limit for receiving a Motability car.

**(AQW 45084/11-15)**

**Mr Storey:** The Motability Scheme whereby people who receive the higher rate mobility component of the Disability Living Allowance may exchange all or part of their allowance in return for a car is administered by the independent charity Motability.

Information on administrative matters relating to the Motability Scheme can be obtained from Motability by writing to: Declan O'Mahony, Director, Motability, Warwick House, Roydon Road, Harlow, Essex, CM19 5PX.

**Mr B McCrea** asked the Minister for Social Development, pursuant to AQW 44686/11-15, to detail (i) the two projects; and (i) whether he consulted with the Minister of Culture, Arts and Leisure in relation to these projects.

**(AQW 45087/11-15)**

**Mr Storey:** Pursuant to AQW 44686/11-15:

- (i) The two UK City of Culture legacy projects in receipt of DSD funding are the Museum of Free Derry and the Foyle Arena;
- (ii) My Department has not consulted with the Minister of Culture, Arts and Leisure in relation to either of these projects.

**Mrs Dobson** asked the Minister for Social Development, pursuant to AQW 43760/11-15, whether he has considered the possible community use of this land and whether he will discuss this with the relevant Department within the Armagh City, Banbridge and Craigavon Borough Council.

**(AQW 45137/11-15)**

**Mr Storey:** As a surplus Government asset, my first consideration is to look to dispose of the site for the best price achievable for the tax payer. There is currently strong interest in the site and my officials expect to complete the sale of the land shortly.

Before proceeding to open market, my officials entered into negotiations with the predecessor council for the sale of the land, however the council ultimately decided not to pursue this option and the site was placed on the market in accordance with Land & Property Service's disposal guidelines for surplus land. Armagh, Banbridge and Cragavon Borough Council is free to submit a bid for the land should it wish to do so.

**Mr Douglas** asked the Minister for Social Development to detail the number of people in East Belfast (i) over 65 and in receipt of the mobility component of Disability Living Allowance; (ii) under 65 and in receipt of the mobility component of Disability Living Allowance; (iii) in receipt of Attendance Allowance.

**(AQW 45270/11-15)**

**Mr Storey:** At November 2014 there were

- (i) 2,740 people aged 65 and over in East Belfast in receipt of the mobility component of Disability Living Allowance;
- (ii) 5,660 people aged under 65 in East Belfast in receipt of the mobility component of Disability Living Allowance;
- (iii) 3,200 people in East Belfast in receipt of Attendance Allowance.

Numbers are rounded to the nearest 10.

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# Northern Ireland Assembly

Friday 15 May 2015

## Written Answers to Questions

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

**Mr Allister** asked the First Minister and deputy First Minister how many instances of abuse towards staff have been recorded in the last twelve months; and what action has been taken by management in the context of the duty of care owed to staff.  
**(AQW 35429/11-15)**

**Mr P Robinson and Mr M McGuinness (The First Minister and deputy First Minister):** One instance of abuse towards a member of staff was recorded in the last 12 months. This involved verbal abuse from a telephone caller external to the Department. Management took appropriate action to ensure that there was no repetition of the incident.

**Mr Campbell** asked the First Minister and deputy First Minister for their assessment of the change in numbers of Protestants (a) applying to; and (b) being appointed to the Equality Commission, in each of the last three years.  
**(AQW 37287/11-15)**

**Mr P Robinson and Mr M McGuinness:** The Equality Commission did not carry out any recruitment exercises between 1 January 2011 and 31 December 2011.

In 2012, there was one recruitment exercise which attracted ten applicants from a Protestant community background, 13 applicants from a Roman Catholic community background and one applicant whose community background was not determined.

In 2013 there were two recruitment exercises, which in total attracted 41 applicants from a Protestant community background, 36 applicants from a Roman Catholic community background and ten applicants whose community background was not determined.

There were two appointees to the Commission arising out of these exercises; one from a Protestant community background and one from a Roman Catholic community background. To link each appointment to a specific year would identify the community background of that individual, which would be in breach of Regulation 16 of the Fair Employment (Monitoring) Regulations (Northern Ireland) 1999.

There have been no recruitment exercises completed to date this year.

**Mr Flanagan** asked the First Minister and deputy First Minister for an update on the Household Energy and Thermal Efficiency Programme.  
**(AQW 37783/11-15)**

**Mr P Robinson and Mr M McGuinness:** Design of a potential Household Energy and Thermal Efficiency (HEaT) Programme is currently being developed by OFMDFM.

Market testing with potential consumers was completed in March/April 2014. Since then, ongoing consultation with a wide range of stakeholders has taken place and pre-market engagement sessions have been held to gauge market capacity to deliver such a Programme.

A number of potential funding options for HEaT are also being explored together with possible delivery options.

**Ms Lo** asked the First Minister and deputy First Minister whether they have had any discussions with Chinese officials regarding opening a Consulate in Belfast.  
**(AQW 37838/11-15)**

**Mr P Robinson and Mr M McGuinness:** A key commitment in the Executive's International Relations Strategy is to work actively to build government-to-government links with countries in Asia in order to develop partnerships for mutual benefit. A specific target for us is the establishment of an Executive Bureau in China, and work is ongoing to finalise logistical arrangements.

The potential for a Belfast Consulate was first discussed in May 2007. We discussed the matter further with Vice Premier Madame Liu Yandong when she visited Northern Ireland in April 2012 and with senior Chinese Government Ministers during our visit to China in May 2013.

The Chinese Government is committed to establishing a Consulate General in Belfast and we will continue to offer every help and assistance in this regard.

**Mr Allister** asked the First Minister and deputy First Minister who will fund the Independent Commission on Information Retrieval anticipated in the Stormont House Agreement.

**(AQW 40860/11-15)**

**Mr P Robinson and Mr M McGuinness:** The Independent Commission for Information Retrieval will, as indicated in the Stormont House Agreement, be established by the UK and Irish Governments. The UK Government will contribute up to £150m for five years to fund a number of institutions in order to help deal with the past. The allocation of funding has yet to be determined. We anticipate a funding contribution from the Irish Government also.

**Mr Allister** asked the First Minister and deputy First Minister what is the relationship between the Implementation and Reconciliation Group anticipated in the Stormont House Agreement and the other bodies to be established in relation to dealing with the past and in particular in respect of the Oral History Archive and the Independent Commission on Information Retrieval.

**(AQW 40961/11-15)**

**Mr P Robinson and Mr M McGuinness:** As indicated in the Stormont House Agreement, the Implementation and Reconciliation Group will have the roles of oversight of aspects of SHA dealing with the past proposals as well as promoting reconciliation. It will work in co-operation with the other independent bodies to be established under the Agreement.

**Mr Swann** asked the First Minister and deputy First Minister, given that the previous Commissioner for Victims and Survivors left the post on 14 June 2014, to outline the reasons for the delay in appointing a new Commissioner.

**(AQO 7845/11-15)**

**Mr P Robinson and Mr M McGuinness:** The previous Commissioner for Victims and Survivors officially left the post on the 3 July 2014.

As the First Minister said in response to a question during Question Time on the 19 January, the previous competition to appoint a new Commissioner for Victims and Survivors produced a disappointingly small pool of appointable candidates. We have therefore agreed to try and widen the pool through a new competition.

The new competition to extend the pool was launched on the 9 March 2015 with a closing date of the 3 April 2015. Interviews for the post are scheduled for May 2015.

**Mr Nesbitt** asked the First Minister and deputy First Minister what actions have been taken by CAN (Carrickfergus, Antrim and Newtownabbey) PEACE II Partnership (2011-13) to challenge attitudes towards sectarianism and racism and to support conflict resolution and mediation at the local community level within Rathcoole Estate.

**(AQW 44352/11-15)**

**Mr P Robinson and Mr M McGuinness:** The Special European Union Programmes Body (SEUPB) has advised that Phase II of the Carrickfergus, Antrim and Newtownabbey (CAN) PEACE III Programme was delivered primarily on a cluster wide basis, drawing participation and beneficiaries from areas and estates across the three Council areas.

SEUPB has advised that actions that specifically involved the Rathcoole estate included:

- Hats, Rats and Spats a World War 1 programme for women from Rathcoole and Monkstown
- Cross Border programme between Breakaway Blues (Rathcoole/Newtownabbey Senior Citizens Forum and Cavan Women's Network – Educational visits with Breakaway Blues (Rathcoole) and Antrim Retirement Group
- Rathcoole Dalriada 6 week history educational programme and study visits to historical sites with participants from Monkstown and Rathcoole
- Rathcoole Community quilt with a range of community based organizations from Rathcoole, and
- Film screenings during the CAN Inclusion Festival in Rathfern Community Centre.

In addition, there was engagement and participation from residents and community representatives and community groups from Rathcoole on the following:

- Bridging our Community Gap practitioners forum events,
- Bridging our Community Gap Networking for peace events,
- Leading Ladies events,
- The Early Years Respecting Difference programme,
- The Valley Park Development Project,
- The Growing Tolerance Programme,



- The Leadership and Learning Programme, and
- The Respect Engagement Integration and Diversity Programme.

**Mr Nesbitt** asked the First Minister and deputy First Minister how much of the budget for the CAN (Carrickfergus, Antrim and Newtownabbey) PEACE II Partnership (2011-13) was invested directly in the Rathcoole Estate.

**(AQW 44353/11-15)**

**Mr P Robinson and Mr M McGuinness:** Phase II of the Carrickfergus, Antrim and Newtownabbey (CAN) PEACE III Programme was delivered primarily on a cluster wide basis, drawing participation and beneficiaries from areas and estates across the three Council areas.

Special European Union Programmes Body has advised it is not possible to assign an exact figure to the Rathcoole Estate. This is due to the cross cluster nature of delivery of the programme and taking into account the focus of the programme on developing leadership skills and competences in individuals for the benefit of their groups and communities.

**Mr Nesbitt** asked the First Minister and deputy First Minister to outline the impact of the CAN (Carrickfergus, Antrim and Newtownabbey) PEACE II Partnership (2011-13) on the people of Rathcoole in terms of peace building and working towards a shared, equitable and cohesive society.

**(AQW 44354/11-15)**

**Mr P Robinson and Mr M McGuinness:** The impact of Phase II of the Carrickfergus, Antrim and Newtownabbey (CAN) PEACE III Programme has not been assessed on the basis of individual estates but rather more broadly across the three Council areas.

The Special European Union Programmes Body (SEUPB) has advised, where attitudinal evaluation has been undertaken, it has been to measure the success of projects as a whole and the information which would be necessary to identify and extrapolate results for residents of Rathcoole is not available.

The programme aimed to have the following peace building impacts which included work with individuals from the Rathcoole Estate:

- Increase engagement and working relationships across traditional boundaries,
- Increase capacity, skills and/or knowledge to address issues of racism and sectarianism,
- Increase awareness, understanding and appreciation of other communities or cultures, and
- Greater sense of inclusivity and shared space across the cluster.

**Mr McGlone** asked the First Minister and deputy First Minister whether their Department worked with Cerberus Capital Management to ensure that the deal announced in April 2014 would kick start the local economy.

**(AQW 44554/11-15)**

**Mr P Robinson and Mr M McGuinness:** The Department of Finance and Personnel (DFP) has lead responsibility for finance and banking issues on behalf of the Executive. DFP officials continue to engage with representatives of Cerberus on a regular basis, to discuss the group's recent acquisitions and its future plans.

**Mr Allister** asked the First Minister and deputy First Minister, pursuant to AQW 44218/11-15, whether their Department has provided funding to (i) Tar Isteach; (ii) Tar Anall; (iii) Coiste na n Iarchimi; (iv) the Ex-Prisoners' Interpretative Centre; and (v) the Prisoners' Area Network; and if so, to detail (a) how much in each case; and (b) when.

**(AQW 44629/11-15)**

**Mr P Robinson and Mr M McGuinness:** No funding has been provided to (i) Tar Isteach; (ii) Tar Anall; (iii) Coiste na n Iarchimi; (iv) the Ex-Prisoners' Interpretative Centre; and (v) the Prisoners' Area Network by the Office of the First Minister and deputy First Minister.

**Mr Dallat** asked the First Minister and deputy First Minister when a new Commissioner for Victims and Survivors will be appointed.

**(AQW 44767/11-15)**

**Mr P Robinson and Mr M McGuinness:** The previous competition to appoint a new Commissioner for Victims and Survivors produced a disappointingly small pool of appointable candidates. We have therefore agreed to try and widen the pool through a new competition.

The new competition was launched on the 9 March 2015 with a closing date of 3 April 2015. Interviews for the post are scheduled for May 2015.

As the competition is still live, it would not be appropriate to comment further at this time.

**Mr McGlone** asked the First Minister and deputy First Minister, in light of the ongoing hate crime against minority ethnic groups, what urgent measures have been taken to implement a comprehensive cross-departmental hate crime action plan. (AQW 44783/11-15)

**Mr P Robinson and Mr M McGuinness:** We unequivocally condemn all forms of hate crime and strongly encourage all victims to report any incident they are aware of. The investigation of hate crime is the responsibility of the PSNI and the immediate focus must be on supporting the police to bring the perpetrators of attacks to justice.

The DOJ led Community Safety Strategy for Northern Ireland 2012-2017 sets out the Executive's commitment to tackle all forms of hate crime, including religious and racist hate crime, and to reduce the harm it causes. The Strategy has associated Action Plans, including a dedicated hate crime action plan which details the measures that are being taken by a range of departments and relevant agencies to address hate crime. OFMDFM officials are represented on DOJ's Hate Crime Delivery Group which was established to support the delivery of the Strategy.

While OFMDFM has no powers of enforcement under the law in relation to hate crime the Department does work closely with the police service and criminal justice agencies where appropriate on a range of social issues. In response to the recent increase in race hate incidents our officials have convened several special meetings of the Good Relations Programme Board in which all departments continue to explore what meaningful immediate action can be taken to tackle race hate. A further meeting will take place in the coming weeks.

We recognise however that the work to challenge and defeat racism and intolerance requires both short-term and long-term focuses. The Together: Building a United Community Strategy – along with the new Racial Equality Strategy which is being refined – will provide a robust and effective framework at all levels to make this happen.

**Ms Sugden** asked the First Minister and deputy First Minister for an update on the work-in-progress to develop a new strategy for Children and Young People, post 2016. (AQW 45012/11-15)

**Mr P Robinson and Mr M McGuinness:** A public consultation in January 2014 on Delivering Social Change for Children and Young People considered proposals to bring together the Executive's work to deliver on the Children and Young People's Strategy, improve compliance with the UN Convention on the Rights of the Child and to deliver on its commitments under the Child Poverty Act.

Following feedback from the consultation, we took the decision to develop a separate Child Poverty Strategy 2014-2017 (in accordance with the Child Poverty Act 2010), and to engage further with stakeholders and Departments in the development of a new strategy to replace the current Strategy for Children and Young People when it ends in 2016.

The process to develop the new strategy is underway. This has included an internal review of the existing strategy; identification of all relevant stakeholders; and preliminary engagement with sector representatives to discuss the role of children and young people within our society. As a result of the engagement to date a number of key issues have emerged that will support more extensive consultation. It is our intention that the new strategy will be designed and developed in co-operation with children and young people; parents and representative community and voluntary organisations.

## Department of Agriculture and Rural Development

**Mr Moutray** asked the Minister of Agriculture and Rural Development how much has been paid to farmers in Upper Bann through the Single Farm Payment scheme, in each of the last two years. (AQW 44953/11-15)

**Mrs O'Neill (The Minister of Agriculture and Rural Development):** The amount of Single Farm Payment (SFP) paid to farmers in Upper Bann in each of the last two financial years is detailed in the table below:-

Financial Year	Single Farm Payment (£)
2013 / 2014	8,098,428
2014 / 2015	7,209,935
<b>Total</b>	<b>15,308,363</b>

**Mr Campbell** asked the Minister of Agriculture and Rural Development what has been the estimated change in the number of dogs owned between 2009 and 2014. (AQW 45179/11-15)

**Mrs O'Neill:** Dog control is legislated for here by the Dogs Order 1983, as amended by the Dogs (Amendment) Act 2011. Subject to certain exemptions, it is unlawful for any person to keep a dog of any description unless the dog is licensed. The penalty for keeping a dog without a licence is, on summary conviction, a fine not exceeding £200. Councils implement this legislation and provide statistics to my Department regarding its operation. These statistics are collated on an annual basis.

The number of dog licences issued here in 2009 was 115,374 compared to 135,391 in 2014, representing an increase of just over 20,000 dogs in this period.

**Mr Campbell** asked the Minister of Agriculture and Rural Development how many staff will be employed in the relocated departmental headquarters at Ballykelly by the end of 2017.

**(AQW 45181/11-15)**

**Mrs O'Neill:** Approximately 350 staff will relocate to the new departmental headquarters at Ballykelly by the end of 2017 following the first phase of construction. The remainder of the staff will relocate to Ballykelly when the second phase of construction is completed in 2020.

**Mr Dallat** asked the Minister of Agriculture and Rural Development what policies are in place for the promotion of wildlife in forests; and to outline the total investment over the last five years.

**(AQW 45210/11-15)**

**Mrs O'Neill:** The Forestry Act 2010 expanded forest policy so that the traditional role of developing afforestation, supplying timber, and maintaining growing trees was extended to include protection of the environment, wildlife, climate change and social and recreational use.

The approach to delivery of these diverse and sometimes competing functions is described in the Forestry Standard and associated guidelines on biodiversity, soil, water and the landscape, all of which provide guidance for the protection and enhancement of wildlife and wildlife habitat. The Forestry Standard applies to all forests in the north of Ireland and is a requirement for Forest Service managed woodland and woodland grant aided under the Rural Development Programme. In addition, Forest Service and some privately managed woodlands are independently certified under a voluntary woodland assurance standard to verify sustainable woodland management which includes requirements for conservation and enhancement of wildlife.

Forest Service investment to protect and enhance wildlife is an integral part of the costs of the forestry programme and they are not accounted for separately. From 2009/10 to 2013/14 the cost of the forestry programme (excluding non-cash items and revaluation of the growing stock) was £61.4m which includes grant support for private woodland. One example of integrating wildlife protection within the programme is in the Antrim hills Special Protection Area for hen harrier and merlin and Slieve Beagh, Mullaghfad and Lisnaskea Special Protection Area for hen harrier, which together extend over 14,000 hectares of Forest Service managed land. In these areas where ever possible Forest Service will plan forest operations outside the breeding season to avoid disturbing these protected species. Where this is not possible, Forest Service will liaise with the Raptor Study Group and if necessary will conduct surveys and carry out an assessment of current breeding activity before deciding on whether to undertake a forestry operation at a particular location.

**Mr Moutray** asked the Minister of Agriculture and Rural Development what action her Department is taking to address the issue of rural poverty.

**(AQW 45269/11-15)**

**Mrs O'Neill:** As you will know I remain committed to addressing rural poverty and isolation which is why my department has provided funding of some £16 million to implement a package of measures to help address a range of poverty and social isolation issues for the most vulnerable rural dwellers across the north throughout the budget period just finished and I have extended the associated programme for government target by £4m into the current year.

This investment will allow my department to continue funding some of the very successful existing initiatives and develop new interventions including: the Maximising Access to grants, benefits and services (MARA) Project; the Farm Families Health Checks Programme; provision of concessionary travel for smart pass holders on rural community transport vehicles; funding the rural support charity; continued investment in rural broadband and community development; projects which benefit the elderly and the youth will continue in the year ahead while a new rural Micro Capital Grants Programme is currently open for applications.

**Ms Sugden** asked the Minister of Agriculture and Rural Development, pursuant to AQW 44517/11-15, to detail the expected timeframe for approved expenditure by the European Commission and consequent receipt of EU Funding by her Department.

**(AQW 45273/11-15)**

**Mrs O'Neill:** The draft Rural Development Programme 2014 – 2020 was submitted to the European Commission for approval on 14 October 2014, with the Commission's formal comments being received on 31 March 2015. Approval of the Programme is expected by September 2015 at the latest, following which funds may be drawn down from the European Commission on receipt of approved quarterly declarations of expenditure. The timing of receipt of EU expenditure will depend on a number of factors such as DFP's approval of the necessary business cases, the opening of schemes, the demand and uptake for the schemes, when projects complete and claim the grant and when this expenditure is claimed from the Commission by my Department.

**Ms Sugden** asked the Minister of Agriculture and Rural Development, pursuant to AQW 44518/11-15, to detail the changes which have been made to the membership and terms of reference of the 2007-13 Monitoring Committee.

**(AQW 45274/11-15)**

**Mrs O'Neill:** Membership of the Rural Development Programme Monitoring Committee is specified in EU Regulation and must include public authorities, economic and social partners, environmental partners, non-governmental organisations, and bodies responsible for promoting social inclusion, gender equality and non-discrimination.

A Programme Monitoring Committee was established under these principles in 2007 for the 2007-2013 Rural Development Programme. As the regulatory requirements have now changed, membership of the Programme Monitoring Committee was reviewed to ensure it was fit for purpose.

To ensure continuity between Programmes, the organisations which are represented on the current Monitoring Committee were invited to continue their role. All the current members opted to continue and additional representation was invited from a number of other organisations, including members of the RDP Stakeholder Consultation Group. Five new organisations accepted the invitation; these were the Agri-Food Strategy Board, Invest NI, NI Tourist Board, NI Environment Agency and the Gaelic Athletic Association.

The terms of reference of the Programme Monitoring Committee have been revised to reflect the requirements of Article 78 of Regulation (EU) No. 1698/2006, Article 49 of Regulation (EU) No. 1303/2013 and Article 74 of Regulation (EU) No. 1305/2013.

**Mr B McCrea** asked the Minister of Agriculture and Rural Development to outline the costs of building at, and relocating the departmental headquarters to, Ballykelly.

**(AQW 45326/11-15)**

**Mrs O'Neill:** The total cost over the next 25 years of relocating my departmental headquarters to Ballykelly is estimated to be £30.8m capital and £14.3m resource. The construction cost of the new building is estimated at £20m.

All costs will continue to be refined and scrutinised as we move through the various stages of the project.

Thank you for taking the time to write to me on this important matter.

**Ms Sugden** asked the Minister of Agriculture and Rural Development, pursuant to AQW 44519/11-15, what proportion of Rural Development Programme funding has been ring-fenced; and where it has been allocated.

**(AQW 45346/11-15)**

**Mrs O'Neill:** Funding within the Rural Development Programme 2014 – 2020 is allocated on the basis of need and in line with expected demand. In the draft Programme document, the budget has been allocated as follows: £31.8m for a range of actions supporting knowledge transfer and information exchange, £228.8m for capital investment, including on farms, £16.7m for forestry measures, £158.8m for environmental measures, £65m for an Areas of Natural Constraint scheme, £4.9m for co-operation actions, £80m for supporting the economic development of our rural areas and £37.3m for technical assistance. The final allocations will depend on EU approval of the programme and any approved modifications during the 2014 – 20 programming period and on DFP approval of the necessary business cases.

**Mr Irwin** asked the Minister of Agriculture and Rural Development how many applicants for a new farm business were approved between 15 May 2014 and 1 May 2015, broken down by county.

**(AQW 45383/11-15)**

**Mrs O'Neill:** The number of applicants approved for a new farm business between 15 May 2014 and 01 May 2015 are outlined in the table below.

County	Number of Applicants approved for a new farm business between 15/05/2014 & 01/05/2015
Antrim	44
Armagh	25
Down	56
Fermanagh	21
Tyrone	60
Derry	61
<b>Total</b>	<b>267</b>

## Department of Culture, Arts and Leisure

**Mr Humphrey** asked the Minister of Culture, Arts and Leisure how much funding the Ulster-Scots Agency received from the (i) Executive; and (ii) Irish Republic's government, in each of the last three years.

**(AQW 42554/11-15)**

**Ms Ní Chuilín (The Minister of Culture, Arts and Leisure):** The Ulster-Scots Agency receives 25% of its annual funding from the Department of Arts, Heritage and the Gaeltacht (DAHG) and 75% from the Department of Culture Arts and Leisure (DCAL).

DCAL and DAHG were the only departments to provide funding to the Ulster-Scots Agency in the last three years. This funding is set out in the table below.

Year	DAHG 25%	DCAL 75%	Total
2012	£672,967	£2,022,487	£2,695,454
2013	£637,397	£1,914,095	£2,551,492
2014*	£ 608,864	£1,188,732	£1,797,596

The financial year used by both agencies of the North South Language Body equates to a calendar year.

\*The accounts for 2014 have not yet been audited.

**Mr Allister** asked the Minister of Culture, Arts and Leisure why there is a restraint on the Ulster Scots Broadcast Fund in regard to its inability to fund radio projects, whereas no such restraint applies to the Irish Broadcast Fund, as administered by N I Screen.

**(AQW 45096/11-15)**

**Ms Ní Chuilín:** Both the Ulster-Scots Broadcast Fund and the Irish Language Broadcast Fund were set up to support moving image content and predominantly television broadcast content.

In the case of the Irish Language Broadcast Fund, the fund does not generally support radio but has made a training award to Raidió Fáilte to support the development of potential on screen talent and contributors. This is part of the fund's overall remit to provide training and support to the sector.

The Ulster-Scots Broadcast Fund has not deviated from the general position that radio is not supported by the fund.

**Mr Allister** asked the Minister of Culture, Arts and Leisure in light of the decision to extend the remit of Ministerial Advisory Group on the Ulster-Scots Academy to 31 March 2016, whether applications will be opened for funding for new projects.

**(AQW 45097/11-15)**

**Ms Ní Chuilín:** There are currently no plans for the Ministerial Advisory Group Ulster-Scots Academy to open a call for applications for funding for new projects.

**Mr Allister** asked the Minister of Culture, Arts and Leisure to detail the steps she has taken on foot of the report into sectarianism in boxing; and what changes have resulted.

**(AQW 45213/11-15)**

**Ms Ní Chuilín:** I have already said many times that sectarianism or racism in any form has no place in sport. The Governing Body for boxing, the Irish Amateur Boxing Association (IABA) commissioned an Independent Working Group to examine boxing in Ulster. The Group made a number of recommendations to help strengthen boxing in Ulster. Responsibility for taking forward the recommendations rests in the first instance with the IABA, however, my Department and Sport NI are supporting the IABA as they move forward in this regard.

I have met with both the IABA and the Independent Working Group to discuss the report findings. I have also asked Sport NI, an arms length body of my Department, to support the IABA as it seeks to address the recommendations.

Sport NI has helped the IABA to establish a number of posts including an Ulster Operations Manager whose focus is to take forward the recommendations contained in the report and a Club Development Manager.

As part of this ongoing development work the Ulster Boxing Council applied for, and in April 2015 achieved, the Foundation level of the nationally recognised Equality Standard for Sport. In achieving this level, Ulster Boxing has demonstrated that it is committed to embracing the equality standard scheme to encourage participation in the sport across all communities.

Sport NI is also working with the IABA and the Ulster Boxing Council to develop a community relations and good relations training programme which will be delivered to boxing clubs later this year. In addition, Sport NI has worked with the IABA and the Ulster Boxing Council to establish a safe and neutral venue for competitions with a high performance centre now established at the University of Ulster in Jordanstown.

**Mr Allister** asked the Minister of Culture, Arts and Leisure what action she has taken to ensure that the Irish Amateur Boxing Association has taken all available steps to address sectarianism within the sport and achieve parity of opportunity for local boxers who aspire to box for the British nation.

**(AQW 45214/11-15)**

**Ms Ní Chuilín:** Sectarianism has no place in any sport. My Department and Sport NI are fully committed to fulfilling Section 75 equality obligations and work with a range of sports governing bodies, including the IABA and the Ulster Boxing Council, to help them achieve the nationally recognised Equality Standard.

In April 2015, the Ulster Boxing Council achieved the foundation level of the Equality Standard and was commended on the high level of commitment shown by the organisation to embrace the scheme, which involves developing and implementing policies and practices to widen access and increase participation in the sport by under-represented individuals, groups and communities.

My response to AQW 45213/11-15 gives the detail of the ongoing support my Department and Sport NI are providing to the Irish Amateur Boxing Association and Ulster Boxing Council as it seeks to strengthen boxing in Ulster.

In October 2012, the IABA publicly stated that they would work with Sport NI to find a positive way of recognising the right of boxers from the north of Ireland to choose which country they represent at a competitive level. However, this cannot be done in isolation. Agreement is required by a range of other stakeholders including other Sports Councils in Ireland and Britain, the International Federations of sport and potentially the National Olympic Committees.

Sport NI has finalised the preparatory work and plan to commence discussions with the appropriate sporting bodies in late May/early June 2015. This work also takes account of the Governing Body structures for other sports which have a similar structure to boxing such as rugby, cycling and hockey.

**Mr Moutray** asked the Minister of Culture, Arts and Leisure how much her Department has invested in the Public Records Office of Northern Ireland in each of the last three years.

**(AQW 45266/11-15)**

**Ms Ní Chuilín:** The table below shows investment in the Public Records Office of Northern Ireland, broken down by resource and capital, for the years 2012/13, 2013/14 and 2014/15.

Category/Year	2012/13 £k	2013/14 £k	2014/15 £k
Resource	4,593	4,633	4,557
Capital	744	85	55
<b>Total</b>	<b>5,337</b>	<b>4,718</b>	<b>4,612</b>

**Mr Allister** asked the Minister of Culture, Arts and Leisure what is the religious breakdown of the Foras na Gaeilge workforce.  
**(AQW 45334/11-15)**

**Ms Ní Chuilín:** The total number of staff employed by Foras na Gaeilge is 58 of which 8 are based in the North.

As the number of staff employed in the north is less than the prescribed number, the religious breakdown of staff is not available.

There is no legal requirement to monitor the religious breakdown of staff working in the south.

**Mrs Dobson** asked the Minister of Culture, Arts and Leisure why she has taken the decision to end the Musical Instruments for Bands Scheme; and what impact the cessation will have on local bands.

**(AQW 45356/11-15)**

**Ms Ní Chuilín:** There is a shortfall in my Department's capital budget for 2015-2016 which means that it is restricted to cover the funding of contractually committed expenditure only. The earliest point at which my Department can consider capital allocations beyond those for contractually committed expenditure will be after the June monitoring round.

At this point the Musical Instruments for Bands scheme is on hold as opposed to having been removed completely and I will be submitting a bid in June monitoring for the scheme's commencement potentially later in the year.

Alternative funding sources for local bands would be through the Arts Council's lottery funded Small Grants Programme and Equipment Programme which cover funding for equipment and tuition.

Bands can also apply for support from the Ulster-Scots Agency through its Music and Dance Tuition Programme, although this is not for the purposes of purchasing instruments.

A number of years ago my Department commissioned research into marching bands in the North of Ireland and the final study document is available on the Department's website. The accompanying guidance note, which can be found at the web address provided below, offers advice on fundraising which bands may find useful.

[www.dcalni.gov.uk/marching\\_bands\\_in\\_northern\\_ireland\\_guidance\\_notes.pdf](http://www.dcalni.gov.uk/marching_bands_in_northern_ireland_guidance_notes.pdf)

**Mr Swann** asked the Minister of Culture, Arts and Leisure, pursuant to AQW 44593/11-15, what funding was made available to Ulster-Scots speaking radio stations or programmes over the same period.

**(AQW 45377/11-15)**

**Ms Ní Chuilín:** The Ulster-Scots Agency has purchased Restricted Service Licence (RSL) for Ulster-Scots radio stations to operate under the name of fUSE fm.

The Ullans Speakers Association manages the fUSE fm station which broadcasts in the Ballymoney area; and fUSE fm licences have also been granted for broadcasting in the Kilkeel and Rathfriland areas.

The amount of funding provided by the Agency for fUSE fm is shown in the table below.

Year	Ballymoney	Kilkeel	Rathfriland	Total
2010	£4,720.00		£1,310.00	£6,030.00
2011	£5,630.00		£1,520.00	£7,150.00
2012	£9,556.22		£1,840.00	£11,396.22
2013	£11,067.60			£11,067.60
2014	£7,831.02	£2,882.42		£10,713.44
<b>Total</b>	<b>£38,804.84</b>	<b>£2,882.42</b>	<b>£4,670.00</b>	<b>£46,357.26</b>

**Mr Easton** asked the Minister of Culture, Arts and Leisure to detail the number of staff disciplinary hearings in her Department in the last two years.

**(AQW 45444/11-15)**

**Ms Ní Chuilín:** There have been three staff disciplinary hearings in my Department in the last two years.

**Mr Easton** asked the Minister of Culture, Arts and Leisure how many unfair dismissal cases have been brought against her Department over the last two years.

**(AQW 45496/11-15)**

**Ms Ní Chuilín:** No unfair dismissal cases have been brought against my Department in the last two years.

**Mr Allister** asked the Minister of Culture, Arts and Leisure why crowd safety concerns were ignored in respect of the Casement Park project.

**(AQW 45571/11-15)**

**Ms Ní Chuilín:** I fundamentally refute that crowd safety concerns were ignored on the Casement Park project. I am totally committed to delivering a first-class modern stadium for Gaelic games at Casement Park which meets the highest standards and I am determined that there will be no compromise on safety.

It was my Department that asked for a specialist group, the Safety Technical Group (STG), to be established in order to aid with the delivery of the regional stadia programme. A core aspect of this was to ensure the provision of health and safety advice to the various teams on the three projects.

This process has successfully worked on the Kingspan Stadium which has obtained its final safety licence from Belfast City Council and is also working well to help deliver Windsor Park where attendance for interim fixtures are maximised in advance of the completion of the main project itself.

Engagement on safety matters relating to the Casement Park project started in early 2012. The design team was appointed in September 2012 and developed the design in sufficient detail for planning permission to be sought in mid 2013. When planning permission was sought further design work was always required to be carried out by the Design and Build contractor. This was the same process used for the Kingspan Stadium and Windsor Park.

My Department and I place paramount importance on the health and safety of patrons attending all games in any sport and my department will continue to work with all members of the STG, including members of the blue light services and the local council in a pro-active and positive manner, to take forward and complete the remaining design work to deliver a new stadium at Casement Park which will be designed and constructed in accordance with the standards of the Red and Green Guides for Safety in Sports Grounds. Casement Park will not open without a valid Safety Certificate.

## Department of Education

**Miss M McIlveen** asked the Minister of Education how many primary schools, broken down by (i) sector; and (ii) region have registered an interest in taking part in the computer-based assessment pilot for 2015.

**(AQW 44775/11-15)**

**Mr O'Dowd (The Minister of Education):** As of 21 April 2015, 237 schools have registered an interest in taking part in the computer-based assessment pilot for 2015.

The breakdown by (i) sector is as follows:

**Category/Management Type**

Maintained	117
Maintained Integrated	4
Controlled	104
Controlled Integrated	4
Other Maintained/IM	4
Voluntary	4

**Total** **237**

The breakdown by (ii) region is as follows:

**Region**

Belfast Region	18
Western Region	49
North Eastern Region	69
South Eastern Region	36
Southern Region	65

**Total** **237**

**Mr Kinahan** asked the Minister of Education what applications he has made, or will make, to Horizon 2020 and other EU programmes for education funding, particularly in IT and coding.

**(AQW 44785/11-15)**

**Mr O'Dowd:** I am aware of the opportunity presented by Horizon 2020 in general and in particular by the 'Call for making science education and careers attractive for young people' which opened on 22 April. My officials will be making the relevant stakeholders aware of this call and liaising with them on how my Department can support any work to improve science education here.

My Department cannot apply for funding under Erasmus+; however I have encouraged schools and youth organisations to apply. I was pleased to see that under the 2014 call, schools and youth organisations here received almost €425,000 to take part in language, culture and STEM related projects.

My Department has worked closely with Special European Union Programmes Body (SEUPB) to shape proposals for Peace IV funding that include a Shared Education thematic area.

The SEUPB is still awaiting approval from the European Commission on proposals for the Peace IV Programme. SEUPB has advised that it does not expect to receive approval until the summer. Discussions are still on-going in relation to final allocations across the thematic areas and the final decision will be subject to agreement by the Executive. Current proposals are that the Peace IV programme will target those schools not eligible for the Delivering Social Change - Shared Education Signature Project (i.e. those schools which have not engaged in shared education to date, estimated at 24% of schools), youth to school partnerships and early years partnerships.

**Miss M McIlveen** asked the Minister of Education, pursuant to AQW 43811/11-15, to detail which body procured the Direct Award Contract for banking services.

**(AQW 44810/11-15)**

**Mr O'Dowd:** The Education Authority (EA) is the contracting authority for the Direct Award Contract for banking services in education. Centre of Procurement Expertise (CoPE) advice and assistance, required to have the contract in place from 1 April 2015, was provided by the CoPE functions of both the South Eastern Education Library Board and the Central Procurement Directorate.

**Mrs McKeivitt** asked the Minister of Education whether he has any plans to increase enrolment numbers for rural schools in South Down.

**(AQW 44862/11-15)**

**Mr O'Dowd:** It is the responsibility of the respective Planning Authorities to manage provision for rural schools in South Down.

I expect the Education Authority (South -Eastern and Southern regions) and the Council for Catholic Maintained Schools, as Planning Authorities, to engage with other sectors including the NI Council for Integrated Education and Comhairle na Gaelscolaíochta, given my Department's statutory duties, and to take account of all relevant information when drawing up a proposal to reshape the provision in any area. It is important that an assessment of existing patterns of admission and enrolment are made and that the potential impact of any proposed change is considered not only for the school for which the



proposal relates but also for other schools in the area. The wider area context should be factored into considerations and reflected in the case for change which must accompany a Development Proposal (DP).

There are currently no DPs to increase the enrolment at schools in South Down.

**Mrs McKeivitt** asked the Minister of Education to detail the maximum daily commute time for pupils of primary school level which his Department deems appropriate.

**(AQW 44863/11-15)**

**Mr O'Dowd:** For pupils that are eligible under the school transport policy, there are no specific rules or guidance in relation to the maximum travel time. Largely, parents define what is an acceptable journey for their child to undertake when they choose a school for their child to attend.

The extent to which the issue of a journey's acceptability has a role in the support provided under the Home-to-School Transport scheme is as follows. Once a school has been selected by parents, if the pupil is eligible for transport assistance under the school transport policy, an obligation is placed on the Education Authority (EA) under Article 52 of the Education (NI) Order 1986 (as amended) to facilitate attendance of the pupil at the school. In determining its response in terms of transport assistance, the EA is required, under paragraph 5.2 of the transport Circular 1996/41 (as amended), to take into account such factors as the age of the pupil, and whether it entails an unduly early start or late ending to the pupils period of absence from home, including the duration of the journey.

In practice, however, it is not always possible for the EA to find a solution that satisfies parental preference, reduces journey time to or below the target threshold, and is compatible with the avoidance of unreasonable public expenditure. Where journey times exceed approximately one hour for post-primary pupils and half an hour for primary school pupils, and where the EA has a limited ability to respond, then it is for parents to consider the impact of a long journey on their child's ability to perform acceptably in their chosen school.

**Mr Moutray** asked the Minister of Education what action he is taking to address the current accommodation issues at Craigavon Senior High School.

**(AQW 44879/11-15)**

**Mr O'Dowd:** Craigavon Senior High School is a controlled school; as such the managing authority with responsibility for the management of the school is the Education Authority (EA).

The EA will seek to continue the work commenced by the Southern Education and Library Board (SELB) in identifying how to maintain a viable and fully functioning network of strong sustainable schools within the controlled sector in Craigavon, to best meet the needs of young people in the area. The EA continues to address accommodation issues at Craigavon Senior High School through the Capital Minor Works and Maintenance schemes. A scheme to upgrade the heating system at the Lurgan Campus of Craigavon Senior High School is due for completion in May 2015 at a total cost of £156,516. Maintenance expenditure in the last 5 financial years at this school has totalled £209,218.81.

**Mr Eastwood** asked the Minister of Education to detail (i) the number of funded pre-school places available in the Derry and Strabane District Council area for the 2015-16 academic year; and (ii) the number of anticipated applications for funded pre-school places in the Derry and Strabane District Council area for the 2015-16 academic year.

**(AQW 44899/11-15)**

**Mr O'Dowd:** The Pre-School Education Advisory Groups (PEAG) of each Region in the Education Authority (EA) are responsible for ensuring that there is adequate pre-school provision in local areas. PEAGs plan on the basis of 92% of the birth rate of the relevant pre-school cohort.

- (i) The Western Region of the Education Authority has advised me that, for the 2015/16 academic year, 1,571 funded pre-school places are available in the Derry City Council area and 563 places in Strabane District Council area.
- (ii) For 2015/16 admissions it was anticipated that just over 1500 applications would be received in the Derry City Council area and just under 500 in the Strabane District Council area

I have made sufficient funding available to meet the projected need for pre-school places for the 2015/16 academic year. In the Derry City Council area 60 places remain available for parents to list as preferences during stage 2 of the process and additional places will be made available in existing settings, if necessary. At least 75 places remain available in Strabane.

My Department will continue to work closely with the Education Authority to ensure that every effort is made to find suitable places for those children who have yet to be placed.

**Miss M McIlveen** asked the Minister of Education to list the minor works projects approved in the Strangford constituency between December 2014 and February 2015 amounting to £621,000, including the anticipated completion dates.

**(AQW 44932/11-15)**

**Mr O'Dowd:** The Education Authority (EA) has provided the table below which lists the minor works approved in the Strangford constituency between December 2014 and February 2015.

School And Location	Scheme/Project Description	Total Approved Cost (Excluding Vat & Fees)	Completion / Anticipated Completion Date
Alexander Dickson Primary School, Ballygowan	To supply and install Play equipment, Fencing, Gates, play surface and associated works	£ 34,150.64	31 March 2015
Carrowdore Primary School	Special Educational Needs Classroom	£ 171,192.00	Mid May 2015
Killinchy Primary School	Fire Risk Assessment Works - Phase 6	£ 37,934.16	Mid May 2015
St Mary's Primary School, Portaferry	Access Control to Nursery Unit	£ 7,918.23	May 2015
St Mary's Primary School, Portaferry	Pedestrian Gate Relocation	£ 11,183.48	March 2015
Kircubbin Community Nursery School	Weather proof screen	£ 6,239.55	February 2015
St Colman's High School, Ballynahinch	Toilet upgrade and Disability Discrimination Act (DDA) works	£ 268,323.00	18 May 2015
St Colman's High School, Ballynahinch	Fire Risk Assessment Works - Phase 6	£ 27,497.02	March 2015
Kircubbin Integrated Primary School	Weather proof screen	£ 5,942.43	30 March 2015
St Patrick's Primary School, Ballygalget	Lighting Upgrade	£ 9,785.75	March 2015
St Mary's Primary School, Comber	Gas Conversion / Boiler Replacement	£ 6,986.26	January 2015
St Mary's Primary School, Kircubbin	Gas Conversion / Boiler Replacement	£ 33,960.03	March 2015
		£ 621,112.55	

**Miss M McIlveen** asked the Minister of Education to list the current staffing teams in each Education Authority Region for Looked After Children, including associated costs; and to detail how these teams will be funded in 2015/16.

**(AQW 44934/11-15)**

**Mr O'Dowd:** The Interim Chief Executive of the Education Authority has provided the following information in relation to staffing teams for Looked After Children (LAC) in each region.

Belfast Region	Number	Cost (£)
LAC Education Welfare Officer	2	
LAC Youth Worker	1	
LAC Support Teacher <sup>1</sup>	1	
LAC Education Project Worker	1 (fully funded by Belfast Health and Social Care Trust (BHSCT))	127,512

1. Post part funded by BHSCT, contribution £24k

South Eastern Region	Number	Cost (£)
Senior Education Welfare Officer	1	
Education Welfare Officer	1	
Clerical Officer	1	
LAC Support Teacher	1	
LAC Support Teacher	1 (fully funded South Eastern Health and Social Care Trust (SEHSCT))	134,000

Southern Region <sup>1</sup>	Number	Cost (£)
Adviser	1 (proportion of salary contribution)	
Senior Teacher ETA <sup>2</sup>	1 (additional points)	

<b>Southern Region<sup>1</sup></b>	<b>Number</b>	<b>Cost (£)</b>
Assistant Advisory Officers	3 (proportion of salary contribution)	
Teachers ETA <sup>3</sup>	2 (proportion of salary contribution)	
Youth Worker	1 (part-time proportion of costs)	
Substitute Teacher Costs		
Senior Clerical Officer	1 (proportion of salary contribution)	269,161

1. Support for LAC is coordinated by Pupil Personal Development Services in Southern Region.
2. ETA, Exceptional Teaching Arrangements.
3. Minimum of 2 teachers with potential to call on additional teaching support if required.

<b>North Eastern Region</b>	<b>Number</b>	<b>Cost (£)</b>
Senior Education Welfare Officer	1	
Education Welfare Officers	3 (full-time)	
Education Welfare Officers	2 (part-time)	
Education Psychologist	1 day per week	259,000 <sup>1</sup>

<b>Western Region<sup>1</sup></b>	<b>Number</b>	<b>Cost (£)</b>
Adviser	1 (proportion of salary contribution)	
1 Assistant Advisory Officer	1 (proportion of salary contribution)	
2 Education Support Workers (part time)	2	
Youth Worker (part time)	1	
1 Clerical Support	1 (2.5days)	£232,784

1. NHSCT contribution is £73k.
2. Support for LAC is coordinated by Pupil Personal Development Services in Western Region.

My Department has provided £380k earmarked funding to the Education Authority towards Looked after Children Teams in the current financial year. The decision on how support for Looked After Children will be delivered and funded in each Region rests with the Interim Chief Executive of the Education Authority. I understand that the detail of this is not yet finalised.

**Miss M McIlveen** asked the Minister of Education how many (i) primary; and (ii) post primary schools have chosen to use levels of progression tests within their school in the current academic year.  
(AQW 44936/11-15)

**Mr O'Dowd:** There are no statutory tests at Key Stages 1, 2 or 3. Pupil progress in the cross-curricular skills is assessed through a system of teacher-assessment based on the Levels of Progression. While schools are required to use the Levels throughout these Key Stages, the Levels that teachers have awarded to pupils in Years 4, 7 and 10 in Communication and in Using Mathematics should be reported to the Department (via CCEA) by 15 May 2015 and to parents by 30 June 2015.

**Ms Sugden** asked the Minister of Education, pursuant to AQW 44266/11-15, to detail all relevant stakeholders who were consulted, specifically in regards to cuts to the Early Years Fund, prior to his Department's announcement.  
(AQW 44937/11-15)

**Mr O'Dowd:** The Executive's Budget has been reduced by the Westminster Government by £1.5bn over the last five years. As a direct result of this reduction there is significantly reduced money to spend on frontline services such as Education. I have taken every action possible to protect Education funding and those frontline services within the Department of Education's (DE) remit, however, it is simply impossible to protect everything.

As mentioned previously, my Department's 2015-16 budget consultation process invited all stakeholders within the Education sector to express their views on the 2015-16 Budget for Education. Over 23,000 responses to the consultation were received, which provided me with a significant basis of evidence to inform my final 2015-16 Budget spending plans.

At Final Budget stage my Department was facing a £97.6m 2015-16 funding gap and to mitigate the risk that insufficient savings would be realised, additional savings were identified which included the £2m budget reduction to the Early Years Fund.

The DFP Review of the Fund (2013) found that the Early Years Fund, which is administered by Early Years – the Organisation for Young Children, has effectively remained as a “closed” Fund since introduced by DHSSPS in 2004, to applicant groups that were in areas of greatest need of support to become sustainable at that time, following the ending of Peace II funding. It is therefore not equitable to allow it to continue in its current form as there undoubtedly are other children equally deserving of support across the north.

I will continue to review my budget to establish if a fund can continue beyond 31 August 2015. However any such fund will have to be open to all applicants, not just current recipients and reflect the policy priorities of DE. If additional money becomes available, this funding will be a priority for my Department.

**Ms Sugden** asked the Minister of Education what communication his Department had with Early Years Specialists prior to the proposal to cut the Early Years Fund.

**(AQW 44938/11-15)**

**Mr O’Dowd:** The Executive’s Budget has been reduced by the Westminster Government by £1.5bn over the last five years. As a direct result of this reduction there is significantly reduced money to spend on frontline services provided by the Department of Education (DE). I have taken every action possible to protect Education funding and those frontline services within the DE remit. However, it is simply impossible to protect everything.

My Department’s 2015-16 budget consultation process invited all stakeholders within the Education sector to express their views on the 2015-16 Budget for Education. Over 23,000 responses to the consultation were received, which provided me with a significant basis of evidence to inform my final 2015-16 Budget spending plans.

At Final Budget stage my Department was facing a £97.6m 2015-16 funding gap and to mitigate the risk that insufficient savings would be realised, additional savings were identified which included the £2m budget reduction to the Early Years Fund (EYF). At this stage it was not possible to engage further with stakeholders.

I have endeavoured to minimise the impact of the reductions as far as possible and so I have ensured that funding is available in 2015/16 to enable all 153 recipients of the EYF to receive continued support to the end of the current academic year (i.e. 31 August 2015).

The EYF includes a contribution to Early Years – the Organisation for Young Children (EYO) towards their Early Years Specialist (EYS) team. This contribution is also extended to August 2015.

Specialist Early Years support can be provided by a qualified teacher with specific experience or a suitably qualified and experienced specialist in Early Years provision. EYSs may be self employed and work independently, or be employed by an organisation, or the group in which they provide support. EYSs are not required to register therefore there is no central list containing either the total number of those persons providing such support or within particular areas in the north.

In 2014/15 EYO received £235,000 as a contribution towards the EYS programme which they offer to the pre-school sector. EYO is the only organisation which receives support from the EYF for EYS support. Undoubtedly, however (as with the main Fund allocations) there are groups which are equally as deserving of financial support for EYS provision across the north.

Although the contribution towards the EYS programme in EYO from the Fund may not be available after August, it should be noted that pre-school groups are free, as has always been the case, to choose from where they source their EYS support, or fulfil the function themselves, if they have suitably qualified staff to do so.

Voluntary and private settings providing funded places within the Pre-School Education Programme (PSEP) are required to have support (at least five hours per month) from an EYS.

I have allocated sufficient funding to the Education Authority to meet the projected need for pre-school places for children in their final pre-school year. The cost of employing the EYS is included within the PSEP funding, currently £1801 per child per year.

I fully recognise the importance of Early Years education particularly for our most disadvantaged of children which is why, despite the difficult budgetary position, I have committed over £216m toward Early Years education for 2015/16 to ensure that key services are protected as far as possible.

I will continue to review my budget to establish if a fund can continue beyond 31 August 2015. However any such fund will have to be open to all applicants, not just current recipients and reflect the policy priorities of DE. If additional money becomes available, this funding will be a priority for my Department.

**Ms Sugden** asked the Minister of Education for his assessment of how cuts to the Early Years Fund will impact on Early Years Specialists; and to detail the number of Early Years Specialist positions which will be threatened.

**(AQW 44939/11-15)**

**Mr O’Dowd:** The Executive’s Budget has been reduced by the Westminster Government by £1.5bn over the last five years. As a direct result of this reduction there is significantly reduced money to spend on frontline services provided by the Department of Education (DE). I have taken every action possible to protect Education funding and those frontline services within the DE remit. However, it is simply impossible to protect everything.

My Department's 2015-16 budget consultation process invited all stakeholders within the Education sector to express their views on the 2015-16 Budget for Education. Over 23,000 responses to the consultation were received, which provided me with a significant basis of evidence to inform my final 2015-16 Budget spending plans.

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I have endeavoured to minimise the impact of the reductions as far as possible and so I have ensured that funding is available in 2015/16 to enable all 153 recipients of the EYF to receive continued support to the end of the current academic year (i.e. 31 August 2015).

The EYF includes a contribution to Early Years – the Organisation for Young Children (EYO) towards their Early Years Specialist (EYS) team. This contribution is also extended to August 2015.

Specialist Early Years support can be provided by a qualified teacher with specific experience or a suitably qualified and experienced specialist in Early Years provision. EYSs may be self employed and work independently, or be employed by an organisation, or the group in which they provide support. EYSs are not required to register therefore there is no central list containing either the total number of those persons providing such support or within particular areas in the north.

In 2014/15 EYO received £235,000 as a contribution towards the EYS programme which they offer to the pre-school sector. EYO is the only organisation which receives support from the EYF for EYS support. Undoubtedly, however (as with the main Fund allocations) there are groups which are equally as deserving of financial support for EYS provision across the north.

Although the contribution towards the EYS programme in EYO from the Fund may not be available after August, it should be noted that pre-school groups are free, as has always been the case, to choose from where they source their EYS support, or fulfil the function themselves, if they have suitably qualified staff to do so.

Voluntary and private settings providing funded places within the Pre-School Education Programme (PSEP) are required to have support (at least five hours per month) from an EYS.

I have allocated sufficient funding to the Education Authority to meet the projected need for pre-school places for children in their final pre-school year. The cost of employing the EYS is included within the PSEP funding, currently £1801 per child per year.

I fully recognise the importance of Early Years education particularly for our most disadvantaged of children which is why, despite the difficult budgetary position, I have committed over £216m toward Early Years education for 2015/16 to ensure that key services are protected as far as possible.

I will continue to review my budget to establish if a fund can continue beyond 31 August 2015. However any such fund will have to be open to all applicants, not just current recipients and reflect the policy priorities of DE. If additional money becomes available, this funding will be a priority for my Department.

**Ms Sugden** asked the Minister of Education to detail the number of Early Years Specialists in (i) Northern Ireland; and (ii) East Londonderry, in each of the last three years.

**(AQW 44940/11-15)**

**Mr O'Dowd:** The Executive's Budget has been reduced by the Westminster Government by £1.5bn over the last five years. As a direct result of this reduction there is significantly reduced money to spend on frontline services provided by the Department of Education (DE). I have taken every action possible to protect Education funding and those frontline services within the DE remit. However, it is simply impossible to protect everything.

My Department's 2015-16 budget consultation process invited all stakeholders within the Education sector to express their views on the 2015-16 Budget for Education. Over 23,000 responses to the consultation were received, which provided me with a significant basis of evidence to inform my final 2015-16 Budget spending plans.

At Final Budget stage my Department was facing a £97.6m 2015-16 funding gap and to mitigate the risk that insufficient savings would be realised, additional savings were identified which included the £2m budget reduction to the Early Years Fund (EYF). At this stage it was not possible to engage further with stakeholders.

I have endeavoured to minimise the impact of the reductions as far as possible and so I have ensured that funding is available in 2015/16 to enable all 153 recipients of the EYF to receive continued support to the end of the current academic year (i.e. 31 August 2015).

The EYF includes a contribution to Early Years – the Organisation for Young Children (EYO) towards their Early Years Specialist (EYS) team. This contribution is also extended to August 2015.

Specialist Early Years support can be provided by a qualified teacher with specific experience or a suitably qualified and experienced specialist in Early Years provision. EYSs may be self employed and work independently, or be employed by an organisation, or the group in which they provide support. EYSs are not required to register therefore there is no central list containing either the total number of those persons providing such support or within particular areas in the north.

In 2014/15 EYO received £235,000 as a contribution towards the EYS programme which they offer to the pre-school sector. EYO is the only organisation which receives support from the EYF for EYS support. Undoubtedly, however (as with the main Fund allocations) there are groups which are equally as deserving of financial support for EYS provision across the north.

Although the contribution towards the EYS programme in EYO from the Fund may not be available after August, it should be noted that pre-school groups are free, as has always been the case, to choose from where they source their EYS support, or fulfil the function themselves, if they have suitably qualified staff to do so.

Voluntary and private settings providing funded places within the Pre-School Education Programme (PSEP) are required to have support (at least five hours per month) from an EYS.

I have allocated sufficient funding to the Education Authority to meet the projected need for pre-school places for children in their final pre-school year. The cost of employing the EYS is included within the PSEP funding, currently £1801 per child per year.

I fully recognise the importance of Early Years education particularly for our most disadvantaged of children which is why, despite the difficult budgetary position, I have committed over £216m toward Early Years education for 2015/16 to ensure that key services are protected as far as possible.

I will continue to review my budget to establish if a fund can continue beyond 31 August 2015. However any such fund will have to be open to all applicants, not just current recipients and reflect the policy priorities of DE. If additional money becomes available, this funding will be a priority for my Department.

**Miss M McIlveen** asked the Minister of Education when he will publish guidance on flexibility in the school starting age. (AQW 44944/11-15)

**Mr O'Dowd:** I have asked for the Education Authority (EA) to bring forward guidance on this issue. My officials have not yet agreed timescales with the EA but will do so as soon as practicable.

**Miss M McIlveen** asked the Minister of Education how many staff are employed by the Youth Council. (AQW 44947/11-15)

**Mr O'Dowd:** The Youth Council currently employs 16 members of staff.

**Miss M McIlveen** asked the Minister of Education to outline the anticipated timetable for change to the Youth Council following the conclusion of the current consultation. (AQW 44948/11-15)

**Mr O'Dowd:** Following the conclusion of the current consultation on proposals for the future of the Youth Council on 12 June, I will consider the responses received to inform the final decision on the future of the Youth Council. Any change in approach would require primary legislation to repeal the Youth Service (NI) Order which would be subject to the legislative process within the Assembly.

**Mr Allister** asked the Minister of Education what is the scale of cuts, in both actual and percentage terms, being implemented in his Department's budget in 2015/16, specifying the level of cut in each programme. (AQW 45003/11-15)

**Mr O'Dowd:** The Executive's Budget has been reduced by the Westminster Government by £1.5bn over the last five years. As a direct result of this reduction there is significantly reduced money to spend on frontline services such as Education. I have taken every action possible to protect Education funding and those frontline services within the Department of Education's remit. However, it is simply impossible to protect everything.

Details of the information you have requested regarding cuts to my Department's budget are contained within my 2015-16 Savings Delivery Plan which has been published on my Department's website at [www.deni.gov.uk](http://www.deni.gov.uk) and can be found via the link below:

[http://www.deni.gov.uk/microsoft\\_word\\_-\\_final\\_budget\\_2015-16\\_\\_savings\\_delivery\\_plan.pdf](http://www.deni.gov.uk/microsoft_word_-_final_budget_2015-16__savings_delivery_plan.pdf)

**Miss M McIlveen** asked the Minister of Education to detail the number of funded pre-school places available the Ahoghill and Galgorm area; and when this was last reviewed. (AQW 45032/11-15)

**Mr O'Dowd:** The table below shows the number of funded pre-school places available in settings in the Ahoghill and Galgorm areas:

Setting	Funded places available
Gracehill PS Nursery Unit	26
Ahoghill & District Community PG	24
Ladybird PG, Gracehill	26
Stepping Stones PG, Ahoghill	19*

- \* An additional 8 places have been made available in Stepping Stones Playgroup to meet demand at Stage 2 of the pre-school admissions process.

The Pre-School Education Advisory Groups (PEAG) of each Region in the Education Authority (EA) are responsible for ensuring that there is adequate pre-school provision in local areas. They keep the situation under review as the pre-school admissions process moves forward and the PEAG in the North Eastern Region has made eight additional places available in Ahoghill for stage two of the process.

**Mr Moutray** asked the Minister of Education what schools in the Catholic Maintained sector received investment through his Department's minor works scheme in the Education Authority Southern Region, previously the Southern Education and Library Board area, in the last 12 months; (ii) to outline the spend on each school which received funding.

**(AQW 45033/11-15)**

**Mr O'Dowd:** The table overleaf details the schools in the Education Authority Southern Region that have received investment through the Department's minor works programme in the last 12 months, and the approved expenditure on each minor works scheme.

School	Scheme	Total Approved Cost (inc Construction, Fees & VAT) @ 31 March 2015
St Oliver Plunkett PS, Kilmore	Photovoltaic panels	£17,032.18
St Michael's PS	Upgrade of flooring	£4,448.01
Clonalig PS, Cullaville	Extension to structured play area	£37,264.00
Clonalig PS, Cullaville	Photovoltaic panels	£17,032.18
St Teresa's PS	Refurbishment of pupil and staff toilets	£48,594.52
Clea PS, Keady	Upgrade of Staff & Pupil Toilets/SEN Provision/ Office Accommodation	£352,497.24
Christian Bros PS, Armagh	Replacement of Internal windows	£8,483.26
Christian Brothers PS, Armagh	Barrier to staff car park	£131,013.78
Christian Brothers PS, Armagh	CCTV installation	£74,069.59
Christian Brothers PS	Works to implement recommendations from Fire Risk Assessment	£101,208.68
Christian Brothers PS	Fencing/gates/resurface play area	£21,623.65
Armagh Christian Brothers PS	Photovoltaic panels	£17,409.66
Christian Brothers PS	Resurface part of car park	£33,000.00
Mount St Catherine's PS	Works to implement recommendations from Fire Risk Assessment	£119,643.38
Mount St Catherine's PS	Heating phase 2	£240,470.72
Mount St Catherine's PS	Photovoltaic panels	£20,012.06
St Malachy's PS, Armagh	Upgrade to oil tank	£49,722.10
St Malachy's PS, Armagh	Build retaining wall/replace fence	£600.00
St Oliver's PS	Boiler and heating work	£36,000.00
St Oliver's PS, Carrickovaddy	Toilet refurb	£36,000.00
St Patrick's PS, Crossmaglen	Provision of Hygiene Room	£132,961.45
Killeen PS	Window replacement	£51,278.11
St Patrick's PS, Newry	Upgrade flat roof	£122,524.80
St Brigid's PS, Crossmaglen	Security improvements	£26,276.97
St Mary's PS	Provision of covered play area	£29,800.80
St Mary's PS, Dungannon	Provision of gate access control	£8,700.00
St Michael's PS	External storage container	£44,977.96

School	Scheme	Total Approved Cost (inc Construction, Fees & VAT) @ 31 March 2015
St James PS	Works to implement recommendations from Fire Risk Assessment	£10,158.68
St Brigid's PS, Drumilly	Additional Accomodation	£214,384.26
St Mary's PS, Granemore	Internal refurb	£71,377.80
St Mary's PS, Keady	Upgrade CCTV	£17,916.88
St Mary's PS, Granemore	Additional accommodation - provision of a temporary hire modular unit	£508,260.00
St Mary's PS	Photovoltaic panels	£17,032.18
St Peter's PS	Photovoltaic panels	£19,286.67
St Anthony's PS, Craigavon	Radiator replacement	£12,346.12
St Anthony's PS, Craigavon	Additional Accomodation	£223,384.26
St Anthony's PS, Craigavon	Fire alarm	£69,326.24
St Anthony's PS, Craigavon	Photovoltaic panels	£20,327.07
St Joseph's PS, Meigh	Boundary fencing	£24,443.07
Killowen PS	Perimeter fence	£13,200.00
St Joseph's PS, Ballymena	Outdoor play area	£1,500.00
Moneydarragh PS	Car parking & provision of steps	£26,100.00
St Colman's Abbey PS	Fire alarm lighting work	£24,000.00
St Matthew's PS, Magheramayo	Replacement doors	£8,681.59
St Matthew's PS	Additional accommodation	£113,200.00
St Patrick's PS	Flooring work	£30,207.25
St John's PS, Gilford	Provision of Door Access Control	£73,487.82
St John's PS, Gilford	Retaining wall and associated works	£50,803.69
Lissan PS	New bin compound	£3,082.57
Lissan PS	Provision of disabled access ramp	£26,684.10
Lissan PS	New fire alarm	£40,532.50
St Malachy's PS, Glencull	Covered play area & external storage	£34,705.96
St Malachy's PS, Glencull	Works to implement recommendations from Fire Risk Assessment	£13,328.15
St Malachy's PS	Replace oil tank	£22,689.00
St Malachy's PS, Glencull	Replacement fencing and door access control	£8,400.00
Laghey PS	Intruder alarm installation	£18,346.89
Laghey PS	Toilet refurb	£42,990.00
Laghey PS	Fencing to secure site	£19,800.00
Edendork PS, Dungannon	Works to implement recommendations from Fire Risk Assessment	£10,621.83
Edendork PS	Resurfacing works to play area and car park	£10,800.00
St Mary's PS	Provision of interanl toilet block	£46,961.00
St Mary's PS	Roofing upgrade	£5,682.75
St Macartan's PS	Works to implement recommendations from Fire Risk Assessment	£31,390.09
St Mary's PS, Stewartstown	Refurb of heating system	£345,389.66



<b>School</b>	<b>Scheme</b>	<b>Total Approved Cost (inc Construction, Fees &amp; VAT) @ 31 March 2015</b>
St Mary's PS	Photovoltaic panels	£17,787.15
St Patrick's PS, Augher	SEN adaptations	£9,538.55
St Brigid's PS, Mountjoy	Door access control	£6,445.82
St Brigid's PS, Dungannon	Security improvements	£83,917.16
St Brigid's PS, Mount joy	Perimeter fencing and gates	£24,900.00
St Mary's PS, Dunamore	Classroom provision and covered play area	£315,476.25
St Mary's PS, Cookstown	Assembly hall floor upgrade	£10,047.58
St Peter's PS, Moortown	CCTV & door access control system	£44,913.12
St Peter's PS, Moortown	Fencing and playground improvements	£10,980.00
Aughamullan PS	Security upgrade	£30,640.91
Aughamullan PS	Works to implement recommendations from Fire Risk Assessment	£29,614.64
Aughamullan PS	Toilet refurb	£72,570.47
St Patrick's PS	Photovoltaic panels	£19,286.67
St John's PS, Kingsisland	Toilet refurb	£104,708.00
St John's PS	Boiler and heating work	£36,000.00
St Mary's PS, Ballygawley	Door access & fencing upgrade	£18,300.88
St Mary's PS	Works to implement recommendations from Fire Risk Assessment	£17,359.37
St Mary's PS	Roofing work	£66,108.44
St Mary's PS, Ballygawley	Upgrade of oil tank	£25,689.26
St Mary's PS	Amenity upgrade	£16,768.81
St Paul's PS, Cabra	Additional accommodation	£101,526.00
St Mary's PS	Photovoltaic panels	£17,032.18
St Michael's PS	External door replacement	£10,826.87
St Mary's PS Dechomet	Staffroom extension	£53,047.20
St Mary's PS, Dechomet	CCTV, lighting, alarm & door access	£39,507.90
St Patrick's PS	Provision of disabled toilet & SEN	£70,298.40
St Patrick's PS	Replace asbestos floor etc	£15,075.67
St Patrick's PS, Hilltown	Office refurb	£35,532.40
St Patrick's PS,	Provision of exit door	£15,145.09
St Patrick's PS	Upgrade fire alarm, intruder & lighting	£88,126.80
St Colman's PS	Playground extension & fencing	£20,581.93
St Colman's PS	Staffroom upgrade work	£10,493.70
St Colman's PS	Door & window upgrade	£61,051.12
St Mary's PS, Derrymore	New mobile and sub mains upgrade	£19,706.77
St Mary's PS	New principal's office & SEN room	£78,825.60
St Patrick's PS	Re-roofing & insulation	£56,612.12
St Patrick's PS	Photovoltaic panels	£17,409.66
St Patrick's PS Loup	Boundary fence	£7,500.00

<b>School</b>	<b>Scheme</b>	<b>Total Approved Cost (inc Construction, Fees &amp; VAT) @ 31 March 2015</b>
St Joseph's PS, Galbally	Disabled toilet facility	£51,278.40
St Colman's PS	Works to implement recommendations from Fire Risk Assessment	£12,417.91
St Mary's PS, Mullaghbawn	Additional Accomodation	£335,423.00
St Patrick's PS	Toilet refurb	£116,653.69
St Brendan's PS	Fence re-alignment	£7,200.00
St Joseph's PS, Killenan	Additional office space	£68,070.00
St Joseph's PS	External door replacement	£9,569.74
St Mary's PS, Pomeroy	Works to implement recommendations from Fire Risk Assessment	£74,408.22
St Mary's PS, Pomeroy	Roofing upgrade	£52,115.78
St Patrick's PS	Toilet refurb	£76,190.59
St Laurence O'Toole's PS, Newry	Refurb of heating system	£4,350.72
St Laurence O'Toole's PS	Upgrade of playground	£25,500.00
St Laurence O'Toole's PS	Perimeter fencing	£21,000.00
Sacred Heart PS	Works to implement recommendations from Fire Risk Assessment	£2,472.00
Sacred Heart PS	Replace oil tank	£29,523.40
St Oliver Plunkett PS, Kilmore	Disabled ramp access	£30,613.56
St Colman's PS	Internal work to classroom	£245,508.00
St Malachy's PS, Carnagat	Provision of CCTV	£29,990.30
St Malachy's PS	Works to implement recommendations from Fire Risk Assessment	£89,373.00
St Malachy's PS	Boilerhouse refurb & works	£235,860.89
St Clare's Abbey PS	Works to implement recommendations from Fire Risk Assessment	£12,043.53
St Francis PS, Aghaderg	Additional accommodation	£134,400.00
St Francis PS, Aghaderg	Replace oil tank	£23,498.38
St Joseph's PS	Upgrade of windows & doors	£42,926.40
St Patrick's PS, Dungannon	Works to implement recommendations from Fire Risk Assessment	£44,872.22
St Patrick's PS	Replace windows & doors	£225,981.12
St Colman's PS	Works to implement recommendations from Fire Risk Assessment	£90,574.96
St Colman's PS	Toilet refurb	£52,616.40
St Colman's PS	Replace asbestos floor etc	£9,417.60
Holy Trinity PS	Additional toilet provision in year 1 area	£156,290.40
Holy Trinity PS	External doors & drainage	£25,493.51
Holy Trinity PS	Security upgrade	£4,519.28
St Dallan's PS, Warrenpoint	Replace section of perimeter fencing	£5,040.00
Presentation PS	Additional accommodation	£107,462.00
St Peter's PS, Collegelands	Replacement Double Mobile	£213,184.26

School	Scheme	Total Approved Cost (inc Construction, Fees & VAT) @ 31 March 2015
Our Lady's NS	Car park upgrade	£15,686.35
Our Lady's PS	Photovoltaic panels	£17,787.10
St Francis of Assisi PS, Keady	Upgrade heating system	£8,941.69
St Francis of Assisi PS, Keady	Upgrade toilets	£139,743.24
St Francis of Assisi PS, Keady	Provision of disabled toilet	£151,506.56
St Francis of Assisi PS, Keady	Works to implement recommendations from Fire Risk Assessment	£66,884.59
St John's PS	Fencing upgrade	£16,344.14
St John's PS	Photovoltaic panels	£16,805.69
St Frances PS, Lurgan	Additional toilet provision & toilet refurb	£344,062.00
St Francis PS, Lurgan	CCTV installation	£96,888.93
St Joseph & St James PS	Door access & CCTV	£24,695.85
Seagoe PS	Gas conversion	£67,151.56
St Malachy's NS	Covered outdoor play area	£45,862.00
St Malachy's NS	Toilet refurb	£31,655.25
St Mary's JHS	ICT resources for 6th form	£49,383.21
St Patrick's College, Banbridge	Refurb of Toilets/Decant	£525,408.72
St Paul's JHS	Extension to CCTV system	£117,288.30
St Paul's JHS	Works to implement recommendations from Fire Risk Assessment	£40,040.82
St Mary's HS, Newry	Works to implement recommendations from Fire Risk Assessment	£203,380.21
St Mary's HS, Newry	Filoring upgrade and asbestos removal	£14,408.54
St Mary's HS, Newry	Supports for palisade fence	£4,827.98
St Mary's HS	Photovoltaic panels	£20,012.06
St Mark's HS	Door access control	£27,297.61
St Mark's HS, Warrenpoint	Works to implement recommendations from Fire Risk Assessment	£11,271.14
St Mark's HS	Heating phase 2	£222,062.09
St Mark's HS, Warrenpoint	Window replacement	£207,572.15
St Mark's HS, Warrenpoint	Resurfacing of tennis courts	£86,846.29
St Ciaran's HS, Ballygawley	Provide hold open devices on fire doors	£117,109.67
St Ciarn's HS, Ballygawley	Upgrade Booster Unit	£9,282.35
St Ciaran's College	Photovoltaic panels	£20,012.06
St Paul's HS Bessbrook	Provision of 6th form accommodation	£86,546.00
St Paul's HS, Bessbrook	Modifications of flat roof	£126,877.20
St Paul's HS, Bessbrook	Vent to photocopier	£7,437.00
St Paul's HS Bessbrook	Photovoltaic panels	£16,805.69
St Joseph's College	Additional classroom	£124,356.90
St Joseph's College	Re-roofing & Insulation	£77,847.07
Lismore Comp School	Erection of bin store	£4,918.20

School	Scheme	Total Approved Cost (inc Construction, Fees & VAT) @ 31 March 2015
St Catherine's College, Armagh	Window replacement	£312,073.72
St Catherine's College, Armagh	Upgrade heating system	£134,835.24
St Catherine's College, Armagh	Door access	£100,890.06
St Catherine's College, Armagh	Upgrade fire alarm system	£358,824.41
St Catherine's College, Armagh	Works to implement recommendations from Fire Risk Assessment	£42,958.98
St Catherine's College, Armagh	Boiler replacement	£453,252.00
St Catherine's College, Armagh	Photovoltaic panels	£17,032.18
Drumcree College	Lighting work	£60,283.14
Drumcree College	Replacement flooring	£51,119.74
Holy Trinity College	Alterations to main entrance, office & foyer for security	£64,303.20
Holy Trinity College	Flooring work	£52,485.07
Holy Trinity College	Upgrade drainage	£8,737.27
	<b>Total</b>	<b>£13,180,466.15</b>

**Mr Moutray** asked the Minister of Education what schools in the controlled sector received investment through his Department's minor works scheme in the Education Authority Southern Region, previously the Southern Education and Library Board area, in the last 12 months; (ii) to outline the spend on each school which received funding. (AQW 45034/11-15)

**Mr O'Dowd:** The Education Authority, Southern Region has provided the table below which outlines the schools in the controlled sector which have received investment through the minor works scheme in the last 12 months.

School Name	Project Description	2014/2015 Expenditure
Kilbroney Primary School	Extension to assembly Hall	£312,313.00
Rich Mount Primary School	Provision of Multipurpose Hall (MPH)	£423,250.00
Fair Hill Primary School	Construction works to provide one additional classroom with associated toilet	£248,377.00
Woods Primary School	Provision of additional staff car parking plus traffic management scheme and provision of an extension to existing MPH	£191,842.78
Moneymore Primary School	Improvements to external store and shelters plus covered play area	£20,045.00
Killyman Primary School	Improvements to Principal's office, provision of general office, staff toilets plus provision of MPH special needs	£109,897.00
Cookstown High School	Specialist grounds improvement works to existing grass pitch	£199,067.60
Clounagh Junior High School	Upgrade of Art and Design, provision of Drama Facilities	£136,199.00
Kilkeel High School	Upgrade of Art and Design and Music Accommodation	£45,777.00
Lurgan Junior High School	Provision of improvements to technology and design plus additional car parking	£329,380.06
Dromore High School	Renovation works to improve functionality of rooms to comply with specialist accommodation	£102,877.00

School Name	Project Description	2014/2015 Expenditure
Brownlow College	renovation of works to existing school to provide new layout for library	£421,664.00
Lurgan College	Refurbishment of changing accommodation	£320,833.00
Howard Primary School	Nursery Unit	£500,294.07
Brackenagh West Primary School	Provision of extension to P2 classroom plus resource areas and stores	£128,038.00
Birches Primary School	Provision of additional play area/sports facility plus provision to staffroom and secretary's office plus refurbishment of staff toilets	£84,074.00
Drumhillery Primary School	Extension to office accommodation, refurbishment of staff and pupil toilets plus resource area	£82,528.00
Fivemiletown Primary School	Provision of additional classroom and associated storage and toilets	£350,356.00
Bush Primary School	Provision of extension to replace mobile plus additional toilets and play area	£178,612.00
Armstrong Primary School	Provision of additional accommodation to include 1 classroom, assoc. storage, toilets, general storage and additional car parking	£4,218.00
Newry High School	Provision of additional pedestrian entrance/exit to Ashgrove Road	£338.00
Tandragee Junior High School	Ext to existing school to provide Art and Design	£9,434.00
Newtownhamilton High School	Provision of 2G Multi Use Games Area (MUGA) pitch and refurbishment of old School Meals Accommodation (SMA) for fitness suite	£360,033.00
Augher Central Primary School	Provision of extension to increase enrolment to 115	£368,485.00
Ceara Special School, Lurgan	Provision of 2 mobile classrooms for September 2014	£229,499.00
Donard School Banbridge	Creation of space for Physiotherapists	£99,391.93
Rathore School Newry	Provision of 2 additional classrooms	£245,519.00
Sperrinview School Dungannon	Provision of 2 additional classrooms	£244,841.08
King's Park Primary School	Provision of additional classrooms	£111,844.00
Millington Primary School	Provision of mobile for September 2014	£199,901.00
Donacloney Primary School	Provision of 1 classroom ext and associated storage and toilets	£339,402.00
Markethill Primary School	Provision of mobile for storage	£113,877.69
Armstrong Primary School	Provision of a synthetic pitch	£6,619.00
Bush Primary School	Nursery Unit	£468,522.00
Craigavon Senior High School	Provision of new boiler	£102,016.00
Aughnacloy Primary School	Provision of synthetic pitch	£199,620.00
Banbridge High School	Provision of a synthetic surface to replace an existing shale pitch	£199,717.00
Iveagh Primary School	Provision of female toilets, refurbishment of existing toilets & provision of multipurpose room	£101,888.00
Woods Primary School	Provision of learning support space plus disabled toilet and staff toilets	£2,880.00

School Name	Project Description	2014/2015 Expenditure
Cookstown Primary School	Remodelling re configuration of Autism specific resource room and adjoining outdoor play area plus refurbishment of LS Senior and adjoining resource area and toilets by ASC and LSC	£127,107.00
Moneymore Primary School	Extension to multi-purpose plus additional toilets	£7,530.00
Markethill High School	Replacement of shale playing surface with sand-dressed synthetic pitch	£200,395.00
Scarva Primary School	accommodation to address shortfall in staff facilities and office space	£102,288.46
Bocombra Primary School	Refurbishment of existing 10 class base primary school to provide single nursery unit	£103,060.00
Lurgan Model Primary School	Refurbishment of nursery toilets, replacement nursery windows, provision of separate entrance to nursery plus separate cloaks and storage	£7,860.00
Poyntzpass Primary School	Provision of extension to multipurpose hall to include PE equipment store and SMA equipment store plus secretary's office	£4,545.00
Killicomaine JHS	Provision of a synthetic pitch	£289,655.00
Fair Hill Primary School	Extension and refurb of kitchen and assoc. areas	£96,653.00
Sperrinview School Dungannon	Remodelling of new classroom	£44,989.22
Sperrinview School Dungannon	Remodelling of transfer mobile classroom from Bush Primary School	£103,431.14
Churchill Primary School	Covered play area	£41,236.00
Drumsallen Primary School	DPC damp elimination	£5,939.00
Killyman Primary School	Extension to existing classroom & provision of MPR (Multi-purpose Room) special needs. Following ETI Report	£168,332.00
Fivemiletown HS	Disabled access works for pupil	£17,894.33
Lurgan College	Science lab refurbishment	£24,771.00
Cookstown High School	Surface for hockey pitch	£225,592.00
Markethill High School	Extension and refurbishment to kitchen	£11,118.50
Hart Memorial Primary School	Nursery Unit refurbishment	£55,107.00
Gilford Primary School	Covered play area	£750.00
Portadown College	Refurbishment of pupil toilets	£1,857.00
Killylea Primary School	Covered play canopy	£17,126.31
Lurgan Model Primary School	Provision of synthetic pitch	£28,304.00
Orchard County Primary School	Provision of synthetic pitch	£28,023.00
Howard Primary School	Provision of synthetic pitch	£27,374.00
The Cope Primary School	Provision of synthetic pitch	£27,554.00
Bocombra Primary School	Bicycle shed	£7,000.00
Windsor Hill Primary School	Bicycle shed	£7,000.00
Downshire Nursery	Photovoltaic (PV) Panel Installation	£14,414.00
Bocombra Primary school	PV Panel Installation	£14,804.80
Clare primary school	PV Panel Installation	£13,696.23
Coagh primary school	PV Panel Installation	£7,155.40

School Name	Project Description	2014/2015 Expenditure
Cortamlet Primary school	PV Panel Installation	£7,155.40
Donaghmore Primary school	PV Panel Installation	£7,155.40
Fivemiletown Primary school	PV Panel Installation	£14,804.80
Hardy Memorial Primary School	PV Panel Installation	£13,696.23
Killyman Primary school	PV Panel Installation	£13,696.23
Maralin Village Primary School	PV Panel Installation	£13,696.23
Milltown Primary school	PV Panel Installation	£13,696.23
Mullavilly Primary school	PV Panel Installation	£7,155.40
Newmills Primary school	PV Panel Installation	£14,114.31
Newtownhamilton Primary School	PV Panel Installation	£7,330.81
Orritor Primary school	PV Panel Installation	£10,450.97
Scarva primary school	PV Panel Installation	£13,696.23
Tullygally primary school	PV Panel Installation	£14,804.80
Walker Memorial Primary School	PV Panel Installation	£14,804.80
Windsor Hill Primary school	PV Panel Installation	£14,114.31
Woods Primary school	PV Panel Installation	£12,384.51
Killicomaine High school	PV Panel Installation	£14,114.31
Markethill High school	PV Panel Installation	£14,114.31
Newtownhamilton High School	PV Panel Installation	£7,330.81
City of Armagh High School	PV Panel Installation	£14,114.31
Brownlow College	PV Panel Installation	£14,804.80
Rathore Special School	PV Panel Installation	£13,402.53
Tandragee Junior High School	Oil to Gas conversion	£37,367.00
Tandragee Primary School	Oil to Gas conversion	£55,800.00
Edenderry Primary school	Oil to Gas conversion	£95,326.12
Portadown College	Oil to Gas conversion	£56,232.64
Hart Memorial Kitchen	Oil to Gas conversion	£31,300.00
Hart Memorial Primary	Oil to Gas conversion	£40,632.30
Carrick Primary school	Oil to Gas conversion	£70,304.79
Hart Memorial Primary	Window Replacement	£261,365.00
Hart Memorial Primary school	Asbestos survey for PV Panel Installation (installation did not proceed due to issues with listed building)	£592.23

**Mr Easton** asked the Minister of Education whether any departmental staff have the use of a company car as part of their contact.

**(AQW 45041/11-15)**

**Mr O'Dowd:** There are no staff in the Department of Education who have the use of a company car as part of their contract.

**Mr Allister** asked the Minister of Education what assessment he has made of his policy of prioritising pre-school places in favour of socially disadvantaged children denying such children and others not determined as socially disadvantaged the opportunity to mix and learn together, with resulting deficit to both.

**(AQW 45056/11-15)**

**Mr O'Dowd:** Priority is given to children from socially disadvantaged circumstances in the pre-school admissions process because research has shown that they experience more difficulty at school than other children: this is part of wider efforts to tackle educational underachievement.

Prioritising children from socially disadvantaged circumstances does not deny children the opportunity to mix in a pre-school setting. For 2014/15 pre-school admissions, approximately 25% of children were given priority on this criterion.

The Pre-school Education Programme provides a rich variety of challenging play activities and other experiences in a stimulating environment for children from all social and community backgrounds.

Learning to Learn – a Framework for Early Years Education and Learning includes an action to implement remaining actions from the Review of Pre-School admissions including one to examine the definition of socially disadvantaged circumstances with a view to reflecting changes to the benefits system especially relating to low paid working parents. Proposals for the way forward will be informed by any changes resulting from Welfare Reform.

**Ms Sugden** asked the Minister of Education, following cuts to his Department's Early Years fund, how he will ensure that groups will be able to sustain a high quality early years services to vulnerable children and families in areas of great need. **(AQW 45060/11-15)**

**Mr O'Dowd:** The Executive's Budget has been reduced by the Westminster Government by £1.5bn over the last five years. As a direct result of this reduction there is significantly reduced money to spend on frontline services such as Education. I have taken every action possible to protect Education funding and those frontline services within the Department of Education's (DE) remit, however, it is simply impossible to protect everything.

The DFP Review of the Early Years Fund (2013) found that the Fund, which is administered by Early Years – the Organisation for Young Children, has effectively remained as a "closed" Fund since introduced by DHSSPS in 2004, to applicant groups that were in areas of greatest need of support to become sustainable at that time, following the ending of Peace II funding. It is therefore not equitable to allow it to continue in its current form as only currently funded groups can apply to receive support.

I fully recognise the importance of Early Years education particularly for our most disadvantaged of children which is why, despite the difficult budgetary position, I have committed over £216m toward Early Years education for 2015/16 to ensure that key services are protected as far as possible.

I have committed to review my budget to establish if a Fund can continue beyond 31st August, however, it is important that any new funding will be open to all applicants, not just current recipients and be aligned to the priorities of DE. If funding becomes available, this will be a priority for my Department.

Any new DE funding to support Early Years will be strategically aligned to the Department's "Learning to Learn" (a framework for Early Years Education and Learning). Alignment will ensure improved outcomes for young children and their families and DE will ensure that all funded Early Years services are subject to a thorough inspection process to maintain quality of provision.

**Ms Sugden** asked the Minister of Education for his assessment of the ripple effects of the cuts to his Department's Early Years funding, in (i) allowing women to return to work and training; (ii) as a bridge to further funding to expand initial groups; (iii) in contributing to the social fabric of communities; and (iv) in providing early years education in isolated areas. **(AQW 45061/11-15)**

**Mr O'Dowd:** The Early Years Fund is administered by Early Years – the Organisation for Young Children on DE's behalf. It was introduced by DHSSPS in 2004, to support certain early childhood services in areas of greatest need to become sustainable at that time, following the ending of Peace II funding. It was transferred to DE in November 2006 along with other Early Years policies. The purpose of the funding has remained since transfer to DE.

The DFP review of the Early Years Fund (2013) indicated that DE should reassess its purpose against current key strategic drivers such as the Programme for Government (PfG), the Department's priorities, and the pressures that now exist across all Government funding.

There are children equally deserving of support across the north who cannot benefit from the Fund in its current form and whose situation must also be considered. It is essential that any funding is allocated in a fair and transparent manner to ensure that those who need it most can avail of it.

Any new funding will be open to all applicants, not just current recipients and be strategically aligned to "Learning to Learn" (a framework for Early Years Education and Learning). Alignment will ensure improved outcomes for young children and their families. If funding becomes available, this will be a priority for my Department.

I fully recognise the importance of Early Years education particularly for our most disadvantaged of children which is why, despite the difficult budgetary position, I have committed over £216m toward Early Years education for 2015/16 to ensure that key services are protected as far as possible.

**Ms Sugden** asked the Minister of Education how he will ensure that all children and families have equal opportunity to benefit from the school readiness and social pedagogy approaches of early years groups, who are facing closure due to cuts to his Department's Early Years fund. **(AQW 45062/11-15)**



**Mr O'Dowd:** The Executive's Budget has been reduced by the Westminster Government by £1.5bn over the last five years. As a direct result of this reduction there is significantly reduced money to spend on frontline services such as Education. I have taken every action possible to protect Education funding and those frontline services within the Department of Education's (DE) remit, however, it is simply impossible to protect everything.

The Early Years Fund was intended to help sustain certain early childhood services in areas of greatest need which were facing difficulties when Peace II funding ended. The DFP Review of the Early Years Fund (2013) found that the Fund, which is administered by Early Years – the Organisation for Young Children, has effectively remained as a "closed" Fund since introduced by DHSSPS in 2004. It is therefore not equitable to allow it to continue in its current form as only currently funded groups can apply to receive support.

There are children equally deserving of support across the north who must also be allowed equal opportunity of access to support. It is essential that any funding is allocated in a fair and transparent manner to ensure that those who need it most can avail of it.

I have committed to review my budget to establish if a Fund can continue beyond 31st August, however, it is important that any new funding will be open to all applicants, not just current recipients and be aligned to the priorities of DE. If funding becomes available, this will be a priority for my Department.

Any new DE funding to support Early Years will be strategically aligned to the Department's "Learning to Learn" (a framework for Early Years Education and Learning). Alignment will ensure improved outcomes for young children and their families and ensure high quality early learning experiences which lay important foundations for future learning and development.

I fully recognise the importance of Early Years education particularly for our most disadvantaged of children which is why, despite the difficult budgetary position, I have committed over £216m toward Early Years education for 2015/16 to ensure that key services are protected as far as possible.

**Ms Sugden** asked the Minister of Education how many groups funded by his Department's Early Years fund has he visited in the last 12 months.

**(AQW 45063/11-15)**

**Mr O'Dowd:** I had not received an invitation to visit any of the groups that have been supported by the Early Years Fund prior to my decision to reduce the budget for the Fund therefore I have not visited any of the groups in the last 12 months.

As previously advised this decision was taken in light of the significantly reduced money available for Education services as a result of the Executive's Budget having been reduced by the Westminster Government by £1.5bn over the last five years.

**Ms Sugden** asked the Minister of Education for his assessment of the fragmentation in responsibility for early years provision and childcare across Departments and arm's-length bodies.

**(AQW 45064/11-15)**

**Mr O'Dowd:** The key issue for me is not necessarily the number of bodies with responsibility in this area, rather the way in which they work together for the benefit of children and young people.

Within education, the creation of the Education Authority provides new opportunity to streamline our delivery of education provision for younger children and to work more closely with other departments and public bodies.

Across departments, the Delivering Social Change framework is also providing a mechanism for effective cross-departmental working on early interventions including early years.

In recognition of the benefits from aligning children's services more closely with education, the Executive has also decided that, as part of the wider programme of restructuring of departments here, a new Department of Education will be established that will also have responsibility for certain children's services. Work is ongoing to determine the children's services that might transfer to the new Department of Education.

**Miss M McIlveen** asked the Minister of Education to detail the amount of school surpluses in each region of the Education Authority, broken down by (i) sector; and (ii) phase.

**(AQW 45077/11-15)**

**Mr O'Dowd:** The most recent Financial Year for which finalised school surplus data is available is 2013/14. Cumulative school surplus data at the end of the 2013/14 Financial Year, broken down by Education Authority region, sector and management type, is shown in the tables overleaf.

**Belfast**

Sector	Management Type	Schools in Surplus at 31 March 2014	
		No. of Schools	Amount £
Nursery	Controlled	13	£345,477
	Maintained	13	£270,811
Primary	Controlled	28	£1,628,987
	Maintained (1)	31	£1,755,911
	Irish Medium (2)	3	£246,755
	Controlled Integrated	1	£20,163
Post- Primary	Controlled	4	£832,055
	Maintained	8	£709,419
	Irish Medium	0	£0
	Controlled Integrated	0	£0
	Controlled Grammar	1	£0

**North Eastern**

Sector	Management Type	Schools in Surplus at 31 March 2014	
		No. of Schools	Amount £
Nursery	Controlled	11	£391,489
	Maintained	1	£23,750
Primary	Controlled	97	£3,637,117
	Maintained (1)	56	£1,635,170
	Irish Medium (2)	3	£137,633
	Controlled Integrated	6	£376,457
Post- Primary	Controlled	9	£825,686
	Maintained	6	£807,582
	Irish Medium	0	£0
	Controlled Integrated	1	£297,424
	Controlled Grammar	4	£464,846

**Notes:**

- (1) Includes 'Other Maintained' Schools  
(2) Includes Controlled And Maintained Irish Medium Schools

**South Eastern**

Sector	Management Type	Schools in Surplus at 31 March 2014	
		No. of Schools	Amount £
Nursery	Controlled	10	£216,199
	Maintained	8	£157,272
Primary	Controlled	65	£4,278,289
	Maintained (1)	46	£2,218,228
	Irish Medium (2)	0	£0
	Controlled Integrated	6	£491,414

Sector	Management Type	Schools in Surplus at 31 March 2014	
		No. of Schools	Amount £
Post- Primary	Controlled	11	£1,823,256
	Maintained	6	£1,204,369
	Irish Medium	0	£0
	Controlled Integrated	1	£550,384
	Controlled Grammar	2	£197,342

**Southern**

Sector	Management Type	Schools in Surplus at 31 March 2014	
		No. of Schools	Amount £
Nursery	Controlled	12	£188,537
	Maintained	3	£167,722
Primary	Controlled	64	£2,784,920
	Maintained (1)	95	£5,300,427
	Irish Medium (2)	5	£163,522
	Controlled Integrated	1	£6,037
Post- Primary	Controlled	9	£2,765,723
	Maintained	9	£1,491,716
	Irish Medium	0	£0
	Controlled Integrated	0	£0
	Controlled Grammar	2	£416,785

**Notes:**

- (1) Includes 'Other Maintained' schools  
(2) Includes Controlled and Maintained Irish Medium schools

**Western**

Sector	Management Type	Schools in Surplus at 31 March 2014	
		No. of Schools	Amount £
Nursery	Controlled	11	£331,962
	Maintained	0	£0
Primary	Controlled	46	£2,254,828
	Maintained (1)	100	£4,846,005
	Irish Medium (2)	8	£539,093
	Controlled Integrated	1	£76,411
Post- Primary	Controlled	4	£525,884
	Maintained	13	£1,992,457
	Irish Medium	0	£0
	Controlled Integrated	0	£0
	Controlled Grammar	2	£711,898

**Notes:**

- (1) Includes 'Other Maintained' schools  
(2) Includes Controlled and Maintained Irish Medium schools

Similar data is not available for Voluntary Grammar (VG) and Grant-Maintained Integrated (GMI) schools, for which my Department is the Funding Authority. VG and GMI schools are not reported on in the same way as each other (the same accounting policies are not used by all) or in the same way as schools for which the Education Authority (former Education and Library Boards) is the Funding Authority. The cumulative surplus/deficit figures of VG & GMI schools can reflect non-public funds, and cannot be compared on a like-for-like basis with that of another VG/GMI school or a school with the EA/an ELB as its Funding Authority.

My Department can, however, confirm that no VG or GMI school had a deficit of public funds at 31 March 2014.

**Miss M McIlveen** asked the Minister of Education to list the membership of the Pre—School Education Advisory Groups in each region of the Education Authority.

**(AQW 45078/11-15)**

**Mr O'Dowd:** The Education Authority has advised that the membership of the Pre-School Education Advisory Groups in each Region is as follows:

#### **Belfast Region**

- Chairperson - Education Authority Officer
- Representative of the Education Authority
- Representative of the Council for Catholic Maintained Schools
- Representative of the Council for Integrated Education
- Representative of Comhairle na Gaelscolaíochta
- Representative of Early Years Organisation
- Representative of the Belfast Health and Social Care Trust
- Secretary - Education Authority Officer

#### **Western Region**

- Chairperson - Education Authority Officer
- 2 Representatives of the Education Authority
- Representative of the Council for Catholic Maintained Schools
- Representative of the Council for Integrated Education
- Representative of Altram
- Representative of Early Years Organisation
- Representative of Barnardos NI
- Vacant position for representative of the voluntary and private sector
- Representative of Health and Social Care Board
- Representative of Western Health and Social Care Trust
- Secretary - Education Authority Officer

#### **North Eastern Region**

- Chairperson - Education Authority Officer
- Representative of the Education Authority
- Representative of the Council for Catholic Maintained Schools
- Representative of the Council for Integrated Education
- Representative of Comhairle na Gaelscolaíochta
- Representative of Early Years Organisation
- Representative of the Health and Social Care Board
- Representative of the Northern Health and Social Care Trust
- Secretary - Education Authority Officer

#### **South Eastern Region**

- Chairperson - Education Authority Officer
- Representative of the Education Authority
- 2 Representatives of the Council for Catholic Maintained Schools
- Representative of the Council for Integrated Education
- Representative of Irish Medium pre-school education interests
- 2 Representatives of Early Years Organisation
- Independent Early Years Specialist
- Representative of Health and Social Care Board

- Representative of the South Eastern Health and Social Care Trust
- Vacant position for South Eastern Health and Social Care Trust
- Secretary - Education Authority Officer

#### Southern Region

- Chairperson - Education Authority Officer (to be determined)
- Representative of the Education Authority
- Vacant position for the Education Authority
- 2 Representatives of the Council for Catholic Maintained Schools
- Representative of the Council for Integrated Education
- Representative of Comhairle na Gaelscolaíochta
- Representative of Early Years Organisation
- 2 Vacant positions for representatives from voluntary and private pre-school sector
- Representative of Health and Social Care Board
- Vacant position for a representative of the Health and Social Care Board
- 2 Representatives of Southern Health and Social Care Trust
- Secretary - Education Authority Officer

A key action under the Learning to Learn framework is to review the current arrangements for the delivery of all funded pre-school services, including reviewing the PEAGs to achieve maximum benefit from a single authority. I expect the EA to move forward on this in due course.

**Miss M McIlveen** asked the Minister of Education to detail the responsibilities of the Controlled Sector Support Body. (AQW 45079/11-15)

**Mr O'Dowd:** The Controlled Sector Support body which will be funded by the Department will provide representation and support for controlled Schools. The functions of the Controlled Sector Support Body formally agreed by the Executive on 9 September, 2014, are:

- To provide a representational and advocacy role for controlled schools, including advice and support in responding to consultation exercises in respect of education policies, initiatives and schemes, and in regard to relationships with the Department, the Education Authority and other Departments;
- To work with schools within the sector to develop and maintain the collective ethos of the sector including, where appropriate, a role in identifying, encouraging and nominating governors and in ensuring ethos is part of employment considerations;
- To work with the Education Authority to raise educational standards;
- To participate in the planning of the school estate, assessing current and ongoing provision within the sector, participating in area-based planning co-ordinated by DE and the Education Authority (including membership of the Department's Area Planning Steering Group) and engaging where appropriate in strategic planning processes, including community planning; and
- To build co-operation and engage with other sectors in matters of mutual interest, including promotion of tolerance and understanding.

**Miss M McIlveen** asked the Minister of Education to outline the procurement processes which schools with delegated budgets must follow.

(AQW 45080/11-15)

**Mr O'Dowd:** Four of the regions of the Education Authority have produced documents which detail the procedures for the procurement of goods and services by schools under the Local Management of Schools (LMS) arrangements. The fifth region issues a bi-annual newsletter to schools regarding procurement procedures. The Education Authority plans to produce a single document detailing the procedures for the procurement of goods and services by schools under LMS arrangements. All of the existing documentation includes reference to procurement control limits and outlines the procedure to be followed dependent on the value of the purchase.

In accordance with Public Procurement Policy and Procurement Guidance Note 04/12 – Procurement Control Limits and Basis for Contract Awards, the following criteria apply:

Value	Procurement Procedure
Up to £5000 <sup>1</sup>	Minimum of 2 - 3 prices
£5,000 - <£30,000 <sup>2</sup>	Minimum of 2 select tenders
£30,000 - Below the EU threshold	Public tender

Value	Procurement Procedure
Above the EU threshold	EU tender

- 1 In the Western Region, purchases of up to £1,000 require 1 oral quotation (fax or email confirmation should be obtained)
- 2 Western Region requires a minimum of 3 tenders

The purchase of any single item of furniture or equipment, the net value of which is £3,000 is classified as capital expenditure and is therefore excluded under LMS. Schools are advised to contact the financial support section of their region.

Each of the Procurement Units across the regions of the Education Authority maintains a catalogue for items purchased regularly by schools. The prices detailed in the schedule of the catalogue have been obtained as a result of public tendering procedures. The terms and conditions applying to purchases made using the catalogue comply with all local, national and international legislation. Schools' use of the catalogue will automatically ensure schools' compliance with Standing Orders and the procurement control limits detailed above.

**Mr B McCrea** asked the Minister of Education what assessment of value for money was given to the decision to provide the Department of Culture, Arts and Leisure with £1 million Resource DEL in 2014-15, given the budgetary constraints in the Department of Education.

**(AQW 45088/11-15)**

**Mr O'Dowd:** The £1m transfer from DE to DCAL was agreed by the Executive as part of the 2014-15 October Monitoring round. The £1m was processed by DFP as a reduction and reallocation to DCAL. The funding was used by DCAL to fund a project to develop and deliver a cultural led framework to tackle educational underachievement through a programme of education focused and community based activities.

**Miss M McIlveen** asked the Minister of Education to clarify the employment status of those employed under the primary languages programme.

**(AQW 45114/11-15)**

**Mr O'Dowd:** Primary Modern Language Tutors are currently employed by the Education Authority.

**Mr Moutray** asked the Minister of Education for his evaluation of the oversubscription for nursery school places in Upper Bann; and to outline any plans to increase funded places.

**(AQW 45116/11-15)**

**Mr O'Dowd:** The Pre-School Education Advisory Groups (PEAG) of each Region in the Education Authority (EA) are responsible for ensuring that there is adequate pre-school provision in local areas.

The EA has advised me that 1770 applications were received for settings in the Upper Bann Constituency area and 1677 children were offered at stage one of the pre-school admissions process.

These figures represent the end of stage one of the pre-school admissions process only and parents of unplaced children have been advised of settings in their area with places still available. There is capacity to provide additional places if required.

I have made sufficient funding available to meet the projected need for pre-school places for the 2015/16 academic year and have strongly encouraged parents to consider the full range of pre-school provision that remained available and provide a range of preferences at stage two to increase the chance of securing a place for their child.

For 2014/15 admissions 99.9% of children whose parents stayed with the admissions process received the offer of a funded pre-school place.

**Mr Moutray** asked the Minister of Education whether there any plans to construct a new build for King's Park Primary School in Lurgan.

**(AQW 45117/11-15)**

**Mr O'Dowd:** The former Southern Education & Library Board (SELB) submitted King's Park Primary School for consideration for a new build project, along with other priorities, ahead of my capital investment announcement on 24 June 2014. When the published protocol was applied, the school did not achieve a high enough ranking to be included in my announcement.

The Executive's Budget has been reduced by the Westminster Government by £1.5bn over the last five years. As a direct result of this reduction there is significantly reduced money to spend on frontline services such as Education. I have taken every action possible to protect Education funding and those frontline services within the Department of Education's remit.

There are many school building projects that I would like to fund, however difficult decisions have to be made on how to invest the capital budget available to me. While I will continue to examine the case for capital investment across the schools' estate, currently I can only focus on announced projects.

I am pleased to note that over £1.1 million has been invested in King's Park Primary School over the last five years including the provision of an additional modular classroom; a multi-use games area (MUGA) and refurbishment of the triple nursery unit. In addition almost £420,000 has been spent on maintenance at the school during the same period.

**Mr Moutray** asked the Minister of Education to outline the number of pupils enrolled in each primary school in Upper Bann in each of the last four years.

**(AQW 45118/11-15)**

**Mr O'Dowd:** A table below details the number of pupils enrolled in each primary school in the Upper Bann constituency in each of the last four years.

**Pupils enrolled in primary schools in Upper Bann constituency, 2011/12 – 2014/15**

School	2011/12	2012/13	2013/14	2014/15
Abercorn Primary School	325	328	342	350
Ballyoran Primary School	224	219	226	251
Birches Primary School	120	135	148	152
Bleary Primary School	63	72	91	98
Bocombra Primary School	295	299	339	346
Bridge Integrated Primary School	413	408	410	410
Carrick Primary School, Lurgan	326	342	377	394
Dickson Primary School	177	181	192	212
Donacloney Primary School	245	250	251	252
Drumgor Primary School	229	233	245	265
Edenderry Primary School, Banbridge	431	436	424	416
Edenderry Primary School, Portadown	334	369	361	363
Gilford Primary School	104	103	94	95
Hart Memorial Primary School	313	332	357	387
Kings Park Primary School, Lurgan	627	653	678	727
Lurgan Model Primary School	185	198	196	208
Maralin Village Primary School	275	281	300	305
Millington Primary School	590	633	646	647
Milltown Primary School	50	45	43	48
Moyallon Primary School	189	193	206	205
Portadown Integrated Primary School	231	235	271	289
Presentation Primary School	215	224	250	257
Rich Mount Primary School	99	108	107	120
Scarva Primary School	61	65	72	67
Seagoe Primary School	296	307	343	346
St Anthony's Primary School, Craigavon	592	604	625	651
St Brendan's Primary School	438	457	455	479
St Colman's Primary School, Bann	94	105	104	111
St Francis' Primary School, Aghaderg	153	153	156	165
St Francis' Primary School, Lurgan	815	830	843	824
St John the Baptist Primary School, Portadown	386	405	406	435
St John's Primary School, Gilford	126	130	119	121
St Mary's Primary School, Banbridge	402	422	470	476

School	2011/12	2012/13	2013/14	2014/15
St Mary's Primary School, Derrymore	146	147	147	148
St Mary's Primary School, Derrytrasna	97	102	109	108
St Mary's Primary School, Maghery	75	77	77	75
St Patrick's Primary School, Aghacommon	235	241	240	240
St Patrick's Primary School, Derrynaseer	89	80	81	81
St Patrick's Primary School, Maralin	131	145	141	142
St Teresa's Primary School, Lurgan	168	173	163	172
Tannaghmore Primary School	611	620	615	633
Tullygally Primary School	135	143	156	168
Waringstown Primary School	385	381	422	428

**Source:** NI school census

**Notes:**

1 Figures include pupils in nursery, reception and year 1 - 7 classes.

Mr Moutray asked Minister of Education how many new school builds he has authorised in Upper Bann since May 2011, for (a) controlled; and (b) maintained sectors.

**(AQW 45119/11-15)**

**Mr O'Dowd:**

- (a) Since 2011 I have announced no new school builds in the controlled sector in Upper Bann.  
 (b) Since 2011 I have announced the following new builds in the maintained sector.

Year Announced	Name of School
2012	St Mary's Primary School, Banbridge
	St Teresa's Primary School, Lurgan
	Tannaghmore Primary School, Lurgan
2013	St Ronan's College, Lurgan
2014	Lismore Comprehensive School, Craigavon

While there are proposals for new Post Primary builds for the Controlled sector they are not area plan proofed to meet the needs of all the young people in the sector. Therefore in the absence of a proposal that meets the needs of all the young people in the Controlled sector it is not possible to announce new builds.

**Mr B McCreagh** asked the Minister of Education for an update on the Youth Capital Funding Scheme for voluntary organisations.

**(AQW 45126/11-15)**

**Mr O'Dowd:** In the 2014/15 financial year thirty four schemes were referred to the Education and Library Boards (now known as the Education Authority) to carry out scoping reports and to take forward schemes on behalf of the Department. Letters of Offer in Principle have been issued on sixteen of these schemes.

An additional three schemes are being taken forward by external consultants. Two of these schemes have commenced on site and the other scheme is at procurement of contractor stage.

A small number of schemes are awaiting completion of legal and financial matters before progressing.

Four schemes have had construction completed in the 2014/15 financial year.

A total of £1,319,018.00 has been incurred on fees and construction in 2014/15.

A budget of £6.5 million has been allocated for Voluntary Youth Capital Schemes in 2015/16.

**Ms Sugden** asked the Minister of Education to detail the number of children who currently benefit from Early Years funded organisations in Northern Ireland.

**(AQW 45132/11-15)**



**Mr O'Dowd:** The Early Years Fund is administered by Early Years – the Organisation for Young Children (EYO) on DE's behalf. According to monitoring information supplied to DE by EYO in relation to 2014/15, 2559 children directly benefitted from the Fund.

The Fund has effectively remained as a "closed" Fund since introduced by DHSSPS in 2004, to applicant groups that were in areas of greatest need of support to become sustainable at that time, following the ending of Peace II funding. Undoubtedly, therefore, there are equally deserving children in the north that could benefit from such support.

I will continue to review my budget to establish if a fund can continue. However any such fund will have to be open to all, not just current recipients and reflect the policy priorities of DE.

**Ms Sugden** asked the Minister of Education what discussions his Department has had with pre-school advisory groups, since September 2014, to assess the need for maintaining and increasing pre-school provision.

**(AQW 45133/11-15)**

**Mr O'Dowd:** The Pre-School Education Advisory Groups (PEAG) of each Region in the Education Authority (EA) are responsible for ensuring that there is adequate pre-school provision in local areas.

The Department and the PEAGs maintain regular contact throughout the pre-school admissions process: this includes discussion of the PEAGs' annual assessment of need; regular reviews of progress as the process moves forward and consideration of how to address emerging pressures.

In calculating projected need for places, the PEAGs plan on the basis of 92% of the birth rate of the relevant pre-school cohort which represents approximately the percentage of eligible children who apply. It is not possible to match demand for places exactly with supply for a range of reasons including the- non compulsory nature of pre-school education and variations in how parents express their preferences, for example to accommodate childcare arrangements.

**Ms Sugden** asked the Minister of Education for a breakdown of how the projected need for pre-school places across Northern Ireland for 2015-2016 is calculated.

**(AQW 45134/11-15)**

**Mr O'Dowd:** The Pre-School Education Advisory Groups (PEAG) of each Region in the Education Authority (EA) are responsible for ensuring that there is adequate pre-school provision in local areas.

The Department and the PEAGs maintain regular contact throughout the pre-school admissions process: this includes discussion of the PEAGs' annual assessment of need; regular reviews of progress as the process moves forward and consideration of how to address emerging pressures.

In calculating projected need for places, the PEAGs plan on the basis of 92% of the birth rate of the relevant pre-school cohort which represents approximately the percentage of eligible children who apply. It is not possible to match demand for places exactly with supply for a range of reasons including the- non compulsory nature of pre-school education and variations in how parents express their preferences, for example to accommodate childcare arrangements.

**Ms Sugden** asked the Minister of Education whether his Department's annual Service Level Agreement with the Early Years Organisation is in the public domain.

**(AQW 45135/11-15)**

**Mr O'Dowd:** The Department has a Service Level Agreement in place with Early Years – the Organisation for Young Children (EYO) in association with their role as administrator of the Early Years Fund. This contains the agreed terms and conditions between the Department and EYO relating to EYO's role and responsibilities in administering the Fund.

SLAs are internal management and governance documents and would not therefore be routinely published.

**Ms Sugden** asked the Minister of Education whether his decision to significantly cut his Department's Early Years Fund was subject to rural proofing.

**(AQW 45136/11-15)**

**Mr O'Dowd:** The Executive's Budget has been reduced by the Westminster Government by £1.5bn over the last five years. As a direct result of this reduction there is significantly reduced money to spend on frontline services such as Education. I have taken every action possible to protect Education funding and those frontline services within the Department of Education's (DE) remit, however, it is simply impossible to protect everything.

The Early Years Fund was intended to help sustain certain early childhood services in areas of greatest need which were facing difficulties when Peace II funding ended. The DFP Review of the Early Years Fund (2013) found that the Fund, which is administered by Early Years – the Organisation for Young Children, has effectively remained as a "closed" Fund since introduced by DHSSPS in 2004. It is therefore not equitable to allow it to continue in its current form as only currently funded groups can apply to receive support.

The reduction in funding for the Early Years Fund was subject to an equality screening exercise, which included consideration of rural impacts.

**Ms Sugden** asked the Minister of Education whether an equality impact assessment was carried out prior to the announcement of significant cuts to his Department's Early Years Fund.

**(AQW 45151/11-15)**

**Mr O'Dowd:** The Executive's Budget has been reduced by the Westminster Government by £1.5bn over the last five years. As a direct result of this reduction there is significantly reduced money to spend on frontline services such as Education. I have taken every action possible to protect Education funding and those frontline services within the Department of Education's (DE) remit, however, it is simply impossible to protect everything.

The Early Years Fund was intended to help sustain certain early childhood services in areas of greatest need which were facing difficulties when Peace II funding ended. The DFP Review of the Early Years Fund (2013) found that the Fund, which is administered by Early Years – the Organisation for Young Children, has effectively remained as a "closed" Fund since introduced by DHSSPS in 2004. It is therefore not equitable to allow it to continue in its current form as only currently funded groups can apply to receive support.

The reduction in funding for the Early Years Fund was subject to an equality screening exercise, which was published on the Department's website.

**Ms Sugden** asked the Minister of Education to detail the due process and Departmental guidelines regarding consultation procedure; and why there was no separate consultation prior to the announcement of significant cuts to his Department's Early Years Fund.

**(AQW 45152/11-15)**

**Mr O'Dowd:** The Executive's Budget has been reduced by the Westminster Government by £1.5bn over the last five years. As a direct result of this reduction there is significantly reduced money to spend on frontline services such as Education. I have taken every action possible to protect Education funding and those frontline services within the Department of Education's (DE) remit. However, it is simply impossible to protect everything.

While there was no legislative requirement for public consultation on the draft Budget I was keen on hearing the views of stakeholders across the education sector with a view to building a consensus on mapping the way forward for education. My Department's 2015-16 Draft Budget consultation document was published and launched for public consultation on 26 November 2014 setting out my initial assessment of the impact of the Draft Budget 2015-16 for the Department of Education.

Over 23,000 responses to the consultation were received, which provided me with a significant basis of evidence to inform my final 2015-16 Budget spending plans and help shape the final Budget outcome.

In reaching final decisions on the 2015-16 Budget allocations, I:

- Focused on protecting frontline services as far as possible, promoting equality and raising education standards;
- Secured the continuation of specific programmes that reflect the Department's statutory responsibilities;
- Continued to tackle social disadvantage; and
- Ensured that support for children with Special Education Needs is prioritised.

On the 13th January 2015 there was an assembly debate specifically on the Education budget. The majority of MLAs voted to protect school budgets as a priority. During this debate I pointed out that education was much broader than the classroom.

I have taken every action possible to protect Education funding and those frontline services within the DE remit, however, it is simply impossible to protect everything.

I fully recognise the importance of Early Years education particularly for our most vulnerable children which is why, despite the difficult budgetary position, I have committed 11.4% of my 2015-16 Resource budget to Early Years' Provision to ensure that key services are protected as far as possible.

**Ms Sugden** asked the Minister of Education to detail (i) the conditions attached to his Department's Early Years Fund as established in 2004; and (ii) how long his Department have had sole responsibility for Early Years provision.

**(AQW 45153/11-15)**

**Mr O'Dowd:** The Early Years Fund is administered by Early Years – the Organisation for Young Children (EYO) on DE's behalf. The Fund has effectively remained as a "closed" Fund since introduced by DHSSPS in 2004, to applicant groups that were in areas of greatest need of support to become sustainable at that time, following the ending of Peace II funding. The Fund was transferred to DE along with certain Early Years policies in 2006.

The original aims of the Fund were:

- to help sustain certain early childhood services in areas of greatest need which were facing funding difficulties when Peace II funding ended, and
- to support a number of Capacity and Development posts aimed at enhancing quality and good governance within the early childhood sector.

Applicant groups were required to demonstrate that they:

- Provide direct early years care and education to children.

- Provide a service in areas of low provision, disadvantaged areas or where the service is considered critical for children
- Ensure inclusion and diversity; and
- Ensure a standard of excellence in relation to quality.

DE does not have sole responsibility for early years work. Services for young children aged 0-6 and their families are funded, managed and delivered by a range of Departments.

**Ms Sugden** asked the Minister of Education what departmental funding is available to sustain early childhood services, aside from the Early Years closed fund.

**(AQW 45154/11-15)**

**Mr O'Dowd:** Apart from the Early Years Fund, the main programmes relating to early childhood services funded by my Department to support early years' education and learning are outlined in the following table. These programmes are in place to provide high quality curriculum based early years educational experiences and to help address barriers to learning in the early years, rather than to sustain early childhood services.

**Pre-School Education Programme**

- Sure Start Programme
- Toybox
- Extended Services for non statutory pre-school providers and Extended Schools\*
- SEN Early Years Interim Capacity Building.

\* schools and settings are deemed eligible for ES funding

**Ms Sugden** asked the Minister of Education whether the number of groups in receipt of his Department's Early Years Fund has remained the same in each of the last five years.

**(AQW 45155/11-15)**

**Mr O'Dowd:** The Early Years Fund is administered by Early Years – the Organisation for Young Children (EYO) on DE's behalf. According to monitoring information supplied to DE by EYO, the number of recipients of the Fund in each of the last five years is as detailed in the table below.

Year	Number of recipients
2010-11	175
2011-12	173
2012-13	166
2013-14	159
2014-15	153

**Mr Moutray** asked the Minister of Education to outline the number of vacant primary school places in Upper Bann, broken down by school, in each of the last two years.

**(AQW 45156/11-15)**

**Mr O'Dowd:** The table below shows unfilled places in primary schools in the Upper Bann constituency.

**Unfilled places in primary schools in Upper Bann constituency, 2013/14 - 2014/15**

School	2013/14	2014/15
Abercorn Primary School	106	97
Ballyoran Primary School	238	213
Birches Primary School	14	10
Bleary Primary School	56	49
Bocombra Primary School	0	0
Bridge Integrated Primary School	8	8
Carrick Primary School, Lurgan	136	117
Dickson Primary School	70	50
Donacloney Primary School	13	15

School	2013/14	2014/15
Drumgor Primary School	193	167
Edenderry Primary School, Banbridge	27	34
Edenderry Primary School, Portadown	38	40
Gilford Primary School	106	104
Hart Memorial Primary School	151	120
Kings Park Primary School, Lurgan	80	29
Lurgan Model Primary School	29	20
Maralin Village Primary School	6	16
Millington Primary School	35	31
Milltown Primary School	44	39
Moyallon Primary School	0	0
Portadown Integrated Primary School	0	0
Presentation Primary School	47	42
Rich Mount Primary School	33	21
Scarva Primary School	32	37
Seagoe Primary School	0	0
St Anthony's Primary School, Craigavon	61	39
St Brendan's Primary School	173	146
St Colman's Primary School, Bann	32	21
St Francis' Primary School, Aghaderg	0	2
St Francis' Primary School, Lurgan	0	10
St John the Baptist Primary School, Portadown	98	66
St John's Primary School, Gilford	56	53
St Mary's Primary School, Banbridge	199	11
St Mary's Primary School, Derrymore	1	0
St Mary's Primary School, Derrytrasna	11	12
St Mary's Primary School, Maghery	49	50
St Patrick's Primary School, Aghacommon	41	38
St Patrick's Primary School, Derrynaseer	92	96
St Patrick's Primary School, Maralin	0	0
St Teresa's Primary School, Lurgan	103	37
Tannaghmore Primary School	253	1
Tullygally Primary School	134	120
Waringstown Primary School	0	0

**Source:** NI school census

**Notes:**

- 1 The figures have been derived from the approved enrolment number of each school for the 2014/15 school year against the actual enrolment at the 2014/15 school census date (10 October 2014)
- 2 The figures exclude pupils in receipt of a statement of special educational needs and pupils admitted on appeal as they are admitted over and above a school's approved enrolment number.
- 3 If a school is operating at over-capacity then the number of unfilled places is taken to be zero, rather than as a negative number of unfilled places to be netted off in totalling (ie if a school has an approved enrolment of 200 and an actual enrolment of 205, the difference is "minus" 5 but the number of unfilled places is taken as zero).
4. Figures include pupils in reception - year 7 classes.

**Mr Weir** asked the Minister of Education to detail the minor capital schools work planned for North Down in 2015/16.  
**(AQW 45162/11-15)**

**Mr O'Dowd:** The Executive's Budget has been reduced by the Westminster Government by £1.5bn over the last 5 years. As a direct result of this reduction there are significantly reduced resources to spend on frontline services such as Education. I have taken every action possible to protect Education funding and those frontline services within the Department of Education's (DE) remit. However, it is simply impossible to protect everything and the constrained capital budget will undoubtedly have a major impact on the capital programme planned for 2015/16.

The Education Authority (EA) has responsibility for minor capital works in the controlled sector. It is therefore for the EA to consider what schemes will be funded this year from within its capital allocation. The EA has advised that due to the constrained budget, there are no new minor work projects planned for controlled sector schools in the North Down constituency in 2015/16.

DE has responsibility for the delivery of minor capital works in the non controlled sectors. The carryover of expenditure (contractual commitments) for minor works from the 2014/15 financial year and the substantial reduction in capital budget in 2015/16 means that the capital minor works budget for 2015/16 is almost fully committed.

Currently there is one scheme planned at St Patrick's Primary School in Holywood, at a cost of £90,000. This scheme is for improvements to the entrance.

It is proposed that all applications for minor works schemes in non-controlled schools in 2015/16 will be assessed against my priorities through a prioritisation exercise. This exercise will be conducted within the context of available resources and competing priorities across the schools estate.

**Ms Lo** asked the Minister of Education to outline his plans for meeting demands for nursery places in the South Belfast area.  
**(AQW 45200/11-15)**

**Mr O'Dowd:** The Pre-School Education Advisory Groups (PEAG) of each Region in the Education Authority (EA) are responsible for ensuring that there is adequate pre-school provision in local areas.

The EA has advised that, at the end of Stage one of the pre-school admissions process, new providers had been brought into the Pre-School Education Programme and existing settings allocated additional places to meet demand in the South Belfast area for September 2015 admissions.

I have made sufficient funding available to meet the projected need for pre-school places for the 2015/16 academic year and have strongly encouraged parents to consider the full range of pre-school provision that remained available and provide a range of preferences at stage two to increase the chance of securing a place for their child.

For 2014/15 admissions 99.9% of children whose parents stayed with the admissions process received the offer of a funded pre-school place.

**Mr G Robinson** asked the Minister of Education to outline the rationale for endangering the survival of local community playgroups, such as Orchard Community Playgroup in Ballykelly, by withdrawing funding that could result in a loss of child playgroup places and employment.  
**(AQW 45218/11-15)**

**Mr O'Dowd:** The Executive's Budget has been reduced by the Westminster Government by £1.5bn over the last five years. As a direct result of this reduction there is significantly reduced money to spend on frontline services provided by the Department of Education (DE). I have taken every action possible to protect Education funding and those frontline services within the DE remit. However, it is simply impossible to protect everything.

I have endeavoured to minimise the impact as far as possible and so I have ensured that funding is available in 2015/16 to enable all 153 recipients of the Fund to receive continued support to the end of the current academic year (i.e. 31 August 2015).

The Early Years Fund is administered by Early Years – the Organisation for Young Children (EYO) on DE's behalf. The Fund has effectively remained as a "closed" Fund since introduced by DHSSPS in 2004, to applicant groups that were in areas of greatest need of support to become sustainable at that time, following the ending of Peace II funding. Undoubtedly, therefore, there are equally deserving children in the north that could benefit from such support.

I will continue to review my budget to establish if a fund can continue. However any such fund will have to be open to all, not just current recipients and reflect the policy priorities of DE. If additional money becomes available this funding will be a priority for my Department.

**Mr G Robinson** asked the Minister of Education whether any of the £1.7 million funding that he has withdrawn from Early Years projects will be used in the establishment of the Irish Medium school in Dungiven.  
**(AQW 45219/11-15)**

**Mr O'Dowd:** The Executive's Budget has been reduced by the Westminster Government by £1.5bn over the last five years. As a direct result of this reduction there is significantly reduced money to spend on frontline services such as Education.

Following the Executive's Final Budget 2015-16 my Department has had to make savings of £97.6m in order to deliver my key objectives and live within the Final 2015-16 Budget settlement for the Department.

These savings include the budget reduction to the Early Years Fund.

Therefore, in order to deliver a balanced 2015-16 budget, the funding reduction to the Early Years Fund was not available for reallocation within the Education budget.

**Mr G Robinson** asked the Minister of Education where the £1.7 million of funding that he has withdrawn from Early Years projects will be reallocated.

**(AQW 45220/11-15)**

**Mr O'Dowd:** The Executive's Budget has been reduced by the Westminster Government by £1.5bn over the last five years. As a direct result of this reduction there is significantly reduced money to spend on frontline services such as Education. Following the Executive's Final Budget 2015-16 my Department has had to make savings of £97.6m in order to deliver my key objectives and live within the Final 2015-16 Budget settlement for the Department.

These savings include the budget reduction to the Early Years Fund.

Therefore, in order to deliver a balanced 2015-16 budget, the funding reduction to the Early Years Fund was not available for reallocation within the Education budget.

**Mr G Robinson** asked the Minister of Education whether he factored in the impact on areas of high social deprivation when withdrawing £1.7 million funding from Early Years projects.

**(AQW 45221/11-15)**

**Mr O'Dowd:** The Executive's Budget has been reduced by the Westminster Government by £1.5bn over the last five years. As a direct result of this reduction there is significantly reduced money to spend on frontline services such as Education. I have taken every action possible to protect Education funding and those frontline services within the Department of Education's (DE) remit, however, it is simply impossible to protect everything. The reduction in funding for the Early Years Fund was subject to an equality screening exercise.

The Early Years Fund was intended to help sustain certain early childhood services in areas of greatest need which were facing difficulties when Peace II funding ended. The DFP Review of the Early Years Fund (2013) found that the Fund, which is administered by Early Years – the Organisation for Young Children, has effectively remained as a "closed" Fund since introduced by DHSSPS in 2004. It is therefore not equitable to allow it to continue in its current form as only currently funded groups can apply to receive support.

There are children equally deserving of support across the north who must also be allowed equal opportunity of access to support. It is essential that any funding is allocated in a fair and transparent manner to ensure that those who need it most can avail of it.

I have committed to review my budget to establish if a Fund can continue beyond 31st August, however, it is important that any new funding will be open to all applicants, not just current recipients and be aligned to the priorities of DE. If funding becomes available, this will be a priority for my Department.

**Mr Weir** asked the Minister of Education to list the minor works projects approved in North Down for (i) 2014/15; and (ii) 2015/16.

**(AQW 45231/11-15)**

**Mr O'Dowd:** The Education Authority (EA) has responsibility for minor capital works in the controlled sector while the Department of Education (DE) has responsibility for the delivery of minor capital works in the non controlled sectors.

- (i) The table below lists the minor work projects approved for schools in North Down for 2014/15. Please note that individual fire risk projects are not included. Some projects approved within the constituency in 2014/15 will only conclude in 2015/16 and thus will benefit from capital investment in the current financial year.

School	Project Description
Hollywood Nursery School	Photovoltaic (PV) panels
Trinity Nursery School	steel container
Trinity Nursery School	PV panels
Ballymagee Primary School	new nursery unit
Ballymagee Primary School	re-engineered pitch
Bangor Central Integrated Primary School	staff room, store and play
Bangor Central Integrated Primary School	purchase of adjacent car park

<b>School</b>	<b>Project Description</b>
Bangor Central Primary School	PV panels
Bloomfield Primary School	2-class extension
Bloomfield Primary School	PV panels
Crawfordsburn Primary School	PV panels
Glencraig Integrated Primary School	entrance & teaching extension
Grange Park Primary School	air conditioning unit in IT suite
Hollywood Primary School	car park & traffic management
Hollywood Primary School	3 nr. mobile refurbishment
Hollywood Primary School	PV panels
Kilmaine Primary School	Special Educational Needs (SEN) classrooms
Kilmaine Primary School	PV panels
Rathmore Primary School	full toilet refurbishment
Rathmore Primary School	remodelling of offices & store
Towerview Primary School	security fence
Towerview Primary School	PV panels
Bangor Academy	cashless catering system
Glenlola Collegiate	replacement carpet on 2G pitch
Glenlola Collegiate	cashless catering system
Killard House Special School	PV panels
St Patrick's Primary School, Hollywood	Improvements to school entrance & offices
St Patrick's Primary School, Hollywood	PV panels
St Anne's Primary School. Donaghadee	Boiler replacement
St Anne's Primary School. Donaghadee	Double doors and associated works
St Comgall's Primary School	Boiler replacement
St Malachy's Primary School	Traffic management improvements
St Malachy's Primary School	Replacement Sink units / Worktops and Screeds
St Malachy's Primary School	PV panels
St Columbanus' College	Rewiring of school
St Columbanus' College	Refurbishment of changing facilities
St Columbanus College	Concrete repairs
St Columbanus College	Boiler replacement
St Columbanus College	Roofing works
Bangor Grammar	PV panels
Sullivan Upper School	Continued window replacement & upgrade windows
Sullivan Upper School	Refurbishment of general classrooms
Sullivan Upper School	Medical inspection room
Sullivan Upper School	Upgrade of pumps & pipes at 6th form centre
Sullivan Upper School	Security measures - pupil safety
Sullivan Upper School	Refurbishment of general circulation & locker areas
Sullivan Upper School	Replacement of roofs (assembly hall & Grant wing)
Sullivan Upper School	PV panels

- (ii) The Executive's Budget has been reduced by the Westminster Government by £1.5bn over the last 5 years. As a direct result of this reduction there are significantly reduced resources to spend on frontline services such as Education. I have taken every action possible to protect Education funding and those frontline services within the Department of Education's (DE) remit. However, it is simply impossible to protect everything and the constrained capital budget will undoubtedly have a major impact on the minor works programme in 2015/16.

It is for the EA to consider what schemes in controlled schools will be funded in 2015/16 from within its capital allocation. The EA has advised that due to the constrained budget, there are no new minor work projects planned for controlled sector schools in the North Down constituency in 2015/16.

The carryover of expenditure (contractual commitments) for minor works in non controlled schools from the 2014/15 financial year and the substantial reduction in capital budget in 2015/16 means that the capital minor works budget for 2015/16 is almost fully committed. It is proposed that all applications for new minor works schemes in non-controlled schools will be assessed against my priorities through a prioritisation exercise. This exercise will be conducted within the context of available resources and competing priorities across the schools estate.

**Ms Sugden** asked the Minister of Education, pursuant to AQW 44622/11-15, to detail the nature of the pending necessary approvals within the Executive's Public Sector Pay Policy.

**(AQW 45271/11-15)**

**Mr O'Dowd:** The approval process is detailed within the Department of Finance and Personnel's Pay Remit Approval Process and Guidance (2014-15), see attached link for ease of reference.

[http://www.dfpni.gov.uk/index/finance/afmd/afmd-public-bodies/afmd-public\\_bodies\\_to\\_include\\_on-board\\_guide\\_and\\_public\\_bodies\\_guide/fddfp0814.pdf](http://www.dfpni.gov.uk/index/finance/afmd/afmd-public-bodies/afmd-public_bodies_to_include_on-board_guide_and_public_bodies_guide/fddfp0814.pdf)

Education Authority (EA) staff are employed under terms and conditions set by the National Joint Council (NJC), which has agreed a 2.2% revalorisation pay increase applicable from 1 January 2015 to 31 March 2016. EA staff are therefore contractually entitled to this revalorisation awarded by the NJC. However, Executive Pay Policy prevents the payment of any pay award prior to securing the necessary approvals.

Once the necessary approvals are secured for the 2014-16 pay remit business case, the implementation of the 2.2% pay award will be processed by the EA, who advised that this could take up to 4 months. This is because there are 2 stages to processing the pay award. EA will first place staff on the correct pay scale points and then arrears will be processed and paid. Eligible staff will receive what is due to them, back dated to January 2015. The delay is due to having to complete a pay remit business case and secure the necessary approvals before any payments can be made, in keeping with the Executive's Public Sector Pay Policy.

**Ms Sugden** asked the Minister of Education, pursuant to AQW 44621/11-15 and AQW 44622/11-15, whether the pay rise has been formally agreed; and if so, whether it will be paid before June 2015.

**(AQW 45272/11-15)**

**Mr O'Dowd:** The approval process is detailed within the Department of Finance and Personnel's Pay Remit Approval Process and Guidance (2014-15), see attached link for ease of reference.

[http://www.dfpni.gov.uk/index/finance/afmd/afmd-public-bodies/afmd-public\\_bodies\\_to\\_include\\_on-board\\_guide\\_and\\_public\\_bodies\\_guide/fddfp0814.pdf](http://www.dfpni.gov.uk/index/finance/afmd/afmd-public-bodies/afmd-public_bodies_to_include_on-board_guide_and_public_bodies_guide/fddfp0814.pdf)

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**Mr B McCrea** asked the Minister of Education to detail the percentage of pupils that left school with less than five GCSEs at A-C grades, in each of the last five years; and what steps is he taking to improve this.

**(AQW 45280/11-15)**

**Mr O'Dowd:** The percentage of pupils leaving school without achieving at least 5 GCSEs A\*-C (inc. equivalents) in the past five years (2008/09 to 2012/13) is set out in the table below:

2008/09	2009/10	2010/11	2011/12	2012/13
29.8%	28.1%	26.8%	23.5%	21.5%

Source: School Leavers Survey



Young people who see their time in education as relevant to their future, who have access to courses that interest and motivate them and who receive effective and timely careers advice are more likely to remain engaged with their education and achieve their potential. The full implementation of the Entitlement Framework is broadening access to courses, both academic and vocational, for all pupils in Key Stage 4 and post-16 and making an important contribution to reducing the proportion of pupils who achieve fewer than five GCSEs at A\*-C grades (or equivalent).

The evidence shows that pupils from disadvantaged backgrounds, with greater obstacles to overcome, make up a significant proportion of those who do not achieve at this level. Therefore, I have redistributed school funding to target those schools with high numbers of pupils from socially disadvantaged backgrounds. I have also funded and implemented interventions to improve outcomes in literacy and numeracy including the Delivering Social Change programme; the literacy and numeracy Continuing Professional Development (CPD) project and the Special Educational Needs CPD literacy project.

I have also provided funding to support programmes aimed at improving school-parent and school-community links. In addition, the current focus of the Education Works advertising campaign is on parents of post primary school age pupils and seeks to encourage parents to take steps to support their child in making subject choices and planning for their future education, training and career.

**Mr Weir** asked the Minister of Education what role the Education Authority will have in the Youth Council for Northern Ireland. (AQW 45301/11-15)

**Mr O'Dowd:** Public consultation on options for the future of the Youth Council (YCNI) is currently underway. Following the closure of this consultation on Friday 12 June, I will consider the responses received in order to assist me in making my decision on the way forward.

**Mr Weir** asked the Minister of Education how many children in North Down did not receive a pre-school place in Stage 1. (AQW 45302/11-15)

**Mr O'Dowd:** At the end of Stage 1 of the pre-school admissions process, 28 children in North Down were unplaced. 73 places remained available for Stage 2.

**Ms Sugden** asked the Minister of Education, pursuant to AQW 44621/11-15 and AQW 44622/11-15, to detail the process from the point of agreement to staff receiving their reward; and for his assessment of the efficiency of this process. (AQW 45310/11-15)

**Mr O'Dowd:** The pay remit approval process is how the Executive manages and monitors its Public Sector Pay Policy. The Minister for Finance and Personnel is responsible for the approval of all pay remit business cases.

Once the necessary approval is secured, the Education Authority (EA) will undertake a two stage process to ensure eligible staff receive their pay award. The first requires the processing of changes in basic pay, arising from any associated uplift (i.e. pay award and/or incremental progression for eligible staff) before the subsequent determination and payment of any associated pay arrears. This can take up to four months to complete, from the date of securing the necessary approval.

All staff will receive what is due to them, backdated to January 2015. The delay in receiving payment is due to the need to complete a pay remit business case and secure the necessary approval, in line with the Executive's Public Sector Pay Policy.

Following the EA's establishment on 1 April 2015, it is anticipated that the pay remit process will become more streamlined, leading to quicker approvals.

As with any process, there is always room for improvement; my officials continue to liaise with DFP to ensure that all pay remit business cases are dealt with as efficiently as possible.

**Mr Kinahan** asked the Minister of Education to define the purpose and aims of the European Studies Programme for secondary schools. (AQW 45315/11-15)

**Mr O'Dowd:** The overall aim of the European Studies Programme was to link schools in Ireland with schools across Europe through sustained collaborative projects furthering tolerance, mutual understanding and appreciation of the cultures of others.

The objectives of the programmes for the children and young people involved in the Programme were engagement and participation in an education programme which is North-South and cross-community; to reduce sectarian attitudes; to increase knowledge and understanding of shared European heritage and to develop a range of skills and competencies; to deliver cross community curriculum based activities to celebrate shared common heritage and diversity; and develop more effective cross-border relationships to improve trust and tolerance and reduce levels of intolerance within and between local communities.

**Mr Kinahan** asked the Minister of Education what plans he has to encourage pan-European schools contact within the curriculum for modern languages in the wake of the ending of the European Studies Programme for secondary schools. (AQW 45317/11-15)

**Mr O'Dowd:** I have encouraged all schools to apply for Erasmus+ funding to build or maintain links with schools across Europe. My officials will continue to make schools aware of opportunities to be involved in international education programmes.

I would also encourage post-primary schools to apply for a language assistant under the British Council programme. Language assistants are young native speakers from across the world and would give schools the opportunity to broaden pupils' understanding of the world, improve their language skills and increase their cultural awareness.

**Mr Weir** asked the Minister of Education how many (i) children; and (ii) families currently benefit from Early Years funded organisations in North Down.

**(AQW 45361/11-15)**

**Mr O'Dowd:** The Early Years Fund (which is administered by Early Years – the Organisation for young people (EYO) on behalf of the Department) was established by DHSSPS in 2004 to help sustain certain early childhood services in areas of greatest need which were facing funding difficulties when Peace II funding ended. It has effectively remained as a "closed" Fund since then to applicants that were in areas of greatest need at that time.

There are no groups in North Down that are funded by the Early Years Fund.

**Mr McKinney** asked the Minister of Education for a breakdown of funding allocated by his Department for the extended schools programme, broken down by Education and Library Board area, since 2006.

**(AQW 45367/11-15)**

**Mr O'Dowd:** The details requested are set out in the table below.

#### Extended Schools – Budget Allocations

	2006/07 (000s)	2007/08 (000s)	2008/09 (000s)	2009/10 (000s)	2010/11 (000s)	2011/12 (000s)	2012/13 (000s)	2013/14 (000s)	2014/15 (000s)	2015/16 (000s)
BELB	£2,695	£2,742	£2,768	£2,725	£2,781	£2,903	£3,354	£3,324	£3,335	<b>£10,653*</b>
WELB	£2,620	£2,708	£2,999	£2,975	£2,907	£2,838	£3,266	£3,439	£3,564	
NEELB	£1,457	£1,508	£1,299	£1,221	£1,208	£1,132	£1,321	£1,432	£1,521	
SEELB	£1,479	£1,541	£1,168	£1,082	£1,104	£1,440	£1,641	£1,746	£1,718	
SELB	£1,796	£1,880	£1,914	£1,881	£1,931	£1,889	£2,172	£2,423	£2,449	
<b>Total</b>	<b>£10,047</b>	<b>£10,379</b>	<b>£10,148</b>	<b>£9,884</b>	<b>£9,931</b>	<b>£10,202</b>	<b>£11,754</b>	<b>£12,364</b>	<b>£12,587</b>	

\* Extended Schools budget for 2015/16. The split across Education Authority regions has yet to be finalised.

**Mr McKinney** asked the Minister of Education for his assessment of the benefits of the extended schools programme in improving levels of educational achievement for disadvantaged children and young people.

**(AQW 45368/11-15)**

**Mr O'Dowd:** I consider the Extended Schools programme as a key vehicle in helping to deliver on the Department's core objectives of raising standards and narrowing the achievement gap.

Annual monitoring and evaluation of Extended School activities report that the programme is proving beneficial by helping to remove barriers to learning, so that children can achieve their full potential, and also increasing the value placed on education by parents and the wider community.

The Education and Training Inspectorate (ETI) have also been involved in ongoing evaluation of the Extended Schools programme and to date the feedback has been positive. In July 2010, ETI published a report 'An Evaluation of Extended Schools' <http://www.etini.gov.uk/index/surveys-evaluations/surveys-evaluations-post-primary/surveys-evaluations-post-primary-2010/an-evaluation-of-extended-schools-july-2010.pdf> which indicated that 'In almost 90% of cases where Extended Schools are serving disadvantaged communities effectively (performance levels are good or better) significant improvements are evident in the educational outcomes and the personnel and social well-being of pupils'. ETI also reported that "in the examples of outstanding practice observed, Extended Schools is most successful in transforming the life chances of individual pupils.'

**Lord Morrow** asked the Minister of Education what criteria are used for iPad allocation to children in Primary Schools in County Tyrone.

**(AQW 45412/11-15)**

**Mr O'Dowd:** All grant-aided schools receive their core ICT provision through the C2k service. It is a matter for schools to determine how best to use that provision and if they wish to supplement it.

The current C2k contract does not include the provision of iPads/tablets; however, if they wish to do so, schools may use their delegated budgets to purchase additional equipment, including iPads/tablets.

**Mr Weir** asked the Minister of Education to detail the (i) budget allocation; (ii) reported actual spend; and (iii) reported under spend for the School Age Mothers Project in the South Eastern region, in each of the last three years.

**(AQW 45416/11-15)**

**Mr O'Dowd:**

**School Age Mothers (SAMs) Project**

	<b>Budget</b>	<b>Expenditure</b>	<b>Underspend</b>
<b>2014/15</b>			
Local Co-ordinator post	48,000	37,280	10,720
Educational programme	5,000	0	5,000
Childcare costs	70,000	62,589	7,411
<b>Total</b>	<b>123,000</b>	<b>99,869</b>	<b>23,131</b>
<b>2013/14</b>			
Local Co-Ordinator post	48,000	47,997	3
Educational Programme	0	0	0
Childcare costs	80,000	78,596	1,404
<b>Total</b>	<b>128,000</b>	<b>126,593</b>	<b>1,407</b>
<b>2012/13</b>			
Local Co-Ordinator post	46,000	46,000	0
Educational Programme	15,000	0	15,000
Childcare costs	82,000	77,334	4,666
<b>Total</b>	<b>143,000</b>	<b>123,334</b>	<b>19,666</b>

**Mr Weir** asked the Minister of Education what budget has the Education Authority awarded to the South Eastern region for 2015/16 to support school age mothers, broken down by budget category.

**(AQW 45417/11-15)**

**Mr O'Dowd:** My Department has allocated earmarked funding to the Education Authority for the School Age Mothers programme. I understand the Education Authority has not yet determined the specific allocation to each Region, including the South Eastern Region for 2015-16.

**Mr Weir** asked the Minister of Education what School Age Mothers Projects are offered in the South Eastern regional area; and how school age mothers are supported by the projects.

**(AQW 45418/11-15)**

**Mr O'Dowd:** In the SE Region there are no specific projects offered to School Age Mothers. They are currently supported by the School Age Mothers coordinator who works closely with the young people, their families and schools.

Most of the young mothers remain in their mainstream schools with support from their family and the Education Welfare Service.

If a young mother wishes to speak with another young mother about their shared experience, this is facilitated by the School Age Mother's coordinator, as needed.

**Mr Weir** asked the Minister of Education what services do the Education Authority deliver for school age mothers in the South Eastern region.

**(AQW 45419/11-15)**

**Mr O'Dowd:** The Education Authority, through the Education Welfare Service, provides a range of services for School Aged Mothers. The EA provides a School Aged Mother's Co-Ordinator who will offer advice and guidance to enable them to remain in full time education, usually in school. The co-ordinator will liaise with the school to ensure that their physical and educational needs are being met during pregnancy and assist with additional requirements, for example, during examinations and with school uniforms. The EA will also make available Home Tuition to those students of compulsory school age who are unable to attend school due to pregnancy related illness. When the School Age Mother is physically well enough to return to

school following pregnancy, the EA can provide assistance with childcare and transportation to enable the School Age Mother to return to education. This is assessed on a case by case basis and is dependent on school attendance.

The School Age Mothers co-ordinator provides links and makes referrals to the Housing Executive, Social Security Agency and a range of other statutory and voluntary services including Sure Start, St. Vincent de Paul society and MACS (Supporting Young People). The co-ordinator can accompany the SAM if required to assist with queries.

**Mr Weir** asked the Minister of Education to detail the number of school age mother referrals in the last three years, broken down by (a) year group; and (b) source of referral, to the South Eastern region.

**(AQW 45420/11-15)**

**Mr O'Dowd:**

Year	Referral Source	School year group	Number of referrals
2012-2013	School 13	Year 9 * Year 10 * Year 11 * Year 12 * Year 14 6	13
2013-2014	School # Social Services *	Year 11 * Year 12 # Year 13 * Year 14 *	8 There was one additional referral in this year which was transferred to BELB based on the pupils residence
2014-2015	School 8 Education Welfare Officer * LAC Education Welfare Officer *	Year 12 8 Year 13 5	13

\* denotes figure fewer than 5

# denotes figure more than or equal to 5 suppressed to avoid potential identification of individual pupils

**Mr Agnew** asked the Minister of Education for a breakdown of the salary costs for the Education Authority, including acting chief executives and directors.

**(AQW 45437/11-15)**

**Mr O'Dowd:** The Education Authority has advised the Annual Report and Accounts for the five previous Education and Library Boards for 2014/15 are not yet available. Based on the 2013/14 Annual Reports and Accounts for the five previous Education and Library Boards, salary costs were as follows:

	Total (£'000)
Teaching	625,713
Non-Teaching	327,444*
<b>Total</b>	<b>953,157</b>

\* Includes non-teaching costs for the Staff Commission for Education and Library Boards

The current salaries of the interim Chief Executive and Second Tier Officers - the three Regional Managing Directors (now responsible for the five regions of the Education Authority) and the interim Head of Finance - are as follows:

	Band (£'000)
Interim Chief Executive	145 - 150
Second Tier Officers	89.6 - 101.5

**Mr Agnew** asked the Minister of Education to detail the location and cost of the Education Authority's (i) headquarters; and (ii) the regional offices.

**(AQW 45438/11-15)**

**Mr O'Dowd:**

(i) The location and cost of the Education Authority's headquarters are as follows:

Location	Cost
Forestview, Purdy's Lane, Breda, BELFAST BT8 7AR	£174,857

(ii) The location and costs of the Education Authority's regional offices are as follows:

Location	Cost (£)
Belfast Regional Office, 40 Academy Street, BELFAST BT1 2NQ	638,446
North Eastern Regional Office, County Hall, 182 Galgorm Road, BALLYMENA BT42 1HN	485,315
South Eastern Regional Office, Grahamsbridge Road, Dundonald, BELFAST BT16 2HS	268,843
Southern Regional Office, 3 Charlemont Place, The Mall, ARMAGH BT61 9AX	197,108
Western Regional Office, 1 Hospital Road, OMAGH BT79 0AW	357,211

The Education Authority (EA) Regional Offices are responsible for the delivery of services within the same geographical area as the former education and library boards (ELBs). They are managed by the most senior staff of the former ELBs reporting to the EA Interim Chief Executive.

These are transitional arrangements which will remain in place until Directors are appointed to review and redesign the delivery of services within a single structure.

**Mr Agnew** asked the Minister of Education, pursuant AQW 41299/11-15, for an update on the controlled sector body.  
(AQW 45439/11-15)

**Mr O'Dowd:** A Working Group has been established to support the establishment of the Controlled Schools' Support Council (CSSC). The Working Group has submitted a grant application for the establishment and running costs of the CSSC. My officials have requested further information to support this grant application and this is still pending. Officials will progress the necessary appraisals and approvals on receipt of this information.

**Mr Easton** asked the Minister of Education to detail the number of staff disciplinary hearings in his Department in the last two years.  
(AQW 45443/11-15)

**Mr O'Dowd:** There have been 6 disciplinary hearings in the Department of Education in the last two years.

**Ms Sugden** asked the Minister of Education whether any Early Years funded groups currently offer funded pre-school places within the Pre-School Education Programme; and if so, to detail how many groups.  
(AQW 45457/11-15)

**Mr O'Dowd:** Funding provided under the Pre-School Education Programme (PSEP) is considered to be sufficient to enable participating groups to be viable.

In the 2014/15 academic year 1615 funded pre-school places within the Programme are provided in 81 groups in which some salaries are currently supported by the Early Years Fund. These places will continue to be funded under PSEP in the same way as all other settings in the Programme.

**Mr Flanagan** asked the Minister of Education when teaching staff at St Joseph's College, St Fanchea's College, St Michael's College and Mount Lourdes Grammar School in Enniskillen can expect to receive clarity from the Council for Catholic Maintained Schools on the future makeup of post primary education in the Catholic Maintained schools sector in Enniskillen.  
(AQW 45458/11-15)

**Mr O'Dowd:** As St Joseph's College and St Fanchea's College are maintained post-primary schools and St Michael's College and Mount Lourdes Grammar School Voluntary Grammar Schools, it is the responsibility of the Council for Catholic Maintained Schools (CCMS) and the Trustees of the respective Grammar schools to manage provision and to bring forward proposals to the Department of Education (DE).

Regarding St Joseph's College and St Fanchea's College, CCMS have indicated that no decision has been made as yet in respect of changes to the two schools as part of changes to post-primary provision in Enniskillen. When a decision is made CCMS will communicate directly with the schools and their staff.

To date no Development Proposals have been brought forward for any of these schools.

**Mr Easton** asked the Minister of Education how many unfair dismissal cases have been brought against his Department over the last two years.  
(AQW 45494/11-15)

**Mr O'Dowd:** The details relating to unfair dismissal cases are specific to individuals and as such constitute personal data. As the number of unfair dismissal cases brought against my Department over the last two years is fewer than five, it is not appropriate to disclose the actual number of cases as requested. To do so could potentially identify an individual and as such would contravene the first principle of the Data Protection Act in that disclosure would be unfair.

**Mr Weir** asked the Minister of Education to outline the role in the South Eastern region of the coordinator for the School Age Mothers' programme.

**(AQW 45514/11-15)**

**Mr O'Dowd:** I understand from the Interim Chief Executive of the Education Authority that the role of the School Age Mothers (SAM) co-ordinator in the South Eastern region is to ensure that school aged mothers achieve education provision and support before and after their pregnancy and until they leave school.

The co-ordinator ensures that the pupil is aware of the services available through the programme, including individual and group support (if available and appropriate), childcare and transport provision and referrals and links to other agencies as required.

The co-ordinator provides links and makes referrals to the Housing Executive, Social Security Agency and a range of other statutory and voluntary services. They will often accompany the School Age Mother to many of the above to assist her in dealing with queries, and also to promote her self-confidence in managing such appointments.

**Mr Weir** asked the Minister of Education to outline the role in the North Eastern region of the coordinator for the School Age Mothers' programme.

**(AQW 45515/11-15)**

**Mr O'Dowd:** I understand, from the Interim Chief Executive of the Education Authority that the coordinator for the School Age Mothers' programme is responsible for the co-ordination and delivery of educational support for pupils who are pregnant or are a young parent, living in the North Eastern Region. This would include individual support, both at home and in-school for the pupil, group work, and multi-disciplinary and interagency support.

The coordinator liaises with the pupil, family, school, and other services in regards to developing, implementing and monitoring an education support plan tailored to their individual needs.

**Mr Agnew** asked the Minister of Education for an update on the proposed pay rise for Education Authority staff, including the reasons for the delay.

**(AQW 45517/11-15)**

**Mr O'Dowd:** I refer the member to my answer to AQW 44685/11-15 published in the Official Report on 1 May 2015.

**Ms Sugden** asked the Minister of Education, pursuant to AQW 44623/11-15, when he will submit a business case to the Department of Finance and Personnel for the pay increase.

**(AQW 45526/11-15)**

**Mr O'Dowd:** The Department, in consultation with the Education Authority (EA), is currently preparing the composite pay remit business case to comply with the Executive's Public Sector Pay Policy. Once finalised, it will be submitted to DFP for its consideration in accordance with the policy.

**Mr Ramsey** asked the Minister of Education what extra support measures are being taken to address the lower educational attainment rates of those school pupils who suffer from hearing loss.

**(AQW 45527/11-15)**

**Mr O'Dowd:** The Education Authority (EA) provides a comprehensive level of support, tailored to the individual needs of each child, to help hearing impaired children across the ability range achieve their full potential. Support is available from diagnosis and on a continuing level throughout school, appropriate to the pupil's needs. Support can include whole school training and advisory support for relevant school staff with specific advice regarding:

- the pupil's hearing loss and the implications on learning;
- maintenance of hearing aids and associated equipment;
- management of the pupil within the classroom;
- strategies for developing the pupil's attention and listening skills;
- strategies for maximising linguistic opportunity;
- strategies for improving memory skills;
- strategies to assist the pupil access the curriculum;
- strategies to develop social skills and self-esteem.

Attainment is not, however, solely influenced by hearing loss but can also be attributed to a range of factors including age of diagnosis, use of prescribed amplification devices and the pupil's cognitive ability.

The EA has advised that in addition to the wide range of measures provided to support young hearing impaired people from diagnosis to school leaving age, appropriate access arrangements at GCSE level may also be provided including:

- a modified examination paper and/or extra time;
- Special Educational Needs Co-ordinators (SENCOs) and examination officers will be reminded of special access arrangements available to the pupil;

- a live speaker in an aural examination;
- a sub-titled version of a video/film.

**Mr Weir** asked the Minister of Education how many children in North Down were unable to obtain a nursery school place in 2014/15.

**(AQW 45551/11-15)**

**Mr O'Dowd:** At the end of Stage 2 of the Pre-School admissions process for 2014/15, all parents who had applied to a setting in North Down and who fully participated in the admissions process received an offer of a pre-school place for their child.

21 children, whose parents did not participate fully, were unplaced at the end of the process. These included the parents of 18 children who did not state further preferences at the end of Stage 1 and the parents of 3 children who submitted a late application during Stage 2 of the process.

22 funded pre-school places remained available in the North Down area at the end of Stage 2.

**Mr Weir** asked the Minister of Education for his assessment of the oversubscription for nursery places in North Down; and whether there are any plans to increase funded places.

**(AQW 45552/11-15)**

**Mr O'Dowd:** At the end of Stage 2 of the Pre-School admissions process for 2014/15, all parents who had applied to a setting in North Down and who fully participated in the admissions process received an offer of a pre-school place for their child.

21 children, whose parents did not participate fully, were unplaced at the end of the process. These included the parents of 18 children who did not state further preferences at the end of Stage 1 and the parents of 3 children who submitted a late application during Stage 2 of the process.

22 funded pre-school places remained available in the North Down area at the end of Stage 2.

**Mr Agnew** asked the Minister of Education to detail who carried out the ballot for Moy Regional Primary School and St. John's Primary School Moy shared campuses initiative.

**(AQW 45555/11-15)**

**Mr O'Dowd:** I refer the member to my answer to his previous question AQW 44279/11-15 which was published in the Official Report on 10 April 2015.

**Mr Agnew** asked the Minister of Education to detail the results of the ballot for the Moy Regional Primary School and St. John's Primary School Moy shared campuses initiative.

**(AQW 45556/11-15)**

**Mr O'Dowd:** I refer the member to my answer to his previous question AQW 44279/11-15 which was published in the Official Report on 10 April 2015.

**Mr Agnew** asked the Minister of Education for a breakdown of how much each Board Member of the Council for Catholic Maintained Schools has been paid in each Education and Library Board area, in the last two years.

**(AQW 45557/11-15)**

**Mr O'Dowd:** Member appointments to the Council for Catholic Maintained Schools (the Council) are not aligned with the five former Education and Library Board areas. Only the Chair of the Council receives an annual emolument, which amounts to £6,504. Members are not remunerated but are eligible to claim attendance allowance or financial loss allowance plus travel and subsistence expenses when on Council business. The total amount of such allowances and expenses paid to the Council members in the 2013/14 and 2014/15 financial years is £18,262.57 and £18,505.24 respectively.

**Mr Agnew** asked the Minister of Education how much each Education and Library Board member has been paid in the last two years.

**(AQW 45558/11-15)**

**Mr O'Dowd:** The Chairs of the former Belfast, North Eastern, Southern and Western Education and Library Boards (ELBs) each received an annual remuneration of £10,000. Members of these four former ELBs did not receive an annual remuneration but were eligible to claim attendance allowance or financial loss allowance plus travel and subsistence expenses when on ELB business. The Commissioners who governed the former South Eastern Education and Library Board received a fee at a daily rate of £500.

The total amount paid to the Chairs, members and commissioners in the 2013/14 and 2014/15 financial years is as follows:-

Education & Library Board	Total amount paid to members in 2013/14	Total amount paid to members in 2014/15
Belfast	13,421.39	15,301.87
North Eastern	32,497.55	31,755.39
Southern	30,482.67	28,845.23
Western	32,813.29	28,185.54
South Eastern (Commissioners)	51,286.00	45,845.00

(Above figures also include travel and subsistence expenses paid to the ELB Chairs and SEELB commissioners).

**Mr D McIlveen** asked the Minister of Education what strategy his Department has in place to educate young people about support services for mental health issues in North Antrim.

**(AQW 45574/11-15)**

**Mr O'Dowd:** There are a number of ways in which the mental health of young people can be supported within schools, not just in North Antrim but in schools throughout the North;

The statutory curriculum clearly states that pupils should be taught about the importance of learning about mental health and well-being. It provides opportunities for young people to develop their knowledge on how to sustain their health and learn about a healthy lifestyle. This includes supporting pupils in better understanding mental health problems, including causes, prevention, and developing strategies to deal with any problems which they, or someone they know, may experience throughout their lives.

The 'iMatter' Programme aims to encourage the entire school community to be engaged in promoting resilient emotional health for all pupils. Under this programme a suite of homework diary inserts and posters on topics of concern to young people such as self esteem, substance abuse and coping with stress, worry and anxiety, are distributed to schools. The diary inserts are also available on the Department of Education website at [www.deni.gov.uk](http://www.deni.gov.uk) and can be downloaded directly by young people.

Also, an 'i-matter' message of the month issues to schools for dissemination to pupils – the message for May 2015 for example is on the subject of exam stress and contains links to organisations offering further advice and support.

There is considerable evidential and research information to confirm the position that counselling in schools supports the emotional health and wellbeing of young people. Pupils experiencing stress or emotional problems find it difficult to reach their potential. This is why the Department funds the Independent Counselling Service for Schools (ICSS). Pupils can self-refer to the Counsellor within their school, who is there to provide a 'listening ear' and who works as an integral part of the schools pastoral care system.

**Mr Moutray** asked the Minister of Education how much schools have received through the Erasmus + programme in each of the last four years.

**(AQW 45577/11-15)**

**Mr O'Dowd:** The Erasmus+ programme began in 2014 and will run until 2020. As such, funding results are only available for 2014.

So far fifteen schools here have been contracted for Erasmus+ projects from the 2014 application round. In total, schools here have been awarded €403,137. These are provisional figures and the numbers may increase as successful projects in all jurisdictions are finalised.

**Mr Easton** asked the Minister of Education how many nursery school places are available in North Down for September 2015.

**(AQW 45579/11-15)**

**Mr O'Dowd:** The South Eastern Region of the Education Authority has advised that 928 pre-school places were available for parents to apply to during Stage 1 of the pre-school admissions process for September 2015.

At the end of Stage 1, on 17 April, 855 places had been offered to children; 28 children were unplaced and 73 places remained available in the following settings in North Down for Stage 2 of the process:

- Ballyholme Pre-School
- Bangor Abbey Pre-School Centre
- Big Red Balloon Playgroup
- Bo-Peep Corner Pre-School
- Cabbage Patch Day Nursery
- Crawfordsburn Playgroup
- Early Days Playgroup
- Groomsport Playgroup
- Little Bears Playgroup
- Little Bunnies Playgroup
- Tiddli-winks Playgroup
- Tiggers Palace Nursery



**Mr Easton** asked the Minister of Education how many nursery school places available for September 2015 have been allocated.

**(AQW 45580/11-15)**

**Mr O'Dowd:** The South Eastern Region of the Education Authority has advised that 928 pre-school places were available for parents to apply to during Stage 1 of the pre-school admissions process for September 2015.

At the end of Stage 1, on 17 April, 855 places had been offered to children; 28 children were unplaced and 73 places remained available in the following settings in North Down for Stage 2 of the process:

- |                                  |                            |
|----------------------------------|----------------------------|
| ■ Ballyholme Pre-School          | ■ Early Days Playgroup     |
| ■ Bangor Abbey Pre-School Centre | ■ Groomsport Playgroup     |
| ■ Big Red Balloon Playgroup      | ■ Little Bears Playgroup   |
| ■ Bo-Peep Corner Pre-School      | ■ Little Bunnies Playgroup |
| ■ Cabbage Patch Day Nursery      | ■ Tiddli-winks Playgroup   |
| ■ Crawfordsburn Playgroup        | ■ Tiggers Palace Nursery   |

**Mr Easton** asked the Minister of Education how many nursery school places available for September 2015 have not yet been allocated.

**(AQW 45582/11-15)**

**Mr O'Dowd:** The South Eastern Region of the Education Authority has advised that 928 pre-school places were available for parents to apply to during Stage 1 of the pre-school admissions process for September 2015.

At the end of Stage 1, on 17 April, 855 places had been offered to children; 28 children were unplaced and 73 places remained available in the following settings in North Down for Stage 2 of the process:

- |                                  |                            |
|----------------------------------|----------------------------|
| ■ Ballyholme Pre-School          | ■ Early Days Playgroup     |
| ■ Bangor Abbey Pre-School Centre | ■ Groomsport Playgroup     |
| ■ Big Red Balloon Playgroup      | ■ Little Bears Playgroup   |
| ■ Bo-Peep Corner Pre-School      | ■ Little Bunnies Playgroup |
| ■ Cabbage Patch Day Nursery      | ■ Tiddli-winks Playgroup   |
| ■ Crawfordsburn Playgroup        | ■ Tiggers Palace Nursery   |

**Mr Easton** asked the Minister of Education to detail the nursery schools that still have places available for September 2015.

**(AQW 45583/11-15)**

**Mr O'Dowd:** The South Eastern Region of the Education Authority has advised that 928 pre-school places were available for parents to apply to during Stage 1 of the pre-school admissions process for September 2015.

At the end of Stage 1, on 17 April, 855 places had been offered to children; 28 children were unplaced and 73 places remained available in the following settings in North Down for Stage 2 of the process:

- |                                  |                            |
|----------------------------------|----------------------------|
| ■ Ballyholme Pre-School          | ■ Early Days Playgroup     |
| ■ Bangor Abbey Pre-School Centre | ■ Groomsport Playgroup     |
| ■ Big Red Balloon Playgroup      | ■ Little Bears Playgroup   |
| ■ Bo-Peep Corner Pre-School      | ■ Little Bunnies Playgroup |
| ■ Cabbage Patch Day Nursery      | ■ Tiddli-winks Playgroup   |
| ■ Crawfordsburn Playgroup        | ■ Tiggers Palace Nursery   |

**Mr Easton** asked the Minister of Education whether he has any plans to changes the nursery school selection criteria.

**(AQW 45584/11-15)**

**Mr O'Dowd:** All admissions criteria are set by pre-school providers themselves: however legislation requires that the top criterion for each provider prioritises children from socially disadvantaged backgrounds.

Research has shown that children from socially disadvantaged circumstances experience more difficulty at school than other children, so they are given priority in the pre-school admissions process as part of wider efforts to tackle educational underachievement.

Learning to Learn – a Framework for Early Years Education and Learning includes an action to implement remaining actions from the Review of Pre-School admissions including one to examine the definition of socially disadvantaged circumstances with a view to reflecting changes to the benefits system especially relating to low paid working parents. Proposals for the way forward will be informed by any changes resulting from Welfare Reform.

**Miss M McIlveen** asked the Minister of Education to detail (i) the date; and (ii) the reason that his Department removed the frequently asked questions on the curriculum page of its website guidance to parents which stated that the only provision in

education legislation which allows a child to be retained in a nursery school, and not commence primary school upon reaching compulsory school age, is under Article 16 of the Education (NI) Order 1996 (Statement of Special Educational Needs).

**(AQW 45593/11-15)**

**Mr O'Dowd:** As part of a general review and update of the Department's website, the "Frequently Asked Questions" section regarding deferral was updated to include a link to the consultation on deferral of school starting age in exceptional circumstances on 20 April 2015.

This was a routine update which took account of the queries which officials received on this issue.

**Mr Agnew** asked the Minister of Education whether Moy Regional Primary School and St John's Primary School shared campus will be classified as a jointly managed school and whether he is aware of any other jointly managed schools.

**(AQW 45610/11-15)**

**Mr O'Dowd:** Moy Regional Primary School and St John's Primary School have not submitted a development proposal for a jointly managed school. The Department is aware of communities that have expressed an interest in a jointly managed school but as yet no development proposals for a jointly managed school have been received.

**Mr Campbell** asked the Minister of Education how many children in attendance at primary schools during 2014 were normally transported to school throughout the school year via taxi at public expense.

**(AQW 45612/11-15)**

**Mr O'Dowd:** Based on figures provided by the Education Authority, in the 2013/14 academic year (the latest for which data is available), 806 eligible pupils attending primary school were assisted by taxi, of which 389 were pupils with statements of Special Education Needs.

A taxi is only provided if it is required as part of a statement of special education need or where it is the most economic form of assistance available.

**Mr Lyttle** asked the Minister of Education how many funded nursery schools in East Belfast were oversubscribed for 2015/16.  
**(AQO 8084/11-15)**

**Mr O'Dowd:** The Pre-School Education Advisory Groups (PEAG) of each Region in the Education Authority (EA) are responsible for ensuring that there is adequate pre-school provision in local areas.

The Chief Executive of the Education Authority has advised me that during Stage 1 of the pre-school admissions process, 15 settings in the East Belfast Constituency area were over-subscribed with applications from children in their final pre-school year and had to apply their admissions criteria.

The oversubscribed settings included nursery schools, nursery units attached to primary schools, and voluntary and private settings.

It is important to point out that these figures represent the end of stage one of the pre-school admissions process only. Parents have been advised of available places in the area and a new provider has been introduced for stage two.

I have made available sufficient funding to meet the projected need for pre-school places for the 2015/16 academic year and have strongly encouraged the parents of children who have not received the offer of a funded pre-school place to consider the all pre-school provision that remains available and provide a range of preferences at stage two to increase the chance of securing a place for their child.

For 2014/15 admissions 99.9% of children whose parents stayed with the admissions process received the offer of a funded pre-school place.

**Mr Hazzard** asked the Minister of Education for an update on work to remove barriers to all-island student mobility.  
**(AQO 8085/11-15)**

**Mr O'Dowd:** The qualifications that are submitted by young people to support their application to Higher Education are one element affecting student mobility. The Irish Universities Association (IUA) coordinates policy development in relation to applications to universities in the south of Ireland. The Council for the Curriculum, Examinations and Assessment (CCEA) has been meeting with the IUA to work to address qualifications portability for entrance to Irish universities.

The main focus of the discussions with the IUA has been on ensuring equality of access to higher education institutions when two different qualifications systems are operating i.e. Leaving Certificate and A/AS Levels.

These discussions have resulted in a number of positive developments and it is pleasing that the seven universities in the south of Ireland have recently announced that they will introduce new admissions procedures that will change the points allocated to A Levels thus making it easier for school-leavers from the north to gain entry.

There are other issues that disadvantage pupils from the north. Issues such as the wider recognition of applied A levels and the need to sit all A levels in one year. Following the recent developments, it is my hope that the universities in the south will now move to address these issues.

**Mr Dallat** asked the Minister of Education what action his Department has taken to ensure that the 2.2 per cent pay rise for 2014-16 will be paid to Education Authority employees.

**(AQO 8086/11-15)**

**Mr O'Dowd:** The National Joint Council for Local Government Services agreement of 14 November 2014 was noted by the Joint Negotiating Council for the Education and Library Boards, including the revised rates of pay in line with a pay increase of 2.2% applicable from 1 January 2015 to 31 March 2016.

Under the Executive's Public Sector Pay Policy, pay remit business cases for all public bodies, including the Education and Library Boards, now the Education Authority, must receive the necessary approvals before any payments can be made to eligible staff.

My Department commissioned the information required for the pay remit business case for the 2.2 per cent pay award on 12 December 2014. The information was received on 26 January 2015. My officials are currently preparing the necessary pay remit business case using the information provided. When finalised, this will be submitted to the Department of Finance and Personnel for its consideration and the approval of the Finance Minister, in accordance with the Executive's Public Sector Pay Policy.

My officials have had numerous contacts with Education and Library Board officials (now the Education Authority) on this matter. This has included 5 formal meetings to enable the pay remit business case to be progressed as a matter of urgency. The most recent meeting was on 20 April 2015 with EA Senior Management and Trade Union Side.

**Mr B McCrea** asked the Minister of Education to outline what steps he will take to secure more funding for Sentinus in the upcoming in-year monitoring rounds.

**(AQO 8087/11-15)**

**Mr O'Dowd:** The Executive's Budget has been reduced by the Westminster Government by £1.5bn over the last five years. As a direct result of this reduction, there is significantly reduced money to spend on frontline services such as Education. I have taken every action possible to protect Education funding and those frontline services within the Department of Education's remit. However, it is simply not possible to protect everything, hence my decision to reduce funding to Sentinus.

Despite this reduction, it is an indication of the importance that we attach to this work that a considerable proportion of that funding has been protected in the context of the most challenging budget yet faced by this Executive.

My Department will look for every opportunity to secure additional funds for Sentinus programmes during monitoring rounds this year. However, given the current budgetary situation, only inescapable pressures are likely to be supported in 2015/16.

**Mr Clarke** asked the Minister of Education how much has been spent on school transport in each of the last three years.

**(AQO 8088/11-15)**

**Mr O'Dowd:** For pupils eligible for assistance under the current school transport policy, the amount spent on school transport in each of the last three years was:

- 2011/12 – £72,375,711
- 2012/13 – £73,524,011
- 2013/14 – £75,780,452

**Mr Overend** asked the Minister of Education what percentage of his budget for 2015/16 is being allocated to early years' provision.

**(AQO 8089/11-15)**

**Mr O'Dowd:** The Executive's Budget has been reduced by the Westminster Government by £1.5 billion over the last five years. As a direct result of this reduction there is significantly reduced money to spend on frontline services provided by the Department of Education.

I fully recognise the importance of Early Years education particularly for our most vulnerable children which is why, despite the difficult budgetary position, I can confirm that 11.4% of my 2015-16 Resource budget has been allocated to Early Years' Provision.

This includes fully funded early years programmes, identifiable funding for nursery schools, nursery units of primary schools and the Foundation Stage, as well as other relevant expenditure such as that allocated to Special Educational Needs Early Years Capacity Building and Extended Schools funding in nursery schools.

## Department for Employment and Learning

**Mr Weir** asked the Minister for Employment and Learning what action has his Department taken to ensure that European Social Fund application appeals remain independent of the Department.

**(AQW 44117/11-15)**

**Dr Farry (The Minister for Employment and Learning):** An Appeals Panel was established for the hearing of appeals received following Phase I and Phase II of the European Social Fund application assessment process.

The Appeals Panel was comprised of three individuals, including a Departmental divisional Director, a senior Accountant from within my Department, and an external senior official from the Special EU Programmes Body (SEUPB). None of the panel has a remit for the European Social Fund.

**Mr McGlone** asked the Minister for Employment and Learning to detail any funding that his Department has received from the European Union between 2007 and 2014; and how this funding has been distributed by his Department.

**(AQW 44272/11-15)**

**Dr Farry:** The total allocation from the 2007–2014 European Social Fund is €189,777,300, made up as follows: - €115,037,174 for Priority 1 (Helping people into employment – mostly delivered by the voluntary and community sector), €71,840,121 for Priority 2 (Improving workforce skills) and €2,900,005 for Priority 3 (Technical Assistance).

Of the above funding, my Department has, to date, received €110,469,975 made up as follows:- €12,433,297 (Programme advances), €42,106,643 (Priority 1 – Voluntary and Community), (€5,361,395 (Priority 1 – Programme Led apprenticeships), €50,504,675 (Priority 2) and €63,965 (Priority 3).

In addition, an amount of €22,121,462 was claimed from the European Commission in December 2014 but has not been received by my Department. That amount consists of €10,286,553 (Priority 1- Programme Led Apprenticeships) and €11,834,909 (Priority 2).

**Mr Allister** asked the Minister for Employment and Learning has the entire tranche of European Social Fund funding been (i) allocated in the awards to successful applicants, and (ii) how will successful appellants be funded,

**(AQW 44467/11-15)**

**Dr Farry:** Over £112.6m of European Social Fund Programme 2014-2020 funding has been offered to 68 successful applicants for the first three years of the seven year Programme. The funding offers' includes two successful applicant appeals from Phase I and one successful applicant appeal from Phase II.

**Mr Weir** asked the Minister for Employment and Learning, what assistance has been given to groups that achieved the pass mark for the European Social Fund but did not receive funding.

**(AQW 44469/11-15)**

**Dr Farry:** My Department has not offered assistance to those applicants scoring above the quality threshold score in the European Social Fund, as additional funding is not available.

**Mr Weir** asked the Minister for Employment and Learning to detail the reserves held by (i) Queen's University; and (ii) Ulster University, in each of the last five years; and how much of these reserves was used by each university in each year.

**(AQW 44545/11-15)**

**Dr Farry:** Based on the latest data supplied to the Higher Education Statistics Agency by each of the universities, the figures for total reserves at year end and the movements in reserves for each of the last five academic years are detailed in the table below. I would also refer you to my answer to your previous question on the level of university reserves (see AQW 38355/11-15) for further information on reserves generally.

	09-10 £m	10-11 £m	11-12 £m	12-13 £m	13-14 £m
<b>Queen's University</b>					
Total reserves	101.24	97.55	91.42	105.27	123.90
Movement in Reserves	25.66	-3.69	-6.13	13.86	18.63
<b>Ulster University</b>					
Total reserves	136.23	148.13	140.14	165.24	185.05
Movement in Reserves	20.69	11.91	-7.99	25.10	19.81

**Ms Sugden** asked the Minister for Employment and Learning for an update on the new build for the Northern Regional College, Coleraine; and to detail what progress has been made on a new curriculum design as part of this process.

**(AQW 44613/11-15)**

**Dr Farry:** The Northern Regional College is developing an Outline Business Case which will address the accommodation needs throughout the College Estate including the Coleraine area. The Business Case will take account of a revised Curriculum Plan and Schedule of Accommodation which received Education and Training Inspectorate approval in March 2015. The Schedule of Accommodation determines the size and type of buildings required to meet the accommodation

needs across the College estate. Also, further site options have been identified in the area, which require evaluation in the Outline Business Case. Department of Finance and Personnel approval was given at the start of April to cover the cost of this additional work on the Outline Business Case.

Full approval of the Outline Business Case is planned for August 2015 and following this, I will make an announcement on the preferred option.

**Ms Sugden** asked the Minister for Employment and Learning, pursuant to AQW 41980/11-15, to detail (i) what communication his Department has had with Ulster University, Coleraine Campus, with regard to preparing a business case; (ii) what items have been submitted to his Department by Ulster University, to date; and (iii) whether funding is available following submission of a complete business case.

**(AQW 44614/11-15)**

**Dr Farry:** Ulster University submitted a draft of the first five sections of a business case for the establishment of a school of veterinary science at its Coleraine campus in December 2013. Officials provided feedback to the University in January 2014. The University responded in April 2014 and officials provided further feedback in May 2014. A meeting between officials and University representatives then took place on 17 June 2014. The University has not submitted anything further on the business case since then.

In the present financial climate when funding to the universities has been reduced in the current year, it is very unlikely that funding will be available for veterinary science at the Coleraine campus should a full business case be submitted. Undergraduate places at both universities will be lost in the 2015-16 academic year and my priority is to protect the places that we currently fund.

**Mr Flanagan** asked the Minister for Employment and Learning which of the 65 projects, totalling £102 million in ESF funding recently announced, will involve targeting support to people in County Fermanagh.

**(AQW 44667/11-15)**

**Dr Farry:** Applicants offered funding from the European Social Fund Programme 2014-2020, who are delivering provision in County Fermanagh, include four applicants in the young people not in education, employment or training priority; nine applicants in the disability priority; six applicants in the unemployed/ economically inactive priority and one applicant in the Community Family Support Programme priority.

**Mr Weir** asked the Minister for Employment and Learning why the European Social Fund Programme for Northern Ireland excluded reference to Article 7 of European Regulation (EU) 1304/2013.

**(AQW 44713/11-15)**

**Dr Farry:** In developing the ESF 2014-2020 Programme account has been taken of both Article 7 and Article 8 referred to above.

Support for women-only projects is provided through Priority Axis 1, Thematic Objectives 8 – “Promoting sustainable and quality employment and supporting labour mobility”. Within this Thematic Objective, there are two separate investment priorities, one of which supports unemployed and economically inactive people - Investment Priority 8(i) – “access to employment for job-seekers and inactive people, including local employment initiatives and support for labour mobility” The second Investment Priority (8ii) describes support specifically for NEETs in the 16-24 age group.

In the guidance notes that accompanied the application form for applicants to the 2014-2020 Programme, examples of groups to be supported under the economically inactive category were given as: - “Economically inactive people, including people with barriers such as lone parents, ex-offenders, people with no/low qualifications”. The following caveat was also included – “Please note this list is not exhaustive” - to allow applicants flexibility in the type of group project providers wished to support.

The description of this category as “unemployed, including long-term unemployed and economically inactive people” was agreed with the Commission on the basis that it allowed sufficient flexibility for disadvantaged groups, including women, to be represented as appropriate. This allows for projects specifically targeting women to be funded, and a total of 11.7% of funding was allocated to this group under Thematic Objective 8(i).

Through Thematic Objective 9 – “Promoting social inclusion and combating poverty and any discrimination” further support is provided to women.

Associated with Thematic Objective 9 is the following Investment Priority 9(i) – “Active inclusion, including with a view to promoting equal opportunities and active participation, and improving employability”. It should be noted that the wording of the Thematic Objectives and associated investment priorities is that of the EU Commission and cannot be amended by Managing Authorities.

Whilst there is no specific reference to women in the wording of the Investment Priority for thematic objective 9, it addresses families in need, a high proportion of which are lone parents. Furthermore, evidence from the Pilot Community Family Support Programme showed a high percentage of women on this Programme. A total of 1,321 participants were supported over the 3 cycles of the Pilot, of which 887(67.1%) were female and 434(32.9%) were male. This support will continue in the 2014-2020 Programme.

**Mr Agnew** asked the Minister for Employment and Learning for his assessment of the recent statement by Students Union about the option of receiving monthly payment and that it would (i) help alleviate student poverty (ii) allow students to budget more effectively throughout their academic year (iii) lessen the likelihood of students needing to access overdrafts and pay day lenders to cover basic living expenses (iv) reduce student non-continuation of courses (v) prepare students better for the working world where three payments per year is fairly uncommon practice.

**(AQW 44779/11-15)**

**Dr Farry:** The frequency of student finance payments was raised with me by the National Union of Students – Union of Students in Ireland at their annual conference at the end of March. At the event, I committed to exploring this issue and the first step will be a public consultation. The consultation will examine the merits and feasibility of a range of options for changing the frequency at which payments are made, including monthly payments throughout the course of the year with two instalments in September. It will also draw on payment frequency practices elsewhere in the UK, Europe and internationally.

In regard to whether moving to a different student support payment frequency would alleviate the issues outlined within your question, I will await the outcomes of the public consultation.

**Mr Weir** asked the Minister for Employment and Learning, whether (i) the Green Book Appraisal was carried out for European Social Fund (ESF) Projects over the recommended threshold of £5000,000 as per the Northern Ireland Practical Guide to the Green Book; and (ii) if it was carried out by appropriately qualified personnel.

**(AQW 44808/11-15)**

**Dr Farry:** Economic appraisals for the 68 successful applicants offered funding from the European Social Fund Programme are currently being finalised by the relevant qualified officials within my Department.

**Mr Weir** asked the Minister for Employment and Learning to detail the organisations being funding in the current round of European Social Fund (ESF) that are from the (i) Private Sector and (ii) Community and Voluntary Sector.

**(AQW 44815/11-15)**

**Dr Farry:** European Social Fund Programme 2014-2020 funding has been allocated to 60 successful applicants from the voluntary and community sector and eight successful applicants from the statutory and private sectors.

**Mr McCallister** asked the Minister for Employment and Learning, how the Executive's agreement on Welfare Reform, which emanated from the Stormont House Agreement, informed the Enabling Success Strategy

**(AQW 44826/11-15)**

**Dr Farry:** The Northern Ireland Executive's Programme for Government 2011-2015 includes a commitment to develop and implement a strategy to reduce economic inactivity through skills, training, incentives and job creation. This commitment is part of the Executive's priority to grow a sustainable economy and invest in the future.

'Enabling Success' commits to address what has become a long-term structural problem within our economy through a range of voluntary interventions which will ultimately seek to contribute to an improved employment rate in Northern Ireland.

Whilst 'Enabling Success' will have to take into account the changing landscape arising from welfare reform going forward, it is not part of the current proposed changes to the welfare system, nor is it motivated by them.

**Mr McKinney** asked the Minister for Employment and Learning to detail the number of people undertaking apprenticeships in Northern Ireland, broken down by apprenticeship type, in the last three years.

**(AQW 44833/11-15)**

**Dr Farry:** As of October 2014, total occupancy in the ApprenticeshipsNI programme across all occupational frameworks was 7,072. Programme occupancy over the last three years, broken down by framework, is included at Table 1.

The latest full ApprenticeshipsNI Statistical Bulletin can be found by following the link below.

<http://www.delni.gov.uk/draft-appsni-bulletin-feb-15.pdf>

Occupancy numbers for the Higher Level Apprenticeship pilot projects are also included at Table 2.

**Mr McKinney** asked the Minister for Employment and Learning for an update on the progress of the implementation plan for the Securing our Success Strategy on Apprenticeships.

**(AQW 44834/11-15)**

**Dr Farry:** I launched the NI Strategy on Apprenticeships in June 2014. The strategy includes an implementation plan outlining a series of projects aimed at piloting and testing the new apprenticeship model, for the purpose of securing implementation from 2016.

I have established an interim Strategic Advisory Forum to provide oversight and advice regarding implementation of the new model. The forum will be chaired by Bryan Keating, former chair of MATRIX. It has agreed a broad work programme and established two sub-groups to deliver this. The first sub-group will provide advice relating to the need to underpin the new system through legislation and the role, function and membership of a permanent Advisory Forum. A second sub-group will

consider the support mechanisms necessary to encourage employers, particularly small and micro employers, to engage with the new apprenticeship system.

Sector partnerships, which will be responsible for developing and agreeing the content and curriculum of apprenticeships in the new model, have also been established. These partnerships include employers, employer bodies and representatives from further and higher education. Partnerships covering ICT, manufacturing/engineering and agri-food have been established, with further partnerships being developed to cover construction, financial services, utilities and life sciences.

A number of higher level apprenticeship pilots have been introduced covering occupations in ICT, engineering, life sciences, professional services and accountancy. More than 50 employers are engaged in these early pilots. We have held significant discussions with employers, FE Colleges and Universities regarding further higher level apprenticeships, and are hopeful pilots offering up to 400 additional higher level apprenticeship opportunities will be available from September 2015.

My Department has also commissioned a NI Skills Barometer to inform the shape of the Department's skills and training provision, and the advice it provides to stakeholders, so that current and future skill needs can be met effectively.

We are also working to develop and test other aspects of the new strategy including:

- the development of an appropriate funding model for the new system of apprenticeships;
- ways of encouraging and supporting individuals wishing to undertake an apprenticeship;
- how to widen access to particular occupational areas for underrepresented groups; and
- exploring the inclusion of international exchange opportunities in a range of apprenticeships.

**Mr Swann** asked the Minister for Employment and Learning to detail the current Membership of the Not in Education Employment or Training (NEET) Strategy Forum and when they were appointed.

**(AQW 44898/11-15)**

**Dr Farry:** The NEET Strategy Forum was established in June 2010 and since then the membership has grown and it currently has 71 members. Details of the current membership are attached at Annex A.

**Mr Swann** asked the Minister for Employment and Learning to detail the business case supporting the allocation of funding to the NEET Strategy Forum.

**(AQW 44900/11-15)**

**Dr Farry:** The NEET Strategy Forum (NSF) was a Collaboration and Innovation Fund (CIF) project. CIF funding ended on 31st March 2015. The NSF wrote to me on 17th February 2015 requesting continuation of funding to support sharing of best practice across the voluntary and community sector as well as the continued funding of a youth mentor who established a NEET Youth Forum and Youth Hubs across Northern Ireland

The NSF provided a detailed paper in support of its request for continued funding which, among other things, set out its current work and headline objectives for the future, in particular the continued development of a highly motivated and informed sustainable NEET Youth Forum. The original economic appraisal to support the Forum in its co-ordination role of sharing best practice among the CIF projects was approved by our economists and has been extended for an additional year to consider the application of the empowerment principles developed by the European Social Fund (ESF) Learning Network to assist with overcoming the barriers found by ESF participants who are in the NEET category.

There is potential to increase and widen the role of the Forum following the formal evaluation of the Pathways to Success (PtS) NEET Strategy. The Forum has already been assisting with other Departmental work and, in particular, the United Youth programme. In the PtS evaluation report, currently in draft form, there are key lessons emerging including those dealing with the specific issue of co-ordination and oversight.

My department considers that introduction of the NEET Advisory Group, of which the Forum is an integral part, made a real and positive contribution to collaboration across departments and communication between government and the voluntary and community sector in addressing the NEET issue.

The PtS draft evaluation also states that the investment in capacity and capability building through the NEET Strategy Forum had been welcomed and viewed as a strength. It is expected that the Forum will feed into decisions around the future direction of the refreshed Pathways to Success Strategy and perhaps how the Forum or a sub-group of it might support the United Youth initiative and the good practice established in the pilot projects.

In providing this funding I recognise the key role the voluntary and community sector plays in helping and supporting the most vulnerable in our society. This funding will support work which will develop the sector to help our young people reach their full potential in terms of education, training and employment.

The sector will be a key partner in supporting the delivery of the European Social Fund programme throughout Northern Ireland and in joining up this work and giving a voice to young people is a crucial aspect of how policy is developed going forward.

**Mr Swann** asked the Minister for Employment and Learning to detail the financial support provided to the NEET Strategy Forum in each financial year since its inception.

**(AQW 44902/11-15)**

**Dr Farry:** Bryson Charitable Group received funding of £234,019 under the Collaboration and Innovation Fund to deliver the NEET Strategy Forum (NSF) between December 2012 and March 2015.

The NSF currently consists of over 70 members, who work collaboratively to inform and showcase proactive work that respects the voice of young people and focuses on the right of young people to access and maintain employment of their choice in Northern Ireland and beyond.

**Mr Swann** asked the Minister for Employment and Learning to detail the Members of the Voluntary and Community Sector Forum (NEET) management committee.

**(AQW 44908/11-15)**

**Dr Farry:** The membership of the Voluntary and Community Sector Forum NEET Management Committee are listed below.

#### NEET Strategy Forum

##### Executive Committee Members - April 2015

<b>Jo Marley</b>	<b>Bryson Care (Chair)</b>
Pat Boyle	Ashton Community Trust
Joe Conere	Digital Media Choices
Clare Conlon	Youth Action
Laura Couser	Tides Training
Mark Dougan	Princes Trust
Edyth Dunlop	NIUSE
Clare Gordon	Business in the Community
Hazel Jones	East Belfast Mission
Anne-Marie McClure	Start 360
Paddy Mooney	Include Youth
Susan Russam	GEMS NI
Mary-Anne Webb	Barnardo's

**Ms McGahan** asked the Minister for Employment and Learning to detail the (i) sought occupations and (ii) usual occupations by people unemployed, or registered as unemployed, for May 2014 in the Dungannon and South Tyrone area.

**(AQW 44930/11-15)**

**Dr Farry:** Officials from my Department have analysed the preferences for jobs recorded by unemployed clients in the Dungannon and South Tyrone area on their personal Jobseekers Agreements and I can confirm that the main occupations sought for May 2014 are Sales Assistants, followed by Food/Drink Process Operatives, Skilled Construction Trades, Driver/Machine Drivers, Clerical Occupations, Cleaners and Semi Skilled Construction Trades.

The term 'usual occupations' is understood to refer to an individual's primary occupation in which he/she has trained or worked and closely reflects the sought occupations. Clients may consider additional alternative occupations if there are limited opportunities in their primary occupation and a further analysis of additional occupational areas sought as a second preference shows that Sales Assistants remain the most common sector followed by Cleaners, Driver/Machine Drivers, Food/Drink Process Operatives, Semi Skilled Construction Trades, Clerical Occupations and Stores/Despatch Operatives.

**Mr Moutray** asked the Minister for Employment and Learning how many international students attended Queen's University, Belfast and Ulster University in each of the last 5 years.

**(AQW 44943/11-15)**

**Dr Farry:** The table below shows international enrolments at Queen's University, Belfast and Ulster University from other EU (excluding ROI) and overseas countries from 2009/10 to 2013/14. These are the latest available figures.



		<b>QUB</b>	<b>UU</b>
2009/10	Other EU	260	150
	Other OSeas	960	640
	<b>Total</b>	<b>1220</b>	<b>790</b>
2010/11	Other EU	215	155
	Other OSeas	1160	780
	<b>Total</b>	<b>1375</b>	<b>935</b>
2011/12	Other EU	175	175
	Other OSeas	1055	1890
	<b>Total</b>	<b>1235</b>	<b>2070</b>
2012/13	Other EU	155	185
	Other OSeas	1220	1940
	<b>Total</b>	<b>1375</b>	<b>2125</b>
2013/14	Other EU	170	165
	Other OSeas	1420	1780
	<b>Total</b>	<b>1585</b>	<b>1945</b>

**Mr Swann** asked the Minister for Employment and Learning, pursuant to AQW 44319/11-15, what actions were taken in each of the cases following their completion.

**(AQW 44949/11-15)**

**Dr Farry:** For the 2012/13 year, further education colleges were not required to hold records on the final outcomes or actions taken in relation to fraud cases. However, this information was recorded for the 2013/14 and 2014/15 years and is outlined in the table below.

**Further Education Colleges:**

<b>College</b>		<b>Outcome/Actions taken</b>
Belfast Metropolitan College	2013/14	Investigation complete. College held refresher training on cash handling.
Belfast Metropolitan College	2013/14	Investigation complete. College issued revised procedures for all fund raising and events. Lecturer resigned
Belfast Metropolitan College	2013/14	Member of staff resigned - investigation stopped.
Belfast Metropolitan College	2013/14	Investigation complete. Insufficient evidence to substantiate allegation.
Belfast Metropolitan College	2013/14	Investigation complete. No one caught in relation to the incident.
Belfast Metropolitan College	2013/14	Investigation complete. No one caught in relation to the incident.
Belfast Metropolitan College	2013/14	Investigation complete. No one caught in relation to the incident. Security increased at the college.
Northern Regional College	2013/14	Investigation complete. Money fully recovered. Changes made to college processes.
Northern Regional College	2013/14	Investigation completed. College reviewed site security
Northern Regional College	2013/14	Investigation complete. Bank credited money to the college's account.
Northern Regional College	2013/14	Investigation complete. This was a bank error and the money has been credited to the college's account. College carried out additional cash handling training.
Northern Regional College	2013/14	Investigation complete. Regular patrols implemented by PSNI. Duration of external lighting provision extended.

College		Outcome/Actions taken
Northern Regional College	2013/14	Investigation complete. Regular patrols implemented by PSNI. Duration of external lighting provision extended.
Northern Regional College	2013/14	Investigation complete. College held refresher training on cash handling.
North West Regional College	2013/14	Investigation complete -student dismissed. Money recovered in full.
North West Regional College	2013/14	Investigation complete and funds repaid.
South Eastern Regional College	2013/14	Investigation complete. Goods recovered. Criminal prosecution pending.
South Eastern Regional College	2013/14	Investigation complete. No one caught in relation to the incident. College room security revised.
South West College	2013/14	Investigation complete. No one caught in relation to the incident. College introduced new procedure for entry to walk-in safe and cash handling.
Belfast Metropolitan College	2014/15	External theft - investigation complete. Member of staff made aware of the importance of asset security.
Belfast Metropolitan College	2014/15	Authority notified. Situation investigated. Pending repayment of grant. New procedures drafted.
Belfast Metropolitan College	2014/15	Investigation completed - no fraudulent activity found.
Belfast Metropolitan College	2014/15	Investigation completed -no fraudulent activity found. Enhanced procedures drafted within area as a safeguard.
Belfast Metropolitan College	2014/15	Forensic investigation ongoing. Two members of staff have been suspended pending outcome of investigation.
North West Regional College	2014/15	Student is no longer on the programme. All monies have been recovered from the student.
South Eastern Regional College	2014/15	Investigation on-going. Audit of college equipment undertaken and review of processes regarding borrowing college equipment.
South Eastern Regional College	2014/15	Investigation complete. Authority Notified. College reviewed and revised overseas travel procedure.
South West College	2014/15	Investigation on-going. College security processes upgraded. Refresher training on cash handling carried out.

**Universities:**

University	Year	Action taken
Queen's University Belfast	2013/14	Fraud reporting protocol enacted. PSNI informed
Queen's University Belfast	2013/14	Fraud reporting protocol enacted
Queen's University Belfast	2013/14	Fraud reporting protocol enacted. PSNI informed
Queen's University Belfast	2014/15	Fraud reporting protocol enacted. PSNI informed. Member of staff resigned
Queen's University Belfast	2014/15	Fraud reporting protocol enacted. PSNI informed
Queen's University Belfast	2014/15	Fraud reporting protocol enacted. Barclays Bank (Card provider) cancelled the card.
Queen's University Belfast	2014/15	Fraud reporting protocol enacted

University	Year	Action taken
Ulster University	2012/13	Action taken against one member of staff under the University's capability procedure and a period of monitoring the individual's performance was instigated.
Ulster University	2014/15	No action required as attempted fraud was unsuccessful as the fraudster approached the University's former bank.

**Mr Weir** asked the Minister for Employment and Learning why his Department has paid due regard to Article 8 of EU Regulation 1304-2013 but not to Article 7.

**(AQW 44980/11-15)**

**Dr Farry:** In developing the ESF 2014-2020 Programme account has been taken of both Article 7 and Article 8 referred to above.

Support for women-only projects is provided through Priority Axis 1, Thematic Objectives 8 – “Promoting sustainable and quality employment and supporting labour mobility”. Within this Thematic Objective, there are two separate investment priorities, one of which supports unemployed and economically inactive people - Investment Priority 8(i) – “access to employment for job-seekers and inactive people, including local employment initiatives and support for labour mobility”. The second Investment Priority (8ii) describes support specifically for NEETs in the 16-24 age group.

In the guidance notes that accompanied the application form for applicants to the 2014-2020 Programme, examples of groups to be supported under the economically inactive category were given as: - “Economically inactive people, including people with barriers such as lone parents, ex-offenders, people with no/low qualifications”. The following caveat was also included – “Please note this list is not exhaustive” - to allow applicants flexibility in the type of group project providers wished to support.

The description of this category as “unemployed, including long-term unemployed and economically inactive people” was agreed with the Commission on the basis that it allowed sufficient flexibility for disadvantaged groups, including women, to be represented as appropriate. This allows for projects specifically targeting women to be funded, and a total of 11.7% of funding was allocated to this group under Thematic Objective 8(i).

Through Thematic Objective 9 – “Promoting social inclusion and combating poverty and any discrimination” further support is provided to women.

Associated with Thematic Objective 9 is the following Investment Priority 9(i) – “Active inclusion, including with a view to promoting equal opportunities and active participation, and improving employability”. It should be noted that the wording of the Thematic Objectives and associated investment priorities is that of the EU Commission and cannot be amended by Managing Authorities.

Whilst there is no specific reference to women in the wording of the Investment Priority for thematic objective 9, it addresses families in need, a high proportion of which are lone parents. Furthermore, evidence from the Pilot Community Family Support Programme showed a high percentage of women on this Programme. A total of 1,321 participants were supported over the three cycles of the Pilot, of which 887(67.1%) were female and 434(32.9%) were male. This support will continue in the 2014-2020 Programme.

**Mr Swann** asked the Minister for Employment and Learning, pursuant to AQW 44319/11-15 for a summary of the reasons for the fraud investigations that were undertaken.

**(AQW 44991/11-15)**

**Dr Farry:** The Financial Memorandum between the Department and the further education sector requires colleges to report all instances of potential fraud. Therefore, the recorded incidences in the table below include cases which resulted in no financial loss to the college concerned.

In each case the category of the reasons for the fraud mirrors the guidance issued on fraud reporting by the Department of Finance and Personnel.

College	Year	Reasons for Investigation
Belfast Metropolitan College	2012/13	Theft of assets – Safety Boots
Belfast Metropolitan College	2012/13	Abuse of position / theft / false representation - Falsification of timesheets
Belfast Metropolitan College	2012/13	Theft of assets – Mobile phone
Northern Regional College	2012/13	Theft of cash – Missing cash lodgement (£160)
Northern Regional College	2012/13	Theft of assets – Padlock
North West Regional College	2012/13	Theft of cash - Cheque made out to student obtained by third party (£585.90)

College	Year	Reasons for Investigation
North West Regional College	2012/13	Credit card fraud – No financial loss
North West Regional College	2012/13	Theft - Trainee allowances (£154)
South Eastern Regional College	2012/13	Theft - Trainee allowances (Unknown)
South Eastern Regional College	2012/13	Theft of assets - Copper calorifiers
Southern Regional College	2012/13	Theft of assets – Laptops
Southern Regional College	2012/13	Theft of cash (£55)
Southern Regional College	2012/13	Theft of assets – Bus passes. No financial loss
Southern Regional College	2012/13	Theft of assets – Laptop. No financial loss
Southern Regional College	2012/13	Theft of assets – Lab equipment
Southern Regional College	2012/13	Theft of assets – Laptop
Southern Regional College	2012/13	Theft of assets – Projector
South West College	2012/13	Theft of assets – Computer components
South West College	2012/13	Theft of cash - Alteration of cheque. No financial loss
Belfast Metropolitan College	2013/14	Theft of cash (£100)
Belfast Metropolitan College	2013/14	Abuse of position- Staff member suspected of taking funds for personal gain (£304)
Belfast Metropolitan College	2013/14	Pay or pay related allowances - No financial loss.
Belfast Metropolitan College	2013/14	Abuse of position – Potential double funding. No financial loss.
Belfast Metropolitan College	2013/14	Theft of assets – Laptop
Belfast Metropolitan College	2013/14	Theft of assets – Lead from roof
Belfast Metropolitan College	2013/14	Theft of assets – Sewing machine
Northern Regional College	2013/14	Abuse of Position - Irregular payments made by a member of finance staff to an associated party. No financial loss
Northern Regional College	2013/14	Theft of assets – Lead from roof
Northern Regional College	2013/14	Credit card fraud - No financial loss
Northern Regional College	2013/14	Theft of cash – Bank error. No financial loss
Northern Regional College	2013/14	Theft of assets - Lead from roof
Northern Regional College	2013/14	Theft of assets - Lead from roof
Northern Regional College	2013/14	Theft of cash (£50)
North West Regional College	2013/14	Theft - trainee allowances. No financial loss
North West Regional College	2013/14	Theft - trainee allowances. No financial loss
South Eastern Regional College	2013/14	Theft of assets – Equipment. No financial loss
South Eastern Regional College	2013/14	Theft of cash (£40)
South West College	2013/14	Theft of cash (£654.64)
Belfast Metropolitan College	2014/15	Theft of assets – iPad
Belfast Metropolitan College	2014/15	Theft - trainee allowances (£2,636.20)
Belfast Metropolitan College	2014/15	Pay related – Potential double claim by staff member. (Unknown)
Belfast Metropolitan College	2014/15	Payment process related - False claims. (Unknown)
Belfast Metropolitan College	2014/15	Abuse of position / theft / false representation - Unknown
North West Regional College	2014/15	False Travel Claim (£228.40)
South Eastern Regional College	2014/15	Theft of assets - Zoom recorder
South Eastern Regional College	2014/15	Grant related/False representation/ Negligence - No financial loss

College	Year	Reasons for Investigation
South West College	2014/15	Theft of Cash (£915)

### Universities

As a condition of their Financial Memorandum, the universities are required to report to the Department any theft, fraud, loss of charity assets or other irregularity where the sums of money involved are, or potentially are:

- in excess of £5,000; or
- where the particulars of the fraud, theft, loss of charity assets or other irregularity may reveal a systemic weakness of concern beyond the institution, or are novel, unusual or complex; or
- where there is likely to be public interest because of the nature of the fraud, theft, loss of charity assets or other irregularity, or the people involved.

University	Year	Reason
Queen's University Belfast	2013/14	Theft of camera and other related kit from a student who was using it as part of her studies
Queen's University Belfast	2013/14	Theft of Netbook
Queen's University Belfast	2013/14	Break-in and theft of three cameras from University building
Queen's University Belfast	2014/15	Theft of money by member of staff
Queen's University Belfast	2014/15	Theft of 9 cases of vodka from Students' Union
Queen's University Belfast	2014/15	Fraudulent use of Purchase Card - refunded by the bank
Queen's University Belfast	2014/15	Bogus email request from the Vice-Chancellor, requesting a wire transfer of money
Ulster University	2012/13	Individual was claiming mileage allowance whilst using a university pool car and inappropriate expenditure being incurred at conferences.
Ulster University	2012/13	Fraudulent letter received advising of change of bank account details for a supplier.
Ulster University	2013/14	Suspected overclaiming of fees by a student support provider over several years.
Ulster University	2014/15	Request made to the University's former bank to set up a Standing Order between the University and a Post office account.

**Ms Maeve McLaughlin** asked the Minister for Employment and Learning for an update on the expansion of Ulster University at Magee.

**(AQW 45021/11-15)**

**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. The Derry~Londonderry Strategy Board commissioned consultants to prepare an economic appraisal to support the expansion of the Magee campus. The first full draft of the appraisal was delivered to my Department on 19 December 2014. The appraisal has been scrutinised by officials and feedback provided to the consultants who are currently amending the business case.

My Department does not have the funds to contemplate any further expansion of the higher education sector in the current financial climate and I have already undertaken to make a bid to the Executive for the expansion of the Magee campus should the appraisal make the case that this represents good value for money from a Northern Ireland perspective.

**Mr Easton** asked the Minister for Employment and Learning whether any departmental staff have the use of a company car as part of their contract.

**(AQW 45042/11-15)**

**Dr Farry:** The Department for Employment and Learning does not have any departmental staff who have the use of a company car as part of their contract.

**Mr Allister** asked the Minister for Employment and Learning to detail the scale of the reduction, in both actual and percentage terms, being implemented in his Department's 2015/16 budget, specifying the level of cut in each programme.

**(AQW 45050/11-15)**

**Dr Farry:** The Department's final Resource budget for 2015-16 is £694.7 million excluding the Change Fund. This represents a reduction of £61.5 million compared to the opening baseline of £756.2 million. However, the Department also faces an inescapable pressure of £1.8 million to meet a requirement for European Social Fund match funding. This increases the budget reduction to £63.3 million. This represents a one year budget reduction of 8.4%.

The Department's Capital budget allocation has reduced from £55.7 million in 2014-15 to £33.2 million in 2015-16. This represents a one year budget reduction of 40.4%. The Capital budget is allocated at project level as opposed to programme level.

The level of reductions in each programme is detailed in the table below:

<b>Budget Reductions</b>	<b>Amount £m</b>
Steps to Success contract management savings	1.5
Alternative delivery mechanisms for Investors in People	0.5
Management & Leadership programme	1.0
Reductions in skills support to industry	2.3
Further Education	12.0
Higher Education	16.1
Funds that had not yet been allocated to specific programmes	11.3
Stranmillis University College reclassification	1.8
Training for Success reduction in demand	3.0
Employment Service efficiency savings	3.5
Departmental efficiency savings and reductions	8.3
Planned over-commitments	2.0
<b>Total</b>	<b>63.3</b>

**Mr Easton** asked the Minister for Employment and Learning how many lecturers are currently working at Queen's University.  
(AQW 45092/11-15)

**Dr Farry:** My Department provides funding to the higher education institutions for teaching, learning and research purposes. The employment of staff is the responsibility of the individual institutions and my Department does not collate the information requested on an institutional level. You may therefore wish to seek this information from the institutions directly.

**Mr Easton** asked the Minister for Employment and Learning how many professors are currently lecturers at Queen's University.  
(AQW 45093/11-15)

**Dr Farry:** My Department provides funding to the higher education institutions for teaching, learning and research purposes. The employment of staff is the responsibility of the individual institutions and my Department does not collate the information requested on an institutional level. You may therefore wish to seek this information from the institutions directly.

**Mr Easton** asked the Minister for Employment and Learning how many lecturers are currently working at Ulster University.  
(AQW 45094/11-15)

**Dr Farry:** My Department provides funding to the higher education institutions for teaching, learning and research purposes. The employment of staff is the responsibility of the individual institutions and my Department does not collate the information requested on an institutional level. You may therefore wish to seek this information from the institutions directly.

**Mr Easton** asked the Minister for Employment and Learning how many professors are currently lecturers in the Ulster University.  
(AQW 45120/11-15)

**Dr Farry:** My Department provides funding to the higher education institutions for teaching, learning and research purposes. The employment of staff is the responsibility of the individual institutions and my Department does not collate the information requested on an institutional level. You may therefore wish to seek this information from the institutions directly.

**Mr Easton** asked the Minister for Employment and Learning how many lecturers are currently working at St Mary's College.  
(AQW 45121/11-15)

**Dr Farry:** My Department provides funding to the higher education institutions for teaching, learning and research purposes. The employment of staff is the responsibility of the individual institutions and my Department does not collate the information requested on an institutional level. You may therefore wish to seek this information from the institutions directly.

**Mr B McCrea** asked the Minister for Employment and Learning how much money his Department has allocated to UK City of Culture Legacy funding in the last two years.  
**(AQW 45128/11-15)**

**Dr Farry:** There has been no money allocated by my Department to the UK City of Culture Legacy funding in the last two years.

**Mr Easton** asked the Minister for Employment and Learning how many professors work as lecturers at St Mary's College.  
**(AQW 45146/11-15)**

**Dr Farry:** My Department provides funding to the higher education institutions for teaching, learning and research purposes. The employment of staff is the responsibility of the individual institutions and my Department does not collate the information requested on an institutional level. You may therefore wish to seek this information from the institutions directly.

**Mr Easton** asked the Minister for Employment and Learning how many lecturers are currently working at Stranmillis College.  
**(AQW 45147/11-15)**

**Dr Farry:** My Department provides funding to the higher education institutions for teaching, learning and research purposes. The employment of staff is the responsibility of the individual institutions and my Department does not collate the information requested on an institutional level. You may therefore wish to seek this information from the institutions directly.

**Mr Easton** asked the Minister for Employment and Learning how many professors are currently lecturing at Stranmillis College.  
**(AQW 45148/11-15)**

**Dr Farry:** My Department provides funding to the higher education institutions for teaching, learning and research purposes. The employment of staff is the responsibility of the individual institutions and my Department does not collate the information requested on an institutional level. You may therefore wish to seek this information from the institutions directly.

**Mr Easton** asked the Minister for Employment and Learning to detail the current budget for St Mary's College.  
**(AQW 45149/11-15)**

**Dr Farry:** My Department's recurrent block grant allocation to St Mary's University College for academic year 2014/15 is £4,533,743.

However, the college's overall operating budget for the year will also include income from other sources such as student fees. My Department does not hold details of such income.

**Mr Easton** asked the Minister for Employment and Learning to detail the current budget for Stranmillis College.  
**(AQW 45150/11-15)**

**Dr Farry:** My Department's recurrent block grant allocation to Stranmillis University College for academic year 2014/15 is £4,542,573.

However, the college's overall operating budget for the year will also include income from other sources such as student fees. My Department does not hold details of such income.

**Mr Campbell** asked the Minister for Employment and Learning to detail the estimated number of young people, who participated in the YES Scheme, that have gained permanent employment since January 2013,  
**(AQW 45198/11-15)**

**Dr Farry:** Since January 2013, a total of 3361 young people moved into permanent employment under the Youth Employment Scheme. This includes both subsidised and unsubsidised employment opportunities.

**Mr Swann** asked the Minister for Employment and Learning what employment legislation currently covers the role of Associate dentists that are (i) neither recognised by their principals as full time employees or (ii) self-employed individuals.  
**(AQW 45199/11-15)**

**Dr Farry:** My Department has not set in place legislative requirements that are specific to the dental profession and I am therefore not in a position to comment on specific arrangements. However, if an individual has concerns about his or her employment contract or status, or access to employment rights, they may wish to contact the Labour Relations Agency which provides a free and confidential helpline.

**Mr Easton** asked the Minister for Employment and Learning what is the current budget for Ulster University.

**(AQW 45241/11-15)**

**Dr Farry:** My Department's recurrent block grant allocation to Ulster University for academic year 2014/15 is £76,693,787. Allocations in respect of other funding initiatives amount to an additional £3,625,526.

However, the university's overall operating budget for the year will also include income from other sources such as student fees. My Department does not hold details of such income.

**Mr Easton** asked the Minister for Employment and Learning what capital assets are held by Queen's University.

**(AQW 45244/11-15)**

**Dr Farry:** This question was shared with the University. It provided a breakdown of the capital assets it holds. It has reported that the total value of the assets is £347.95m as at 31 July 2014. A breakdown is attached for your information.

**Mr Easton** asked the Minister for Employment and Learning how many students currently attend Queen's University.

**(AQW 45245/11-15)**

**Dr Farry:** The table below sets out the number of student enrolments at each institution in academic year 2013/14. These are the latest figures available to my Department.

Institution	Student enrolments 2013/14
Queen's University	23,320
Ulster University	26,200
St Mary's	1,210
Stranmillis	1,525

**Mr D McIlveen** asked the Minister for Employment and Learning how has his Department reduced youth unemployment in North Antrim.

**(AQW 45247/11-15)**

**Dr Farry:** My Department recognises the high social and economic cost of youth unemployment and is committed to creating and improving opportunities for our young people at a time when youth unemployment in NI remains higher than the UK average. The Youth Employment Scheme (YES) was devised specifically to address this issue in Northern Ireland. In the catchment area for the Ballymena and Ballymoney Jobs and Benefits Offices (JBOs) a total of 408 young people aged between 18-24 years participated on one or more elements of the scheme between July 2012 and March 2015. Latest figures show that a total of 181 YES participants moved into subsidised or unsubsidised employment.

My Department also introduced the First Start initiative, which assisted eligible 18 – 24 year olds, through 26 week waged opportunities, to find and sustain employment. Although validated statistical information is not yet available, we know that at least 30 participants from North Antrim gained employment through the initiative.

My officials in both the Ballymoney and Ballymena JBOs offer a range of services to young people who are unemployed and to employers wishing to recruit. This may include one to one tailored support and advice, assistance with jobsearch, writing CVs, completion of application forms, preparation for interviews and/or assistance with travel costs to interviews. My Department also delivers weekly Jobclubs in Ballymoney, Ballymena and Ballycastle. These are very popular with clients, particularly the additional support of assistance with letter writing, telephone skills, social media, references and psychometric tests. 36% of participants at the North Antrim Jobclubs subsequently find work.

In addition, my Department delivered a bespoke Job Fair in the Joey Dunlop Leisure Centre, Ballymoney during September 2014 to help address unemployment in the area. Over 600 people attended the event, which saw 383 opportunities offered by 32 employers.

Finally, please rest assured that although youth unemployment in North Antrim has fallen by 18% from 705 in March 2014 to 575 in March 2015, my Department is committed to continuing to work to support the young people of North Antrim into employment. I thank you for your interest and support in this matter.

**Mr F McCann** asked the Minister for Employment and Learning to detail the results of the consultation process of the Youth Training and Apprenticeship Scheme; and whether Regional Training organisations have an opportunity to bid for the Youth Training and Apprenticeship Schemes.

**(AQW 45258/11-15)**

**Dr Farry:** I published an Interim Report and Consultation Document on the proposed way forward with apprenticeships in January 2014. A Summary of Responses was published on my Department's website in May 2014 and of the responses 71 were received with broad support from the respondents in relation to the 32 proposals set out in the interim report.



In June 2014, I published my final policy position through the publication of Securing our Success: The Northern Ireland Strategy on Apprenticeships. A new interim Strategic Advisory Forum and sector partnerships, in line with a commitment within the strategy, have been established to place employers in the lead role in ensuring that the provision and content of apprenticeships meets their needs.

In future, apprenticeships will be offered from skills level 3 to 8. Universities, Further Education Colleges and other approved providers, which meet the required quality standards, will be able to deliver the off-the-job training element of an apprenticeship.

There will be a new quality assurance model put in place to ensure a high quality apprenticeship provision, through inspection, rigorous assessment, established criteria for teaching, and for continuous professional development and, ongoing performance management.

The public consultation on the proposals relating to the review of youth training was launched on the 18th November 2014, offering stakeholders the opportunity to document their views on the proposals and summary findings from the review's interim report.

The consultation closed on the 10th February 2015. A total of 61 formal responses, from both organisations and individuals, were received in response to the consultation. These are now informing the development of the final strategy, which will be published shortly. The new Strategy will set out the measures my Department will take to ensure that high quality providers will be able to deliver the new youth training offer.

**Mr Moutray** asked the Minister for Employment and Learning to detail the current number of apprenticeship trainees in Upper Bann. (AQW 45259/11-15)

**Dr Farry:** As of October 2014, ApprenticeshipsNI programme occupancy in the Upper Bann Parliamentary Constituency was 431.

A full breakdown of occupancy by apprenticeship framework and level is included at Table 1.

The latest full ApprenticeshipsNI Statistical Bulletin can be found by following the link below.

<http://www.delni.gov.uk/draft-appsni-bulletin-feb-15.pdf>

In addition, as part of the implementation of the new Apprenticeship Strategy, a number of pilot Higher Level Apprenticeships are being taken forward across NI, including two involving local employers working with the Southern Regional College.

**Table 1: Occupancy on AppsNI for participants from Upper Bann Parliamentary Constituency only, by Framework and Level, October 2014**

Framework	Level 2	Level 2/3	Level 3 Progression	Level not assigned	Total
Agriculture	0	0	2	0	2
Amenity Horticulture	0	0	1	0	1
Beauty Therapy	3	0	1	0	4
Business and Administration	0	1	0	0	1
Catering and Professional Chefs	8	0	2	0	10
Child Care, Learning and Development	3	0	15	0	18
Construction	9	0	0	0	9
Construction Crafts	0	0	12	0	12
Craft Baking	1	0	0	0	1
Customer Service	7	2	2	0	11
Distribution and Warehousing	2	0	0	0	2
Electrical Distribution and Trans. Engineering	0	3	0	0	3
Electrotechnical	0	31	8	0	39
Engineering	19	11	19	0	49
Equine Industry	1	0	0	0	1
Food and Drink Manufacturing Operations	1	0	0	0	1
Food Manufacture	44	1	8	0	53
Glass Industry Occupations	4	0	0	0	4
Hairdressing	10	0	14	0	24

Framework	Level 2	Level 2/3	Level 3 Progression	Level not assigned	Total
Health and Social Care	17	1	9	0	27
Heating, Ventilation, Air-Conditioning and Refrigeration	2	0	1	0	3
Hospitality	20	1	12	0	33
Insurance	1	0	0	0	1
IT and Telecoms Professional	2	0	0	0	2
IT Services and Development	1	0	0	0	1
Land Based Service Engineering	0	0	2	0	2
Light Vehicle Body and Paint Operations	0	0	5	0	5
Management	0	0	7	0	7
MES Plumbing	7	4	10	0	21
Motor Vehicle Industry	2	0	0	0	2
Print Administration	0	0	1	0	1
Print Production	0	0	4	0	4
Printing Industry	1	0	0	0	1
Providing Mortgage Advice	0	0	1	0	1
Retail	17	0	6	0	23
Team Leading	9	0	0	0	9
Vehicle Body and Paint	4	0	0	0	4
Vehicle Maintenance and Repair	13	0	24	0	37
Vehicle Parts	2	0	0	0	2
<b>Total</b>	<b>210</b>	<b>55</b>	<b>166</b>	<b>0</b>	<b>431</b>

**Source:** Data extracted from DEL's Client Management System on 30th January 2015

- (i) Level 2: Refers to those Apprentices with a specific Personal Training Plan, the targeted outcome of which is NVQ Level 2 or equivalent, but no higher.
- (ii) Level 2/3: Refers to those Apprentices with a specific Personal Training Plan, who are pursuing an NVQ Level 2 en route to a targeted outcome which is NVQ Level 3 or equivalent.
- (iii) Level 3: Refers to those Apprentices who have already met the Level 2 requirement before commencing a Level 3 programme.
- (iv) Level not assigned: Refers to those Apprentices who are undertaking an apprenticeship but the level is not known. This is most likely due to the fact that the participant has not been on programme long enough to complete their initial assessment period and establish which framework they should be on. Without the framework code, the level of their apprenticeship cannot be determined.

**Mr B McCreagh** asked the Minister for Employment and Learning for his assessment of the impact budget cuts will have on Belfast Metropolitan College.  
(AQW 45282/11-15)

**Dr Farry:** The process to determine individual college budget allocations for 2015/16 has not yet reached completion. Therefore, I am unable to provide an assessment of the impact on the Further Education Sector in general, or Belfast Metropolitan College, in particular, at this time.

My officials have been working with the further education sector to examine options for reducing spend, without severely impacting front line services. It is likely, however, given the scale of the reduction to my Department's budget, that services will be affected, with the likelihood of staff losses and a reduction in student places.

**Mr Easton** asked the Minister for Employment and Learning what is the religious breakdown of students attending Queen's University.  
(AQW 45287/11-15)

**Dr Farry:** The table below shows Northern Ireland domiciled enrolments at Northern Ireland's higher education institutions by institution and religion in 2013/14.

Information on religion is only collected for Northern Ireland domiciled students studying at NI higher education institutions. As religious affiliation is not a mandatory question it can have a high non-response rate.

Religion	Queen's University Belfast	Ulster University	Stranmillis	St Mary's	Total
Protestant	6,230	6,630	925	20	13,800
Catholic	8,720	10,975	475	1,155	21,325
Other	2,095	2,540	30	5	4,665
Not known/available	2,855	1,420	60	15	4,350
<b>Total</b>	<b>19,900</b>	<b>21,560</b>	<b>1,485</b>	<b>1,190</b>	<b>44,140</b>

**Mr Easton** asked the Minister for Employment and Learning what is the religious breakdown of students attending Stranmillis College.

**(AQW 45289/11-15)**

**Dr Farry:** The table below shows Northern Ireland domiciled enrolments at Northern Ireland's higher education institutions by institution and religion in 2013/14.

Information on religion is only collected for Northern Ireland domiciled students studying at NI higher education institutions. As religious affiliation is not a mandatory question it can have a high non-response rate.

Religion	Queen's University Belfast	Ulster University	Stranmillis	St Mary's	Total
Protestant	6,230	6,630	925	20	13,800
Catholic	8,720	10,975	475	1,155	21,325
Other	2,095	2,540	30	5	4,665
Not known/available	2,855	1,420	60	15	4,350
<b>Total</b>	<b>19,900</b>	<b>21,560</b>	<b>1,485</b>	<b>1,190</b>	<b>44,140</b>

**Mr Easton** asked the Minister for Employment and Learning what is the religious breakdown of students attending St Mary's College.

**(AQW 45290/11-15)**

**Dr Farry:** The table below shows Northern Ireland domiciled enrolments at Northern Ireland's higher education institutions by institution and religion in 2013/14.

Information on religion is only collected for Northern Ireland domiciled students studying at NI higher education institutions. As religious affiliation is not a mandatory question it can have a high non-response rate.

Religion	Queen's University Belfast	Ulster University	Stranmillis	St Mary's	Total
Protestant	6,230	6,630	925	20	13,800
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Other	2,095	2,540	30	5	4,665
Not known/available	2,855	1,420	60	15	4,350
<b>Total</b>	<b>19,900</b>	<b>21,560</b>	<b>1,485</b>	<b>1,190</b>	<b>44,140</b>

**Mr Easton** asked the Minister for Employment and Learning what is the current budget for Stranmillis College.

**(AQW 45291/11-15)**

**Dr Farry:** Please see my answer to AQW45150/11-15 which you previously asked.

My Department's recurrent block grant allocation to Stranmillis University College for academic year 2014/15 is £4,542,573.

However, the college's overall operating budget for the year will also include income from other sources such as student fees. My Department does not hold details of such income.

**Mr Easton** asked the Minister for Employment and Learning what is the religious breakdown of students attending Ulster University.

**(AQW 45323/11-15)**

**Dr Farry:** The table below shows Northern Ireland domiciled enrolments at Northern Ireland's higher education institutions by institution and religion in 2013/14.

Information on religion is only collected for Northern Ireland domiciled students studying at NI higher education institutions. As religious affiliation is not a mandatory question it can have a high non-response rate.

Religion	Queen's University Belfast	Ulster University	Stranmillis	St Mary's	Total
Protestant	6,230	6,630	925	20	13,800
Catholic	8,720	10,975	475	1,155	21,325
Other	2,095	2,540	30	5	4,665
Not known/available	2,855	1,420	60	15	4,350
<b>Total</b>	<b>19,900</b>	<b>21,560</b>	<b>1,485</b>	<b>1,190</b>	<b>44,140</b>

**Mr B McCrea** asked the Minister for Employment and Learning how much funding his Department has allocated to Sentinus in each of the last three financial years.

**(AQW 45324/11-15)**

**Dr Farry:** Sentinus' 'IT's Your Choice' programme, funded by the Department of Education, Invest NI and my Department, was launched under the 'Bring IT On' campaign in 2013-14 to help promote the sector as a career choice to young people by providing accessible, hands-on coding activities and links with companies in the IT sector.

The contribution to this programme from my Department is detailed in the table below.

<b>2012/13</b>	-
2013/14	£41,000
2014/15	£76,000

**Mr Easton** asked the Minister for Employment and Learning to detail the current number of students enrolled at Ulster University.

**(AQW 45373/11-15)**

**Dr Farry:** The table below sets out the number of student enrolments at each institution in academic year 2013/14. These are the latest figures available to my Department.

Institution	Student enrolments 2013/14
Queen's University	23,320
Ulster University	26,200
St Mary's	1,210
Stranmillis	1,525

**Mr Easton** asked the Minister for Employment and Learning to detail the current number of students enrolled at St Mary's University College, Belfast.

**(AQW 45374/11-15)**

**Dr Farry:** The table below sets out the number of student enrolments at each institution in academic year 2013/14. These are the latest figures available to my Department.

Institution	Student enrolments 2013/14
Queen's University	23,320
Ulster University	26,200

Institution	Student enrolments 2013/14
St Mary's	1,210
Stranmillis	1,525

**Mr Easton** asked the Minister for Employment and Learning to detail the current number of students enrolled at Stranmillis University College.

**(AQW 45375/11-15)**

**Dr Farry:** The table below sets out the number of student enrolments at each institution in academic year 2013/14. These are the latest figures available to my Department.

Institution	Student enrolments 2013/14
Queen's University	23,320
Ulster University	26,200
St Mary's	1,210
Stranmillis	1,525

**Mr Agnew** asked the Minister for Employment and Learning what consideration he has given to raising the earnings threshold above which a student loan has to be repaid to £21,000, as is the case in England.

**(AQW 45378/11-15)**

**Dr Farry:** I can advise that the rationale for not increasing the repayment threshold to £21,000 for Northern Ireland domiciled students is based on targeting the available funding at maintaining their tuition fees at Northern Ireland Higher Education Institutions (HEIs), at 2012/13 levels, subject only to annual inflationary increases. Consequently, the tuition fees for academic year 2015/16 for Northern Ireland domiciles studying in Northern Ireland HEIs will be £3,805 whereas English domiciled students can expect their tuition fees to be up to £9,000. So, rather than increase the income threshold the policy agreed by the Executive was to freeze tuition fees, apart from the inflationary increases from 2012/13 onwards. Given the additional differing loan interest rates and the repayment periods, as outlined below, these arrangements are overall more advantageous to Northern Ireland domiciled students compared to their English counterparts.

For the tax year 2015/16, the repayment threshold in England and Wales will remain at £21,000. For Northern Ireland and Scotland the repayment thresholds will increase from £16,910 to £17,335 in tax year 2015/2016. It is recognised that this will result in Northern Ireland and Scottish domiciled students reaching the repayment threshold more quickly than their English and Welsh counterparts. However, while the repayment threshold is higher in England and Wales for students, it is also important to bear in mind that the interest rate on student loans will also be significantly higher there. In England and Wales, variable interest rates of up to 3% above the Retail Price Index will apply, whereas interest rates for Northern Ireland domiciled students will continue to be based on the lower of the Bank of England base rate plus 1% or the appropriate Retail Price Index. At present, this means the rate of interest payable by Northern Ireland domiciled students is 1.5% whereas English and Welsh domiciles could be currently charged interest at a rate of up to 6.5%.

In addition, Northern Ireland domiciled students have a shorter period of time in which to pay back their loans in comparison to students from England and Wales. This is a more advantageous arrangement for Northern Ireland domiciled students because any outstanding loan balance they have is written off after 25 years in contrast to English and Welsh students whose outstanding loan balance will not be written off until 30 years have elapsed. In other words, English and Welsh students have five more years than students from Northern Ireland to make repayments on their loans before they are written off.

Given very tight financial restraints on my Department's budget, I have no plans to review the current student loan repayment arrangements.

**Mr Girvan** asked the Minister for Employment and Learning how much money his Department has allocated to Ulster University for the redevelopment of the Belfast campus.

**(AQO 8070/11-15)**

**Dr Farry:** My Department contributed a total of £16 million capital grant to Ulster University's Greater Belfast Development project. In addition my Department facilitated a loan of £73.5 million Financial Transactions Capital which has been paid to the University via the Strategic Investment Board.

**Ms Boyle** asked the Minister for Employment and Learning, following recent discussions on European Social Fund applications, how he plans to support community based education projects to continue to provide a lifeline to students that do not participate in mainstream education.

**(AQO 8068/11-15)**

**Dr Farry:** The European Social Fund is an open and competitive funding Programme.

Following the conclusion of the European Social Fund application assessment process the Department has offered 68 successful applicants funding.

This funding equates to over £112.6m for the first three years of this seven year Programme.

This funding is 40% European Commission contribution; 25% DEL contribution and 35% private or public match funding contribution.

£180m worth of applications were originally submitted to the Programme and it was inevitable that the Department could not fund all applications.

Although a number of applicants scored above the quality threshold score there was insufficient funding to offer those applicants funding.

The Department is unable to offer any funding to those applicants scoring above the quality threshold score.

You may wish to note that there were seven successful applicants who have been offered funding within the youth priority; eight applicants in the unemployed/ inactive priority; and nine applicants in the disability priority. Each of these applicants has indicated that they will be delivering provision in West Belfast.

It is worth noting that 60 of the successful applicants were from the voluntary and community sector with the remaining applicants coming from the statutory or private sectors.

The funding for those 60 applicants equates to approximately 92% of the funding going to voluntary and community sector applicants.

This new European Social Fund Programme aims to further drive up skills levels and this investment in projects across Northern Ireland will provide opportunities to people who face the greatest barriers to work and learning.

The funding will help individuals fulfil their potential by giving them better skills and better job prospects to take steps towards employment.

Specifically the Programme will support over 10,000 young people not in education, employment or training; 24,742 participants who are unemployed/ economically inactive; and 7,266 people with a disability.

Additionally, the Programme will provide assistance to 2,340 families.

Despite a challenging process and timeframe the Department has been able to complete the ESF assessment process to allow 68 applicants to be offered funding from 1 April 2015.

Although a number of applicants scored above the quality threshold score there was insufficient funding to offer those applicants funding.

It should be noted that the Programme was oversubscribed with a total of £180 m worth of applications submitted.

The Department is unable to offer any further funding to those applicants scoring above the quality threshold score.

**Ms Fearon** asked the Minister for Employment and Learning how he plans to protect those groups that were recently refused European Social Fund funding and scored above the departmental threshold.

**(AQO 8071/11-15)**

**Dr Farry:** The European Social Fund is an open and competitive funding Programme.

Following the conclusion of the European Social Fund application assessment process the Department has offered 68 successful applicants funding.

This funding equates to over £112.6m for the first three years of this seven year Programme.

This funding is 40% European Commission contribution; 25% DEL contribution and 35% private or public match funding contribution.

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It should be noted that the Programme was oversubscribed with a total of £180 m worth of applications submitted.

The Department is unable to offer any further funding to those applicants scoring above the quality threshold score.

**Mr McCartney** asked the Minister for Employment and Learning for his assessment of the delivery of Steps to Success by EOS NI to constituents in Foyle.

**(AQO 8072/11-15)**

**Dr Farry:** Steps 2 Success is delivered by EOS NI in the Foyle constituency. EOS NI has an Employment Training Centre in the old city factory building in Patrick Street. It is supported by Customised Training Services to deliver Steps 2 Success in Lisnagelvin. There are a range of specialist organisations available to meet individual's needs.

My Department has contract management and quality improvement teams that are already monitoring the programme delivery to ensure a high quality service is delivered to all participants.

By 23 April 2015 almost 3,000 participants have started on the programme in the Foyle area. Each contractor has 'into' and 'sustained' work targets that are higher than the outcomes attained in the Steps to Work Programme.

An initial quality evaluation was conducted by the Department's Quality Assessment Team and extensive feedback provided to EOS NI. Initial findings have concluded that EOS NI has made a good start in developing effective links with employers in order to identify and provide job opportunities.

Officials in Foyle and Lisnagelvin Jobs and Benefits Offices work closely with EOS NI in the Foyle constituency on a daily basis, as well as meeting them bi-monthly to monitor the delivery of Steps 2 Success.

EOS NI agree an individual Progression to Employment Plan with each participant to assist their progression towards employment. The level of service delivered to each participant is underwritten by a Service Guarantee that defines the minimum level of service they receive.

To enhance employment opportunities EOS NI are currently building relationships with a range of small, medium and large employers across the Foyle constituency.

In addition, I am aware that EOS NI is engaging with local community organisations.

**Mr Poots** asked the Minister for Employment and Learning how his Department is supporting the establishment of a veterinary school at Ulster University.

**(AQO 8073/11-15)**

**Dr Farry:** The proposal to establish a veterinary school at the Coleraine campus of Ulster University has been brought forward by the University. The University is preparing a business case for this proposal but a full draft has yet to be submitted to my Department.

Once the business case is approved, it may be used to support to bid for additional funding. However, the University has the discretion to offer veterinary courses from within its existing MaSN allocation and funding.

Veterinary science is one of the highest cost courses to fund. In the current financial climate when the grant to the higher education institutions has been reduced and undergraduate places being withdrawn, it may be difficult for an institution to introduce such courses.

## Department of Enterprise, Trade and Investment

**Mr Flanagan** asked the Minister of Enterprise, Trade and Investment to list the companies that have refused to visit or invest in Fermanagh as a result of violence in the Derrylin area, as she suggested in a recent newspaper interview.

**(AQW 44865/11-15)**

**Mrs Foster (The Minister of Enterprise, Trade and Investment):** I have not suggested that any company has refused to visit or invest in Fermanagh as a result of violence in the Derrylin area.

**Mr Eastwood** asked the Minister of Enterprise, Trade and Investment to detail the financial assistance provided by Invest NI to companies during the 2014/15 financial year, broken down by constituency; and what each amount represents as a percentage of the total financial assistance provided by InvestNI during this period.  
(AQW 44960/11-15)

**Mrs Foster:** The information you have requested is not currently available. As with previous years, Invest NI will make this information available to you when it has been validated and approved for public release.

**Mr Eastwood** asked the Minister of Enterprise, Trade and Investment to detail the number of new jobs created from inward investment projects supported by Invest NI during the 2014/15 financial year, broken down by constituency; and what each figure represents as a percentage of the total amount of new jobs created by inward investment projects during that period.  
(AQW 44961/11-15)

**Mrs Foster:** The information you have requested is not currently available. As with previous years, Invest NI will make this information available to you when it has been validated and approved for public release.

**Mr Eastwood** asked the Minister of Enterprise, Trade and Investment to detail the number of new jobs created from first time international investors that were supported by Invest NI during the 2014/15 financial year, broken down by constituency; and what each figure represents as a percentage of the total amount of new jobs created by first time international investors during that period.  
(AQW 44962/11-15)

**Mrs Foster:** The information you have requested is not currently available. As with previous years, Invest NI will make this information available to you when it has been validated and approved for public release.

**Mr Eastwood** asked the Minister of Enterprise, Trade and Investment how many of the jobs created by Invest NI in each constituency during the 2014/15 financial year offer a salary of (i) above, but less than 25 percent above the average private sector wage; and (ii) 25 percent or more above the average private sector wage, expressed as a number and a percentage of all the new jobs created by inward investment projects during this period.  
(AQW 44963/11-15)

**Mrs Foster:** The information you have requested is not currently available. As with previous years, Invest NI will make this information available to you when it has been validated and approved for public release.

**Mr Allister** asked the Minister of Enterprise, Trade and Investment what is the scale of cuts, in both actual and percentage terms, being implemented in her Department's budget in 2015/16, specifying the level of cut in each programme.  
(AQW 45000/11-15)

**Mrs Foster:** The following table shows the Resource DEL budget position for my Department for 2015/16 compared with 2014/15, showing the change in allocation in both actual and percentage terms. DETI also has a Capital DEL budget of £20.0 million Conventional Capital and £25.3 million Financial Transactions Capital, which was allocated from an opening zero baseline.

**DETI - Non Ring-fenced Resource DEL 2015-16 (£ million)**

Objective & Spending Area	Opening Baseline	Final Budget	Change	% Change
Economic Development, Policy & Research	19.4	17.5	-1.9	-9.9
Economic Infrastructure / Energy & Minerals	3.1	3.0	-0.1	-2.9
Invest Northern Ireland	116.0	132.6	16.6	14.3
Development of Tourism	14.8	21.7	6.9	46.2
Tourism Ireland Ltd.	14.1	12.0	-2.1	-14.8
N/S Body – InterTradeIreland	3.2	2.7	-0.5	-15.0
EU Support for Economic Development	1.4	2.7	1.3	93.9
Business Regulatory Services	5.4	4.7	-0.7	-11.8
Health & Safety Executive for Northern Ireland	6.8	5.9	-0.9	-13.0
<b>Total</b>	<b>184.2</b>	<b>202.8</b>	<b>18.6</b>	<b>10.1</b>



**Mr McNarry** asked the Minister of Enterprise, Trade and Investment, given that weather and periods of high demand are likely to be similar across the UK and Republic of Ireland and in light of the closure and imposed reduction of output from existing ageing conventional generators, (i) what measures will be taken to ensure there are reliable sources of electricity to the people of Northern Ireland, along with the extra conventionally generated power; (ii) how this will be funded; and (iii) at what cost.  
(AQW 45020/11-15)

**Mrs Foster:** Northern Ireland currently has adequate generation capacity. Action has been taken to ensure that this remains the case for the medium term through putting in place a contract for additional generation and taking forward repairs to our interconnection with Scotland. Details of these measures can be accessed via the following links to a joint DETI/Regulator update on security of supply and letters published by the Regulator on restoration of the Moyle Interconnector.

[http://www.detini.gov.uk/deti\\_-\\_utility\\_regulator\\_-\\_updated\\_security\\_of\\_supply\\_paper\\_-\\_22\\_dec\\_14.pdf?rev=0](http://www.detini.gov.uk/deti_-_utility_regulator_-_updated_security_of_supply_paper_-_22_dec_14.pdf?rev=0)

[http://www.uregni.gov.uk/publications/exchange\\_of\\_letters\\_between\\_the\\_utility\\_regulator\\_and\\_moyle\\_interconnector\\_](http://www.uregni.gov.uk/publications/exchange_of_letters_between_the_utility_regulator_and_moyle_interconnector_)

For longer term security of supply, it remains important that the second north-south interconnector is progressed. Developers SONI and its Irish counterpart Eirgrid will be making submissions to the respective planning authorities in coming weeks. The cost of the northern part of the project is estimated to be around £90 million.

Ultimately, consumers pay for generation through their bills for the electricity they consume.

**Mr Eastwood** asked the Minister of Enterprise, Trade and Investment to detail (i) the number of jobs promoted by Invest NI in the Foyle constituency in each of the last five years; (ii) the number of those jobs promoted which were subsequently created; and (iii) the number of those posts created which remained in place at the end of the last financial year.  
(AQW 45029/11-15)

**Mrs Foster:** The information you have requested is not currently available. Similar to previous years, Invest NI will make this information available to you when it has been validated and approved for public release.

**Mr B McCrea** asked the Minister of Enterprise, Trade and Investment how much money her Department has allocated to UK City of Culture Legacy funding in the last two years.  
(AQW 45129/11-15)

**Mrs Foster:** Tourism Northern Ireland supported 11 events in Londonderry via the 2014/15 Tourism Event Funding Programme to the sum of £603,950.

More events will be supported via the same scheme for 2015/16. Letters of Offer/Sponsorship Agreements are currently with the organisers.

Since 2013, Tourism Northern Ireland has invested £7,188,138.31 in Londonderry capital projects including:

- Apprentice Boys of Derry Memorial Hall and Siege Museum (£1,034,983.56) due to be completed August 2015;
- St. Columba Heritage Centre opened in August 2014 (£500,000);
- Museum of Free Derry (£1,180,340) due to be completed end of 2015; and
- The Guild Hall (£2,750,000) opened in June 2013.

**Ms McGahan** asked the Minister of Enterprise, Trade and Investment what action her Department is taking to promote and encourage tourism potential in the Clogher Valley area, including promoting and developing the tourism potential of Fardross and Knockmany Forest Parks.  
(AQW 45166/11-15)

**Mrs Foster:** Tourism NI undertakes marketing activity throughout the year showcasing the many, varied experiences available here in Northern Ireland.

Exploring our forest parks and related activities such as mountain biking, walking and outdoor pursuits are popular activities all promoted through Tourism NI's marketing channels including its consumer website [www.discovernorthernireland.com](http://www.discovernorthernireland.com), its Facebook and Twitter channels and through PR/Media activity.

The website consistently receives high volumes of traffic seeking information on the Forest Parks in Northern Ireland and Fardross and Knockmany Forest Parks are both listed on the website.

Blessingbourne, The William Carleton Summer School and Carleton Trail as well as The Slieve Beagh Way are also featured, as is Knockmany Passage Grave. Many of these are also listed in the Tourism Northern Ireland Visitor Guide.

Tourism NI seeks to promote areas of Northern Ireland through regular destination focus and 'takeover' activity. This included a destination focus on the Tyrone and Sperrins region in November 2014. This activity included press trips, editorial features in Northern Ireland press, competitions, a Discover Northern Ireland website takeover where Tyrone and Sperrins information was at the forefront, social media activity and e-zines with a Tyrone and Sperrins focus.

In addition, Tourism NI has had media visiting the area through our year round programme of international media visits.

Tourism NI is aware that the former Dungannon and South Tyrone Borough Council has carried out a scoping study on the visitor potential of Knockmany Forest. Having merged into the Mid-Ulster Council, a similar exercise will now be extended to forests in the former Magherafelt District and Cookstown District Council areas.

Attractions and accommodation providers in this region (for example the Sperrins, the Green Cycle Trail, The Carleton Trail, Knockmany Passage Grave), are listed on Tourism Ireland's suite of international websites, Ireland.com, which is available in ten different language versions for over 30 individual markets around the world. This site attracts over 14.25 million visits every year from potential visitors overseas.

In late 2014, Tourism Ireland launched an online film to highlight the International Appalachian Trail, which spans almost 300 miles across Northern Ireland, including the Sperrin Mountains and into Donegal.

Tourism enterprises in this region should register on Tourism Ireland's industry opportunities website, for a range of opportunities to promote their businesses across the world. It can be found at <http://www.tourismirelandindustryopportunities.com>.

**Mr Campbell** asked the Minister of Enterprise, Trade and Investment, following previous visits outside Belfast by the International Sales Conference of Invest NI, including one held in the Flowerfield Arts Centre, Portstewart in March 2011, what plans there are to hold a similar exercise in this region in the next twelve months.

**(AQW 45177/11-15)**

**Mrs Foster:** Invest NI's international team followed up the visit to the Flowerfield Arts Centre in March 2011 by holding a similar event at the Causeway Hotel in May 2013. These visits, as part of the annual International Conference, are part of Invest NI's commitment to engage with local councils to develop a sales proposition that shows the capabilities and opportunities within their area.

At the moment there are no plans for the International Business Group as a whole to visit the Causeway Coast and Glens council area within the next twelve months. However, the Northern Ireland based International Investment Division regularly holds planning meetings in the various regions in order to engage with local councils and other stakeholders on developments within the area. While it is not yet confirmed, it is likely that the team will visit the Causeway Coast and Glens area within the next twelve months.

**Mr Flanagan** asked the Minister of Enterprise, Trade and Investment for her assessment of the comments by representatives from Tourism NI that there is no stand out reason to visit Fermanagh; and what plans she has to address this perception.

**(AQW 45355/11-15)**

**Mrs Foster:** These comments replicate a headline in a local paper and are not a full or fair reflection of the detailed visitor research presented at the recent Fermanagh and Omagh Council meeting.

The article in full referenced the wider research that indeed "Fermanagh is blessed with enviable natural resources and has enough supporting tourism product to satisfy current demand. It is a key tourism area for Northern Ireland".

Tourism NI officials have already attended a Fermanagh Lakeland Tourism Board meeting to address the misperceptions this headline created. They will also be attending a Destination Fermanagh Steering Group meeting later this month to give the research presentation in full.

In addition, Tourism NI is progressing a Memorandum of Understanding to work more closely with Fermanagh and Omagh Council in future and will be assisting them to develop their local tourism strategy.

**Mr Moutray** asked the Minister of Enterprise, Trade and Investment to outline the departmental research and development assistance provided in Upper Bann since the start of the current Programme for Government.

**(AQO 8092/11-15)**

**Mrs Foster:** From April 2011 to March 2014 Invest NI has issued thirty eight R&D offers to companies in Upper Bann, resulting in total grant of nine point seven eight million pounds and total planned investment of twenty nine million pounds. This includes, for example, grant offered to Almac and Seagoe Technologies which will greatly assist these companies to develop new products and technologies, increasing their international competitiveness and, ultimately, accelerating their external and export sales.

**Mr Flanagan** asked the Minister of Enterprise, Trade and Investment whether she has considered creating a requirement for all jobs created with InvestNI support to be paid at least the living wage.

**(AQO 8094/11-15)**

**Mrs Foster:** I fully support the need to increase wages in the economy. That is why Invest NI focuses on promoting jobs that pay salaries above the private sector median.

Invest NI is committed to ensuring that seventy five per cent of inward investment jobs and fifty per cent of local investment jobs pay salaries above the private sector median.

The private sector median benchmark ensures that we can increase our living standards without damaging our international competitiveness to attract such jobs.

**Mrs Dobson** asked the Minister of Enterprise, Trade and Investment what her Department is doing to improve the competitiveness of Northern Ireland's airports.

**(AQO 8097/11-15)**

**Mrs Foster:** My Department is in regular dialogue with our airports to support their route development endeavours. We support Northern Ireland's airports through the provision of tourism co-operative marketing assistance and by organising Northern Ireland specific stands at the annual World Routes conferences. My Department is also scoping the potential for an Air Route Development Fund for Northern Ireland.

I was delighted to announce last month that Belfast has been successful in its bid to host Routes Europe 2017. This is a very significant opportunity for Northern Ireland. Routes Europe is a major conference that brings together decision makers from airlines, airports and tourism authorities giving them the opportunity to negotiate and build relationships that will go on to shape the world's future air route networks.

Routes Europe also has the ability to accelerate European route development for all of our airports. Previous hosts of Routes Europe have confirmed up to six new routes after their hosting of the event.

**Mr D McIlveen** asked the Minister of Enterprise, Trade and Investment how many jobs have been promoted in Northern Ireland during the current Programme for Government.

**(AQO 8099/11-15)**

**Mrs Foster:** Between 1 April 2011 and 30 September 2014, the latest period for which figures are currently available, Invest NI promoted over thirty four thousand two hundred jobs, significantly exceeding the original Programme for Government target of twenty five thousand jobs.

Invest NI will be releasing its year end performance update shortly. Having had the opportunity to participate in a number of announcements over the last six months, I fully expect the agency to have further built on this, what can only be described as, outstanding performance.

**Mr Dickson** asked the Minister of Enterprise, Trade and Investment to outline the financial support planned in the next budgetary period for Carrickfergus Enterprise and Larne Enterprise and Development Company.

**(AQO 8100/11-15)**

**Mrs Foster:** My Department and Invest NI work closely with Enterprise NI and their members, including Carrickfergus and Larne Enterprise Development Company, both as deliverers of programmes under procured contracts and local stakeholders in the enterprise arena. These organisations are commercial entities and generate income from contracts they deliver, won through a competitive tendering process, on behalf of government departments and other customers. There are, therefore, no plans to provide direct financial support to either Carrickfergus Enterprise or Larne Enterprise and Development Company.

**Dr McDonnell** asked the Minister of Enterprise, Trade and Investment, pursuant to AQO 7540/11-15, for an update on recent discussions she has had with the Irish government on the proposed cuts to the budgets of Tourism Ireland and InterTrade Ireland.

**(AQO 8102/11-15)**

**Mrs Foster:** There have been no further discussions with the Irish Government on the proposed cuts to the budgets of Tourism Ireland and InterTrade Ireland.

As indicated in my answer to the earlier AQO 7540/11-15, the reductions in the 2015 Business Plans were agreed at that time and have now been approved by the North South Ministerial Council.

**Mr Anderson** asked the Minister of Enterprise, Trade and Investment what impact electricity market reform will have on local renewable energy generation.

**(AQO 8103/11-15)**

**Mrs Foster:** Electricity Market Reform (EMR) uses a UK wide competitive allocation process to award contracts for large scale renewable energy generation within a fixed budget.

There is therefore no guarantee of renewable deployment in Northern Ireland under EMR.

## Department of the Environment

**Mr McMullan** asked the Minister of the Environment, given that a domestic planning application for a farmer asks for proof that the applicant has been farming for six years, whether this criteria will change for young farmers.

**(AQW 42195/11-15)**

**Mr Durkan (The Minister of the Environment):** The Member is referring to PPS21 policy CTY10 'Dwellings on Farms'. This policy does not require the applicant to provide proof that they have personally been involved in farming for a period of 6

years. It instead requires that the farm business where a dwelling is proposed is currently active and has been established at least 6 years. This period of time demonstrates an ongoing commitment to active farming.

Policy CTY10 allows any person, regardless of age, to apply and obtain approval for a dwelling on an active and established farm, subject to the proposal satisfying the other criteria of the policy. For example, this would include the scenario where a young farmer inherits an established farm business.

Following publication of the final strategic Planning Policy Statement, and notwithstanding the above, I have instructed my officials to carry out a comprehensive review of strategic planning policy for development in the countryside. This will offer stakeholders and interested parties, including the general public, an opportunity to influence the future direction of this strategic planning policy.

**Mr Weir** asked the Minister of the Environment how many staff in Planning Service are due to be transferred to each of the new local councils.

**(AQW 43712/11-15)**

**Mr Durkan:** There are in total, 432 planning staff transferring to each of the new local councils. A breakdown of these is attached below

Name of Council Area	No of staff	Full time Equivalent
Lisburn and Castlereagh	39	36.4
Antrim and Newtownabbey	33	31.2
Mid Ulster	43	39.61
Ards and North Down	35	31.66
Armagh Banbridge Craigavon	39	37.17
Mid and East Antrim	34	31.14
Belfast	44	39.77
Causeway Coast and Glens	35	31.34
Derry and Strabane	38	36.46
Fermanagh and Omagh	36	35.4
Newry Mourne and Down	44	40.98
Property Certificates Unit	12	9.17
<b>Total</b>	<b>432</b>	<b>400.30</b>

**Mr Allister** asked the Minister of the Environment when is it anticipated that the NIEA will issue the necessary consent for the laying of the new Moyle Interconnector.

**(AQW 44466/11-15)**

**Mr Durkan:** Mutual Energy on behalf of Moyle Interconnector Ltd applied to DOE for a licence for the installation of two new metallic return conductor cables on 12 December 2014.

A 6 week consultation took place in January 2015 and the application was also advertised in local press and libraries. The application has been determined under the Marine and Coastal Access Act 2009 and a draft marine licence is currently in preparation. This will be provided to Moyle Interconnector Ltd no later than 15 May.

Once this draft licence has been agreed with Moyle Interconnector Ltd, subject to any further changes or details required, the marine licence will be finalised within 14 working days on return of the draft marine licence.

An application for assent under The Environment (Northern Ireland) Order 2002 (as amended) was received on 2 April 2015 for works affecting the Portmuck ASSI. A response from the Department, assenting to the proposed works, was issued on 24 April 2015.

**Mr Flanagan** asked the Minister of the Environment, pursuant to AQW 43028/11-15, whether there are potential conventional and unconventional reservoirs within Rathlin Energy Ltd's target layer at Ballinlea 2, described by GSNI as, Carboniferous Westphalian Coal Measures and Millstone Grits consists of coal, clay and tight sandstones [emphasis added] and siltstone. The coal are [sic] potential sources of hydrocarbons, especially gas.

**(AQW 44479/11-15)**

**Mr Durkan:** Each application must be assessed in a fair and unbiased matter. I cannot comment on development proposals which are hypothetical in nature and lack any supporting information. All planning applications are assessed on their own merits, as presented and are subject to due process.

DETI has advised that the expected geology in Ballinlea No. 2 contains rock types that could include potential conventional and unconventional reservoirs.

However, GSNI does not consider that the sandstones targeted by Rathlin Energy Ltd in Ballinlea No. 2 fall within the classification of 'tight sandstones' and therefore, they would not be deemed unconventional reservoirs.

Some of the coals in the Carboniferous succession of the Rathlin Basin have the potential to be gas-prone source rock. It has been shown from samples in the Ballycastle coalfield that the Main coal, the Bath Lodge Coal and a coal from rocks of equivalent age in the Magilligan No. 1 borehole, whilst being rich gas-prone source rocks, also have the potential for liquid hydrocarbons. A small quantity of light crude oil was recovered from the Ballinlea No.1 well.

My position is that there should be a presumption against the exploitation of unconventional hydrocarbon extraction until the Department is satisfied that there is sufficient and robust evidence on all environmental impacts.

**Mr Newton** asked the Minister of the Environment how many convictions his Department has secured for fly-tipping since 2012. (AQO 7943/11-15)

**Mr Durkan:** Two joint Northern Ireland Environment Agency (NIEA) and Police Service of Northern Ireland (PSNI) cases have resulted in suspects being arrested and charged with offences relating to fuel laundered waste. Another offender was fined £7,500 and given a suspended sentence in December 2014.

Experience from across these islands demonstrates that it is extremely difficult to find sufficient evidence to achieve successful convictions for flytipping, and NIEA has not had sufficient investigative opportunities, where it has been notified of other incidents of flytipping, to pursue conviction through the courts. As such NIEA has concentrated on:

- minimising the potential effect to the environment and human health by the speedy removal of hazardous waste;
- working with landowners to have non hazardous flytipped material removed at no cost to the public purse;
- working with councils and other partners to prevent Flytipping through for example the use of barriers and signage;
- working with councils to establish robust data on the extent of the problem, including the identification of hot spots, with a view to effectively prioritising limited resources.

**Ms Lo** asked the Minister of the Environment for a timescale for the publication for the new Northern Ireland Biodiversity Strategy.

(AQW 44734/11-15)

**Mr Durkan:** As you will be aware the draft Biodiversity Strategy was 'noted' by the Environment Committee in February 2015 and is still awaiting Executive approval prior to publication.

In light of year on year financial pressures, it will be necessary to keep under review progress in achieving the targets, many of which span to 2020. This can be achieved as part of the Department's statutory commitment to report on the implementation of the strategy in late 2016.

**Mr Flanagan** asked the Minister of the Environment for his assessment of the impartiality of CDM Smith (Ireland) Ltd in terms of its role in the Unconventional Gas Exploration and Extraction research project, given previous comments by the Vice President of its parent company criticising the decision by New York governor Andrew Cuomo to ban fracking in New York State when he said Governor Cuomo's decision to ban fracking was one that was based on emotion and not necessarily science, and that CDM Smith previously sponsored the Shale Gas World Europe conference in 2013.

(AQW 44753/11-15)

**Mr Durkan:** I am content that the appropriate processes, procedures and systems have been applied and continue to be applied by the Programme Steering Committee, which includes my officials, to ensure the integrity of research outcomes are not compromised.

**Mr Eastwood** asked the Minister of the Environment to detail the capital infrastructure projects financed by Private Finance Initiative in Foyle in 2013/14; and the cost of each project.

(AQW 44799/11-15)

**Mr Durkan:** My Department had no capital infrastructure projects financed by Private Finance Initiative in Foyle in 2013/14.

**Mr Campbell** asked the Minister of the Environment what value the Planning Service places on objections to housing development applications where anti-social behaviour is likely to increase should the development occur.

(AQW 44840/11-15)

**Mr Durkan:** As of 1 April under Section 45(3) of the 2011 Planning Act, the new councils (or the Department as the case may be) have a statutory duty to take into account any representations received in determining planning permission. Representations will be taken into account where they are material planning considerations. Material planning considerations must be genuine planning considerations, i.e. they must be related to the purpose of planning legislation, which is to regulate

the development and use of land in the public interest. The weight to be accorded to representations is a matter for the decision maker.

My Department's published Planning Policy Statement 7, Quality Residential Developments, seeks to ensure that new housing developments are designed to deter crime and promote personal safety. As the vast majority of planning applications for housing developments now fall to local councils, it will be a matter for them to determine what weight, if any, they accord to representations that raise issues of anti-social behaviour.

**Mr Agnew** asked the Minister of the Environment why his Department stopped removing toxic leachate from the Mobuoy Road illegal landfill site between the summer of 2014 and the stakeholder meeting held in February 2015; and whether that decision does not pose a likely significant environmental threat to the River Faughan Special Area of Conservation, the city's water supply and public health.

**(AQW 44850/11-15)**

**Mr Durkan:** In the past, significant volumes of leachate have largely been removed from the lagoon on the City Industrial Waste (CWI) site. At that time, there was a high risk of the lagoon overflowing and leachate migrating towards the tributary running along the CWI site boundary.

Leachate levels in the lagoon vary depending on the level of rainfall and grey water run-off from the CWI yard. Given low levels of rainfall over the past months there has been no requirement to tanker off leachate from the site. Notwithstanding contingencies are in place to tanker leachate off site should there be risk of the lagoon overflowing and leachate impacting surface water quality.

My Department has this month undertaken and completed some short-term leachate management works that will further reduce the risk of surface leachate and leachate contaminated water from migrating and impacting water quality in the tributary running along the Mobuoy Road waste sites.

This recent leachate management work will strengthen the existing infrastructure to prevent direct entry of surface leachate and leachate contaminated water into the adjacent tributary and ultimately the River Faughan. This work in turn will provide further confidence that the quality of the City's water supply and public health will be maintained.

**Mr Agnew** asked the Minister of the Environment whether the removal of toxic leachate previously removed from the Mobuoy Road illegal landfill only relates to the portion of the site east of the Fincairn Road, and that his Department has no knowledge or understanding of how leachate is moving through the lower and significantly greater area of the site adjacent to the River Faughan Special Area of Conservation, nor how it is interacting with ground water.

**(AQW 44851/11-15)**

**Mr Durkan:** Significant volumes of leachate have been removed in the past largely from the lagoon on the City Industrial Waste (CIW) site, Mobuoy Road. This reduced the risk of the lagoon overflowing and leachate migrating towards the tributary running along the CIW site boundary.

To further understand the movement and transport of leachate and leachate contaminated water on the wastes sites on both sides of the Mobuoy Road, my Department initiated a new project in January 2015 that will be collecting new site data to assess the transport of leachate in the subsurface. This work will inform the potential risks to the environment arising from the illegal waste deposits at the Mobuoy Road.

Through this ongoing project, 39 new boreholes were installed on the CIW and Campsie Sand and Gravel sites in March 2015; 21 boreholes will monitor leachate quality and 18 boreholes will assess groundwater quality, groundwater levels and flow particularly in the vicinity of the River Faughan. These boreholes will be monitored monthly over a 12 month period. The first monitoring round was completed in April 2015.

This new site data will further inform our understanding of the fate and transport of subsurface leachate and groundwater.

**Lord Morrow** asked the Minister of the Environment whether council facilities are shared space or neutral space; and to explain the difference in the terms.

**(AQW 44896/11-15)**

**Mr Durkan:** My Department has no responsibilities for these matters. As I stated in my answer to AQW 43617/11-15, AQW 43622/11-15 and AQW 43679/11-15, policy and decisions on the use of council property are a matter for each council, subject to any legislative restrictions.

**Mr Weir** asked the Minister of the Environment how many taxi depots have been closed for failure to comply with legislation or regulations, in the last two years.

**(AQW 44906/11-15)**

**Mr Durkan:** In the last two years, 2 taxi operator licences have been revoked for failure to comply with legislation or regulations.

**Mr Dickson** asked the Minister of the Environment for an update on the taxi licensing legislation in regard to the regulation of wedding cars.

**(AQW 44968/11-15)**

**Mr Durkan:** The position on the regulation of wedding car remains as I advised at our meeting on 20 October 2014. Wedding cars are regarded as taxis within the meaning of the Taxis Act (NI) 2008, as they are vehicles which carry passengers for hire or reward in the course of their business.

This means that, amongst other things, wedding cars undertake a PSV test and their drivers are licensed taxi drivers. As you are aware, my Department has taken steps to reduce the regulatory burden by exempting the vehicle from having to use a taximeter or displaying a roofsign. Further, drivers need not display their Taxi Driver badge and there is an exemption from the Taxi Operator Licensing regime.

My officials met with representatives from the wedding car industry on 29 April 2015 to discuss the ongoing concerns they have about the impact of the Taxis Act on their sector. I note that their overriding concern was in relation to the recruitment of drivers due to the taxi driver licensing regime that came into force in October 2014.

It remains my intention to review the regulation of wedding car and courtesy transport operations under the Taxis Act, to ensure that the regulation is proportionate and fit for purpose. I have asked that the scoping stage of the review is completed by September 2015 with a consultation on the matter issuing thereafter. My officials have committed to involving key stakeholders in the development of proposals and I will ensure you are kept updated as matters progress.

**Mr Flanagan** asked the Minister of the Environment, pursuant to AQW 43121/11-15, to detail the date on which the full report was circulated to the (i) Minister for Regional Development; (ii) Chair of the Committee for the Environment; and (iii) Chair of the Committee for Culture, Arts and Leisure.

**(AQW 44974/11-15)**

**Mr Durkan:** The following response covers both of your questions, as they are both pursuant to AQW 43121/11-15:

A copy of the full report was circulated, in confidence, on 23 September 2014 to (i) the Minister for Regional Development; (ii) the Chair of the Committee for the Environment and; (iii) the Chair of the Committee for Culture, Arts and Leisure.

As per my response to you in respect of AQW 43121/11-15, I want to enable a wider circulation of the key findings and recommendations of the Review commissioned by the previous Minister for the Environment, and led by Professor Gabriel Cooney.

There were, clearly, important lessons to be learned about what happened at Drumclay Crannóg, not just for my department but also for other departments and public and private bodies involved in development and land use change. It is by learning those lessons, and applying that knowledge, that we can ensure the best and most appropriate treatment of archaeological remains that are affected by new development.

I have not indicated, at any time, that I will not publish this report. I am, however, conscious that the recommendations of the report have been partly superseded by events and they will also be impacted by the further changes proposed to government structures planned for May 2016.

Therefore, I now intend to publish the report alongside an action plan that will address the key issues outstanding in the context of these wider changes. I have asked officials to finalise this document to allow publication of both the report and action plan within the next month.

**Mr Flanagan** asked the Minister of the Environment, pursuant to AQW 43121/11-15, why he will not publish a copy of the full report given the public interest in this matter.

**(AQW 44976/11-15)**

**Mr Durkan:** The following response covers both of your questions, as they are both pursuant to AQW 43121/11-15:

A copy of the full report was circulated, in confidence, on 23 September 2014 to (i) the Minister for Regional Development; (ii) the Chair of the Committee for the Environment and; (iii) the Chair of the Committee for Culture, Arts and Leisure.

As per my response to you in respect of AQW 43121/11-15, I want to enable a wider circulation of the key findings and recommendations of the Review commissioned by the previous Minister for the Environment, and led by Professor Gabriel Cooney.

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Therefore, I now intend to publish the report alongside an action plan that will address the key issues outstanding in the context of these wider changes. I have asked officials to finalise this document to allow publication of both the report and action plan within the next month.

**Lord Morrow** asked the Minister of the Environment how roof signage for public hire taxi drivers can be data protected for safety and security reasons if they are to be required to display individual driver details.

**(AQW 44985/11-15)**

**Mr Durkan:** My Department is not intending to require the display of individual driver details on roof signage.

A taxi roof sign is currently required to display either the word 'Taxi', a business name or a contact phone number. None of these have ever been considered problematic in respect of data protection, especially since the owner/operator may choose whether or not to display a phone number. Most operators do show a number, in the interests of advertising their services, but this is not legislatively required.

The proposed Taxi Licensing Regulations will apply the same requirements, with the additional requirement that the taxi plate must be displayed on the roof sign (rather than on the bumper as currently). The taxi plate, however, will not include any individual driver details.

**Mr McNarry** asked the Minister of the Environment, given that the Committee for the Environment has stated its concern that PPS18 and RTSU97-R are not fit for purpose, to explain the planning criteria used in granting planning approval to wind turbines and wind-farms.

**(AQW 45014/11-15)**

**Mr Durkan:** The Committee of the Environment Wind Energy Inquiry report does not state that Planning Policy Statement (PPS) 18 is unfit for purpose. It does, however, state that, whilst the wind industry is of the view that the ETSU-R-97 methodology is adequate, other stakeholders cited it as an area of concern. On the basis of the evidence submitted to the Committee they have recommended that my Department review the use of the ETSU-R-97 guidelines, with a view to adopting different guidance for the assessment of wind turbine noise.

While I recognise that ETSU-R-97 is currently the established UK-wide standard in relation to the assessment of noise from wind energy development, I also acknowledge the recommendation of the Environment Committee.

I will shortly be making a formal response to the Committee in respect of the recommendations contained in their report. However, as I indicated in the recent Assembly debate on this matter, I am minded to further investigate the use of ETSU-R-97 in Northern Ireland.

I, therefore, aim to commence a review of strategic policy on renewable energy, including the recommended use of ETSU-R-97, following the publication of my Department's Strategic Planning Policy Statement.

The current planning criteria used in assessing proposals for wind turbines and wind farms are those set out in Policy RE1 of PPS18.

**Mr Agnew** asked the Minister of the Environment (i) whether the scale of the illegal landfill at Mobuoy Road, as reported in the Mills Report, is now considered to exceed the estimated 516,000 tonnes; (ii) whether it extends beyond the boundaries of the originally identified site; and (iii) for a new estimate of the spread and scale of illegal waste disposal that has taken place at Mobuoy Road.

**(AQW 45018/11-15)**

**Mr Durkan:** The specific detail as to the quantity, type and extent of the infilling that has occurred on the Mobuoy Road forms part of the prosecution case. As this case is now before the court, it would be inappropriate to comment further at the present time.

**Mr Agnew** asked Minister of the Environment whether the reductions in contracted out services as set out at the Committee for the Environment on 30 March 2015 is likely to impact on environmental safeguarding of the River Faughan Special Area of Conservation from illegal landfilling at Mobuoy Road.

**(AQW 45019/11-15)**

**Mr Durkan:** The reduction of contracted out services as announced at the Environment Committee on the 30 March 2015 has no direct impact on the ongoing Mobuoy Road waste sites project initiated in January 2015 or indeed on the related environmental monitoring programmes in place to safeguard the River Faughan.

In January 2015, my Department initiated a new project at the Mobuoy Waste sites that aims to; (i) further inform the potential risks arising from the illegal waste deposits to the environment incl. the Faughan River, (ii) implement necessary short-term leachate management works, (iii) implement a 12 month environmental monitoring and (iv) to identify potential remediation options to manage the environmental impacts with whole life costs.

The budget to complete this particular project (incl. the environmental monitoring programme and the outstanding project tasks project) has been included in the Department's spending plan for 2015/16. Project work is continuing as scheduled. For example, short-term leachate management works were undertaken and completed last week at both the City Industrial Waste site and Campsie Sand and Gravel site. This work will reduce the risk of direct entry of leachate and leachate contaminated water as observed at the surface of the site to water quality in the tributary running along both sites that runs directly into the River Faughan.



**Mr Moutray** asked the Minister of the Environment how much has been levied in fines for pollution related offences in Upper Bann, in each of the last four years.

**(AQW 45037/11-15)**

**Mr Durkan:** There are a number of enforcement actions which are pursued against a polluter. Fines for water pollution are imposed by the courts. The following table provides a breakdown of the fines imposed by the courts for water pollution offences in Upper Bann in each of the last four years.

**Table: Fines imposed by year for water pollution related prosecutions in Upper Bann**

Year in which case was heard	Fines imposed by courts
2011	£3250
2012	£3750
2013	£2450
2014	Nil

It should be noted that no cases were heard involving the Upper Bann in 2014 which is why fines are listed as nil.

Prosecutions often take a considerable time to work their way through the court process. While the fines in the table above are listed against the year in which the case was heard in court, the pollution offence to which each case refers will almost invariably have occurred sometime before (typically 12-18 months previously).

**Mr Agnew** asked the Minister of the Environment whether the source of pollution from an algae bloom on Loughinisland lake is from the adjoining sewage treatment facility; and what action his Department has taken to rectify and eliminate this threat to water quality.

**(AQW 45081/11-15)**

**Mr Durkan:** I am unaware of the occurrence of any algal blooms in Loughinisland Lake this year. An NIEA Water Quality Inspector visited the site on 2, 9 and 27 April 2015 and found no evidence of an algal bloom.

**Mr Agnew** asked the Minister of the Environment, pursuant to AQW 42531/11-15, whether the Memorandum of Understanding currently being considered between his Department and the Ulster Farmers' Union involves no longer prosecuting or sanctions for low severity pollution incidents.

**(AQW 45082/11-15)**

**Mr Durkan:** The Memorandum of Understanding (MOU) currently being considered between the Northern Ireland Environment Agency (NIEA) and the Ulster Farmers' Union (UFU) is intended to achieve essential environmental outcomes and improve working relationships through increased communication, guidance and support through working in partnership. The MOU will not offer indemnity to landowners and farmers.

One of the key aims of the MOU would involve the implementation of a more effective approach to ensuring compliance with environmental standards. This includes an adaptation in the regulatory approach of the NIEA to low severity farm pollution incidents. It is proposed that low severity farm pollution incidents, where there is no significant environmental impact detected, will be addressed through an advisory approach in the first instance.

Instead of immediate enforcement action by NIEA, farmers who cause such incidents will receive regulatory advice detailing time-bound remedial measures required to be taken to stop the pollution and prevent reoccurrence. This approach would be consistent with that taken by the NIEA when dealing with low severity pollution from industrial sites and is in line with the other UK Environmental Agencies.

As is already the case for industrial sites the proposed approach for farmers is for appropriate enforcement action to be taken, including referral for prosecution, if the remedial measures and advice are not acted upon.

**Mr Agnew** asked the Minister of the Environment, pursuant to AQW 42775/11-15, (i) to outline the essential changes and the unforeseen circumstances that arose on the ground; (ii) whether this was as a result of design faults; and (iii) whether his Department took legal action, considered legal action or imposing other sanctions on the contracted designer of the scheme.

**(AQW 45083/11-15)**

**Mr Durkan:** During the construction of Phase 2, there have been a number of changes which were essential to complete the project and maintain the heritage quality and health & safety standards. These arose through early warnings and compensation events, typical for this type of contract which is managed by Senior Engineers in Central Procurement Directorate (CPD).

The Roe Valley Country Park Hydro electric restoration scheme extends over a wide and varying terrain approximately 2km in length, adjacent to a designated river with very changeable hydraulic conditions. The construction risks are much greater in this complex environment and the additional costs incurred are all verified as essential requirements in the project and are not as a result of design faults.

Some additional costs were associated with works to replace the original turbine installed in 1904. Unfortunately only when the old generator was removed did it become apparent that the tunnel was crumbling away. This required additional reinforcement and concrete support and the removal of asbestos and steel shafts in the bottom of the tunnel. This area was not accessible at pre-tender stage and the works were not foreseeable.

Other costs included the installation of 4 hinged screens on the inlet to the culvert areas along the millrace to protect members of the public who may access this area. Further costs were incurred to install field drains where natural springs opened and for additional bank reinforcement where there was erosion or slippage. None of these issues could have been envisaged at the design stage.

In the event of any disagreement between the contractor and CPD the first step is referral for arbitration. My Department has not been advised that there are any grounds for such a referral nor for legal action against the contracted designer in this phase.

**Mr Weir** asked the Minister of the Environment what grants will be available to assist taxi drivers to purchase roof signs.  
(AQW 45111/11-15)

**Mr Durkan:** No grants will be made available to purchase roof signs. Such signs will be an important requirement for those wishing to operate taxis and as such will be a legitimate cost to be incurred by them in the operation of their business.

**Mr Agnew** asked the Minister of the Environment, pursuant to AQW 42775/11-15, whether the environmental effects of providing a connection to the grid were considered as part of the cumulative impacts of any environmental assessments; and whether his Department is required to assess the cumulative impacts of connecting to the grid as part of any renewable energy project before permission is granted.  
(AQW 45139/11-15)

**Mr Durkan:** I can confirm that the environmental impacts of all phases of the Roe Valley Hydro-electric Scheme including the connection to the grid were considered through a formal Environmental Impact Assessment (EIA).

Any renewable energy project requires Planning permission. Therefore, development proposals and their cumulative impacts of grid connection are subject to careful scrutiny under the Planning (Environmental Impact Assessment) Regulations (NI) 2015.

In the case of hydroelectric renewable schemes cumulative environmental impact on the waterbody is a key consideration before an abstraction licence can be issued under the Water Abstraction and Impoundment (Licensing) (Amendment) Regulations (Northern Ireland) 2007.

**Mr Agnew** asked the Minister of the Environment to outline the reasons, in the context of all other current hydroelectric planning applications transferring to local councils for processing, why three of the five hydroelectric schemes affecting the River Faughan Special Area of Conservation are being retained for processing within his Department; and whether this presents his Department with any concerns over consistency, fairness, and equity for applicants and third parties.  
(AQW 45140/11-15)

**Mr Durkan:** The Member will be aware of the rationale for retaining planning applications from my answer to AQW 43674/11-15. This applied to all applications not just those relating to hydro electric power development.

All the applications for hydro electric power will be determined within an open and transparent planning process. They will also be subject to assessment and scrutiny within the same planning policy context. I do not consider that retaining applications to be determined by my Department has given rise to any potential prejudice to interested parties.

**Mr Agnew** asked the Minister of the Environment whether the Northern Ireland Environment Agency agreed to the infilling of land at 91 Glenshane Road between 1995 and 2006 and advised the operator to construct settlement lagoons on the floodplain as claimed by the site owner; and if so, whether an Environmental Impact Assessment screening informed its advice  
(AQW 45142/11-15)

**Mr Durkan:** NIEA neither agreed to the infilling of land nor advised the operator on the construction of settlement lagoons.

**Mrs Overend** asked the Minister of the Environment whether the method used by Derry and Strabane District Council to apply d'hondt to fill positions on external bodies and working groups separately from position of responsibility and council committees, conforms to local government legislation.  
(AQW 45143/11-15)

**Mr Durkan:** The provisions in the Local Government Act (Northern Ireland) 2014 (the 2014 Act) specify the procedures that a council must adopt to ensure that positions of responsibility and the membership of council committees reflects, as far as is practicable, the political balance on that council. Section 6 of the 2014 Act specifies the positions of responsibility for a council and Schedule 1 to the 2014 Act specifies the procedure that must be used for the filling of those positions. Schedule 2 to the 2014 Act specifies the method that must be used for appointing councillors to committees.

It is a matter for each council to determine the approach that it wishes to adopt for filling positions over and above those specified in section 6 of the 2014 Act, for example on the range of local external bodies on which councils are represented.

There is nothing to preclude a council adopting one of the methods provided for in the 2014 Act to fill other external positions, to ensure proportionality in the allocation of its representation on the various external bodies.

**Lord Morrow** asked the Minister of the Environment, pursuant to AQW 44383/11-15, what action his Department will take in respect of ensuring the Mid Ulster Council is ensuring parity of esteem in relation to the banning of flags on council premises is likewise reflected on government property.

**(AQW 45176/11-15)**

**Mr Durkan:** The flying of flags on council property is a matter for each council as a local democratically elected body.

**Mrs Overend** asked the Minister of the Environment whether all councils used the d'hondt method of allocating positions for (i) positions of responsibility; (ii) council committee positions; and (iii) all other positions to outside bodies.

**(AQW 45186/11-15)**

**Mr Durkan:** I remain committed to ensuring the sharing of positions of responsibility on a council across the political parties and independents represented on that council, in accordance with the results of the last local election. I am similarly committed to ensuring that the membership of committees reflects, in so far as is practicable, the political make-up of the council, also in accordance with the results of the last local election.

The Local Government Act (Northern Ireland) 2014 (the 2014 Act) provides that a council may use either the d'Hondt or Sainte-Lague formula method or the Single Transferable Vote method for filling the positions of responsibility set out in section 6 of that Act. The d'Hondt method is specified as the default in Schedule 1 to the 2014 Act, which sets out the operating procedures for each method.

The positions set out in section 6 of the 2014 Act are

- (a) chair of the council;
- (b) deputy chair of the council;
- (c) chair of any committee of the council;
- (d) deputy chair of any committee of the council;
- (e) member of a cabinet-style executive of the council;
- (f) external representative of the council, which is defined as a person nominated by the council to serve as a member of any public body established by or under statutory provisions.

The 2014 Act also makes detailed provision, in Schedule 2, in relation to the procedures a council must use for appointing councillors to committees.

As I stated in my response to AQW 45143 -11-15, it is a matter for each council to determine the method it wishes to adopt, for filling positions over and above those specified in the 2014 Act.

It is also a matter for each district council, as a separate legal entity, to determine the approach that it wishes to adopt for filling positions of responsibility and appointing councillors to committees, in accordance with the requirements specified in the 2014 Act.

My Department issued statutory guidance to councils, on 5 November 2014, on the practical operation of each of the methods specified in the 2014 Act to assist them in the process.

**Mrs Overend** asked the Minister of the Environment whether all councils used the correct method of proportionally distributing positions of responsibility, council committee positions, and positions to outside bodies.

**(AQW 45187/11-15)**

**Mr Durkan:** I remain committed to ensuring the sharing of positions of responsibility on a council across the political parties and independents represented on that council, in accordance with the results of the last local election. I am similarly committed to ensuring that the membership of committees reflects, in so far as is practicable, the political make-up of the council, also in accordance with the results of the last local election.

The Local Government Act (Northern Ireland) 2014 (the 2014 Act) provides that a council may use either the d'Hondt or Sainte-Lague formula method or the Single Transferable Vote method for filling the positions of responsibility set out in section 6 of that Act. The d'Hondt method is specified as the default in Schedule 1 to the 2014 Act, which sets out the operating procedures for each method.

The positions set out in section 6 of the 2014 Act are

- (g) chair of the council;
- (h) deputy chair of the council;
- (i) chair of any committee of the council;
- (j) deputy chair of any committee of the council;
- (k) member of a cabinet-style executive of the council;

- (l) external representative of the council, which is defined as a person nominated by the council to serve as a member of any public body established by or under statutory provisions.

The 2014 Act also makes detailed provision, in Schedule 2, in relation to the procedures a council must use for appointing councillors to committees.

As I stated in my response to AQW 45143 -11-15, it is a matter for each council to determine the method it wishes to adopt, for filling positions over and above those specified in the 2014 Act.

It is also a matter for each district council, as a separate legal entity, to determine the approach that it wishes to adopt for filling positions of responsibility and appointing councillors to committees, in accordance with the requirements specified in the 2014 Act.

My Department issued statutory guidance to councils, on 5 November 2014, on the practical operation of each of the methods specified in the 2014 Act to assist them in the process.

**Mrs Overend** asked the Minister of the Environment what flexibility councils have in drawing up standing orders; and what statutory duties they have with regards to calling in decisions and weighed majority voting.

**(AQW 45188/11-15)**

**Mr Durkan:** Each district council has the flexibility to develop its own bespoke standing orders, as required by section 37 of the Local Government Act (Northern Ireland) 2014 (the 2014 Act), subject to any statutory provisions which specify provisions that must be incorporated in those standing orders.

Section 40 of the 2014 Act requires a council's standing orders to specify those decisions, which are required to be taken by a qualified majority. Three such decisions are specified in the 2014 Act:

- the adoption of executive arrangements or prescribed arrangements for the governance of the council rather than a committee system;
- the use of either the Sainte-Lague or Single Transferrable Vote method for filling positions of responsibility rather than d'Hondt, which is the default method; and
- the use of the Droop Quota method for appointing councillors to committees rather than Quota Greatest Remainder, which is the default.

Section 41(1) of the 2014 Act provides that standing orders must make provision requiring reconsideration of a decision (call-in) if fifteen percent of the members of the council, present to the clerk of the council a requisition on either or both of the following grounds:

- (a) that the decision was not arrived at after a proper consideration of the relevant facts and issues;
- (b) that the decision would disproportionately affect adversely any section of the inhabitants of the district.

Section 41(2) of the 2014 Act further provides that standing orders must require the clerk of the council to obtain an opinion from a practising barrister or solicitor before reconsideration of a decision on a requisition made wholly or partly on disproportionate adverse impact grounds.

In the absence of the Assembly's approval of the draft Local Government (Standing Orders) Regulations (Northern Ireland) 2015, which I tabled for debate on 24 February 2015, my Department issued a Framework for Council Standing Orders on 23 March 2015 to assist councils in the development of their own standing orders. This Framework also reminded councils of the matters that are required to be included in such standing orders under the provisions of the 2014 Act.

**Mr Flanagan** asked the Minister of the Environment for an update on the outstanding issues with planning application L/2011/0079/O; and when he expects a decision will be made on the application.

**(AQW 45189/11-15)**

**Mr Durkan:** The majority of Planning functions including most live planning applications transferred to the new councils on 1 April 2015. The application referred to in the question is now the responsibility of Fermanagh and Omagh District Council.

You may therefore wish to contact the Council regarding the matters raised. The point of contact for Fermanagh and Omagh District Council is Deirdre McSorley, who can be emailed at [planning@fermanaghomagh.com](mailto:planning@fermanaghomagh.com)

**Mr Agnew** asked the Minister of the Environment, following the Assembly Motion on 11 March 2015 on BBC Spotlight Programme on Waste Disposal, what progress has been made in setting up an independent public inquiry; and to outline the reason for the delay.

**(AQW 45260/11-15)**

**Mr Durkan:** As I stated in my answer to you on 7 October 2014 (AQW 36321/11-15) I wrote to my Executive Colleagues on 7 April 2014 asking them to agree to the establishment of a full independent public inquiry into waste management and disposal arrangements here and to commit to funding the costs associated with such an inquiry. The issue has yet to be discussed by the Executive.

However, as I said in my answer to you and to Anna Lo MLA (AQW42307/11-15), I am continuing with implementing action in response to the Mills Report into Waste and focussing my Department's efforts on making progress in improving waste management in Northern Ireland.

**Lord Morrow** asked the Minister of the Environment, pursuant to AQW 45028/11-15 and given the widespread media coverage in print, broadcast, online and various social media stating the name of the premises which are synonymous with the council in question, why this does not count as, or toward, publishing and portraying support for a political party.  
**(AQW 45293/11-15)**

**Mr Durkan:** There is no indication that Mid Ulster District Council was directly responsible for publishing any material in relation to the event in Ranfurly House. In such circumstances I am satisfied that that council was not in breach of section 115A of the Local Government Act (Northern Ireland) 1972.

**Lord Morrow** asked the Minister of the Environment, pursuant to AQW 41408/11-15, to provide a copy of, or place in the Assembly Library, the planning application for this development.  
**(AQW 45296/11-15)**

**Mr Durkan:** The majority of Planning functions transferred to the new councils on 1 April 2015. The application referred to in the question is now the responsibility of Belfast City Council.

You may therefore wish to contact the Council regarding the matters raised. The point of contact for Belfast City Council is Clifford McIlwaine, who can be emailed at [planning@belfastcity.gov.uk](mailto:planning@belfastcity.gov.uk)

**Mr Weir** asked the Minister of the Environment for the estimate of the anticipated increased income from the extension of the carrier bag levy.  
**(AQW 45299/11-15)**

**Mr Durkan:** From 19 January 2015, retailers are required to charge 5p for all carrier bags which are sold for less than 20p, effectively extending (not increasing) the levy beyond single use bags to include cheaper reusable bags. The extension of the scope of the levy is intended to encourage shoppers to change their attitudes and to halt the negative behavioural pattern which saw the use of these bags increase significantly since the levy was introduced.

Limited information is currently available on which to base any receipt calculation from the extension of the levy to include reusable bags however, it is anticipated that the additional receipts will be relatively small. Official, validated statistics (including revenue paid to the Department) for the second year of the levy, period 1 April 2014 to 31 March 2015, will be released in August 2015. These figures will incorporate just over two months of levy business that has been conducted since the extension of scope.

**Mr Weir** asked the Minister of the Environment how his Department is advertising Grey Point Fort, Helen's Bay.  
**(AQW 45300/11-15)**

**Mr Durkan:** The Department primarily advertises Grey Point Fort via a dedicated webpage at Discover Northern Ireland. This webpage provides an historical overview and visitor service information including access, directions and available facilities.

In the past year the Department has published four press releases highlighting the work of the Department and the local volunteers on site, including events and the recent excavation programme.

These press releases have gained significant local and national coverage, with my staff facilitating media requests highlighting the importance of the site via newspapers and media interviews.

In addition to the main Discover Northern Ireland webpage and press releases each event held at the site is advertised on the NIEA Facebook page. The most recent news feed, which reached over 17,000 people, highlighted the Department's facilitation of a Gallipoli commemoration event. This event was led by a local volunteer group, who recorded nearly 1,684 visitors on 25 April 2015.

My Department also advertises events through its Defence Heritage Project partners including The Imperial War Museum, Queens University Belfast's Living Legacies 1914-1918 project and the Northern Ireland WWI Hub Creative Centenaries. The site has also been registered as part of the Festival of Archaeology, a UK wide event with over 1000 participating venues, organised by the Council for British Archaeology. Grey Point Fort will also be advertised as part of the 2015 European Heritage Open Days.

**Mr Allister** asked the Minister of the Environment whether the Ballinlea 2 planning application encompasses a request for permission which could include fracking.  
**(AQW 45305/11-15)**

**Mr Durkan:** The development proposed under application E/2013/0093/F constitutes a conventional borehole and is not for the unconventional exploration of hydrocarbons, neither does it propose to use any unconventional testing techniques.

At the extended testing phase, should the operator have difficulty obtaining the natural flow of the gas/oil, a conventional hydraulic stimulation fracture may need to be conducted.

A conventional hydraulic stimulated fracture is distinctly different from unconventional hydraulic fracturing.

My position is that there should be a presumption against the exploitation of unconventional hydrocarbon extraction until the Department is satisfied that there is sufficient and robust evidence on all environmental impacts.

The Ballinlea application is currently under consideration and supported by an Environmental Statement (ES). I can assure you that the application will be subject to the full scrutiny of the planning process and at this time no decision on the planning application has been taken.

**Mr Allister** asked the Minister of the Environment, in view of the issues arising from the Environmental Statement associated with the Ballinlea 2 planning application, why he did not avail of the power in Article 31 of the Planning NI Order 1991 to require a public inquiry, so that all issues could be adequately addressed.

**(AQW 45306/11-15)**

**Mr Durkan:** Article 31 of the Planning (NI) Order 1991 related to applications where the Department considered that the development would, if permitted either;

- a) involve a substantial departure from the development plan for the area to which it relates; or
- b) be of significance to the whole or a substantial part of Northern Ireland; or
- c) affect the whole of a neighborhood; or
- d) consist of or include the construction, formation, laying out or alteration of a means of access to a trunk road or of any other development of land within 67 meters of the middle of such a road, or of the nearest part of a special road;

Application E/2013/0093/F – Ballinlea is for the exploration and testing of conventional oil and gas. The site is approximately 1.2ha and operations are proposed to last 11 months. This application did not meet the criteria set out above.

**Mr Agnew** asked the Minister of the Environment what proportion of people have failed their driving theory test in each of the past five years; and whether any assessment as been made as to whether people are giving up after multiple failures.

**(AQW 45380/11-15)**

**Mr Durkan:** The proportion of people who have failed their driving theory test in each of the past five years is outlined in the table below:

	2010/11 % Fail	2011/12 %Fail	2012/13 %Fail	2013/14 %Fail	2014/15 (Apr-Dec) %Fail**
<b>Motorcycle</b>	<b>20.53</b>	<b>23.78</b>	26.48	25.83	24.63
Car	36.61	38.99	41.32	49.38	51.69
Lorry Driver CPC	33.70	45.90	36.39	29.04	28.97
Lorry Driver CPC Conversion*	0.00	33.33	0.00	50.00	75.00
Lorry Hazard Perception	17.31	20.05	20.66	23.48	19.60
Lorry Multiple Choice	21.29	20.01	22.70	32.73	36.55
Bus Driver CPC	30.55	43.00	35.43	38.48	37.19
Bus Driver CPC Conversion*	0.00	0.00	0.00	0.00	0.00
Bus Hazard Perception	16.11	18.29	16.12	23.81	20.45
Bus Multiple Choice	15.61	19.38	21.99	26.28	24.39

\* Low volume of Lorry and Bus Driver CPC Conversion tests (less than 20 per annum)

\*\* Figures relate to the period April 2014 – December 2014

No assessment has been made as to whether people are giving up after multiple failures.

**Mr Dunne** asked the Minister of the Environment what steps will be taken to reopen the Hollywood Motte for local residents.  
**(AQW 45388/11-15)**

**Mr Durkan:** Hollywood Motte was opened to the public on a regular basis until 25 April 2015. The site has suffered from ongoing misuse, including anti-social behaviour and excessive dog-fouling. This misuse caused distress to adjacent residents, and my officials have received many complaints about this. The site was then closed, on a temporary basis, from

25 April – 10 May. Local residents were advised of this closure, and to date officials have received one complaint and one commendation on this action.

It is always the aim of my Department to provide the best public access possible to all sites in State Care. On some occasions, however, the use, or misuse of a site, alongside the severe budgetary restrictions faced by my Department, may result in the closure of a site.

My officials will write to the Chief Executive of Ards and North Down Council to investigate possible partnership working to improve the opening arrangements at this site. My officials will also contact you directly in this regard.

**Lord Morrow** asked the Minister of the Environment whether his Department has a policy which permits or prohibits private-hire taxis operating from public hire ranks.

**(AQW 45403/11-15)**

**Mr Durkan:** The Taxis Act (Northern Ireland) 2008 gives my Department powers to regulate the use of taxis in Northern Ireland, including the regulation of which classes of taxi can stand at taxi ranks. The power to prescribe the location and size of taxi ranks rests with the Department for Regional Development.

At the present time only Belfast Public Hire taxis are permitted to stand at taxi ranks within Belfast.

**Mr Milne** asked the Minister of the Environment how many polystyrene food and drink containers have been sent to landfill since April 2012.

**(AQO 8148/11-15)**

**Mr Durkan:** My Department does not hold information on the number of containers made from this very specific material stream sent to landfill. Such containers often appear in the residual household waste stream and the amount of this mixed waste stream sent to landfill by Councils in Northern Ireland was 423,931 tonnes in 2012-13 and 391,425 tonnes in 2013-14.

**Mr Nesbitt** asked the Minister of the Environment for an update on the draft Local Government (Standing Orders) Regulations (Northern Ireland) 2015.

**(AQO 8154/11-15)**

**Mr Durkan:** I have previously expressed my regret that the Assembly did not approve the draft Local Government (Standing Orders) Regulations (Northern Ireland) 2015 when they were debated on 24 February 2015. These were the subject of a Petition of Concern on the basis that the draft Regulations, as tabled, did not provide for the opinion of the practising barrister or solicitor to act as a filter for decisions that would be taken by a qualified majority, if called in on disproportionate adverse impact grounds.

The purpose of the draft Regulations was to underpin and support the provisions in the 2014 Act in relation to key aspects of the new governance arrangements for councils by requiring specified provisions to be included in a council's standing orders.

The draft Regulations specified a number of decisions that must be taken by a qualified majority. These decisions were in addition to those already specified in the 2014 Act.

The draft Regulations also made detailed provision in relation to the administrative procedures for the call-in process and I remain committed to ensuring that the protections for the interests of minorities in council decision-making, that were provided for and supported by this Assembly when it passed the Local Government Act (Northern Ireland) 2014, are supported by appropriate subordinate legislation.

Provision was also made in the draft Regulations in relation to the time period which would apply in the selection and nomination of a member to fill a position of responsibility, and the procedure to apply for the appointment of councillors to committees where a council appoints more than one committee.

In order to provide a statutory basis for ensuring that the necessary provisions are incorporated in council standing orders, and to provide a consistent approach to these important matters across all councils, my officials are currently seeking legal advice on the legislative options available to address the issue raised during the Assembly debate.

In the absence of Regulations, my officials issued a Framework for Council Standing Orders on 23 March 2015 to assist councils in the development of their own standing orders. This Framework reminded councils of the matters that are required to be included in such standing orders under the provisions of the 2014 Act.

I will advise the Assembly of the manner in which I intend to progress the matter at the earliest opportunity.

**Mr Swann** asked the Minister of the Environment whether the Northern Ireland Environmental Agency will seek additional revenue generation through penalties for dumping waste products from illegal fuel laundering.

**(AQO 8155/11-15)**

**Mr Durkan:** The Northern Ireland Environmental Agency is currently engaging with the Her Majesty's Revenue and Customs (HMRC) and Environmental Policy Division to research the possibility of powers that would allow them to recoup additional financial penalties from those found guilty of waste offences associated with fuel laundering.

One of the mechanisms the Northern Ireland Environment Agency has for generating income from waste offences, such as flytipping and the illegal dumping of waste, are Fixed Penalty Notices up to the value of £400, which the Agency can issue under the Waste and Contaminated Land (Northern Ireland) Order 1997.

However, as Fixed Penalty Notices are of a relatively small monetary value, and allow the person receiving the notice to discharge any liability relating to the offence on payment of the fine, these are reserved for minor offences, and are not used for offences relating to dumping fuel laundered waste.

For these more serious cases, where there is sufficient evidence to link a person to an offence, an investigative case file will be prepared by the Agency, and submitted to the Public Prosecution Service, and the case pursued through the courts. Serious Offences will also be subject to a Proceeds of Crime Order for breaches of waste management legislation. Any confiscation orders are made against the defendant with monies split between the Department of Justice (50%), NIEA (22.5%), PPS (22.5%), and the Court Service (5%).

**Mr Givan** asked the Minister of the Environment whether he has had any discussions with the Minister for Regional Development regarding local councils taking responsibility from TransportNI for grass cutting.  
**(AQO 8156/11-15)**

**Mr Durkan:** Discussions on the role of councils in delivering services that are currently the responsibility of departments or their agencies are for the relevant individual minister to take forward in conjunction with local government.

Members will recall that on 31 March 2008, my predecessor Minister Foster announced the Executive's decision on the reform of local government, under which Councils were to have a new enhanced role in a significant number of areas. The powers and functions identified for transfer to councils from NI Departments at that time included a number of areas which did not subsequently transfer. A range of public realm functions were agreed in 2008 which included grass cutting. The transferring powers and functions were subject to further revision as a result of discussions with local government and in April 2013 the Executive agreed to a revised set of functions to transfer from DRD, which did not include grass cutting.

However the Executive did agree that the functions transferred to local government in April 2015 should be subject to review in 2016, with a view to augmenting the package and therefore it is possible that the issue raised by the Member, along with other functions currently exercised by the NI Departments could transfer to the new councils if agreement to do so is reached.

**Dr McDonnell** asked the Minister of the Environment for an update on his proposals for a Better Environmental Regulation Bill to reduce unnecessary bureaucratic burden on business and improve environmental outcomes.  
**(AQO 8157/11-15)**

**Mr Durkan:** I am currently seeking Executive agreement to the Environmental Better Regulation Bill and its introduction to the Assembly. If the draft Bill is included on the agenda for the next scheduled meeting of the Executive on 14 May 2015, and if it is agreed to at that meeting, I intend, subject to the agreement of the Speaker, to introduce the Bill into the Assembly at the earliest opportunity on 26 May 2015.

The Bill is an important piece of environmental primary legislation which is designed to reduce the regulatory burden on business and, at the same time, enhance protection of the environment. I am, therefore, very keen to see the Bill introduced to the Assembly as soon as possible to ensure it will have sufficient time to progress through all of the primary legislation stages in the current mandate.

My officials briefed the Environment Committee on the details of the Bill on 5 March 2015.

**Ms Sugden** asked the Minister of the Environment when the current funding for the Northern Ireland Environment Agency Listed Building Grant Scheme was fully committed.  
**(AQO 8158/11-15)**

**Mr Durkan:** The Listed Building Grant Scheme was fully committed early in the 2014-15 financial year. In regard to 2015-16, I will shortly be considering the allocation of £0.5 million, provided through the Carrier Bag Levy in respect of existing Listed Building Grant applications and, in doing so, will prioritise those applications where the focus is on supporting restoration and maintenance projects in buildings that provide facilities for community access and use, including churches.

**Mr Boylan** asked the Minister of the Environment to outline the community based environmental projects that will benefit from Challenge Fund assistance in 2015/16.  
**(AQO 8159/11-15)**

**Mr Durkan:** I am committed to ensuring the benefits of the Carrier Bag Levy are experienced by the very communities who pay it. That is why, over the past 2 years, I have directed £3.6 million of Carrier Bag Levy proceeds to the Challenge Fund. This support has enabled the completion of over 400 community-based environmental projects and has empowered many people to improve their own local environment.

I recently announced a new "Natural Environment Fund", which will provide £1.25 million to enable NGOs to deliver key environmental outcomes. To complement this, I have also allocated £300k to a new Challenge Fund, which will support Community Groups and Educational organisations.



The conditions and criteria of this new Fund are being finalised and therefore the Fund has yet to be launched. At this stage I therefore cannot outline which particular projects will benefit. However, I am once again looking forward to seeing the excellent community and environmental outcomes this support enables.

**Mr Hilditch** asked the Minister of the Environment whether all traffic management and safety issues were considered when granting planning permission for the redevelopment of Casement Park.  
(AQO 8160/11-15)

**Mr Durkan:** My decision to grant planning permission for the redevelopment of Casement Park was the subject of a legal challenge. The Judge found that in reaching my decision there were errors in how aspects of the application were processed, rendering the decision unlawful. The Court quashed the planning permission. One of the errors related to the assessment of traffic impact.

The issuing of a safety certificate for a sports ground is the subject of a detailed process by Belfast City Council. It is considered acceptable to grant planning permission without considering safe evacuation where my Department knows the issue will be the subject of detailed consideration under a separate regulatory regime and the stadium cannot be used unless that certificate is in place. The lawfulness of this approach was confirmed by the Court.

## Department of Finance and Personnel

**Mr D Bradley** asked the Minister of Finance and Personnel to outline the number of properties no longer in receipt of Small Business Rate Relief as a result of the Review of Non-Domestic Rates.  
(AQO 8171/11-15)

**Mr Hamilton (The Minister of Finance and Personnel):** As a result of the non domestic revaluation that came into effect on 1st April 2015 there are 767 properties that are no longer eligible for Small Business Rate Relief because their Net Annual Value (NAV) increased above the £15,000 limit. From the same date 1,351 properties have now become eligible for Small Business Rate Relief.

Non domestic properties with a NAV up to £15,000 are eligible for Small Business Rate Relief. Certain types of properties are excluded - such as car parks, advertising stations, ATMs and vacant properties.

Currently over 25,000 properties across Northern Ireland receive Small Business Rate Relief.

**Mr McCausland** asked the Minister of Finance and Personnel for an update on the provision of data on bank lending in Northern Ireland.  
(AQO 8168/11-15)

**Mr Hamilton:** I am pleased to say that following a concerted effort by my Department, regional bank lending data is now available for Northern Ireland. The British Bankers' Association published high level data for Northern Ireland for the first time back in July 2014, and since then, the detail provided has been enhanced.

A breakdown of new lending by industrial sector was added in November 2014, while postcode area level data was published in April 2015. So transparency in this important area has now been greatly increased.

**Mr Dickson** asked the Minister of Finance and Personnel to outline the number of homes in Northern Ireland valued at £400,000 and above for rating purposes.  
(AQO 8169/11-15)

**Mr Hamilton:** There are 7,412 domestic properties in the Valuation List with a capital value equal to or above £400,000.

Domestic rates are capped at £400,000; in other words, all 7,412 of these properties have rate bills based on a capital value of £400,000 regardless of their actual capital value assessment in the Valuation List.

**Mr McAleer** asked the Minister of Finance and Personnel, pursuant to AQO 7958/11-15, what further discussions she has had regarding the ability to retain the financial benefits of local policy changes within the local budget, similar to the fiscal framework recommended for Scotland by the Smith Commission.  
(AQO 8170/11-15)

**Mr Hamilton:** I can confirm that there have been no further discussions on this matter since the previous question was answered on 20 April.

**Mrs McKeivitt** asked the Minister of Finance and Personnel, given the important financial and artistic contribution that the Arts make to the economy in Northern Ireland, has she or her Department held discussions with the Minister of Culture, Arts and Leisure to maximise possible funding opportunities during next monitoring round.  
(AQO 8172/11-15)

**Mr Hamilton:** The 2015-16 Budget was constructed in the most challenging financial circumstances to face the Northern Ireland Administration to date. As part of that process the former Finance Minister met with each departmental Minister to inform departmental allocation proposals for the Executive to agree.

The Executive allocated to the Department of Culture Arts and Leisure (DCAL) £8.1m Capital DEL and £91.7m Resource DEL which represents a reduction of 10% of its 2014-15 Resource Baseline.

As a result DCAL, as with all departments, will be required to deliver savings, however it is for the DCAL Minister to prioritise and allocate her budget across the DCAL family as she sees fit. This includes identifying budget pressures that arise in-year which if prioritised by the DCAL Minister can be brought forward to the Executive for funding consideration as part of the in-year Monitoring process.

**Mr A Maginness** asked the Minister of Finance and Personnel to outline the number of non-domestic properties that have seen their rates increase as a result of the Review of Non-Domestic Rates.

**(AQO 8173/11-15)**

**Mr Hamilton:** I assume that the Member is referring to the recent non-domestic revaluation that came into effect from 1 April 2015. The requested information is not readily available as changes in rate bills arise as a result of a number of different factors including District and Regional Rate poundages, rate convergence subsidies, reliefs, exemptions, changes in occupancy, physical changes, as well as the changes in Net Annual Values (NAVs) as a result of the non domestic revaluation.

The overall result of the revaluation, however, was that 49% of properties saw a change in NAV below the Northern Ireland average increase of 8%.

**Ms Fearon** asked the Minister of Finance and Personnel for her assessment of whether the new Social Innovation Fund can become a vital element of future peace building capital projects.

**(AQO 8174/11-15)**

**Mr Hamilton:** The "Dormant Accounts and Building Society Accounts Act 2008" makes provision for the use of monies from dormant accounts and building society accounts for social or environmental purposes.

A key principle of the scheme is that disbursements from the Fund will be for purposes that are additional to, and not a substitute for, mainstream government spending. Therefore these funds will not form part of public spending.

As part of Budget 2015-16, the Executive agreed that these monies should be made available in Northern Ireland under the heading of the Social Innovation Fund.

A consultation will issue shortly inviting views on, amongst other issues, the spending priority and the distribution mechanism for the Social Innovation Fund. I hope you will avail of this opportunity to contribute and I look forward to hearing your views.

**Mr McKinney** asked the Minister of Finance and Personnel how much interest the Executive's borrowing attracts on an annual basis.

**(AQO 8175/11-15)**

**Mr Hamilton:** The amount of interest payable in a given year depends on the level of outstanding loans in that year and the interest rate applicable to those loans.

The forecast interest payment in 2015-16 for borrowing under the Reinvestment and Reform Initiative (RRI) is £57.5 million. This funding has been set aside in the Executive's Budget 2015-16.

## Department of Health, Social Services and Public Safety

**Mr Allister** asked the Minister of Health, Social Services and Public Safety how much has been recovered from the relevant sources for medical services provided to non-UK citizens, in each of the last five years; and whether it is possible to distinguish the recovery in respect of the Republic of Ireland.

**(AQW 44729/11-15)**

**Mr Wells (The Minister of Health, Social Services and Public Safety):** HSC Trusts gather information on chargeable visitors to Northern Ireland. Because access to free healthcare is based on residency, chargeable visitors include both UK citizens (who may reside abroad, for instance) and non-UK citizens. It is not possible for us to provide a breakdown between UK and non-UK citizens.

The financial flows from the various routes by which non-UK citizens from the European Economic Area (including the Republic of Ireland), who are not resident in Northern Ireland, may access free health services in Northern Ireland are dealt with on a central basis by the Department of Health in England, on behalf of all four UK jurisdictions. This is a centrally held budget and there is no breakdown of reimbursement costs by individual UK country. It is therefore not possible to identify the amount recovered from the Republic of Ireland.

**Mrs Dobson** asked the Minister of Health, Social Services and Public Safety for his assessment of the adherence to the National Institute for Health and Care Excellence clinical guideline for the management of multiple sclerosis in the (i) Belfast; (ii) South Eastern; (iii) Western; (iv) Northern; and (v) Southern Health and Social Care Trusts.

**(AQW 44791/11-15)**

**Mr Wells:** The National Institute for Health and Care Excellence clinical guideline for the management of multiple sclerosis was published by NICE in October 2014, and endorsed by my Department as applicable to Northern Ireland in November 2014.

As provided for in Circular HSC (SQSD) 3/13, the HSC Trusts have now responded to the HSC Board regarding current compliance with the guideline. The HSC Board is now considering these responses.

In separate but related work, the HSC Board and PHA are at present assessing the patient pathway for those with multiple sclerosis. This process involves key stakeholders including HSC Trust clinicians and management, patient representatives and general practitioners. This work will take full account of the clinical guideline and its implications for primary and secondary care.

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety for his assessment of the benefits of transferring age related hearing loss treatment from institutional settings into the community setting as part of the Transforming Your Care plan.

**(AQW 44993/11-15)**

**Mr Wells:** Under the auspices of the implementation of audiology quality standards in Northern Ireland, the Health and Social Care Board is considering a range of solutions to ensure audiology services continue to be responsive to patient needs and reflect the ethos of Transforming Your Care.

The Board is committed to ensuring that patients have timely access to local and accessible quality care and is conscious of the need to maintain the high standard of care that is provided.

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety to detail the procedure in place where parents are given access to an oximeter to help detect oxygen saturation levels in new-born children suffering from respiratory and congenital heart defects.

**(AQW 45074/11-15)**

**Mr Wells:** There are currently no guidelines on the use of oxygen saturation monitors in the home in Northern Ireland. Their use is therefore determined by consultant paediatricians/respiratory physicians/cardiologists on the basis of clinical necessity.

The procedure followed is broadly similar across each Health and Social Care Trust. The consultant will determine the clinical necessity for an infant to have pulse oximetry monitoring and agree parameters for oxygen saturation levels. A referral will then be made to the Community Children's Nursing service, who will procure a monitor and educate parents in its use, including the agreed parameters for oxygen saturation and the process for seeking medical support if oxygen saturation falls outside of those parameters.

Clinicians prescribe oxygen saturation monitoring at home in the following circumstances:

- Children who require non-invasive or invasive ventilation at home. This will include some but not all children who require CPAP;
- younger children who require oxygen at home, particularly if there is evidence of abnormal control of breathing;
- other children with demonstrated abnormalities in the control of breathing, especially in sleep. This will not include children who have episodic breathing difficulties which are more easily detected clinically (breathlessness or increased work of breathing) rather than by saturation monitoring;
- Babies with congenital heart defects (if recommended by the Paediatric Cardiologists at Royal Belfast Hospital for Sick Children).

It should be noted that not every child with a respiratory illness or cardiac abnormality will be referred for oximetry.

**Mr B McCrea** asked the Minister of Health, Social Services and Public Safety whether his Department holds any analytic research on repeat or regular attendances at Emergency Departments.

**(AQW 45089/11-15)**

**Mr Wells:** My Department does not currently hold any analytical research on repeat or regular attendances at emergency care departments.

**Mr B McCrea** asked the Minister of Health, Social Services and Public Safety whether his Department holds any analytic research on individuals attending Emergency Departments who have been diagnosed with a mental illness.

**(AQW 45090/11-15)**

**Mr Wells:** Information on individuals diagnosed with a mental illness attending emergency care departments is not available.

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety whether his Department plans to undertake a cost of service survey in relation to the provision of community pharmacy services.

**(AQW 45203/11-15)**

**Mr Wells:** DHSSPS is currently in the process of undertaking a Cost of Services Investigation in relation to the provision of community pharmacy services in Northern Ireland.

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety to detail the rationale underpinning his Department's decision to follow a Scottish Tariff model in relation to the provision of local community pharmacy.

**(AQW 45204/11-15)**

**Mr Wells:** The Northern Ireland Drug Tariff details the amount paid to pharmacy contractors for HSC services including both reimbursement and remuneration. The Northern Ireland Drug Tariff has been informed by the Drug Tariff for England and Wales since 1 April 2011.

**Mr Dallat** asked the Minister of Health, Social Services and Public Safety to detail (i) the number of admissions to the Emergency Department at the Causeway Hospital in the last twelve months; and (ii) the number subsequently transferred to specialist hospitals elsewhere.

**(AQW 45207/11-15)**

**Mr Wells:**

- (i) It is assumed that this question refers to the number of attendances (new and unplanned reviews) at the Causeway emergency care department. During the last twelve months, there were 42,692 new and unplanned attendances at the Causeway emergency care department.

Information on new and unplanned review attendances at emergency care departments is released on a monthly basis, and available to view or download from:

<http://www.dhsspsni.gov.uk/index/statistics/hospital/waitingtimes/waitingtimes-emergency.htm>

- (ii) The Northern Health and Social Care Trust indicated that 481 patients were transferred to specialist hospitals from the Causeway emergency care department during the last twelve months.

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety, considering the proposed specialised medicines fund will cost between £4.8m and £9.5m, to detail, in percentage terms, the projected administrative cost for clinicians to deal with applications for specialised medicines.

**(AQW 45264/11-15)**

**Mr Wells:** It is not possible to detail, in percentage terms, the projected administrative costs required to implement the proposed specialist medicines fund. The administrative cost of such medicines is not based on a straight line percentage projection given the variability in the range of medicines that are potentially likely to be commissioned under a revised Individual Funding Request process.

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety to detail his Department's projecting savings anticipated in 2015/16 resulting from expiring drug patents on existing medicines purchased by his Department.

**(AQW 45267/11-15)**

**Mr Wells:** I have been advised by the Health and Social Care Board that it anticipates savings of £3 million in 2015/16 as a result of expiring drug patents on existing medicines. That is estimated based on the price of new generic medicines falling by 50% at six months post patent expiry.

**Ms Sugden** asked the Minister of Health, Social Services and Public Safety when he will make the 2015/16 pay announcement for Health and Social Care staff.

**(AQW 45312/11-15)**

**Mr Wells:** Discussions with HSC Trade Unions regarding an affordable 2015/16 HSC Pay Award are underway. The timeframe for an announcement is not yet determined..

Information on the number of health and social care staff who have not received a 1 per cent pay uplift since April 2014, broken down by (i) Trust; (ii) profession; and (iii) pay band is not readily available and can only be obtained at a disproportionate cost.

The 2014/15 Agenda for Change (AfC) Pay Award sought to reward all staff with at least a 1% increase and reflects the provisions set out in the AfC Terms and

Conditions of Service Handbook which are based on the need to ensure a fair system of pay for NHS employees which supports modernised working practices.

**Ms Sugden** asked the Minister of Health, Social Services and Public Safety to detail the number of Health and Social Care staff who have not received a 1 per cent pay uplift since April 2014, broken down by (i) Trust; (ii) profession; and (iii) pay band. (AQW 45313/11-15)

**Mr Wells:** Discussions with HSC Trade Unions regarding an affordable 2015/16 HSC Pay Award are underway. The timeframe for an announcement is not yet determined..

Information on the number of health and social care staff who have not received a 1 per cent pay uplift since April 2014, broken down by (i) Trust; (ii) profession; and (iii) pay band is not readily available and can only be obtained at a disproportionate cost.

The 2014/15 Agenda for Change (AfC) Pay Award sought to reward all staff with at least a 1% increase and reflects the provisions set out in the AfC Terms and

Conditions of Service Handbook which are based on the need to ensure a fair system of pay for NHS employees which supports modernised working practices.

**Ms Sugden** asked the Minister of Health, Social Services and Public Safety whether current levels of pay for Health and Social Care staff reflect the objectives of the Agenda for Change framework. (AQW 45314/11-15)

**Mr Wells:** Discussions with HSC Trade Unions regarding an affordable 2015/16 HSC Pay Award are underway. The timeframe for an announcement is not yet determined..

Information on the number of health and social care staff who have not received a 1 per cent pay uplift since April 2014, broken down by (i) Trust; (ii) profession; and (iii) pay band is not readily available and can only be obtained at a disproportionate cost.

The 2014/15 Agenda for Change (AfC) Pay Award sought to reward all staff with at least a 1% increase and reflects the provisions set out in the AfC Terms and

Conditions of Service Handbook which are based on the need to ensure a fair system of pay for NHS employees which supports modernised working practices.

**Ms Sugden** asked the Minister of Health, Social Services and Public Safety to outline the current provision for incremental pay progression for Health and Social Care staff; and whether this reflects the Agenda for Change framework. (AQW 45340/11-15)

**Mr Wells:** Incremental pay progression for all pay points, within each Agenda for Change pay band, is conditional upon individuals demonstrating that they have the requisite knowledge and skills/competencies for their role and that they have demonstrated the required level of performance and delivery during the review period. Provided the appropriate level of performance and delivery has been achieved during the review period, individuals will progress from pay point to pay point on an annual basis.

Under the 2014/15 Agenda for Change Pay Award all eligible staff received incremental pay.

This reflects the Agenda for Change Terms and Conditions of Service a copy of which is available at:

[http://www.nhsemployers.org/~media/Employers/Documents/Pay%20and%20reward/AfC\\_tc\\_of\\_service\\_handbook\\_fb.pdf](http://www.nhsemployers.org/~media/Employers/Documents/Pay%20and%20reward/AfC_tc_of_service_handbook_fb.pdf)

**Mr Flanagan** asked the Minister of Health, Social Services and Public Safety how the Western Health and Social Care Trust intend to meet the target for an assessment by an Occupational Therapist. (AQW 45343/11-15)

**Mr Wells:** I have been advised by the Western Health and Social Care Trust that it is taking the following steps to reduce occupational therapy waiting times including:

- Operation of a prioritisation system to ensure all cases are screened, and where clinical risk dictates prioritised;
- Waiting lists are reviewed to ensure client assessments are appropriate and to monitor clients' changing needs;
- Introduction of technology to support efficient decision making around adaptations and equipment provision processes;
- An increase in the range of clinics offered, i.e. seating, wheelchairs;
- Increased use of onward referral to other statutory, community and voluntary service providers who may also support clients in the community;
- Ongoing monitoring of performance and identification of service capacity gaps

The capacity gaps within these services have been identified and escalated to commissioners at the Regional Health and Social Care Board and Public Health Agency. I expect the Health and Social Care Board, Public Health Agency and the Western Trust, to continue to work together to improve waiting times for assessments by an Occupational Therapist.

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety for an update on the implementation of the recommendations put forward in the Report of Diabetes Review Steering Group, published in June 2014.

**(AQW 45370/11-15)**

**Mr Wells:** Diabetes continues to be one of the most challenging long term conditions, affecting more than 80,000 people across Northern Ireland.

The Report of the Diabetes Review Steering Group, Chaired by the Chief Medical Officer was published in June 2014. It put forward 11 recommendations which are aimed at improving services and the patient experience for people living with diabetes. The recommendations encompass important aspects in the prevention and management of diabetes and its complications. These include an emphasis on public health measures to help prevent Type 2 diabetes, improving access to structured patient education, building capacity in the workforce, improving services for vulnerable groups and encouraging innovation in care for people with diabetes.

The Department is currently working in partnership with the wider Health and Social Care sector and Diabetes UK to ensure that the recommendations are translated into a robust action plan leading to a sustainable programme of improvement and innovation in services for people living with diabetes in Northern Ireland

**Ms Sugden** asked the Minister of Health, Social Services and Public Safety for an update on the Meals on Wheels service across Health and Social Care Trusts.

**(AQW 45432/11-15)**

**Mr Wells:** The Western HSC Trust has advised me that it is currently in the process of taking forward new contracting arrangements for its community meals service. The Trust has held a number of consultation sessions with clients who receive the service and with service providers. Feedback from these sessions will help to inform the new contracting arrangements.

The South Eastern HSC Trust has advised that it is currently working to implement a new contract for its community meals service and to commence the provision of a frozen meals service.

The remaining three Trusts have advised that they continue to provide a community meals service for those clients who meet the eligibility criteria. All HSC Trusts have a responsibility, of course, to ensure that limited resources are effectively targeted to those individuals who are most in need.

**Ms Sugden** asked the Minister of Health, Social Services and Public Safety how changes to the Meals on Wheels Service is being rural proofed in order to protect vulnerable rurally isolated clients.

**(AQW 45433/11-15)**

**Mr Wells:** Of the two Trusts who are currently proposing to make changes to their community meals service, the Western HSC Trust has consulted with clients and/or their carers who receive the service and also with service providers. Alongside this, a comprehensive Equality Screening will be undertaken, which will include an assessment of whether the proposed changes will impact differently or unfairly on different groups of individuals, including those who live within the rural parts of the Trust's geographical area.

The South Eastern HSC Trust has confirmed that it consulted on its proposals with people currently in receipt of its Community Meals service, and also sought views from potential future users through targeted focus groups. The Trust has also advised that the procurement of Community Meals was subject to Equality Screening in January 2013. A further rescreening exercise was undertaken in January 2015, the outcome of which was that the proposal will be subject to on-going screening.

**Ms Maeve McLaughlin** asked the Minister of Health, Social Services and Public Safety to outline progress on the availability of the drug Translarna.

**(AQW 45450/11-15)**

**Mr Wells:** In April 2015, NICE commenced a highly specialised technology evaluation of ataluren (also known as Translarna) for treating Duchenne muscular dystrophy with nonsense mutation in the dystrophin gene. NICE anticipate that the earliest publication of guidance will be February 2016. Until NICE guidance is available my Department would not expect this drug to be routinely available. The Health and Social Care Board will continue to monitor progress with the commissioning position in England.

**Mr Clarke** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 43352/11-15 and AQW 43791/11-15, whether bridges are available through the Health Service.

**(AQW 45460/11-15)**

**Mr Wells:** Bridges are available through the Health Service.

The General Dental Services Regulations require dentists to provide care and treatment necessary to secure and maintain oral health; and the Statement of Dental Remuneration details the conditions under which they may be provided, including when the prior approval of treatment has to be sought. These conditions relate to the patient's oral health, the design and extent of the bridge, and the relative position in the mouth. For particular clinical presentations where these conditions are not met, an alternative treatment option such as a partial denture would be available.

**Mr Allister** asked the Minister of Health, Social Services and Public Safety how often the target of a maximum thirteen week wait from referral to first assessment for autism has not been met in the last twelve months.

**(AQW 45462/11-15)**

**Mr Wells:** The Health and Social Care (HSC) Board collect aggregated waiting time data for initial assessments for autism, providing information on how many patients referred for an assessment have waited longer than thirteen weeks at the end of each month. Adding the month end figures together could lead to double counting of patients; therefore it is not possible to provide the figures in the format requested. However the board advise that the number of patients breaching the thirteen week target at 31 March 2015 was 847.

**Mr Allister** asked the Minister of Health, Social Services and Public Safety how often the target of a maximum thirteen week wait from receipt of diagnosis of autism from the first assessment has not been met in the last twelve months.

**(AQW 45463/11-15)**

**Mr Wells:** In line with ministerial standards, the Health and Social Care Board monitor waiting times for the commencement of assessments for autism and the commencement of intervention post diagnosis. These figures are collected at the end of each month.

It is assumed that this question refers to those waiting more than thirteen weeks for intervention following a diagnosis of autism. Adding the month end figures together could lead to double counting; therefore it is not possible to provide the requested figure.

Figures at 31 March 2015 show that 170 children had been waiting longer than 13 weeks for intervention following a diagnosis of autism. This figure has been supplied by the HSC Board and has not been validated by the Department.

**Mr Allister** asked the Minister of Health, Social Services and Public Safety how many clinicians are trained to diagnose autism in each Health Trust and Social Care Trust; and whether this is sufficient to meet demand.

**(AQW 45464/11-15)**

**Mr Wells:** The number of clinicians trained to diagnose autism in each Health and Social Care Trust is detailed in the table below. These posts cover both Diagnosis and Intervention Services.

TRUST	No of Trained Clinicians (WTE)
Belfast	11
Northern	11
South Eastern	9
Southern	23
Western	14
<b>Total</b>	<b>68</b>

Childrens ASD Services (HSC Board)

The current number of clinicians trained to diagnose autism is not sufficient to meet overall demand. Given the significant increase in demand, additional Clinical Staff would be required to provide assessments or follow on care in line with the 13 week standard. However, given the current financial constraints no further investment has been identified to meet this need at present.

**Mr Agnew** asked the Minister of Health, Social Services and Public Safety why there has been a delay in payment of funds through the Infrastructure Grant; and to detail when such payments will be made.

**(AQW 45606/11-15)**

**Mr Wells:** The 67 voluntary and community organisations, which receive core support from my Department, were further advised in December 2014 that the way funding is provided to the sector was changing. Details are being finalised for 2015/16 and I hope to be in a position to make an announcement in the coming weeks.

## Department of Justice

**Mr Moutray** asked the Minister of Justice to detail the number of convictions for drug related offences in the Upper Bann constituency in the last twelve months.

**(AQW 44914/11-15)**

**Mr Ford (The Minister of Justice):** Drugs offences may be prosecuted under the Misuse of Drugs Act 1971, the Medicines Act 1968, the Criminal Attempts and Conspiracy (Northern Ireland) Order 1983 and the Customs and Excise Management Act 1979.

The most recent convictions data available relate to 2013. Information on the location of an offence is not included as part of convictions databases held by the Department. However, there were 256 convictions at courts in the Craigavon Court Division in 2013, for drugs offences.

**Note:**

- 1 Data are collated on the principal offence rule; only the most serious offence for which an offender is prosecuted or convicted is included.
- 2 The figures provided relate to convictions for all classifications of the offences specified.

**Mr Allister** asked the Minister of Justice what is the scale of cuts, in both actual and percentage terms, being implemented in his Department's budget in 2015/16, specifying the level of cut in each programme.

**(AQW 44999/11-15)**

**Mr Ford:** The starting point for my Department's 2015-16 unringfenced resource DEL budget is a 15.1% cut against the 2014-15 opening baseline, equivalent to £165m. The Executive has then provided an allocation of £90m, equivalent to 8.3%. £20m of that was provided as part of the final budget process for the PSNI. In total, PSNI will receive £65m of the £90m.

The balance of the Executive £90m that has not gone to the PSNI has been allocated based on Departmental priorities. In other areas, it has been used to offset specific demand led pressures as far as possible. In some areas it has been used to offset the impact of baseline cuts, and so some areas have cuts lower than 15.1%. Conversely, some areas have higher cuts so that funding can be reallocated to front line priorities. For example, the core Department has a savings target of 22% so that savings can be reallocated to front line areas.

Separately, HM Treasury is providing £29.5m of resource DEL security funding for the PSNI. This is specific funding for a specific, non baseline purpose so cannot be used to offset the impact of cuts.

The table below provides a breakdown of the savings that each of my Department's spending areas will be required to make this year. Further details on how savings will be made are available in the DOJ's 2015-16 Savings Delivery Plans, published on my Department's website.

Spending area	2015-16 saving increase / (decrease)	% change against 014-15 baseline
Core Directorates	(11,785)	(21.8)%
Compensation Services	(4,221)	(19.5)%
Forensic Science NI	(217)	(37.3)%
NI Courts and Tribunals Service	(4,480)	(10.8)%
Criminal Justice Inspection	(150)	(12.0)%
Youth Justice Agency	(2,277)	(12.0)%
Probation Board NI	(1,706)	(9.2)%
Police Ombudsman	(453)	(5.0)%
NI Policing Board	(1,112)	(15.1)%
Police Rehabilitation and Retraining Trust	(87)	(5.0)%
NI Police Fund	(206)	(12.0)%
RUC George Cross Foundation	(18)	(11.8)%
NI Prison Service	(8,641)	(8.4)%
NI Legal Services Commission	7,835	10.5%
PSNI	(40,421)	(5.7)%

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 41792/11-15, whether he will hold an investigation into the cases collectively numbered 14/084646 in the Fermanagh and Tyrone court division to establish (i) why each defendant was granted legal aid to cover solicitor, junior and senior counsel, whilst the Public Prosecution Service were represented by junior counsel only; (ii) whether evidence was offered by the prosecution which would have ended the matter in totality; and (iii) whether defence representatives rejected this and opted to enter a guilty plea on their client's behalf to a lesser charge.

**(AQW 45098/11-15)**

**Mr Ford:** I refer to my previous answer to AQW/42368/11-15. As advised previously, the decision to grant criminal legal aid, and accordingly the granting of two counsel, is a matter for the Court. The other issues raised are operational matters within the remit of the Director of Public Prosecutions, or are matters between defence representatives and their clients.



**Mr Weir** asked the Minister of Justice what discussions his Department has had with HM Government on banning legal highs.  
(AQW 45169/11-15)

**Mr Ford:** In December 2013, the Home Office established an Expert Panel to report on how the UK could respond to the challenges presented by New Psychoactive Substances. The outcome of the Review and the Government's response was subsequently published in October 2014.

Prior to, and following, publication I wrote to the Home Office Minister responsible, outlining the widespread public concern in Northern Ireland, the urgent need to act to tackle the emergence of these substances and welcomed the further consideration of the Irish legislation.

Following this correspondence, Home Office officials are currently working with Departmental officials, both in my Department and in the Department for Health, Social Services and Public Safety, on the specific legislative proposals seeking to ensure that any new legislation to tackle these new psychoactive substances is sufficiently robust to meet the needs of all the devolved administrations. I remain of the view that a consistent UK wide legislative approach is integral to tackling the harms caused in our communities.

As this is a reserved matter, I am unable to provide a more detailed timetable. However, I and my officials will continue to engage with the Home Office to encourage legislative change at the earliest opportunity.

**Lord Morrow** asked the Minister of Justice to detail the circumstances around the fire in Maghaberry Prison on 26 April 2015, including whether it was deliberate.  
(AQW 45185/11-15)

**Mr Ford:** On 26 April, a group of prisoners in Erne House deliberately started a fire.

The fire was extinguished by the Fire and Rescue Service and there was no immediate requirement to evacuate prisoners from their cells. A PSNI investigation into the circumstances of this incident is underway.

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 44385/11-15, to detail the costs for (i) 2013/14; and (ii) 2014/15.  
(AQW 45226/11-15)

**Mr Ford:** The costs for 2013/14 and 2014/15 are as follows:

2013/14	£5,405.26
2014/15	£920

**Mr Weir** asked the Minister of Justice for an update on the proposed closure of Ards courthouse.  
(AQW 45237/11-15)

**Mr Ford:** The consultation on the rationalisation of the court estate will run until 18 May 2015. The responses to the consultation will then be analysed and recommendations prepared.

No final decisions on any of the proposals will be made until the autumn.

**Lord Morrow** asked the Minister of Justice to detail the nature of the situation in Roe House Maghaberry Prison on 29 April 2015, in which the behaviour of two prisoners caused significant disruption to the running of the prison system, stating (i) what occurred; (ii) what time the incident commenced and concluded; (iii) whether any injuries were caused to either prisoners or staff; (iv) whether a lock down was put in place; and (v) what services for other prisoners including visits, legal consultations and video-link hearings, were affected.  
(AQW 45292/11-15)

**Mr Ford:** On 29 April 2015 two integrated prisoners commenced a protest in Roe House and both refused to comply with staff instructions. This incident started at 11:00 and was concluded at 14:15. No injuries were sustained by either prisoners or staff. Minimal disruption occurred in Roe House (integrated population) whilst the incident was ongoing and no services were disrupted in the rest of the prison.

**Mr Agnew** asked the Minister of Justice what are the anticipated cost savings from the closure of Ards courthouse.  
(AQW 45319/11-15)

**Mr Ford:** The anticipated cost savings are set out in the consultation document and in AQW/41803/11-15 and AQW/44866/11-15.

As the consultation document indicates, if Newtownards and Lisburn both close this would require the Old Townhall Building to re-open.

The consultation process is still on-going and, as no decisions have been made on the proposals, NICTS has not formally engaged with Department of Finance and Personnel Properties Division to assess any work, timescales or associated costs in the event that the Old Townhall Building is re-opened.

**Mr Agnew** asked the Minister of Justice whether the Old Town Hall, Belfast will be required to be brought back in to use as a result of the proposed closure of Ards and Lisburn courthouses; and what assessment has been made of (i) the cost of bringing the Old Town Hall up to the required standard; and (ii) the time this work will take.

**(AQW 45320/11-15)**

**Mr Ford:** The anticipated cost savings are set out in the consultation document and in AQW/41803/11-15 and AQW/44866/11-15.

As the consultation document indicates, if Newtownards and Lisburn both close this would require the Old Townhall Building to re-open.

The consultation process is still on-going and, as no decisions have been made on the proposals, NICTS has not formally engaged with Department of Finance and Personnel Properties Division to assess any work, timescales or associated costs in the event that the Old Townhall Building is re-opened.

**Lord Morrow** asked the Minister of Justice what is the inmate capacity in Roe House, Maghaberry Prison, shown by separated and integrated.

**(AQW 45350/11-15)**

**Mr Ford:** The capacity for Roe House is as follows:

- Integrated - accommodation is available for a total of 88 prisoners.
- Separated - accommodation is available for 54 prisoners.

**Lord Morrow** asked the Minister of Justice, in relation to the case of Lee McCausland (14/122133), whether he will launch an investigation to determine the reasons for the sentence and why the Pre-Sentence Report was not read or referred to by the judge.

**(AQW 45351/11-15)**

**Mr Ford:** It is an accepted principle that the courts are completely independent and therefore I cannot become involved in, or comment on, the judicial decision in this case.

**Lord Morrow** asked the Minister of Justice how many cases are currently within the court system in respect of offences involving indecent images of children, shown by (i) magistrates court; (ii) crown court; and (iii) court of appeal, in each court division.

**(AQW 45352/11-15)**

**Mr Ford:** The number of cases currently before the court with offences involving indecent images of children for each court division by court tier is outlined in the table below.

Court Division	Magistrates' Court	Crown Court	Court of Appeal	Grand Total
Antrim	3	1	-	4
Ards	7	6	-	13
Armagh and South Down	3	3	-	6
Belfast	11	4	-	15
Craigavon	6	1	-	7
Fermanagh and Tyrone	2	1	-	3
Queen's Bench Division	-	-	1	1
<b>Total</b>	<b>32</b>	<b>16</b>	<b>1</b>	<b>49</b>

**Mr Easton** asked the Minister of Justice to detail the number of staff disciplinary hearings in his Department in the last two years.

**(AQW 45396/11-15)**

**Mr Ford:** There were 40 staff disciplinary hearings in my Department in the last two years.

**Mr D Bradley** asked the Minister of Justice to detail the convictions and sentences for (i) fuel laundering; (ii) fuel smuggling; and (iii) illegal sales of fuel over the last ten years.

**(AQW 45401/11-15)**

**Mr Ford:** I refer to my recent answer to AQW/44825/11-15 (attached). Statistics before 2011 are not available.

#### OILS CONVICTIONS

These figures are for all types of oils fraud not just fuel laundering plants

**1/4/15 – 31/3/16**

Date	Defendant	Sentence
13/4/15	R Burton	4 months suspended 2 years
13/4/15	B Bell	6 months suspended 2 years

**1/4/14 – 31/3/15**

Date	Defendant	Sentence
11/8/14	R Kinghan	£2000 fine
1/9/14	P Burns	Conditional discharge 2 years
6/10/14	J Ryan	£3500 fine
9/12/14	E McIlroy	3 months suspended 2 years
12/12/14	P O'Neill	12 months suspended 3 years

**1/4/13 – 31/3/14**

Date	Defendant	Sentence
19/6/13	P Carr	18 months suspended 3 years + £98,000 Confiscation Order
18/4/13	B McGurgan	12 months suspended 3 years
14/3/14	D McCartan	2 months suspended 1 year
20/11/13	P White	£500 fine
18/10/13	J Cavanagh	£1000 fine
18/10/13	E Fearon	£4000 fine
21/2/14	K Grant	3 months suspended 1 year
18/11/13	M Fearon	£1000 fine
7/5/13	C Trainor	3 months suspended 3 years

**1/4/12 – 31/3/13**

Date	Defendant	Sentence
1/5/12	J Mulligan	£400 fine + £500 compensation order
13/11/12	K Rice	£600 fine
15/11/12	L Donnelly	6 months suspended 12 months + £3000 fine
14/3/13	C Kelly	24 months suspended 3 years
25/10/12	K Shanley	11 months suspended 3 years
25/10/12	S Rice	11 months suspended 3 years
20/11/12	E McCrossan	6 months suspended 2 years
20/11/12	L Larkin	4 months suspended 2 years

**1/4/11- 31/3/12**

Date	Defendant	Sentence
26/9/11	J Murnin	4 months suspended +£900 fine
26/9/11	P Hamilton	Bound over for 18 months
31/10/11	H Collins	£300 fine
31/10/11	P Callan	5 months suspended 3 years

**Lord Morrow** asked the Minister of Justice to detail the number of sexual offences cases currently within the court system in each court division, including breach of Sexual Offences Prevention Orders, broken down by (i) magistrates court; (ii) crown court; and (iii) court of appeal.

**(AQW 45404/11-15)**

**Mr Ford:** The number of sexual offences cases currently before the court for each court division by court tier is outlined in the table below.

Court Division	Magistrates' Court	Crown Court	County Court Appeals	Court of Appeal	Total
Antrim	30	23	1	-	54
Ards	26	23		-	49
Armagh and South Down	25	20	1	-	46
Belfast	83	36	3	-	122
Craigavon	37	15	2	-	54

Court Division	Magistrates' Court	Crown Court	County Court Appeals	Court of Appeal	Total
Fermanagh and Tyrone	25	30	1	-	56
Londonderry	43	12	3	-	58
Queen's Bench Division	-	-	-	22	22
<b>Total</b>	<b>269</b>	<b>159</b>	<b>11</b>	<b>22</b>	<b>461</b>

**Mr Moutray** asked the Minister of Justice to detail the number of newly recruited officers employed by the Prison Service in each of the last three years.

**(AQW 45408/11-15)**

**Mr Ford:** The number of newly recruited officers employed in each of the last three years was 411. This total was comprised of Custody Prison Officers (CPO) and Prisoner Custody Officers (PCO). Details are broken down as follows:

**Officers Appointed in Each Year During the Period May 2012 to May 2015**

Period	No. CPOs Appointed	No. PCOs Appointed	Total No. of Officers Appointed
May 2012 to April 2013	260	0	260
May 2013 to April 2014	49	102	151
May 2014 to April 2015	0	0	0
<b>Total</b>	<b>309</b>	<b>102</b>	<b>411</b>

**Mr Allister** asked the Minister of Justice, given ongoing discussions between his Department and the NI Policing Board, which recommendations of the Scofield Report have been accepted.

**(AQW 45465/11-15)**

**Mr Ford:** As stated in my response to AQW/43980/11-15 my Department will not be responding to the Scofield report as it was commissioned by, and submitted to, the Policing Board.

My Department has, however, agreed to undertake a number of key actions in relation to the Injury Benefit legislation, one of which includes a review of the policy which underpins this. An initial tripartite meeting between my Department, the Northern Ireland Policing Board and the PSNI regarding this issue was held on 1 May.

**Mr Irwin** asked the Minister of Justice what discussions he has had with the Minister of the Environment on illegal dumping of toxic sludge from fuel laundering in Newry and Armagh.

**(AQW 45516/11-15)**

**Mr Ford:** The Organised Crime Taskforce, which I chair, has a cross border sub group devoted to fuel fraud. This is chaired by HM Revenue and Customs (HMRC) who are in the lead in relation to excise evasion. The sub-group includes members from all the relevant bodies including the Northern Ireland Environment Agency and my Department. My officials and those of the Minister of the Environment therefore meet on a regular basis to discuss all issues relating to the ongoing problem of fuel laundering.

In addition, the issue of fuel laundering is regularly raised at fora such as the North South Ministerial Council and the Intergovernmental Agreement meetings regarding Cooperation on Criminal Justice Matters, to be discussed by relevant Ministers from both sides of the border.

I would add that my officials are working with HMRC to arrange a seminar on fuel laundering and related matters soon.

**Lord Morrow** asked the Minister of Justice whether a full risk assessment is carried out in all instances of prisoners requiring to being taken to an outside hospital for treatment in non-emergency situations.

**(AQW 45536/11-15)**

**Mr Ford:** All such appointments are risk assessed and procedures are put in place taking account of the prisoner's category and the venue concerned.

**Mr D McIlveen** asked the Minister of Justice whether his Department has any plans to review penalties for animal cruelty, following the recent attacks on lambs in the Battleford Road area.

**(AQW 45578/11-15)**

**Mr Ford:** I am currently working with the Minister for Agriculture and Rural Development on a Review of the Implementation of the Welfare of Animals Act (NI) 2011, which she established last year. An interim report of the review was published in February setting out emerging thoughts and recommendations based on an analysis of the available evidence to date and a consultation exercise is underway.

Amongst the recommendations in the interim report is a proposal to increase the maximum penalties available for those convicted of animal cruelty offences. The specific recommendation is that the maximum sentence available for cases heard in the Crown Court is increased from two years to five years while for the Magistrates' Courts sentencing for the more serious offences would be increased from six months to twelve months. The maximum fine available in the Magistrates' Courts would also increase from £5,000 to £20,000.

Details of the consultation, which has been extended to 21 May to allow stakeholders and the wider public more time to have their say, can be found on the DOJ website at [www.dojni.gov.uk](http://www.dojni.gov.uk).

## Department for Regional Development

**Mr Campbell** asked the Minister for Regional Development what is the current estimated daily traffic volume using the A26 at the Causeway Hospital location.

**(AQW 42656/11-15)**

**Mr Kennedy (The Minister for Regional Development):** In 2014 the Annual Average Daily Traffic (AADT) (7 day) two-way volume on the A26 Newbridge Road in the vicinity of the Causeway Hospital was 16,380 vehicles.

This figure is taken from data collected by a permanent automatic traffic counter located at a point just south-east of the Wattstown Roundabout. This is the closest permanent traffic counter to the Causeway Hospital for which my Department has information on traffic volumes.

**Lord Morrow** asked the Minister for Regional Development, given that councils are now responsible for parking enforcement, what discussions he, or his officials, have had with the contracted service provider for traffic attendants, specifically in relation to no-go areas.

**(AQW 44715/11-15)**

**Mr Kennedy:** On 1 April 2015, all of my Department's car parks transferred to the new councils as a going concern, which included the requirement to ensure that the car parks are being used properly.

Early negotiations concluded that, by agreement, the arrangements for parking enforcement of the car parks would continue unchanged, with Councils utilising the services of the Department's current service provider, NSL Services Group.

Through a series of meetings and negotiations between my Department and new council officials during approximately the last twelve months, an Agency Agreement was agreed and signed, which enables parking enforcement services to continue to operate as they have done previously until at least October 2016. Therefore, I can confirm there are no "no-go" areas under the new arrangements, as was the case when my Department was responsible for parking enforcement.

**Lord Morrow** asked the Minister for Regional Development, given the risk to safety in the positioning of the existing public hire taxi-rank at Central Station, Belfast, when he intends to create a new dedicated rank; and whether he will instruct Translink to permit public hire taxis to use the private hire rank given that sole use is merely implied.

**(AQW 45024/11-15)**

**Mr Kennedy:** I am not aware of safety risks arising from the positioning of the existing public hire taxi rank at Central Station.

I do not believe there are grounds to instruct Translink in the way you suggest. Translink has advised that it believes the contract allowing exclusive use is lawful, and it has concerns about passenger safety and traffic congestion around Central Station and adjoining roads, if the taxi rank was opened to all taxis

**Ms McCorley** asked the Minister for Regional Development what streets in West Belfast remain unadopted; and what action is being taken to have them adopted.

**(AQW 45071/11-15)**

**Mr Kennedy:** There are currently 53 unadopted developments in the West Belfast area. My Department continually monitors the progress of these sites by carrying out quarterly inspections.

If requested, an interim inspection will take place where a significant element of work has been completed. In the event progress cannot be identified, enforcement action can be taken through Article 11 of the Private Streets (NI) Order 1980. If a positive response is not received from the developer within 28 days, my Department will utilise the bond held in surety to complete the development.

**Lord Morrow** asked the Minister for Regional Development, pursuant to AQW 44383/11-15, what engagement his officials have held with relevant groups, including council good relations officers and political groups, to ensure the Flags and Emblems policy is reflected across the constituency and ensures parity with all sections of the community, particularly in light of Mid Ulster Council's ban on the flying of flags on government property.

**(AQW 45103/11-15)**

**Mr Kennedy:** A fair and equitable application of the Flags and Emblems policy is not a matter for my Department's TransportNI and officials have not engaged with anyone on this issue. Officials' involvement with the policy is restricted to when the flags and emblems are on property for which TransportNI is responsible and in such instances the appropriate protocols are adhered to.

**Mr Weir** asked the Minister for Regional Development for an update on the plans to provide residents parking schemes outside Belfast.

**(AQW 45112/11-15)**

**Mr Kennedy:** Legislation is currently being taken forward for the first residents' parking schemes to be introduced in Antrim and Londonderry, together with schemes in Belfast.

Once these schemes are in place, they will be reviewed to ensure the legislation is fit for purpose and are operating correctly.

The timeline for delivery of the schemes will be dependent upon the outcome of the consultation exercise and nature of any objections. In the absence of any significant objections, it is envisaged the implementation process to deliver the schemes could commence in autumn 2015.

I am currently unable to indicate a timescale as to when any other future schemes outside Belfast might be taken forward as this will be dependent, to some degree, on the successful implementation of the initial schemes.

**Mr Weir** asked the Minister for Regional Development to detail the departmental funding provided to Translink for (i) train; and (ii) bus services, in each of the last five years.

**(AQW 45115/11-15)**

**Mr Kennedy:** The relevant details, in line with the information disclosed in Translink's last five published accounts, are outlined in the table below:

	2009/10 £m	2010/11 £m	2011/12 £m	2012/13 £m	2013/14 £m
Train	75.3	82.5	108.6	78.3	57.0
Bus	45.4	47.9	71.6	63.1	53.9

**Mr Moutray** asked the Minister for Regional Development to detail the length of road that has been resurfaced in Upper Bann in each of the last three years.

**(AQW 45164/11-15)**

**Mr Kennedy:** Details of the lengths of road that have been resurfaced in Upper Bann, in each of the last three years, are set out in the table below:

Year	Length of road resurfaced in Upper Bann (Km)
2012/13	38
2013/14	42
2014/15	28

**Mrs Hale** asked the Minister for Regional Development, pursuant to his Department's correspondence dated 16 February 2015 on weight restrictions in Hillsborough Village, (i) what progress has been made in the development of a proposal to apply weight restrictions targeted towards the removal of extraneous heavy goods vehicles from the centre of Hillsborough Village; (ii) whether the proposal has been fully developed; (iii) if not, when it is expected to be fully developed; (iv) the cost of the proposal; (v) whether he has allocated the necessary funding towards the proposal; and (vi) what plans he has for the consultation on the proposal.

**(AQW 45167/11-15)**

**Mr Kennedy:** My officials have fully developed proposals for the application of a vehicle weight restriction within Hillsborough, and have scheduled a meeting with you and a number of other locally elected representatives on Friday 29 May 2015, to discuss the detail of the proposal prior to carrying out a wider consultation exercise, the nature of which will be informed by these discussions.

No detailed cost estimate has yet been developed for the works, although funding for it has been set aside from the current financial year's budget allocation.

**Mrs Hale** asked the Minister for Regional Development why the proposal to apply weight restrictions targeted towards the removal of extraneous heavy goods vehicles from the centre of Hillsborough Village has not progressed against the timeline his officials specified, namely within the past financial year; and what assurances he can give as to when this proposal will be completed.

**(AQW 45168/11-15)**

**Mr Kennedy:** As you will be aware, my officials have arranged to meet with you and a number of other locally elected representatives at your Dromore office on Friday 29 May 2015 to seek confirmation that the various parties are content with my Department's proposals on this matter. I understand there was a delay in arranging a suitable, mutually-acceptable, date for this meeting.

Subject to the outcome of the meeting, officials will then consult more widely. I'm sure you will appreciate the potential impact that the proposal could have on the local community and therefore the importance I have placed on ensuring that any adverse impact is minimised and that all sections of the community are fully consulted. I envisage the informal consultation being completed before the July holiday period and the formal Notice of Intention being published in the local press in September 2015.

**Mr Weir** asked the Minister for Regional Development to detail the reserves held by Translink in each of the last five years; and how much of these reserves were spent in each of the last five years.

**(AQW 45171/11-15)**

**Mr Kennedy:** Translink reserves as recorded in the NITHC consolidated balance sheet at the end of the financial years in question were:

■	31/03/14	£25,026k
■	31/03/13	£20,735k
■	25/03/12	£19,004k
■	27/03/11	£35,667k
■	29/03/10	£ (8,559k)

The reserves figure represents the value of the business at the year-end, as distinct from the cash balances or net current assets of the business. The value of the reserves reflects the trading results of the company each year and accounting adjustments.

**Mr Weir** asked the Minister for Regional Development what plans his Department has for minor capital works on roads in North Down in 2015/16.

**(AQW 45172/11-15)**

**Mr Kennedy:** My Department has identified the following schemes for delivery under the minor capital works programme on roads in North Down in 2015/16:

#### **Minor Works**

- \*A2 / Gransha Road, Bangor – signalisation of roundabout; and
- Bloomfield Road, Bangor –alteration to traffic island.

#### **Collision Remedial schemes – Provision of High Friction Surfacing**

- Ballysallagh Road junction with the A2 Belfast Road, Bangor; and
- Clandeboye Road junctions with the West Circular Road, Bangor.

Further works are under consideration and progress will be dependent upon budget allocations and other priorities at that time.

\* Subject to official announcement

**Mr Dickson** asked the Minister for Regional Development to detail the number of trains between York Street and Central Station, and vice versa, each day.

**(AQW 45174/11-15)**

**Mr Kennedy:** Translink advises that Monday to Friday, a total of 112 services operate on this section of the route, 56 in each direction. On Saturday a total of 96 services operate, 48 in each direction, and on Sunday a total of 54 services operate, 27 in each direction.

**Mr Dickson** asked the Minister for Regional Development whether Translink has considered the cost of completely relaying track between York Street and Central Station; and if so, to provide details of the cost.

**(AQW 45175/11-15)**

**Mr Kennedy:** Translink is currently engaging with my Department's Transport NI York Street Interchange Project Team to coordinate the design and construction of essential enabling works to the Dargan Viaduct piers and foundations, in order to facilitate future dualling of the section between Yorkgate and Donegall Quay.

It is hoped to bring forward a Business Case in 2016/17 for these, enabling works to coincide with the York Street Interchange project schedule. The scheme will be dependent on funding availability within the next Comprehensive Spending Review period. As no Business case has been prepared yet, there are no cost details at this time.

There are no plans to relay the track this year or next.

**Mr Campbell** asked the Minister for Regional Development whether he will review the policy surrounding the criteria required for rural schools to have a 20 mph speed limit implemented immediately adjacent to the school premises.

**(AQW 45180/11-15)**

**Mr Kennedy:** In June 2014, my Department introduced a new policy for the installation of a variety of road safety measures at schools where excessive speed has been identified as a problem. This followed a successful pilot of part-time 20mph limits at three rural schools.

In determining whether road safety improvements are required at a school, a number of factors such as collision history, traffic speed and volume, as well as the existence of footways, cycle lanes, controlled crossings, parking facilities and street lighting are taken into account. A minimum distance of 300 metres is required for enforcement of a 20mph speed limit.

As the policy has only been in place for less than a year, I am not proposing to carry out a review at this time, preferring to test its effectiveness for a longer period of time. I anticipate that we will see an increase in the number of schools where a scheme involving part-time 20mph speed limits is implemented.

**Lord Morrow** asked the Minister for Regional Development, pursuant to AQW 44582/11-15, (i) whether the security personnel, as direct or indirect employees of Translink, are remitted to work for the taxi service provider by opening and closing access to the taxi rank by means of a chain, and supervising exclusive use; (ii) if so, who authorises these tasks be carried out; and (iii) whether there is a section within their employment contract to provide these services to an out-sourced provider.

**(AQW 45182/11-15)**

**Mr Kennedy:** Translink has advised me that it is unaware of practices as outlined at points (i), (ii) and (iii).

As part of the patrol activities, Translink is aware that security staff at Central Station may challenge private taxis availing of the taxi facilities that are in place for the current taxi service provider.

They may also challenge public taxi providers who attempt to gain access to the Central Station concourse for the purpose of 'touting' for business. This practice is illegal under the terms of the public taxi licensing system.

**Mr Flanagan** asked the Minister for Regional Development, pursuant to AQW 44437/11-15, to quantify the number of (i) road traffic injuries reported by police; (ii) vehicle speeds; (iii) volume and type of traffic; and (iv) information on the presence of schools, playgrounds and shops on the section of road recently selected for traffic calming measures in Clabby.

**(AQW 45195/11-15)**

**Mr Kennedy:** My responses to your specific questions are as follows:

- i) There have been no recorded injury collisions in the past 3 years on this section of the B107 Clabby Road.
- ii) The 24 hour mean speed recorded in July 2014 was 34.7mph.
- iii) The average volume of traffic recorded in July 2014 was 2,078 vehicles per day. HGVs accounted for 2.4% of this.
- iv) There are no schools, playgrounds or shops, however, there are twenty dwellings, a church, a church hall, a church rectory, a public auction facility and six industrial retail units located along this section of Clabby Road.

**Mr Dallat** asked the Minister for Regional Development to detail the cost of events and hospitality by (i) Translink; and (ii) NI Water in the last five years.

**(AQW 45209/11-15)**

**Mr Kennedy:** The table below details the relevant statistics in relation to sponsorship of events and hospitality extended by Translink.

Year	Events	Hospitality
2010/11	£2.9k 1	£20.0k
2011/12	£8.9k	£30.7k



Year	Events	Hospitality
2012/13	£12.5k	£22.1k
2013/14	£10.1k	£21.5k
2014/15	£11.3k	£18.9k

1 This figure in 2010/2011 does not include the event costs paid to Morrow Communications who were Translink's PR Agency at this time. Relevant totals recorded on accounting systems include all PR costs, not just those in relation to events and it would involve disproportionate cost to extract same.

The following table details the relevant statistics in relation to NI Water.

Year	Events	Hospitality
2010/11	£15.0k	£13.8k
2011/12	£14.7k	£19.2k
2012/13	£17.0k	£14.5k
2013/14	£12.0k	£17.7k
2014/15	£11.4k	£29.7k

**Mr B McCrea** asked the Minister for Regional Development to detail the conditions of the sale of Knockbracken Reservoir. (AQW 45211/11-15)

**Mr Kennedy:** Northern Ireland Water (NIW) has advised that the contract for sale of Knockbracken Reservoir has not yet been finalised. I am therefore not in a position to detail the conditions of sale at this time.

**Mr Allister** asked the Minister for Regional Development how the proposed cuts to community transport are compatible with the pledge to protect the most vulnerable in our society. (AQW 45215/11-15)

**Mr Kennedy:** My Department is facing cuts and pressures of some £60 million on my Resource budget and those funding reductions have required me to take some difficult decisions, particularly when considering the impact on public safety.

My Department believes that through continued efficiencies and the use of all financial resources available to it, all community transport operators should be able to minimise the impact on service users.

**Mr Dickson** asked the Minister for Regional Development for his Department's assessment of the viability of relaying the Dargan Viaduct before, and following, the York Street Interchange Project completion. (AQW 45216/11-15)

**Mr Kennedy:** Translink is currently engaging with my Department's Transport NI York Street Interchange Project Team to coordinate the design and construction of essential enabling works to the Dargan Viaduct piers and foundations, in order to facilitate future dualling of the section between Yorkgate and Donegall Quay.

It is hoped to bring forward a Business Case in 2016/17 for these, enabling works to coincide with the York Street Interchange project schedule. The scheme will be dependent on funding availability within the next Comprehensive Spending Review period.

There are no plans to relay the track this year or next.

**Mr Dickson** asked the Minister for Regional Development for his Department's assessment of the level of congestion on the Dargan Viaduct. (AQW 45217/11-15)

**Mr Kennedy:** Translink advises that the Dargan Bridge track section, between Yorkgate and Lagan Junction, is the most heavily utilised single line section on the NI Railways network. For example, during the morning peak from 07:55 to 08:55, 13 services operate between Yorkgate and Belfast Central Station – seven leaving from Belfast Central and six leaving from Yorkgate. Furthermore these services are also required to 'thread' through Lagan Junction, co-ordinating with 12 services per hour on the Bangor line - six in each direction.

Whilst the railway timetable is designed to prevent conflicting train paths and hence delays due to congestion, this area of the rail network is now operating close to capacity during the morning and evening peaks, Monday to Friday.

**Lord Morrow** asked the Minister for Regional Development, pursuant to AQW 44475/11-15, whether the rank at Donegall Quay has been suggested for closure or removal.

**(AQW 45225/11-15)**

**Mr Kennedy:** I am not aware of any suggestion or proposal that this rank be closed or removed.

**Lord Morrow** asked the Minister for Regional Development, pursuant to AQW 44582/11-15, to provide, or place in the Assembly library, a copy of the contract for taxi provision as advertised, along with a list of where the contract was advertised.

**(AQW 45227/11-15)**

**Mr Kennedy:** The tender was advertised on the Translink website in June 2009 with a closing date of 7 July. There were two responses to the advert.

The basis of the contract would have been on the scope of the Information to Tender document (ITT), the tenderer's submission, the award letter dated and the tenderer's subsequent acceptance letter.

A copy of the Information to Tender document will be placed in the Assembly Library but Translink has advised that the actual tender submission cannot be released as it is commercially sensitive.

**Lord Morrow** asked the Minister for Regional Development for an update on the Clabby Road Sewerage Pumping Station scheme.

**(AQW 45228/11-15)**

**Mr Kennedy:** The Clabby Road Scheme is progressing well with the business case approved for a capital investment of approximately £0.6M. The scheme is currently under development to reach tender stage. This includes: detail design; site investigation; environmental surveys; and obtaining all the necessary statutory approvals. Subject to approval, the scheme is anticipated to commence in April 2016 with a duration period of approximately 8 months.

**Mr D McIlveen** asked the Minister for Regional Development whether he has any plans to introduce bicycle schemes, similar to the Belfast Bike Scheme, across Northern Ireland.

**(AQW 45235/11-15)**

**Mr Kennedy:** Belfast City Council was responsible for the introduction of the Belfast Bike Share scheme and is responsible for its maintenance. Capital funding of over £1 million for the installation of the bikes and docking stations was provided by my Department under the Active Travel Demonstration Projects scheme in 2012. This funding ended in April 2015.

I am very pleased at the initial success of the Belfast Bike Share Scheme and look forward to it being established as an integral part of 'city life' in Belfast and as a flagship of my cycling revolution.

Other Councils throughout Northern Ireland may wish to consider the performance of the Belfast scheme and I would encourage them to evaluate the potential to deliver similar schemes in their own Council areas.

**Mr Buchanan** asked the Minister for Regional Development how many Translink employees are supplied with a company car; and what positions do these employees hold.

**(AQW 45239/11-15)**

**Mr Kennedy:** There are currently 40 Translink employees supplied with a company car.

Company car users are generally operational staff within the management and engineering grades. This includes managers within Bus Operations i.e. Area Managers, Depot/Service Delivery Managers and Bus Fleet Engineers who between them cover approximately 60 operating sites.

Infrastructure Engineers who have company cars are generally those responsible for maintenance of track, signalling and all aspects of structures i.e. bridges, cuttings, embankments and sea defences.

The above staff are also involved in the organisation's on-call arrangements which meets the requirements of the Translink Emergency Plan and Business Continuity commitments.

**Mr Buchanan** asked the Minister for Regional Development how many Translink employees, who are supplied with a company car, have also been provided with a fuel card.

**(AQW 45240/11-15)**

**Mr Kennedy:** There are currently 40 Translink employees supplied with a company car who have also been provided with a fuel card.

**Mr Buchanan** asked the Minister for Regional Development to detail the cost to his Department of fuel cards used by Translink employees, in each of the last five years.

**(AQW 45243/11-15)**

**Mr Kennedy:** Fuel costs for the last five years amounted to:

Year	Cost £
2010-11	102,523
2011-12	117,182
2012-13	127,008
2013-14	126,284
2014-15	113,071

**Mr Buchanan** asked the Minister for Regional Development how much the supply of company cars to Translink employees has cost his Department in each of the last five years.

**(AQW 45246/11-15)**

**Mr Kennedy:** Translink has advised that the lease and maintenance costs for company cars for the period in question are as follows:

Year	£
2010/11	154,127
2011/12	155,000
2012/13	155,000
2013/14	155,000
2014/15	155,000

These costs are not directly apportioned to the grants made available by my Department

**Lord Morrow** asked the Minister for Regional Development, pursuant to AQW 41458/11-15, whether public hire taxis are permitted to use the service road and taxi rank at the lower doors of Central Station, Belfast.

**(AQW 45249/11-15)**

**Mr Kennedy:** The service road is privately owned by Translink and is part of Translink's car-park. The main purpose of the service road is for bus substitution in the event that train operations are suspended.

It also provides access to staff car parking facilities and for deliveries to the station. On this basis, public hire taxis are not permitted to use the service road and taxi rank at the lower doors of Central Station, Belfast.

**Ms Sugden** asked the Minister for Regional Development, pursuant to AQW 44500/11-15, why each Rural Community Transport Partnership is required to submit their business financial accounts when departmental funding is allocated for service provision only.

**(AQW 45275/11-15)**

**Mr Kennedy:** In order to comply with Treasury's guidance on Managing Public Money, the requirement to submit audited financial accounts each year is contained within my Department's letter of offer to RCTP's.

My Department, as the primary grant funder for RCTP's is obliged to ensure all grants provided are spent in line with all legal and licensing conditions, and with the objectives of the Rural Transport Fund.

**Lord Morrow** asked the Minister for Regional Development, pursuant to AQW 41458/11-15, what was the reasoning provided for the business plan to develop the lower door area of Central Station, Belfast, to include the taxi rank; and whether the intention was stated to shift the original public hire taxi rank to its current location.

**(AQW 45294/11-15)**

**Mr Kennedy:** Translink has advised me that an economic appraisal of traffic management at Central Station was undertaken back in 2002 and was subsequently approved by my Department.

At the time, the traffic management arrangements at this location were considered inadequate. The appraisal identified actions required to enhance traffic flow and in turn improve, road safety in the area as well as providing adequate car parking to accommodate the introduction of the new NIR fleet in 2004 and the expected increase in train patronage associated with this.

A number of factors were highlighted in the assessment identifying the need for the proposed development and the following objectives were subsequently identified:

- Facilitate the promotion of public transport at Central Station;

- Contribute to the continuing economic regeneration of the Laganside area;
- Enhance traffic management in and around Central Station, providing ease of movement for passenger pick-up and set-down;
- Enhance road safety; and
- Improved access for passengers with a disability.

The option chosen to match these objectives undertook to provide 191 surface car parking spaces including 8 disabled spaces, 18 staff car parking spaces, a bus access road, bus and taxi parking, and a drop-off point.

The present Public Hire Taxi rank at Central Station was constructed in 2005 and is situated on Mays Meadow across the road from the old Maysfield Leisure Centre, a short distance from the lower door to the station. Prior to the rank coming into operation, there was no on-street provision specifically for Public Hire Taxis.

**Mr Clarke** asked the Minister for Regional Development to detail the estimated cost of the work being carried out at the junction of Stiles Way and Steeple Road, Antrim.

**(AQW 45309/11-15)**

**Mr Kennedy:** This scheme is currently under construction and has an estimated cost of around £1.2million.

**Lord Morrow** asked the Minister for Regional Development, pursuant to AQW 41408/11-15, why his Department funded a public project which is now used exclusively by a private enterprise.

**(AQW 45348/11-15)**

**Mr Kennedy:** The legislative framework for the funding or other financial payments to Northern Ireland Railways (NIR) is provided for in the Transport Act 1967 (the 1967 Act). In the case of the 1967 Act, in Part V, the Provision was made for the establishment of the Northern Ireland Transport Holding Company (NITHC) and NI Railways is a part of the overall group which provides public transport services.

My Department, with the approval of the Department of Finance and Personnel, may out of the monies provided by the Assembly, make payments to the railway undertaking towards any capital expenditure which has been or may be incurred by that undertaking with the consent of my Department. This project was approved.

Translink has advised that prior to this taxi service being contracted, (at least a decade ago) the situation with regard to taxi provision at the rank was a 'free for all'. The upgrade of Central Station presented a business opportunity to carry out a public procurement process to engage a sole taxi provider to provide services from the said taxi rank.

It remains within the public interest for NITHC to publicly tender the service to the highest bidder with all proceeds arising from the contract being used to off-set/subsidise public transport services as it is legally required to do under the 1967 Transport Act.

**Lord Morrow** asked the Minister for Regional Development, in light of the delays on the provision and development of public hire taxi ranks in Belfast, whether his Department is abiding by its duty of care to public hire taxi drivers and passengers, as well as meeting health and safety regulations.

**(AQW 45349/11-15)**

**Mr Kennedy:** I do not consider the delay referred to has any bearing on my Department's duty of care to public hire taxi drivers and passengers or its health and safety obligations.

**Mr Moutray** asked the Minister for Regional Development to detail the traffic calming measures that have been put in place in Upper Bann in each of the last two years.

**(AQW 45411/11-15)**

**Mr Kennedy:** The following traffic calming schemes have been introduced in the Upper Bann area in the last two years:

Financial Year	Scheme	Measures Installed
2013/14	Drumnascamph Road, Lawrencetown	7 Ramps
2013/14	Gilford Road, Portadown	4 traffic islands & gateway entrance features
2014/15	Donaghcloney	15 ramps, 17 speed cushions, pedestrian island & gateway entrance features

**Mr D McIlveen** asked the Minister for Regional Development for his assessment of the Green Pastures Ballee village project.

**(AQW 45676/11-15)**

**Mr Kennedy:** My Department was consulted as part of the planning process for the Green Pastures Ballee Village Project.

My Department has no objection in principle to the applications and the roads infrastructure design linking the site to the Larne Road Roundabout, Ballee Way and Pennybridge Industrial Estate.

My officials formally responded to DOE Planning on the applications on 23 December 2014 recommending approval with conditions.

## Department for Social Development

**Mr Allister** asked the Minister for Social Development, given that the new financial year has commenced, whether he has decided whether the Laganside/Belfast City Centre Events grant scheme will operate this year.

**(AQW 44630/11-15)**

**Mr Storey (The Minister for Social Development):** I have approved the continuation of the Belfast City Centre Event and Community Activity Grants for the financial year 2015/16. My Department has allocated a budget of £220k to the Belfast City Centre Event and Community Activity Grants for the financial year 2015/16. This represents a reduction of £80k in the amount that has been available in recent years.

**Mr Hussey** asked the Minister for Social Development to detail the planned renovations for (i) Carncoole House; (ii) Glencoole House; (iii) Monkscoole House; and (iv) Abbotscoole House in Rathcoole, North Belfast.

**(AQW 44655/11-15)**

**Mr Storey:**

### **Abbotscoole House and Carncoole House**

Health and Safety - work involves:

- Refurbishment/replacement of Refuse chutes
- Refurbishment of communal lobbies
- Repair of door entry systems
- Smoke/heat detection in flats and communal areas
- CCTV system to communal areas
- Lightning protection
- Upgrade of landlord and emergency lighting
- Renewal of passenger lifts
- Refurbishment of stairwells
- Replacement of flat entrance doors
- Refurbishment of firefighting equipment
- Internal redecoration to communal areas
- Increase fire safety standards
- Upgrade mechanical ventilation in lobby areas
- Landlord electrical installation inspection to include flats and in particular smoke alarms
- Asbestos management
- Repairs to Concrete cladding/wall panels

There are no schemes programmed for Glencoole or Monkscoole blocks during 2015/16.

**Mr Easton** asked the Minister for Social Development whether any departmental staff have the use of a company car as part of their contract.

**(AQW 45044/11-15)**

**Mr Storey:** No member of staff employed by the Department for Social Development (DSD) has the use of a company car as part of their contract.

**Mr Agnew** asked the Minister for Social Development whether qualifying for a blue badge would ensure eligibility for a car under the Motability Scheme.

**(AQW 45085/11-15)**

**Mr Storey:** Motability is a scheme whereby people who receive the higher rate mobility component of the Disability Living Allowance may opt to exchange all or part of their allowance in return for a car. It is administered by the independent charity Motability. Information on administrative matters relating to the Motability Scheme can be obtained from Motability by writing to: Declan O'Mahony, Director, Motability, Warwick House, Roydon Road, Harlow, Essex, CM19 5PX.

The Blue Badge Scheme is a separate scheme for people with severe mobility problems that enables badge holders to park close to where they need to go. The scheme operates throughout the United Kingdom and is administered in Northern Ireland by Transport NI.

**Mr Allister** asked the Minister for Social Development what is the current extent and operational cost of the Northern Ireland Housing Executive's Direct Labour Organisation; and by how much these costs have changed since April 2013.  
**(AQW 45100/11-15)**

**Mr Storey:** The Housing Executive has advised that the extent and operational cost of their Direct Labour Organisation for the last three years was as follows:

- 2012/13 £7,647,000 (prior to any TUPE transfers); and at 31 March 2013 there was a total of 185 staff employed;
- 2013/14 £16,241,000; and at 31 March 2014 there was a total of 465 staff employed, of which 99 were agency staff;
- 2014/15 £22,599,000 \*; and at 31 March 2015 there was a total of 478 staff employed, of which 130 were agency staff.

\* Figure subject to change as NIHE accounts have not been completed.

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.

**Mr Allister** asked the Minister for Social Development how many staff are currently employed in the Housing Executive's Direct Labour Organisation.  
**(AQW 45102/11-15)**

**Mr Storey:** The Housing Executive has advised that at the end of April 2015 there were 467 operatives working in their Direct Labour Organisation.

**Mr Weir** asked the Minister for Social Development how much has been spent on maintenance and improvements on housing in North Down in each of the last five years.  
**(AQW 45110/11-15)**

**Mr Storey:** I assume the Member is referring to Northern Ireland Housing Executive (NIHE) properties. The NIHE has provided the tables attached in relation to the amount spent on maintenance and improvements on housing in the North Down area in each of the last five years:

(i) Maintenance Spend on NIHE Homes:

Year	Expenditure £
2010/11	£1,227,815
2011/12	£1,669,838
2012/13	£1,666,459
2013/14	£1,882,252
2014/15	£2,006,073
<b>Total</b>	<b>£8,452,437</b>

(ii) Improvements Spend on NIHE Homes:

Year	Expenditure £
2010/11	£2,904,874
2011/12	£3,048,184
2012/13	£1,033,147
2013/14	£2,097,820
2014/15	£2,572,284
<b>Total</b>	<b>£11,656,309</b>

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**Mr Agnew** asked the Minister for Social Development whether his Department is undertaking work on amendments to the Welfare Reform Bill which would explicitly establish in primary legislation that specific reductions to social security as implemented in GB could not be applied in Northern Ireland through secondary legislation.

**(AQW 45194/11-15)**

**Mr Storey:** The Member will be aware that Northern Ireland legislation corresponding to the Welfare Reform Act 2012, which has been gradually implemented in GB since April 2012 has not yet been approved by this Assembly. Our Welfare Reform Bill was due to have its final legislative stage on the 9th March but that did not happen as a valid petition of concern was tabled against the Bill.

However, the simple answer to the Member's question as to whether my Department is undertaking work on amendments to the Welfare Reform Bill which would explicitly establish in primary legislation that specific reductions to social security as implemented in GB could not be applied in Northern Ireland through secondary legislation is No.

The Member will be aware of the 'parity' principle often cited in respect of Social Security which effectively governs the funding arrangements for our Welfare system and seeks to ensure that an individual here in Northern Ireland will receive the same benefits and be subject to the same conditionality as an individual elsewhere in the UK.

The Member will also be aware of the work that was undertaken on Welfare by the five main parties of this Assembly and led to the Stormont House Agreement. That agreement was in respect of proposed measures which all five parties agreed were considered necessary to mitigate some of the harsher effects of the provisions within the Welfare Reform Bill here in Northern Ireland and which would be funded outside the arrangements with DWP and HM Treasury and from within Block resources.

I remain fully committed to that agreement and will strive to ensure its full implementation in due course. I would remind Members of this Assembly that we as a Legislature have devolved responsibility for Social Security matters. It is for this Assembly, having fully debated and considered the concerns around Welfare Reform to put in place measures which we believe can deliver a better Welfare system for our citizens and one which is sustainable into the future. I believe that the agreement reached at Stormont House is the only way this can be achieved.

**Mr McKinney** asked the Minister for Social Development to detail the (i) total number of calls; and (ii) the number of unanswered calls, in relation to crisis loans, in South Belfast in each of the last twelve months.

**(AQW 45205/11-15)**

**Mr Storey:** Teleclaim call handling for the Belfast Region is centralised in Lisburn and Knockbreda Jobs and Benefits Offices with mobile phone calls directed to Omagh Jobs and Benefit Office. As calls from offices within the South Belfast area are routed to Lisburn, Knockbreda or Omagh centralised teleclaim teams along with calls from other areas of Belfast, it is not possible to disaggregate call performance data for South Belfast offices from the overall figures.

**Mr Dallat** asked the Minister for Social Development to detail (i) the number of civil servants working in the Jobs and Benefits Offices in Coleraine and Limavady and (ii) what plans he has to increase the number of jobs in these offices in the future.

**(AQW 45212/11-15)**

**Mr Storey:** The number of Department for Social Development employees working in the Jobs and Benefits Offices in Coleraine and Limavady is as follows:

Office	DSD Employees
Coleraine Jobs and Benefits Office	76
Limavady Jobs and Benefits Office	23

These staff are from my Department's Social Security Agency. There are also civil servants from other government departments working in these offices.

In Coleraine Jobs and Benefits Office, the Social Security Agency provides a Jobs and Benefit service, and in recent years has established Coleraine as a Processing Centre for Income Support. In addition the Agency's Error Reduction Division and staff engaged in Benefit Security work are also based in the Coleraine office.

Limavady Jobs and Benefit Office is a Front Only office providing a Jobs and Benefit Service. Last year the Agency also established a new Northern Ireland document scanning facility (Mail Opening Unit) in the Limavady Office.

The Social Security Agency is a regional organisation with key functions spread throughout its network of offices. There are plans to increase the number of staff in the Mail Opening Unit as more benefits adopt the new scanning solution and it is anticipated that the number of staff will increase over the next year based on the increased volumes of work. The Agency also keeps under active consideration, the opportunities to take additional and new work into regional offices.

**Mr Allister** asked the Minister for Social Development what meetings have been held with Royal National Institute of Blind People in regard to the shaping of Welfare Reform proposals and packages.

**(AQW 45253/11-15)**

**Mr Storey:** My Department is committed to identifying and protecting the most vulnerable in our society by ensuring the welfare system is based on the principles of ensuring financial support is available to those most in need and promoting work for those able to work. My officials have engaged with the Royal National Institute of Blind People on a number of occasions over the past four years in shaping our thinking on a range of welfare reform proposals for Northern Ireland, particularly in relation to Personal Independence Payment.

The Royal National Institute of Blind People have been invited to 13 Customer Representative Group meetings, which were held between November 2011 and September 2013. They were primarily focused on Personal Independence Payments and the representatives from the Royal National Institute of Blind People attended seven of these meetings.

The Royal National Institute of Blind People has also received several updates from my Department on different aspects of welfare reform such as the introduction of Personal Independence Payment in Great Britain.

**Mr Flanagan** asked the Minister for Social Development (i) to outline the additional costs that will be incurred as a result of the change in contractor by Ulidia at the Devonshire Phase 3 development; (ii) how these costs are made up; (iii) the source from which they will be paid; and (iv) whether going out for tender with a new contractor will result in a delay to the completion of the development instead of allowing the current contractor to complete the works.

**(AQW 45285/11-15)**

**Mr Storey:** You have asked a number of questions in relations to Ulidia Housing Association's Phase 3 social housing development scheme at Devonshire, Belfast.

In terms of the additional costs incurred (i & ii) Ulidia Housing Association has advised that the additional costs associated with the change of contractor to complete the schemes is approximately £522,000. This is based on increased construction costs; additional professional fees; delayed rental income; and financing costs. These additional costs will be met by Ulidia Housing Association from their own reserves (iii).

It is Ulidia's opinion that tendering (iv) for a new contractor will result in the earlier completion of the scheme rather than allow the current situation to continue. It will also allow the partially built houses to be completed and enable them to be allocated/occupied as soon as possible, as well as mitigating further losses.

**Mr Swann** asked the Minister for Social Development, pursuant to AQW 4435/11-15, to detail the status of the examination of the points system; and whether he intends to make the scheme more accessible for ex-service personnel in keeping with the principles of the Military Covenant.

**(AQW 45288/11-15)**

**Mr Storey:** My officials are currently working up proposals for changes to the allocation system following a public consultation on independent research. This is a fundamental review which goes much further than looking solely at a points system. Any proposals for change will be subject to a full public consultation.

I should emphasise that, under the Housing Selection Scheme, priority is awarded on the basis of objective housing need. Points will be awarded where the applicant, or a member of the applicant's household, is returning to civilian life at the end of their service in armed forces and no suitable alternative accommodation is available or the applicant could not reasonably be expected to seek such accommodation. Points will also be awarded where the applicant, or a member of the applicant's household, is the widow(er) or civil partner of a recently deceased serviceman / woman who is no longer eligible for married or other service quarters and no suitable alternative accommodation is available or the applicant could not reasonably be expected to seek such accommodation.

In his response to AQW 4435/11-15, my predecessor advised that there were no plans at that stage to increase the number of points awarded to people who have left the armed forces.

The Armed Forces Covenant proposes that members of the Armed Forces community should have the same access to benefits and social housing as any other citizen, and should not be disadvantaged by the requirement for mobility whilst in service. My Department's policies reflect this aspiration.

**Mr Douglas** asked the Minister for Social Development to detail the current levels of social housing stock within each common Landlord Area of East Belfast and Castlereagh, broken down by the number of bedrooms.

**(AQW 45297/11-15)**

**Mr Storey:** I assume the Member is referring to Housing Executive properties in East Belfast and Castlereagh. The Housing Executive has advised that the information is not available in the format requested as Common Landlord Areas are used in relation to waiting lists and not to record stock by the number of bedrooms. However, the Housing Executive has provided the tables attached detailing the number of bedrooms by estate in their East Belfast and Castlereagh areas.



**Table 1: NIHE Stock by number of bedrooms - East Belfast**

Estate	Number of bedrooms					Total
	1	2	3	4	5	
Ardcarn	19	76	36	14	0	145
Ashmount	0	64	22	0	4	90
Ballyhackamore	7	12	1	3	0	23
Bloomfield	0	99	21	0	1	121
Bridge End	16	6	8	0	0	30
Cherryvalley	0	2	16	0	0	18
Clarawood	24	195	78	3	0	300
Dundela	0	10	15	3	0	28
Edenvale	20	10	9	0	0	39
Estate NonSpecific	0	1	2	0	0	3
Garnerville	18	47	81	8	4	158
Inverary	4	68	45	11	0	128
Knocknagoney	0	42	57	1	0	100
Lord Street/Avoniel	54	235	136	29	0	454
Lower Beersbridge	16	146	89	10	0	261
Newtownards Road	104	543	208	18	0	873
Orchard Court	0	13	13	1	0	27
Short Strand	0	176	138	15	0	329
Summerhill	4	6	28	0	0	38
Sydenham	0	63	62	3	0	128
Wandsworth	0	5	42	0	0	47
Willowfield/Upper Castlereagh	5	44	28	1	0	78

**Table 2: NIHE Stock by number of bedrooms - Castlereagh**

Estate	Number of bedrooms					Total
	1	2	3	4	5	
Ballybeen	144	427	334	9	0	914
Belvoir	173	385	87	6	0	651
Bests Hill	0	18	2	0	0	20
Braniel	70	212	130	4	0	416
Brooklands	0	26	37	2	0	65
Carryduff	7	45	20	6	1	79
Castlereagh	8	25	75	21	0	129
Castlereagh Rural	0	9	4	0	0	13
Coronation Park	21	5	25	0	0	51
Cregagh	106	250	173	14	0	543
Downshire / Beech Park	0	8	15	0	0	23
Geary Road	0	0	7	0	0	7
Grays Park	15	18	20	1	0	54
Mawhinney Park	0	2	4	0	0	6

Estate	Number of bedrooms					Total
	1	2	3	4	5	
Milltown	13	26	31	4	0	74
Moatview	0	5	19	1	0	25
Moneyrea	21	14	11	3	0	49
Newtownbreda	0	22	31	1	0	54
Rosewood Park	0	4	10	0	0	14
Ryan Park	0	5	11	0	0	16
Sunderland Road	21	6	4	0	0	31
Tullycarnet	82	148	191	11	0	432
Vionville	0	0	48	1	0	49

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**Mr Allister** asked the Minister for Social Development, in continuing to fund the Northern Ireland Council for Voluntary Action, what regard his Department had to the level of employer debt within its pension scheme and the resulting risk in terms of public funds.

**(AQW 45307/11-15)**

**Mr Storey:** The employer deficit within the pension scheme, of which NICVA is a member, is largely composed of an actuarial projection. Like many other organisations facing pension deficits, NICVA is taking positive action to manage this on an ongoing basis. The Department is satisfied that departmental funding is not at risk and continues to monitor closely.

**Mr McNarry** asked the Minister for Social Development to detail the value of property sold by the Housing Executive to sitting tenants in the last three years.

**(AQW 45331/11-15)**

**Mr Storey:** The Housing Executive has advised that the value of property sold to sitting tenants in the last three years (2012/13 – 2014/15) was £61.2m.

**Mr McNarry** asked the Minister for Social Development to detail the discount value of property sold by the Housing Executive to sitting tenants in the last three years.

**(AQW 45332/11-15)**

**Mr Storey:** The Housing Executive has advised that the discount value of property sold to sitting tenants in the last three years (2012/13 – 2014/15) was £21.8m.

**Mr McNarry** asked the Minister for Social Development how many homes have been purchased by sitting tenants from the Housing Executive in the last three years.

**(AQW 45337/11-15)**

**Mr Storey:** The Housing Executive has advised that 1,302 homes have been purchased by sitting tenants in the last three years (2012/13 – 2014/15).

**Mrs D Kelly** asked the Minister for Social Development, in light of the recommendations of the Mortgage Taskforce, what support will be offered to home owners who find themselves in negative equity.

**(AQW 45510/11-15)**

**Mr Storey:** Recent statistics on mortgage lending show encouraging growth in the regional market, especially with the number of people buying their first home being at its highest level since 2006; and for households that can afford their monthly repayments and do not need to move, negative equity will progressively become less of an issue. However, despite this context many households continue to be affected by the rise and fall in house prices, particularly those where the home is no longer suitable for their purposes.

In the first instance, solutions to negative equity related problems can be secured through dialogue with the mortgage lender. Where mortgage arrangements are no longer suitable homeowners can take advantage of transitional arrangements which allow lenders to waive the affordability tests for existing customers. For households where the loan is affordable yet the home is no longer suitable for their purposes, mortgage porting can allow homeowners to 'port' their negative equity to a new

property. In both cases my Department is working with the Council of Mortgage Lenders to improve the availability of these negative equity products.

Should homeowners encounter difficulties or obstacles during their discussions with the mortgage lender, the Mortgage Debt Advice Service is available to provide additional support. The Mortgage Debt Advice Service, which has recently received a 50 per cent increase in funding from my Department, can offer bespoke advice and speak to a homeowner's mortgage lender on their behalf. This free, independent and confidential service can be contacted on Tel: 0300 323 0310.

More information on the options available to households in negative equity can be viewed at the Money Advice Service website: <https://www.moneyadviceservice.org.uk/en/articles/negative-equity-what-it-means-and-what-you-can-do-about-it>

**Ms Sugden** asked the Minister for Social Development when the independent interim evaluation of his Department's five year volunteering strategy will be published.

**(AQW 45547/11-15)**

**Mr Storey:** The evaluation of the Volunteering Strategy is currently underway and it is anticipated that the final report will be published in early summer.

## Northern Ireland Assembly Commission

**Mr Dickson** asked the Assembly Commission, following investigation, what penalties or sanctions will be placed on parties or Members found to have acted contrary to the agreement signed by all MLA's not to use Parliament Buildings for the purposes of election campaigns.

**(AQW 44781/11-15)**

**Mrs Cochrane (The Representative of the Assembly Commission):** The Assembly Commission will be considering a report on Members' compliance with guidance on the use of Parliament Buildings during the General Election campaign at its next meeting. I will write to you again following that meeting.

**Mr Allister** asked the Assembly Commission to detail the (i) cost; and (ii) quantity of the mints provided in the Assembly chamber in each financial year since April 2009.

**(AQW 44835/11-15)**

**Mrs Cochrane (The Representative of the Assembly Commission):** The total spent on mints by the Assembly in each of the financial years from 2009/10 to 2013/14 was previously provided in AQW 34498/11-15. The amount spent in 2014/15 was £358.60. (The final outturn for this year is not yet available. This represents the unaudited, year to date figure).

**Mr Allister** asked the Assembly Commission how much the Assembly has spent on hospitality in each financial year since April 2007.

**(AQW 44836/11-15)**

**Mrs Cochrane (The Representative of the Assembly Commission):** The total amount spent on hospitality by the Assembly in each of the financial years from 2007/08 to 2013/14 was previously provided in the answer to AQW 34492/11-15. The amount spent in 2014/15 was £41,356. (The final outturn for this year is not yet available. This represents the unaudited, year to date figure).

Hospitality expenditure covers a wide range of activities including functions managed by the Speaker's Office, Committee functions and events and hospitality extended to visiting Parliamentarians and officials.

**Mr Allister** asked the Assembly Commission how much the Speaker's Office has spent on hospitality in each financial year since April 2007.

**(AQW 44837/11-15)**

**Mrs Cochrane (The Representative of the Assembly Commission):** The total amount spent on hospitality by the Speaker's Office in each of the financial years from 2007/08 and 2013/14 was previously provided in the answer to AQW 34490/11-15. The amount spent in 2014/15 was £7,005. (The final outturn for this year is not yet available. This represents the unaudited, year to date figure).

Expenditure on hospitality by the Speaker's Office is incurred as part of the Speaker's representational role on behalf of the Assembly and includes hospitality for visiting parliamentary delegations, diplomats and other dignitaries, the Speaker's annual events themed for community and voluntary causes and a number of official Assembly events hosted by the Speaker.

**Mr Kinahan** asked the Assembly Commission what energy saving policy exists for Parliament Buildings.

**(AQW 44929/11-15)**

**Mrs Cochrane (The Representative of the Assembly Commission):** You will be aware that the Assembly Commission is committed to being an exemplar organisation in respect of all aspects of Sustainable Development, including energy management.

The Northern Ireland Assembly's Environmental Policy documents our commitment to the protection of the environment and the prevention of pollution. It also details how we deal with legislative compliance and our approach to ensuring continual improvement.

The Environmental Policy is displayed in the Basement corridor at the entrance to the Blue Flax restaurant and can also be found on AsslSt. I have attached a copy for your convenience.

The Northern Ireland Assembly Commission (the Commission) is committed to becoming an exemplar organisation in respect of sustainable development and recognises that effective environmental management is a major contributing factor in achieving this high level aspiration.

The Commission understands that its activities have both direct and indirect environmental impacts and therefore aims to act responsibly in everything it does to help reduce these impacts and move towards a more environmentally sustainable future.

In support of these principles, the Commission is committed to the following:

- Continually improving the environmental performance of the Assembly through the maintenance of an environmental management system which conforms with the requirements of the ISO 14001 Environmental Management Systems Standard;
- Complying with all relevant environmental legislation and other environmental requirements;
- Reviewing the Assembly's environmental performance at regular intervals
- Reducing and preventing pollution where possible by responsibly managing our impact on the environment through the development and implementation of effective strategies for waste and resource management;
- Working with our suppliers to reduce the direct and indirect environmental impacts of our supply chain;
- Communicating this Policy to all building users to help increase their environmental awareness; and
- Making this Policy available to the public.

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# Northern Ireland Assembly

Friday 22 May 2015

## Written Answers to Questions

### Department of Agriculture and Rural Development

**Mr Allister** asked the Minister of Agriculture and Rural Development what is the religious breakdown of Foyle, Carlingford and Irish Lights Commission workforce.

**(AQW 45336/11-15)**

**Mrs O'Neill (The Minister of Agriculture and Rural Development):** The Loughs Agency is only required to hold information on community background for employees living in the north of Ireland. Of these, the breakdown is as follows:

- 25 Protestant employees;
- 28 Catholic employees; and
- 1 non determined employee.

**Ms Sugden** asked the Minister of Agriculture and Rural Development, pursuant to AQW 44519/11-15, which arm's-length bodies will distribute funding to projects within council areas; and to detail the role of these bodies.

**(AQW 45347/11-15)**

**Mrs O'Neill:** At this stage not all the delivery mechanisms have been decided for the Programme, but Local Action Group's (LAG's) formed under the LEADER methodology will distribute their LEADER indicative funding allocation on the ground via their Local Rural Development Strategy, through calls for applications that they will competitively assess.

**Mr Anderson** asked the Minister of Agriculture and Rural Development for an update on the progress of the Rural Proofing Bill.

**(AQW 45357/11-15)**

**Mrs O'Neill:** A public consultation on the policy proposals for a Rural Proofing Bill was undertaken from 3 February to 16 March 2015. DARD received 32 written responses and held 9 public meetings across the north of Ireland during the consultation period, which were attended by 47 people. Officials are scheduled to brief the Committee for Agriculture and Rural Development on the responses to the consultation on 19 May 2015.

Subject to Executive approval of the final policy proposals and to the introduction of a draft Bill, I hope to introduce a Bill to the Assembly before summer recess.

**Mr Anderson** asked the Minister of Agriculture and Rural Development for her assessment of the current challenges facing the sheep sector, and in particular the lamb market.

**(AQW 45358/11-15)**

**Mrs O'Neill:** The immediate challenges facing the sheep sector at present are the drop-off in exports to the south of Ireland and the recent fall in lamb prices.

New EU rules mean that lamb meat can only be labelled "Origin: Ireland" if the lamb was born, reared and slaughtered in the south. I am concerned that there has been a significant drop in demand from meat plants in the south for live exports of lamb from the north, and that the recent changes to the EU rules on country of origin labelling could be a factor in this. However, I understand that the majority of the drop in exports to the south occurred prior to the introduction of the new EU legislation on labelling, so the reduction may not be entirely as a result of the new rules. The Euro/Sterling exchange rate is also having an adverse impact on trade.

Traditionally the south has been a very important market for our lamb and I would like to see this trend continue. My officials are monitoring the situation carefully and talking on a regular basis to stakeholders, including officials in the south, about the impact of the change in legislation. I understand the Ulster Farmers Union and Irish Farmers Association hold similar views on the consequences for the sheep industry of the disruption to trade. Namely the price drop for farmers in the north, will have a similar impact in the south. Fewer lambs being exported to the south will also have a detrimental impact on the processors in the south in servicing their markets.

I am taking a close interest in this issue and my officials are keeping me up to date with developments. I agreed previously with Minister Coveney that work is undertaken to examine the options for additional voluntary labelling for meat from pigs, sheep, goats and poultry. I have spoken again recently to Minister Coveney and we have both tasked our Permanent Secretaries with getting a solution for locally produced meat that works for everyone. In fact, my officials had a constructive meeting with DAFM officials in Dublin recently. In addition, I am writing to the Defra Secretary of State and also have discussed the impact of country of origin labelling with Commissioner Hogan during his recent visit. I believe he was sympathetic to our position and I will shortly be following up that discussion by writing to the Commission outlining the unique circumstances of agri-food businesses on this island and making the case for greater flexibility in labelling. The FSA is currently consulting on proposals for local enforcement of the Country of Origin legislation. I would encourage all interested parties to respond to the consultation.

Although the price farmers receive for their produce is a commercial matter, I will continue to do what I can to support improved, transparent communications on pricing and market requirements throughout the supply chain. I will also be looking to the industry to work together to ensure that all partners along the sheep supply chain are sustainable and profitable.

**Mr Anderson** asked the Minister of Agriculture and Rural Development what categorises ineligible Vegetation in the Single Farm Application form for 2015.

**(AQW 45359/11-15)**

**Mrs O'Neill:** The DARD 'Guide to Land Eligibility 2015' provides specific advice on ineligible vegetation and other ineligible features that need to be deducted from claims for aid under the Basic Payment and other land based schemes. The 'Guide to Land Eligibility 2015' can be found on the DARD website at <http://www.dardni.gov.uk/guide-to-land-eligibility-.pdf> or a copy can be requested from the DARD Direct offices.

In general, ineligible vegetation primarily includes scrub, certain types of woodland, dense rush, 'tall' heather and bracken or a mixture of these.

It is the responsibility of the claimant to ensure that they only claim on eligible land on their Single Application Form and deduct all ineligible areas which includes areas of ineligible vegetation.

**Mr Anderson** asked the Minister of Agriculture and Rural Development for her assessment of the impact on the dairy industry following the abolition of milk quotas in the Republic of Ireland on 1 April 2015.

**(AQW /11-15)**

**Mrs O'Neill:** The ending of the EU milk quota regime on 31 March 2015 was a significant milestone. It means that in future there will be no constraints on milk production across the EU. Also, because production in recent years in Britain has been well below quota there have been no restraints for some time on production in the north of Ireland. This has helped to improve the structure of our dairy farms and the overall competitiveness of our dairy sector for the post quota environment.

With the abolition of quotas it is likely that future decisions here and in the south will be taken in the context of input costs and market returns. Some turbulence of the market may be expected as countries where production was constrained by quotas, including the south, may ramp up production. In turn this could affect milk prices unless there is strong growth and demand in global markets.

My Department's overall aim has been to help the dairy sector to improve its performance and grow its potential in the market place in a sustainable way. For example, we provided joint support with Invest NI for an industry-led dairy competitiveness study aimed at helping the sector to plan for the future post milk quotas. In addition my Department will continue to support our dairy sector's growth ambitions as set out in the Agri-Food Strategy Board's report, Going for Growth, through the provision of education, training, technical support and research to improve efficiency, competitiveness and innovation. I therefore believe that our dairy industry is well equipped to face the challenges that lie ahead.

The dairy sector makes a very important contribution to the agri-food industry in the north and to rural employment and I remain optimistic that, with increasing global demand for dairy products, the future is positive.

**Mr Anderson** asked the Minister of Agriculture and Rural Development to outline the rationale for extending the deadline for submission of nitrates derogation applications until 31 May 2015.

**(AQW 45364/11-15)**

**Mrs O'Neill:** This year due to changes in the rules on eligibility for the Basic Payment Scheme arising from CAP Reform, and particularly the "active farmer" requirement, the nitrates derogation is likely to be important for a greater number of grassland farmers.

Some farmers may be uncertain about whether land they previously rented will be available to them from 2015 onwards. If farmers have less land available, some farms may exceed the livestock manure Nitrogen loading limit of 170kgNitrogen/ hectare/year set by the Nitrates Directive. If so, they may need to consider applying to operate under the derogation to ensure they comply with the Nitrates Action Programme Regulations.

For some the situation may only become clear when they have submitted their Single Application form by the deadline of 15 May 2015.

Given this uncertainty, both I and the Environment Minister agreed to extend the nitrates derogation application period until the 31 May 2015 for this year only. This will allow farmers more time to consider their options once they know what land they have available.

Operating under the derogation is a useful option for intensive grassland cattle farmers, especially those in dairying. The derogation allows farmers to apply up to 250 kg nitrogen per hectare per year from grazing livestock manure, provided certain conditions are met. This enables more highly stocked cattle farms to maximise nutrient efficiency and sustainable use of manures for grass production. It can eliminate the need to export manure or destock, reduce chemical fertiliser use and allow for businesses to grow and develop.

My officials at CAFRE can offer advice on whether the derogation is the best option for farm businesses who may be considering applying for the first time this year.

**Mr McGlone** asked the Minister of Agriculture and Rural Development, in relation to Ballymoghlan Drain, Magherafelt, (i) what works were previously proposed in correspondence dated 24 February 2005; (ii) what elements of these agreed works have since been carried out; (iii) what elements of the works agreed in correspondence dated 24 February 2005 have not been completed; and (iv) to outline the reasons why these works have not been completed.

**(AQW 45384/11-15)**

**Mrs O'Neill:**

- (i) The proposed scheme including the underpinning of the Pound Road Bridge; the replacement of the existing entrance to No. 40 Aughrim Road; the replacement of the Aughrim Road Bridge (Dunamoney Bridge); the replacement of the existing entrance culvert to Acheson & Glover's concrete works; the underpinning of an accommodation bridge in the golf course; the replacement of the existing accommodation culvert near Leckagh House; the underpinning of the Killyfaddy Road Bridge and the associated channel re-grading at all these sites. The scheme was accepted by the Drainage Council on the 16th January 2004.
- (ii) The works carried out included the replacement of the entrance to No. 40 Aughrim Road; the replacement of the existing entrance culvert to Acheson & Glover's concrete works; the replacement of the existing accommodation culvert near Leckagh House and associated channel works.
- (iii) Works removed from the original scheme included the underpinning of the Pound Road Bridge; the underpinning of the Killyfaddy Road Bridge; the underpinning of the Golf Course Bridge; the replacement of the Aughrim Road Bridge (Dunamoney Bridge) and the associated channel works at each site.
- (iv) At the detailed design stage it was discovered that the stringent design standards applied would result in the proposed works having significant impacts on the environment. As such the design was re-assessed in November 2005 and any proposed works where there was only marginal improvement capacity were removed from the scheme. This resulted in the new scheme proposals, which while still providing adequate drainage infrastructure for the proposed development, had a greatly reduced impact on the environment and could also be completed at a reduced cost. Any parties materially affected by the scheme or who had previously made environmental representations were informed in writing about the proposed amendments and no objections were received. The scheme amendments were accepted by the Drainage Council on 8th March 2006.

**Mr Easton** asked the Minister of Agriculture and Rural Development to detail the number of staff disciplinary hearings in her Department in the last two years.

**(AQW 45399/11-15)**

**Mrs O'Neill:** The number of staff disciplinary hearings in DARD in the last two years is as follows:

Year	Number of disciplinary hearings
2013	6
2014	5

**Ms Sugden** asked the Minister of Agriculture and Rural Development whether she has any plans to develop and bring forward a specific programme to address Rural Youth Development.

**(AQW 45440/11-15)**

**Mrs O'Neill:** As DARD does not have statutory powers for youth development I have no specific plans for a Rural Youth Development programme. However, I have committed to continue to support the Rural Youth Entrepreneurship programme in 2015/16 and look at how this scheme and other similar initiatives could be developed under the Tackling Rural Poverty and Social Isolation programme moving forward. I have also just launched the Rural Micro Capital Grant Programme for which I understand there has been significant interest from projects that will benefit youth. In addition, Priority six of the new Rural Development Programme 2014-2020 will provide opportunities to support rural youth when it opens for applications later this year and there will be a Thematic Working Group for Youth established that will draw membership from across the recently formed Local Action Groups (LAGs).

**Mr Agnew** asked the Minister of Agriculture and Rural Development whether the removal of field boundaries approved under cross compliance derogation is (i) subject to any environmental assessment; and (ii) compatible with cross compliance obligations for agricultural payments to landowners.

**(AQW 45483/11-15)**

**Mrs O'Neill:** Under the Good Agricultural and Environmental Condition (GAEC 7 – Retention of Landscape features) aspect of Cross-Compliance farmers / land owners must not remove landscape features (dry stone walls, ditches or sheughs, hedgerows, including trees in hedgerows and earthbanks) except by prior written permission from DARD. Farmers seeking to remove such landscape features must apply to DARD for a derogation through an assessment process. DARD assesses each application using landscape feature assessment criteria such as the environmental quality of the landscape feature, tree trunk diameter and field size.

DARD requires farmers to carry out mitigating actions where they have received a derogation to remove a landscape feature, such as a hedgerow. Mitigating actions include planting/building a 'like for like' length of hedgerow or stone wall elsewhere on the farm, or planting a specific area of trees. The mitigating action is set out in the written permission sent by DARD and the mitigating action must be completed within a set deadline.

The removal of field boundaries approved under Cross-Compliance derogation is fully compatible with Cross-Compliance obligations for agricultural payments to landowners.

**Mr Agnew** asked the Minister of Agriculture and Rural Development whether a landowner can remove an area of woodland, wetland or other semi-natural habitat, which is less than 5 acres, during normal agricultural operations without the need for permission from her Department

**(AQW 45484/11-15)**

**Mrs O'Neill:** There are a range of circumstances where farmers must seek permission from DARD if planning to carry out works affecting a semi-natural habitat. A semi-natural habitat, including woodland, wetland or other semi-natural habitat may not be removed:

- if the area affected is above the threshold of 2ha for a 'project' under the Environmental Impact Assessment (Agriculture) Regulations (NI) 2007 or if the area, regardless of size, is subject to a screening notice issued by DARD under Environmental Impact Assessment (Agriculture) Regulations (NI) 2007;
- if the semi-natural habitat is subject to protection under an Agri-environment Scheme;
- under DARD Cross-Compliance Verifiable Standards Good Agricultural and Environment Condition (GAEC) 7 which states that hedge, tree or scrub cutting (including trimming and laying) is not permitted between 1 March and 31 August and GAEC 5 which states that burning of heather, gorse, whin or fern is not permitted between 15 April and 31 August; or
- if the area has been designated as, or is impacting on, an Area of Special Scientific Interest, Special Protection Area or/ and Special Area of Conservation and is not within an Area of Outstanding Natural Beauty.

A 'project' takes into account all works of that type that may be planned to take place on the farm – e.g. scrub clearance on a farm is taken to be a single 'project' rather than individual sub-projects in different fields. For example, in the case of scrub removal this means calculating up the area of scrub removed across the farm to check if the 2ha threshold has been breached.

Should a landowner wish to carry out any activity that is a notifiable operation on a designated site, they must apply to NIEA for consent.

**Mr Agnew** asked the Minister of Agriculture and Rural Development (i) to detail the Good Agriculture and Environmental Conditions that have been omitted in the new Common Agricultural Policy period; (ii) why those standards were removed; and (iii) when the new omitted standards took effect.

**(AQW 45485/11-15)**

**Mrs O'Neill:** The following Good Agricultural and Environmental Condition (GAEC) Cross-Compliance Verifiable Standards which applied under the RDP 2007-2013 are not included in the current Cross-Compliance Verifiable Standards which came in to effect from 1 January 2015:

- GAEC 3 – Undergrazing (to such an extent where the land cannot be returned to agricultural production by the end of the next growing season) must be avoided by using appropriate grazing or cutting management.
- GAEC 6 - Protection of semi-natural habitats greater than 0.1ha but below the 2ha threshold as defined in the Environmental Impact Assessment (Agriculture) Regulations (NI) 2007 has been removed.

Member States must follow the new Cross-Compliance framework as set out in Annex II of Council Regulation 1306/2013 and can only define minimum requirements that are established in Annex II. As over-grazing and protection of semi-natural habitats are not included in Annex II of the Regulation, these may not be included in GAEC and therefore no longer apply.

However, protection for semi natural habitats is retained under the standards for the maintenance of soil organic matter (GAEC6) area of Annex II – You must not plough, cultivate or intensify (including the extraction of peat, sand or gravel) semi-natural habitats unless you comply with the DARD Environmental Impact Assessment (Agriculture) Regulations (NI) 2007.



**Mr Easton** asked the Minister of Agriculture and Rural Development how many unfair dismissal cases have been brought against her Department over the last two years.

**(AQW 45495/11-15)**

**Mrs O'Neill:** In the last two years, 2 unfair dismissal claims were lodged with the Office of the Industrial Tribunals and Fair Employment Tribunal.

Year	Unfair Dismissal Cases
2013	1
2014	1

**Mr Agnew** asked the Minister of Agriculture and Rural Development what provisions are in place to protect semi-natural habitats following the changes to her Department's Good Agriculture and Environmental Conditions standards.

**(AQW 45519/11-15)**

**Mrs O'Neill:** My Department has several provisions in place to protect semi-natural habitats. The Good Agriculture and Environmental Conditions (GAEC) standard framework did change; however, semi-natural habitats are still afforded protection under GAEC 6 (Maintenance of soil organic matter). Under GAEC 6: You must not plough, cultivate or intensify (including the extraction of peat, sand or gravel) semi-natural habitats unless you comply with the DARD Environmental Impact Assessment (Agriculture) Regulations (NI) 2007.

The Environmental Impact Assessment (Agriculture) Regulations (NI) 2007 protect uncultivated land and areas of semi-natural habitats where they are likely to be of particular environmental importance. Any proposals to increase the agricultural productivity of uncultivated land or semi-natural areas will require consent from DARD if the area concerned is 2 hectares or more in area or if a screening notice has been issued by DARD. In addition GAEC 7 does not permit hedge, tree or scrub cutting (including trimming and laying) between 1 March and 31 August and GAEC 5 does not permit the burning of heather, gorse, whin or fern between 15 April and 31 August.

The Statutory Management Requirements (SMRs) of the Cross-Compliance standards offer protection to designated habitat areas. SMR 2 (Conservation of Wild Birds) protects wild birds, their eggs and nests by preserving and maintaining land classified as a Special Protection Area (SPA) and SMR 3 (Conservation of Natural habitats and of Wild Flora and Fauna) is intended to conserve land designated as a Special Area of Conservation (SAC). Special Areas of Conservation (SACs) are those sites which have been given greater protection under the Habitats Directive. A condition of these SMRs is that the landowner / farmer must not intentionally or recklessly destroy or damage the special flora (refers to the protected plants and their habitats) of the area or disturb any of the special fauna. This requirement can also apply to actions that take place other than on the Special Protection Area or Special Area of Conservation itself, but which have the same consequences.

Agri-environment Schemes also offer protection to areas of semi-natural habitats. In addition, Scheme participants are encouraged to enhance habitat area and are required to manage the habitats according to specific management requirements.

**Ms Sugden** asked the Minister of Agriculture and Rural Development, pursuant to AQW 44520/11-15, to detail progress on the formation of a legal contract, service level agreements, human resource plans, local strategic plans, and preparation for local consultation, between local councils and their respective Local Action Groups.

**(AQW 45522/11-15)**

**Mrs O'Neill:** A draft service level agreement to cover the local strategy drafts and also the animation stage of the process has been issued to the Council Chief Executives Forum for comments. The Local Rural Development Strategy template will issue to the new Local Action Group's (LAG's) before the summer. Once these have been completed Department officials will assess them and the successful LAG's will be issued with a contract, providing the Programme is approved by the Commission and the business case is agreed. Human Resource plans are the responsibility of the Administration units in the Councils and their respective LAG's.

**Ms Sugden** asked the Minister of Agriculture and Rural Development, pursuant to AQW 44519/11-15, to detail the process by which Priority 6 funding under the Rural Development Programme 2014-20 will be administered to local council areas.

**(AQW 45523/11-15)**

**Mrs O'Neill:** My Department will enter into a contract with each Local Action Group (LAG) for the delivery of their LEADER indicative funding allocation via their Local Rural Development Strategy. The Department will also enter into a service level agreement with each Council to provide each LAG with administrative and financial services.

**Ms Sugden** asked the Minister of Agriculture and Rural Development, pursuant to AQW 44518/11-15, whether the Causeway Coast and Glen Local Action Group has included oversight of the shutdown of the previous programme in the terms of reference of the Monitoring Committee.

**(AQW 45524/11-15)**

**Mrs O'Neill:** The final date for the eligibility of expenditure for the 2007-2013 NIRD is 31 December 2015. The programme will not formally close until member states have completed their final clearance of accounts, which will be by 30 June 2016.

The role of the Programme Monitoring Committee in the closure process will be to approve the final Annual Implementation Report in June 2016 and the ex-post programme evaluation in December 2016.

**Ms Sugden** asked the Minister of Agriculture and Rural Development, pursuant to AQW 44498/11-15, to outline the nature of the European Commission observation letter on the draft programme; and whether the Commission signed off the programme in this correspondence.

**(AQW 45525/11-15)**

**Mrs O'Neill:** A draft service level agreement to cover the local strategy drafts and also the animation stage of the process has been issued to the Council Chief Executives Forum for comments. The Local Rural Development Strategy template will issue to the new Local Action Group's (LAG's) before the summer. Once these have been completed Department officials will assess them and the successful LAG's will be issued with a contract, providing the Programme is approved by the Commission and the business case is agreed. Human Resource plans are the responsibility of the Administration units in the Councils and their respective LAG's.

**Mr Allister** asked the Minister of Agriculture and Rural Development for a breakdown of the hospitality spend by (i) her Department; and (ii) its arm's-length bodies, in 2014/15.

**(AQW 45529/11-15)**

**Mrs O'Neill:** The Department of Agriculture and Rural Development provided hospitality for a number of external events during the 2014/15 financial year. These included Awards Ceremonies and Open days at CAFRE, Seminars on CAP Reform and Rural Development Programmes and AFBI demonstration events including workshops for the Chinese Delegation.

The total cost incurred by the (i) Department of Agriculture and Rural Development for the 2014/15 financial year was £80,180.67 and (ii) £15,387.51 in respect of the Department's arm's length bodies.

**Ms Sugden** asked the Minister of Agriculture and Rural Development, pursuant to AQW 44497/11-15, how much of the funding allocated to Priority 6 of the Rural Development Fund is ring-fenced for administration and promotion; and how it will be drawn down.

**(AQW 45545/11-15)**

**Mrs O'Neill:** The Rural Development Programme submitted to the European Commission has detailed that up to 22% (up to a maximum of £12.4m) of project spend will be available for administration. Any administration funds not drawn down can be used to fund projects.

Administration funds will be paid to Council Administration units retrospectively following the submission of a validated claim for expended funds to my Department through the Local Action Group.

**Mr Weir** asked the Minister of Agriculture and Rural Development how many dogs are registered in each council area.

**(AQW 45553/11-15)**

**Mrs O'Neill:** Dog control is legislated for here by the Dogs Order 1983, as amended by the Dogs (Amendment) Act 2011. Councils implement this legislation and provide statistics to my Department regarding its operation. These statistics are collated on an annual basis.

The table below outlines the number of dog licences issued in each council area in the last three years.

**Table 1 – Dog licences issued by council area**

Council	2012	2013	2014
Antrim	4,759	5,316	5,150
Ards	6,889	8,113	8,595
Armagh	2,742	3,493	3,505
Ballymena	9,074	8,824	9,378
Ballymoney	3,090	2,760	3,200
Banbridge	3,918	3,999	4,128
Belfast	9,928	11,391	11,908
Carrickfergus	2,523	2,658	2,909
Castlereagh	4,885	4,594	5,086
Coleraine	7,186	7,860	8,040
Cookstown	2,409	2,642	2,638

Council	2012	2013	2014
Craigavon	6,797	7,557	8,152
Derry	3,004	2,068	2,716
Down	6,556	6,420	6,600
Dungannon	2,473	2,806	2,505
Fermanagh	3,828	4,838	4,595
Larne	4,274	4,319	4,561
Limavady	2,005	2,190	2,282
Lisburn	10,008	9,953	10,124
Magherafelt	2,204	2,052	2,066
Moyle	2,095	2,215	2,215
Newry	4,893	4,787	5,193
Newtownabbey	6,697	6,332	6,928
North Down	6,180	6,512	6,815
Omagh	2,125	2,137	2,191
Strabane	2,492	3,344	3,911
<b>Total</b>	<b>123,034</b>	<b>129,180</b>	<b>135,391</b>

**Mr Campbell** asked the Minister of Agriculture and Rural Development which MLA's, MP's, Councillors and others were informed of the event in advance of the visit on Wednesday 18 February 2015 to Ballykelly regarding the relocation of her Departmental headquarters,  
(AQW 45645/11-15)

**Mrs O'Neill:** I issued an invite to the First Minister and deputy First Minister to attend the Photo Opportunity at Ballykelly on 18 February 2015. My officials extended an invitation to you as the constituency MP and all 6 East Derry MLA's. A request was issued to the Ballykelly Community Association to extend an invitation to the event to its members and traders and community workers from the area.

A media invite that included all local weekly, daily print and broadcast outlets, farming press and southern media was issued by my Press Office.

**Ms Sugden** asked the Minister of Agriculture and Rural Development how her Department is working with the Department of Enterprise, Trade and Investment to maximize the numbers of rural dwellers accessing high speed broadband.  
(AQW 45833/11-15)

**Mrs O'Neill:** My Department has provided a total of £7.5m to date, split £2.5m to the Next Generation Broadband project and £5m to the NI Broadband Improvement Project, both being delivered on the ground by Department of Enterprise Trade and Investment (DETI). These funds have resulted in 17,000 and 14,000 rural premises being able to access broadband if they so wish. My officials work closely with their counterparts in DETI on a day to day basis regarding broadband.

**Mr Dunne** asked the Minister of Agriculture and Rural Development what level of funding will be allocated to the new Ards and North Down Local Action Group.  
(AQW 45930/11-15)

**Mrs O'Neill:** On the 22nd October 2014 I announced the allocations for the new Local Action Groups (LAG's). The Ards and North Down LAG has been allocated a total of £3.85m, this is split, £3.15m for projects and up to £0.7m for administration.

## Department of Culture, Arts and Leisure

**Mr Weir** asked the Minister of Culture, Arts and Leisure what steps her Department is taking to ensure mutual recognition of boxing coaching certificates with other parts of the United Kingdom and the Republic of Ireland.  
(AQW 45376/11-15)

**Ms Ní Chuilín (The Minister of Culture, Arts and Leisure):** A boxing coach who has earned a coaching certificate from another jurisdiction can coach boxers in the north of Ireland as long as the Irish Amateur Boxing Association (IABA) is content

that the coaching qualification meets the equivalent standards and covers the same competencies as those applied to the Level 1 and Level 2 Coaching Certificates which are available on an all island basis.

If this is not the case the person may be asked to undertake a qualification at the appropriate level. The IABA will ask all coaches to undertake the appropriate safeguarding training and Access NI vetting prior to the commencement of any coaching.

In general, All Ireland National Governing Bodies (e.g. Irish Amateur Boxing Association) will work with Coaching Ireland to develop a coach education pathway as part of the Coaching Development Programme for Ireland and UK. National Governing Bodies will work with Sports Coach UK to develop a coach education pathway as part of the UK Coaching Certificate.

My Department through its arms length body, Sport NI, in collaboration with the Irish Sports Council, Coaching Ireland and Sports Coach UK, engaged in a partnership aimed at providing greater clarity, understanding and recognition of the status of coach education programmes. As a result of that partnership a Memorandum of Understanding was agreed, a mechanism was developed to map sports specific programmes that are endorsed through each of the coaching systems and a Technical Advisory Group was established.

Sport NI is not aware of any approach from the sport of boxing or its Governing Bodies in Ireland or in GB to have any mapping exercise of their specific coaching programmes carried out. Many governing bodies will however have their own procedures in place and therefore collaborative recognition may have occurred on an individual /needs led basis.

**Mr Clarke** asked the Minister of Culture, Arts and Leisure (i) how much funding her Department has awarded to Ulster GAA clubs in each of the last three years; (ii) to list the clubs which have received the funding; (iii) whether her Department funds any clubs outside Northern Ireland and; and (iv) how many people are employed on a full-time basis as a result of this funding. **(AQW 45426/11-15)**

**Ms Ní Chuilín:** In the last 3 years up to 31 March 2015, Sport NI, an arms length body of my Department, has awarded a total of £2,599,105 funding to Gaelic Athletic Association clubs. All of these clubs are in the north of Ireland. A breakdown of this funding is attached at Annex A.

**None of the funding to GAA clubs listed is awarded for employment.**

**Annex A**

Fiscal Year	Organisation Name	Programme	Grant Amount
2012/13	St Patrick's GAC (Loup)	Sport Matters: Community Capital Programme	£245,000
2012/13	St Malachy's GAC (Moortown)	Sport Matters: Community Capital Programme	£245,000
2012/13	John Mitchel's Glenullin GAC	Sport Matters: Community Capital Programme	£245,000
2012/13	Doire Colmcille CLG	Sport Matters: Community Capital Programme	£245,000
2013/14	Ballymartin GFC	Sport Matters: Community Capital Programme	£245,000
2013/14	St Peter's GAA Club (Lurgan)	Sport Matters: Community Capital Programme	£245,000
2013/14	St Joseph's GAC (Ederney)	Sport Matters: Community Capital Programme	£245,000
2013/14	Derrynose GAC	Sport Matters: Community Capital Programme	£245,000
2013/14	Crossmaglen Rangers GFC	Sport Matters: Community Capital Programme	£245,000
2013/14	Coalisland Fianna GFC	Sport Matters: Community Capital Programme	£223,879
2014/15	Beragh Red Knights GAC	DSNI ISF	£23,254
2014/15	Madden Raparees GAC	Awards For Sport	£3,580
2014/15	Patrick Pearses GAC (Belfast)	Awards For Sport	£4,907
2014/15	St Malachy's GAC (Castledawson)	Awards For Sport	£9,735
2014/15	St Marys Faughanvale GAC	Awards For Sport	£7,876
2014/15	St Patrick's Cullyhanna Camogie Club	Awards For Sport	£7,788
2014/15	Crossmaglen Rangers GFC	Awards For Sport	£6,960
2014/15	All Saints GAC	Awards For Sport	£6,581
2014/15	Aodh Ruadh Dun Geanainn Ladies GFC	Awards For Sport	£1,119
2014/15	Atticall Youth Club	Awards For Sport	£3,988
2014/15	Ballela GAC	Awards For Sport	£4,625

Fiscal Year	Organisation Name	Programme	Grant Amount
2014/15	Ballygalget GAC	Awards For Sport	£8,959
2014/15	Bredagh GAC	Awards For Sport	£7,220
2014/15	Kilcoo GAC	Awards For Sport	£9,113
2014/15	Oisins CLG	Awards For Sport	£7,354
2014/15	Pearse Óg GFC	Awards For Sport	£7,356
2014/15	St Brigids Camogie Club (Coalisland)	Awards For Sport	£1,763
2014/15	Wolfe Tone GAC (Derrymacash)	Awards For Sport	£2,549
2014/15	Bellaghy Camogie Club	Awards For Sport	£4,500
2014/15	Doiretreasc Cailini an Chnoic	Awards For Sport	£5,200
2014/15	Eglish St Patricks GAC	Awards For Sport	£1,950
2014/15	Na Magha Hurling and Camogie Club	Awards For Sport	£5,856
2014/15	Tullysaran O'Connells GAC	Awards For Sport	£5,083
2014/15	Armagh Harps GFC	Awards For Sport	£6,025
2014/15	Donaghmore Ladies G.F.C	Awards For Sport	£1,576
2014/15	St John's GAC (Belfast)	Awards For Sport	£7,452
2014/15	St Joseph's GAC (Glenavy)	Awards For Sport	£4,121
2014/15	St Patrick's GAC (Cullyhanna)	Awards For Sport	£3,736
<b>Total</b>			<b>£2,599,105</b>

**Mr Allister** asked the Minister of Culture, Arts and Leisure what actions were taken on foot of the advice of the safety compliance unit manager of Sport NI in respect of the Casement Park project; and to explain the extent to which his recommendations were ignored.

**(AQW 45427/11-15)**

**Ms Ní Chuilín:** The Safety Technical Group (STG) was established in 2012 by Sport NI, at the request of DCAL. The STG is a multi-agency body established to provide specialist advice to the Stadium Branch of DCAL regarding health and safety aspects of designs for the stadium projects at Kingspan Stadium, Windsor Park and Casement. Membership is as follows:

- SNI Overseeing Body
- Belfast City Council
- Police Service for Northern Ireland
- Northern Ireland Fire & Rescue
- Northern Ireland Ambulance Service
- Safety Officer for the Venue (Governing Body Rep)

In line with good practice in Programme and Project Management, I have initiated a Project Assessment Review (PAR) to be taken forward on the stadia programme, which will include a specific focus on the issues raised relating to the Casement Park project. This review has been commissioned through the Central Procurement Directorate and the review will be undertaken by independent experts. In line with normal practice it will formally report to the senior responsible owner for the programme. However, given the issues that have been raised, the report will be published in due course.

**Mr Allister** asked the Minister of Culture, Arts and Leisure to explain the role of the Safety Technical Group in regard to the Casement Stadium project; and how its recommendations were actioned by her Department and Sport NI.

**(AQW 45428/11-15)**

**Ms Ní Chuilín:** The Safety Technical Group (STG) was established in 2012 by Sport NI, at the request of DCAL. The STG is a multi-agency body established to provide specialist advice to the Stadium Branch of DCAL regarding health and safety aspects of designs for the stadium projects at Kingspan Stadium, Windsor Park and Casement. Membership is as follows:

- SNI Overseeing Body
- Belfast City Council
- Police Service for Northern Ireland
- Northern Ireland Fire & Rescue

- Northern Ireland Ambulance Service
- Safety Officer for the Venue (Governing Body Rep)

In line with good practice in Programme and Project Management, I have initiated a Project Assessment Review (PAR) to be taken forward on the stadia programme, which will include a specific focus on the issues raised relating to the Casement Park project. This review has been commissioned through the Central Procurement Directorate and the review will be undertaken by independent experts. In line with normal practice it will formally report to the senior responsible owner for the programme. However, given the issues that have been raised, the report will be published in due course.

**Mr Allister** asked the Minister of Culture, Arts and Leisure to explain the actions taken on foot of the complaint by the safety compliance unit manager of Sport NI; and whether any officials are in consequence subject to disciplinary procedures.  
(AQW 45429/11-15)

**Ms Ní Chuilín:** I am aware that a number of issues were raised at the committee, which are currently the subject of an ongoing process in Sport NI. In addition, I have commissioned an independent investigation, this investigation will have access to all relevant documentation and will also take evidence from individuals as it deems appropriate. It will therefore take a holistic examination of the allegations made and the existing documentation. This will enable it to reach conclusions based on the evidence and to make appropriate recommendations as it may deem necessary. It would be inappropriate for me to get drawn into specifics while this process is still ongoing.

The DCAL Permanent Secretary has also written and spoken to Mr Scott to reassure him that an independent investigation of his grievances is under way.

**Mr Allister** asked the Minister of Culture, Arts and Leisure when she became aware of the unease of the safety compliance unit manager of Sport NI in respect of the Casement Park project; and what actions she took.  
(AQW 45430/11-15)

**Ms Ní Chuilín:** At the committee on 30 April Mr Paul Scott, chair of the Safety Technical Group, raised concerns regarding safety issues with the proposed design for Casement Park. I have reviewed his comments and in line with good practice in Programme and Project Management, I have initiated a Project Assessment Review (PAR) to be taken forward on the stadia programme, which will include a specific focus on the issues raised relating to the Casement Park project. This review has been commissioned through the Central Procurement Directorate and the review will be undertaken by independent experts. In line with normal practice it will formally report to the senior responsible owner for the programme. However, given the issues that have been raised, the report will be published in due course.

The safety of those playing in and attending sports grounds, as well as those living in surrounding areas, has always been and will remain my key priority on the stadium projects. That is why the safety technical group was established. I have consistently said that I will not compromise on safety and that no stadium will open without a valid safety certificate. It must be said however that the GAA have an excellent track record when it comes to stadium safety.

**Ms McCorley** asked the Minister of Culture, Arts and Leisure whether her Department has awarded funding to any of the bands whose members have been convicted of offences relating to controversial parades, over the last five years.  
(AQW 45478/11-15)

**Ms Ní Chuilín:** My Department provides funding to bands through the Arts Council Musical Instruments for Bands Scheme, although the scheme is currently on hold.

The Arts Council is aware of one band whose members have been convicted of offences relating to controversial parades. However, the Arts Council has not made an award to this band through Musical Instruments for Bands scheme or any other funding programme.

**Ms McCorley** asked the Minister of Culture, Arts and Leisure whether any safety issues have been highlighted in relation to the redevelopment of Windsor Park.  
(AQW 45479/11-15)

**Ms Ní Chuilín:** The Safety Technical Group (STG) was established in 2012 by Sport NI, at the request of DCAL. The STG is a multi-agency body established to provide specialist advice to the Stadium Branch of DCAL, and the various teams on the three projects, regarding health and safety aspects of designs for the stadium projects at Kingspan Stadium, Windsor Park and Casement.

Engagement on safety matters relating to the Windsor Park project started in early 2012. The design team was appointed in April 2012 and developed the design in sufficient detail for planning permission to be sought in late 2012. When planning permission was sought further design work was always required to be carried out by the Design and Build contractor. STG were involved throughout this process and any concerns they had were addressed throughout by the design team and Design and Build contractor. This is exactly the same process which was used to deliver the Kingspan Stadium and is being used to deliver the Casement Park project.

My Department and I place paramount importance on the health and safety of patrons attending all games in any sport and my department will continue to work with all members of the STG, including members of the blue light services and the local

council in a pro-active and positive manner, to deliver a new stadium at Windsor Park which will be designed and constructed in accordance with the standards of the Red and Green Guides for Safety in Sports Grounds. Windsor Park will not open at full capacity without a valid Safety Certificate.

**Ms McCorley** asked the Minister of Culture, Arts and Leisure whether her Department will be reviewing the three stadia projects with a particular focus on safety issues.  
(AQW 45480/11-15)

**Ms Ní Chuilín:** At the committee on 30 April Mr Paul Scott, chair of the Safety Technical Group, raised concerns regarding safety issues with the proposed design for Casement Park. I have reviewed his comments and in line with good practice in Programme and Project Management, I have initiated a Project Assessment Review (PAR) to be taken forward on the Regional stadia programme, which will include a specific focus on the issues raised relating to the Casement Park project. The review has been commissioned through the DFP's Central Procurement Directorate and it will be undertaken by an independent team of experts which will include Independent Specialist advice as appropriate. In line with normal practice it will formally report to the senior responsible owner for the programme. However, given the issues that have been raised, the report will also be published in due course.

The safety of those playing in and attending sports grounds, as well as those living in surrounding areas, has always been and will remain my key priority on the stadium projects. That is why the safety technical group was established. I have consistently said that I will not compromise on safety and that no stadium will open without a valid safety certificate.

**Mr Allister** asked the Minister of Culture, Arts and Leisure for a breakdown of the hospitality spend by (i) her Department; and (ii) its arm's-length bodies, in 2014/15.  
(AQW 45531/11-15)

**Ms Ní Chuilín:** The Department spent a total of £30,973 on hospitality during 2014/15.

The Department's arm's-length bodies (excluding North/South bodies) spent a total of £35,703 on hospitality during the same period.

The Department's North/South bodies have a financial year which mirrors the calendar year. Spending on hospitality during 2014 for these bodies was £8,307.

**Mr Weir** asked the Minister of Culture, Arts and Leisure what plans she has to restore funding to the Musical Instruments for Bands Scheme.  
(AQW 45544/11-15)

**Ms Ní Chuilín:** Unfortunately there is a shortfall in my Department's capital budget for 2015-2016 which means that it is restricted to cover the funding of contractually committed expenditure only. The earliest point at which my Department can consider capital allocations beyond those for contractually committed expenditure will be after the June monitoring round.

At this point the Musical Instruments for Bands scheme is on hold as opposed to having been removed completely and I will be submitting a bid in June monitoring for the scheme's commencement potentially later in the year.

**Mr Moutray** asked the Minister of Culture, Arts and Leisure to detail the funding and assistance her Department has provided to Glenavon Football Club in each of the last three years.  
(AQW 45563/11-15)

**Ms Ní Chuilín:** I can advise that Sport NI, an arms length body of my Department, did not receive any applications for funding, or requests for assistance from Glenavon Football Club in each of the last three years.

**Ms Sugden** asked the Minister of Culture, Arts and Leisure, pursuant to AQO 6931/11-15, what support and funding opportunities her Department can offer to existing grassroots level sports initiatives that wish to expand.  
(AQW 45658/11-15)

**Ms Ní Chuilín:** As I advised in my previous answer to AQO 6931/11-15, Sport NI provides a range of support services and resources to assist those groups wishing to expand, which includes the provision of funding through the Active Awards for Sport programme.

Sport NI will allocate approximately £500,000 of Lottery funding to successful applicants through Round 3 of Active Awards for Sport Programme which closed on 13 April 2015. Sport NI received a total of 280 valid applications by the closing date, requesting total funding of £1,734,873. These are currently being assessed and it is anticipated that Letters of Offer will be issued to successful applicants by mid June 2015.

In addition, on 18 May 2015, Sport NI launched a capital programme which aims to invest Lottery funding of £17.5 million into sports facility projects over a five year period. The facility fund will invest in facilities through three strands:-

- 1 **Single Facility:** single-sport facilities which seek to increase participation within the club structure
- 2 **Multi Facility:** multi-sport facilities which seek to increase participation across local communities

- 3 **Performance Facility:** performance sport facilities which meet the needs of community participants and high performance athletes within the same multi-sport environment

Sport NI will deliver a number of workshops commencing at the end of May, at this stage specifically for the Single Facility strand, to support potential applicants through the investment process. Details of these workshops can be found at: - <http://www.sportni.net/news/sport-northern-ireland-launches-17-5m-investment-for-sports-facilities/>

Furthermore, Sport NI offers a 'signposting' and funding advice service to organisations (including sports clubs and community groups) who are registered on Sport NI's Funding Database. The Sport NI website provides information on funding opportunities available from a number of alternate sources including Big Lottery Fund, Comic Relief and a range of other charitable funding organisations.

**Mr Allister** asked the Minister of Culture, Arts and Leisure, pursuant to AQW 45096/11-15, whether the decision by the Irish Language Broadcast Fund to fund a training award to Raidió Fáilte was compatible with the fact that the fund exists to support moving image content, including what action has been taken.

**(AQW 45713/11-15)**

**Ms Ní Chuilín:** The Irish Language Broadcast Fund (ILBF)'s main priorities are to deliver content of high quality and to foster the Irish speaking independent production sector in Northern Ireland. Training is a core objective of the ILBF and one of the main focuses of the fund.

The ILBF funds on average 60 hours of moving image product delivered across several platforms (including analogue, digital, online and interactive). Funding is also made available for the production of Irish language radio programmes in circumstances where there is a robust training programme.

Raidió Fáilte submitted a strong application indicating strong training elements and has since proven to be a solid training platform offering mentoring and

**Mr B McCrea** asked the Minister of Culture, Arts and Leisure how much funding her Department has allocated to National Museums Northern Ireland in each of the last five financial years, including money allocated in in-year monitoring rounds.

**(AQW 45782/11-15)**

**Ms Ní Chuilín:** The total amount of funding allocated to National Museums by my Department, including money allocated in monitoring rounds, in each of the last five financial years is as follows:

Year	Resource £'000	Capital £'000	Total Funding £'000
2010/11	14,989	7,132	22,121
2011/12	15,142	297	15,439
2012/13	13,790	2,159	15,949
2013/14	12,978	1,456	14,434
2014/15	12,211	2,761	14,972
<b>Total</b>	<b>69,110</b>	<b>13,805</b>	<b>82,915</b>

**Mr Weir** asked the Minister of Culture, Arts and Leisure what conditions her Department, or its arm's-length bodies, placed on funding awarded to the Ardoyne Community Festival 2014.

**(AQW 45810/11-15)**

**Ms Ní Chuilín:** My Department did not fund Ardoyne Community Festival 2014, so there were no funding conditions attached.

**Mr McCartney** asked the Minister of Culture, Arts and Leisure whether she has received a report from the Irish Football Association in relation to the collapsed stand at Windsor Park.

**(AQW 45892/11-15)**

**Ms Ní Chuilín:** I would advise that the IFA had commissioned a technical report on the stand and this was shared with the Department however the IFA have advised that the subject matter of this report is still the topic of discussion between various insurance parties and related companies and therefore it would not be appropriate for this to be made commonly available at this stage.

**Mr Dunne** asked the Minister of Culture, Arts and Leisure for an update on the Windsor Park Redevelopment project, in light of the problems associated with the West Stand.

**(AQW 45927/11-15)**



**Ms Ní Chuilín:** The Windsor Park project is currently under construction and notwithstanding the recent issues on the West Stand the project has progressed very well. The new pitch was installed in August last year, the new East Stand is well advanced and is currently being fitted out, the South Stand construction is also well advanced with steelwork and precast concrete works now complete and preparation for refurbishment of the North Stand has commenced. The project team and IFA are striving towards delivering the required spectator capacity for the forthcoming International fixture in June.

On Tuesday 31st March 2015, the department was notified by the IFA that there was a structural problem with the existing West Stand.

On the 20th April 2015, the board of the IFA met to ratify a recommendation from the National Football Stadium project team that the West Stand at the stadium be demolished following recent structural damage. This recommendation came after a series of meetings with all interested parties and input from the relevant construction professionals.

After receiving approval from the IFA's insurers, the old West Stand has now been demolished and the details of the next steps are being developed between the IFA, their insurers and the project team.

It is anticipated that the costs associated with rectifying the issues with the West Stand will be a matter for the insurers and no additional funds will be required by DCAL.

The effect of the issues of the West Stand on the recently commenced construction works on the adjacent Olympia Leisure Centre is being assessed by BCC officials and their project team.

Excluding the West Stand the remainder of the project is scheduled to be completed in November 2015; it is unknown at this stage how much the redevelopment of the entire West Stand will impact on the project timeline.

## Department of Education

**Mr Kinahan** asked the Minister of Education, pursuant to AQW 32828/11-15, whether his Department has developed proposals to widen the definition of social disadvantage to include working parents when giving priority in pre-school admissions.

**(AQW 45257/11-15)**

**Mr O'Dowd (The Minister of Education):** Learning to Learn – a Framework for Early Years Education and Learning - includes an action to implement remaining actions from the Review of Pre-School Admissions Arrangements, one of which is to examine the definition of socially disadvantaged circumstances 'with a view to mirroring the relevant economic elements of the definition of Free School Meal Entitlement.'

The proposed introduction of Universal Credit (UC) under Welfare Reform would mean changes to the eligibility criteria for free school meals. It is planned, therefore, to undertake a review of the definition of socially disadvantaged circumstances once the position on Welfare Reform is clearer.

Research has shown that children from socially disadvantaged circumstances experience more difficulty at school than other children and priority is, therefore, given to these children as part of wider efforts to tackle educational underachievement.

Any proposed change to the definition will, of course, be subject to consultation.

**Mr Kinahan** asked the Minister of Education what assessment has been made of the effectiveness of the European Studies Programme for secondary schools.

**(AQW 45316/11-15)**

**Mr O'Dowd:** An independent review of the European Studies Programme (ESP) was conducted in 2014 which suggested that the objectives as originally envisaged were not well known by those who used the programme. In particular, the North/South of Ireland dimension of the ESP was not a major focus of the work being done within schools here.

**Mr McGlone** asked the Minister of Education whether he will be making a bid under the June monitoring round to obtain funding for the Early Years Fund.

**(AQW 45387/11-15)**

**Mr O'Dowd:** I will continue to review my budget and any other opportunities for funding to establish if a new fund can be developed for the Early Years sector, which would be open to all applicants, not just current recipients of the Early Years Fund, and reflect the policy priorities of DE.

**Mr Flanagan** asked the Minister of Education when teaching staff at St Joseph's College, St Fanchea's College, St Michael's College and Mount Lourdes Grammar School in Enniskillen can expect to receive clarity from the Council for Catholic Maintained Schools on the future makeup of post primary education in the Catholic Maintained schools sector in Enniskillen.

**(AQW 45458/11-15)**

**Mr O'Dowd:** As St Joseph's College and St Fanchea's College are maintained post-primary schools and St Michael's College and Mount Lourdes Grammar School Voluntary Grammar Schools, it is the responsibility of the Council for Catholic

Maintained Schools (CCMS) and the Trustees of the respective Grammar schools to manage provision and to bring forward proposals to the Department of Education (DE).

Regarding St Joseph's College and St Fanchea's College, CCMS have indicated that no decision has been made as yet in respect of changes to the two schools as part of changes to post-primary provision in Enniskillen. When a decision is made CCMS will communicate directly with the schools and their staff.

To date no Development Proposals have been brought forward for any of these schools.

**Mr Weir** asked the Minister of Education what budget the Education Authority has awarded to the North Eastern region for 2015/16 to support school age mothers, broken down by budget category.

**(AQW 45473/11-15)**

**Mr O'Dowd:** My Department has allocated earmarked funding to the Education Authority for the School Age Mothers programme. I understand the Education Authority has not yet determined the specific allocation to each region, including the North Eastern Region, for 2015/16

**Mr Weir** asked the Minister of Education what services the Education Authority deliver for school age mothers in the North Eastern region.

**(AQW 45474/11-15)**

**Mr O'Dowd:** In the North Eastern Region, the focus of the School Aged Mothers (SAM) Programme is to ensure that all young women remain within mainstream schooling. In exceptional cases where this is not possible, referrals can be made to extend home tuition or application can be made for placement on an EOTAS Programme.

Each of the SAM Co-ordinators aim to ensure that all school age mothers referred to the service have an Education Support Plan in place to meet their educational, health, social and emotional needs prior to and following the birth of their babies. They undertake assessments of need and secure registered childminder services, to enable young women to return to mainstream education, following a post natal health check. Other responsibilities include referrals for home tuition during maternity periods, referrals for benefits advice and community resources, ongoing liaison with health care professionals, social services, education providers, childminders and other relevant professionals.

**Mr Weir** asked the Minister of Education what School Age Mothers projects are offered in the North Eastern regional area; and how school age mothers are supported by the projects.

**(AQW 45475/11-15)**

**Mr O'Dowd:** SAM Co-ordinators deliver educational programmes during the summer months to engage the young people in peer support and facilitate personal development.

Where there is an identified need and a number of SAMs who are willing to engage, SAM Co-ordinators will devise and deliver group work projects, in partnership with other agencies.

**Mr Weir** asked the Minister of Education to detail the (i) budget allocation; (ii) reported actual spend; and (ii) reported under spend for the School Age Mothers project in the North Eastern region, in each of the last three years.

**(AQW 45476/11-15)**

**Mr O'Dowd:** The Interim Chief Executive of the Education Authority has reported that budget allocation and spend over the last three years, in the North Eastern Region, is as follows. No under spends have been reported.

- 2012/13 £126,000
- 2013/14 £113,000
- 2014/15 £124,000

**Mr Weir** asked the Minister of Education to detail the number of school age mother referrals in the last three years, broken down by (a) year group; and (b) source of referral to the North Eastern region.

**(AQW 45477/11-15)**

**Mr O'Dowd:** The Interim Chief Executive of the Education Authority has provided the following statistics.

**Number of Referrals by Year group and Source of Referral**

		Yr10	Yr11	Yr12	Yr13	Yr14	Yr15	
1/9/11 - 31/8/12	EWO	*	*	*	0	0	0	
	School	*	*	8	*	*	0	
	Social Services	0	0	*	*	*	0	
	Other Agencies	0	0	0	0	0	0	
	<b>Totals</b>	*	*	<b>14</b>	*	*	<b>0</b>	<b>26</b>
1/9/12 - 31/8/13	EWO	0	*	#	*	0	0	
	School	*	#	6	*	*	0	
	Social Services	0	0	0	0	0	0	
	Other Agencies	0	0	*	0	0	0	
		*	<b>10</b>	<b>12</b>	*	*	<b>0</b>	<b>31</b>
1/9/13 - 31/8/14	EWO	0	0	*	0	0	0	
	School	0	*	#	*	*	*	
	Social Services	0	0	0	0	0	0	
	Other Agencies	0	0	0	0	0	0	
		<b>0</b>	*	<b>15</b>	*	*	*	<b>26</b>
1/9/14 – Present day	EWO	0	0	0	0	0	0	
	School	0	*	*	*	*	0	
	Social Services	0	0	0	0	0	0	
	Other Agencies	0	0	0	0	0	0	
		<b>0</b>	*	*	*	*	<b>0</b>	<b>12*</b>

\* With regard to the present referrals Project Officers are be working with SAMs referred from the previous year along with these new referrals. The total number of current cases is 23.

**Mr Allister** asked the Minister of Education for a breakdown of the hospitality spend by (i) his Department; and (ii) its arm's-length bodies, in 2014/15.

**(AQW 45530/11-15)**

**Mr O'Dowd:** The breakdown of the hospitality spend by (i) my Department; and (ii) its arm's length bodies, in 2014/15 is as follows:

	2014-15 £'000
Department of Education	49
Council for the Curriculum, Examinations & Assessment (CCEA)	339
Belfast Education & Library Board	108
Southern Education & Library Board	81
Western Education & Library Board	61
South Eastern Education & Library Board	55
North Eastern Education & Library Board	52
Council for Catholic Maintained Schools	12
Council for Integrated Education (NICIE)	3
General Teaching Council (GTCNI)	4
Middletown Centre for Autism	3
Staff Commission for Education & Library Boards	1

	<b>2014-15 £'000</b>
Comhairle na Gaelscolaíochta	3
Youth Council (YCNl)	1
<b>Total</b>	<b>772</b>

These figures are based on draft 2014-15 accounts which are still subject to audit completion. They are in line with the Department's definition of hospitality which is based on guidance provided by the Department of Finance and Personnel, and, therefore, may differ from figures reported in some Arms Length Bodies annual accounts.

Expenditure on hospitality includes refreshments for committees, meetings, training courses, conferences, etc.

The Education and Library Boards host numerous meetings and training events in Board premises and associated outcentres throughout the year, for both teaching and non-teaching staff.

CCEA hold a significant number of events and meetings in support of examinations, curriculum and assessment (in excess of 4,000 annually). These include training provided for teachers and meetings relating to the conduct of examinations. The number of events held is dependent on activity.

**Mr Moutray** asked the Minister of Education to detail the number of people employed in the statutory sector of the Youth Service in the Education Authority Southern Region, previously the Southern Education and Library Board area, in each of the last four years.

**(AQW 45576/11-15)**

**Mr O'Dowd:** The following table provides details of youth service employees (full time equivalent) in the Education Authority Southern Region, previously the Southern Education and Library Board, in each of the last four years.

The figures comprise youth workers, youth officers, Head of Youth, administration and support staff and other specialist youth posts.

<b>1 April 2012</b>	<b>1 April 2013</b>	<b>1 April 2014</b>	<b>1 April 2015</b>
96	105	106	103

**Miss M McIlveen** asked the Minister of Education, pursuant to AQW 44701/11-15, to detail the levels of funding allocated to each project for (a) 2014/15; and (b) 2015/16.

**(AQW 45585/11-15)**

**Mr O'Dowd:** The table below provides the breakdown of funding for the projects in my answer to AQW 44701/11-15:

<b>Project</b>	<b>2014/15 (£k)</b>	<b>2015/16 (£k)</b>
STEM Module	264	299 (includes £35k capital)
School Employer Connections	117	110
Charter Work Experience	100	100
Young Enterprise NI	650	550
Sentinus (core)	400	300
Stock Market Challenge	40	40
BT Young Scientist & Technology Exhibition	35	35
Curriculum Sports Programme	1,500	1,300
Sentinus "It's Your Choice" Programme	75	0
Sentinus SMART Technology Programme	84	0
Irish Science Olympiads	6	0
Business Education Partnerships	134	0
European Studies Programme	165	0
Dissolving Boundaries	90	0
Delivering Social Change Signature Programme for Improving Outcomes in Literacy and Numeracy	1,160	632

Project	2014/15 (£k)	2015/16 (£k)
Greater West Belfast Primary Schools Project	408	250
Maths Week Ireland	20	20
Time to Read	50	50
Write Up Programme	25	25
Film, animation and picturebook workshops	0	5

**Miss M McIlveen** asked the Minister of Education whether it remains his view that the only provision in education legislation which allows a child to be retained in a nursery school, and not commence primary school upon reaching compulsory school age, is under Article 16 of the Education (NI) Order 1996 (Statement of Special Educational Needs).

**(AQW 45594/11-15)**

**Mr O'Dowd:** It remains the case that funded pre-school education is only available to a child who is over 2 years old and under compulsory school age. Article 16 of the Education (NI) Order 1996 provides for a child of compulsory school age with a statement of SEN where the statement specifies the type of school or other institution which the Education Authority considers would be appropriate for the child.

Parents can, of course, arrange to have their child educated other than at school and pre-school may form part of these arrangements. Parents making these arrangements meet the cost of a pre-school place.

**Miss M McIlveen** asked the Minister of Education, in relation to Paras 6.4, 6.6 and 6.17 of his Policy for Sustainable Schools, how he ensures that small schools serving isolated populations remain educationally and financially sustainable.

**(AQW 45595/11-15)**

**Mr O'Dowd:** It is important that these three paragraphs are considered in the context of the complete policy document, A Policy for Sustainable Schools. This provides a full and considered discussion of the issues affecting sustainability and sets out the range of inter-dependent criteria and associated indicators to be used in assessing a school's longer term sustainability.

The policy also explores and suggests means through which small schools may address sustainability issues including various models of collaboration, sharing and co-operation with other schools. I would encourage local school communities to look at such options for sharing before a school's position becomes untenable and rationalisation is the only option remaining.

Delegated funds for schools are distributed under the Common Funding Scheme (CFS); and the funding formula distributions are based on a number of factors, including the Small Schools' Support funding factor (SSSF). The SSSF is intended to target more resources towards smaller schools in order to facilitate the delivery of the curriculum. The SSSF is one of a range of funding support streams for small schools within the CFS, others being Primary Principal Release Time, Teachers Salary Protection and Foundation Stage Funding.

In addition to funding allocated directly to school budgets by means of the relevant funding stream, schools will also have access to central funds for specified purposes and the CFS sets out common arrangements governing disbursement of these funds by Funding Authorities.

**Miss M McIlveen** asked the Minister of Education to outline the governance and ownership arrangements he intends to put in place for the Lisanelly Campus; and to detail the timeframe for these arrangements.

**(AQW 45596/11-15)**

**Mr O'Dowd:** Over the last six months the Department has been engaging with the school authorities of the Lisanelly schools to consider future arrangements for ownership, governance and management of the Lisanelly Shared Education Campus (LSEC). Discussions have been cognisant of the programme's innovatory nature; that the sharing ethos should also respect the ethos of the individual schools; and any new administrative arrangements should be light touch working within existing policies and legislation as far as possible. Local decision making will help establish a campus identity and help to promote shared education.

While a decision has not yet been made by the school authorities in this regard the Department will continue to work with school authorities over coming months with the aim to have agreement on ownership, governance and management arrangements for the LSEC (supported by a Memorandum of Agreement which will set out the arrangements in further detail) by September 2015.

**Mr Agnew** asked the Minister of Education for a breakdown of the (i) costs for each; and (ii) total costs for all non-departmental public bodies.

**(AQW 45607/11-15)**

**Mr O'Dowd:** The breakdown of the (i) costs for each; and (ii) total costs for all non-departmental public bodies, based on audited 2013-14 accounts are as follows:

	<b>2013-14 £'000</b>
Council for the Curriculum, Examinations & Assessment	30,775
Belfast Education & Library Board	278,005
Southern Education & Library Board	388,897
Western Education & Library Board	359,122
South Eastern Education & Library Board	305,530
North Eastern Education & Library Board	348,679
Council for Catholic Maintained Schools	3,558
Council for Integrated Education (NICIE)	1,096
General Teaching Council (GTCNI)	1,049
Middletown Centre for Autism	1,494
Staff Commission for Education & Library Boards	271
Comhairle na Gaelscolaíochta	806
Youth Council (YCNl)	5,900
<b>Total</b>	<b>1,725,182</b>

**Mr Agnew** asked the Minister of Education what effort has been made to secure funding for the Primary Modern Language Programme by reducing administrative costs in the Education Authority, Council for Catholic Maintained Schools and other non-departmental public bodies.

**(AQW 45608/11-15)**

**Mr O'Dowd:** The Executive's Budget has been reduced by the Westminster Government by £1.5bn over the last five years. As a direct result of this reduction there is significantly reduced money to spend on frontline services such as Education. I have taken every action possible to protect Education funding and those frontline services within the Department of Education's (DE's) remit. However, it is simply impossible to protect everything.

Following the Executive's Final Budget 2015-16, my Department has had to make savings of £97.6m in order to deliver my key objectives and live within the Final 2015-16 Budget settlement for DE.

This is a significant amount to reduce in one financial year and therefore the reality is that funding to some worthy programmes, such as the Primary Modern Languages Programme, has not been possible.

In reaching my final decisions on the Budget reductions a Savings Delivery Plan was developed to address the gap in funding. This has been published on DE's website and can be accessed via the following link:

[http://www.deni.gov.uk/microsoft\\_word\\_-\\_final\\_budget\\_2015-16\\_\\_savings\\_delivery\\_plan.pdf](http://www.deni.gov.uk/microsoft_word_-_final_budget_2015-16__savings_delivery_plan.pdf)

**Mr Agnew** asked the Minister of Education to detail the cost of Moy Regional Primary School and St John's Primary School shared campus.

**(AQW 45609/11-15)**

**Mr O'Dowd:** The feasibility study and economic appraisal for the Moy shared campus project are being developed. Until the economic appraisal has been approved it is not possible to detail the project cost.

**Mr Campbell** asked the Minister of Education whether any premises were used by primary or post-primary schools during the 2014 calendar year deemed to be at risk; and if so, whether any remedial action has been taken.

**(AQW 45611/11-15)**

**Mr O'Dowd:** The Boards of Governors of all schools have a statutory duty to ensure the health and safety of premises under their control. They are required to monitor the status of their buildings and to make bids to address issues that arise. Any work necessary to address unacceptable health and safety works is prioritised by the Education Authority (EA) and the Department, within the context of available resources.

The EA has advised that the Northern Ireland Fire and Rescue Service (NIFRS) deemed two classrooms in a post-primary school to be at risk in the event of a fire. The use of the two classrooms was prohibited until an upgraded fire alarm system was installed and fire doors were upgraded. The Department of Education does not hold any information in relation to buildings deemed to be at risk in the voluntary grammar or grant maintained integrated sectors.

**Lord Morrow** asked the Minister of Education for an update on the current position of the Council for Catholic Maintained Schools on the future of St Joseph's College, Enniskillen, including (i) how many meetings have been held; (ii) when discussions commenced; (iii) how many deadlines have been set and passed without decision; and (iv) when a final decision is to be expected.

**(AQW 45623/11-15)**

**Mr O'Dowd:** It is the responsibility of the Council for Catholic Maintained Schools (CCMS) to manage provision in the Maintained sector and to bring forward proposals to the Department of Education. CCMS has not yet brought forward a Development Proposal (DP) in respect of St Joseph's College but has advised that:-

- Pre-publication consultation meetings, required before a decision is taken on whether or not to proceed with a DP, were held with the school's staff and Board of Governors on 20th and 21st October 2014;
- further consultations on a definitive proposal were due to take place in April 2015; and
- CCMS informed the school on 8 May 2015 that these follow-up stakeholder consultations would take place in September/October 2015.

A decision on whether or not to proceed with publication of a DP will be taken following the required pre-publication consultations.

**Mr Easton** asked the Minister of Education to detail the cost of a nursery school place.

**(AQW 45627/11-15)**

**Mr O'Dowd:** Under the Department's Pre-School Education Programme (PSEP), funded pre-school places are available in all statutory nursery schools, nursery units attached to primary schools and in those voluntary/private settings participating in the PSEP.

The table below shows the cost of a pre-school place in the 2014/15 academic year, in each type of setting:

Setting	Full Time	Part Time
Nursery School	£2936*	£1931*
Nursery Unit	£2730*	£1810*
Voluntary/Private	N/A	£1801**

\* Reflects Age Weighted Pupil Unit funding only – excludes all other funding factors

**Mr Easton** asked the Minister of Education how many primary one places are currently available in North Down.

**(AQW 45629/11-15)**

**Mr O'Dowd:** The number of primary one places available across the North Down constituency at the start of the 2015/16 admissions process was 1,067. At 13 May 2015, 1,064 pupils had been placed in primary one in North Down schools for the 2015/16 school year. During the admissions process, however, a number of schools exercised the flexibility in admissions numbers afforded to them to increase their intake. As a result, at 13 May 2015 there remain 20 unfilled primary one places in North Down for September 2015.

**Mr Easton** asked the Minister of Education how many children in North Down currently have a primary one place secured.

**(AQW 45630/11-15)**

**Mr O'Dowd:** As at 13 May 2015 there were 1,064 children placed in primary one for the 2015/16 school year, in schools in the North Down constituency.

**Mr McCallister** asked the Minister of Education to detail the number of pupils who have completed ICT A-level, broken down by constituency, in each of the last four years.

**(AQW 45632/11-15)**

**Mr O'Dowd:** The information contained in the following table shows the number of pupils with at least one entry in A-level ICT, by constituency of school location, over the past four academic years, 2010/11 to 2013/14.

**Number of pupils with entries in A-level ICT, by constituency of school, in the academic years 2010/11 to 2013/14**

Parliamentary Constituency	2010/11	2011/12	2012/13	2013/14
Belfast East	92	83	87	92
Belfast North	70	60	62	63
Belfast South	138	122	131	116
Belfast West	17	20	14	18

Parliamentary Constituency	2010/11	2011/12	2012/13	2013/14
East Antrim	84	101	79	101
East Derry	110	114	95	78
Fermanagh & South Tyrone	93	92	110	71
Foyle	94	76	105	100
Lagan Valley	38	29	37	50
Mid Ulster	131	124	108	89
Newry & Armagh	84	58	72	78
North Antrim	128	103	94	92
North Down	43	51	44	36
South Antrim	18	38	37	39
South Down	51	95	118	106
Strangford	27	36	30	37
Upper Bann	152	164	154	148
West Tyrone	97	82	110	84
<b>Total</b>	<b>1467</b>	<b>1448</b>	<b>1487</b>	<b>1398</b>

**Source:** RM Education

**Note:** The above data do not include equivalent qualifications.

**Mr Dickson** asked the Minister of Education to provide a timetable for the introduction of the Shared Education Bill to the Assembly.

**(AQW 45656/11-15)**

**Mr O'Dowd:** It is my intention to introduce the Shared Education Bill to the Assembly in advance of the summer recess.

**Mr Easton** asked the Minister of Education how many nursery places are available at Towerview Primary School.

**(AQW 45679/11-15)**

**Mr O'Dowd:** The table below shows the number of nursery places available at each Primary School for September 2015:

School	Number of Nursery Places
Towerview PS	52
Donaghadee PS	57*
Millisle PS	26
Ballyholme PS	0

\* The enrolment number for the nursery unit at Donaghadee PS is 52. The school applied for an additional 5 places this year under the Department's temporary flexibility arrangements. The purpose of temporary flexibility is to address a shortage of pre-school places for target age children within an area which cannot be met by any other pre-school provider as part of the Pre-School Education Programme.

**Mr Easton** asked the Minister of Education how many nursery places are available at Donaghadee Primary School.

**(AQW 45680/11-15)**

**Mr O'Dowd:** The table below shows the number of nursery places available at each Primary School for September 2015:

School	Number of Nursery Places
Towerview PS	52
Donaghadee PS	57*
Millisle PS	26
Ballyholme PS	0



- \* The enrolment number for the nursery unit at Donaghadee PS is 52. The school applied for an additional 5 places this year under the Department's temporary flexibility arrangements. The purpose of temporary flexibility is to address a shortage of pre-school places for target age children within an area which cannot be met by any other pre-school provider as part of the Pre-School Education Programme.

**Mr Easton** asked the Minister of Education how many nursery places are available at Millisle Primary School.  
(AQW 45681/11-15)

**Mr O'Dowd:** The table below shows the number of nursery places available at each Primary School for September 2015:

School	Number of Nursery Places
Towerview PS	52
Donaghadee PS	57*
Millisle PS	26
Ballyholme PS	0

\*The enrolment number for the nursery unit at Donaghadee PS is 52. The school applied for an additional 5 places this year under the Department's temporary flexibility arrangements. The purpose of temporary flexibility is to address a shortage of pre-school places for target age children within an area which cannot be met by any other pre-school provider as part of the Pre-School Education Programme.

**Mr Easton** asked the Minister of Education how many nursery places are available at Ballyholme Primary School.  
(AQW 45682/11-15)

**Mr O'Dowd:** The table below shows the number of nursery places available at each Primary School for September 2015:

School	Number of Nursery Places
Towerview PS	52
Donaghadee PS	57*
Millisle PS	26
Ballyholme PS	0

- \* The enrolment number for the nursery unit at Donaghadee PS is 52. The school applied for an additional 5 places this year under the Department's temporary flexibility arrangements. The purpose of temporary flexibility is to address a shortage of pre-school places for target age children within an area which cannot be met by any other pre-school provider as part of the Pre-School Education Programme.

**Mr Weir** asked the Minister of Education, pursuant to AQW 44701/11-15, to detail the levels of funding allocated to each project for (i) 2014/15; and (ii) 2015/16.  
(AQW 45690/11-15)

**Mr O'Dowd:** The table below provides the breakdown of funding for the projects in my answer to AQW 44701/11-15:

Project	2014/15 (£k)	2015/16 (£k)
STEM Module	264	299 (includes £35k capital)
School Employer Connections	117	110
Charter Work Experience	100	100
Young Enterprise NI	650	550
Sentinus (core)	400	300
Stock Market Challenge	40	40
BT Young Scientist & Technology Exhibition	35	35
Curriculum Sports Programme	1,500	1,300
Sentinus "It's Your Choice" Programme	75	0
Sentinus SMART Technology Programme	84	0
Irish Science Olympiads	6	0

Project	2014/15 (£k)	2015/16 (£k)
Business Education Partnerships	134	0
European Studies Programme	165	0
Dissolving Boundaries	90	0
Delivering Social Change Signature Programme for Improving Outcomes in Literacy and Numeracy	1,160	632
Greater West Belfast Primary Schools Project	408	250
Maths Week Ireland	20	20
Time to Read	50	50
Write Up Programme	25	25
Film, animation and picturebook workshops	0	5

**Mr Weir** asked the Minister of Education to detail (i) the date; and (ii) the reason that his Department removed the frequently asked questions on the curriculum page of its website guidance to parents which stated that the only provision in education legislation which allows a child to be retained in a nursery school, and not commence primary school upon reaching compulsory school age, is under Article 16 of the Education (Northern Ireland) Order 1996 (Statement of Special Educational Needs).

**(AQW 45691/11-15)**

**Mr O'Dowd:** As part of a general review and update of the Department's website, the "Frequently Asked Questions" section regarding deferral was updated to include a link to the consultation on deferral of school starting age in exceptional circumstances on 20 April 2015.

This was a routine update which took account of the queries which officials received on this issue.

**Mr Weir** asked the Minister of Education whether it remains his view that the only provision in education legislation which allows a child to be retained in a nursery school, and not commence primary school upon reaching compulsory school age, is under Article 16 of the Education (Northern Ireland) Order 1996 (Statement of Special Educational Needs).

**(AQW 45692/11-15)**

**Mr O'Dowd:** It remains the case that funded pre-school education is only available to a child who is over 2 years old and under compulsory school age. Article 16 of the Education (NI) Order 1996 provides for a child of compulsory school age with a statement of SEN where the statement specifies the type of school or other institution which the Education Authority considers would be appropriate for the child.

Parents can, of course, arrange to have their child educated other than at school and pre-school may form part of these arrangements. Parents making these arrangements meet the cost of a pre-school place.

**Mr Weir** asked the Minister of Education, in relation to Paras 6.4, 6.6 and 6.17 of his Policy for Sustainable Schools, how he ensures that small schools serving isolated populations remain educationally and financially sustainable.

**(AQW 45693/11-15)**

**Mr O'Dowd:** It is important that these three paragraphs are considered in the context of the complete policy document, A Policy for Sustainable Schools. This provides a full and considered discussion of the issues affecting sustainability and sets out the range of inter-dependent criteria and associated indicators to be used in assessing a school's longer term sustainability.

The policy also explores and suggests means through which small schools may address sustainability issues including various models of collaboration, sharing and co-operation with other schools. I would encourage local school communities to look at such options for sharing before a school's position becomes untenable and rationalisation is the only option remaining.

Delegated funds for schools are distributed under the Common Funding Scheme (CFS); and the funding formula distributions are based on a number of factors, including the Small Schools' Support funding factor (SSSF). The SSSF is intended to target more resources towards smaller schools in order to facilitate the delivery of the curriculum. The SSSF is one of a range of funding support streams for small schools within the CFS, others being Primary Principal Release Time, Teachers Salary Protection and Foundation Stage Funding.

In addition to funding allocated directly to school budgets by means of the relevant funding stream, schools will also have access to central funds for specified purposes and the CFS sets out common arrangements governing disbursement of these funds by Funding Authorities.

**Mr Weir** asked the Minister of Education to outline the governance and ownership arrangements planned for the Lisanelly Campus, including the timeframe for these arrangements.

**(AQW 45694/11-15)**

**Mr O'Dowd:** Over the last six months the Department has been engaging with the school authorities of the Lisanelly schools to consider future arrangements for ownership, governance and management of the Lisanelly Shared Education Campus (LSEC). Discussions have been cognisant of the programme's innovatory nature; that the sharing ethos should also respect the ethos of the individual schools; and any new administrative arrangements should be light touch working within existing policies and legislation as far as possible. Local decision making will help establish a campus identity and help to promote shared education.

While a decision has not yet been made by the school authorities in this regard the Department will continue to work with school authorities over coming months with the aim to have agreement on ownership, governance and management arrangements for the LSEC (supported by a Memorandum of Agreement which will set out the arrangements in further detail) by September 2015.

**Mr Eastwood** asked the Minister of Education, pursuant to AQW 44899/11-15, to detail the number of applications for funded pre-school places in the Derry and Strabane District Council area for the 2015/16 academic year.

**(AQW 45696/11-15)**

**Mr O'Dowd:** At the end of Stage 1 of the pre-school admissions process the number of applications in each area was as follows:

Derry - 1604

Strabane - 488

**Mr Lyttle** asked the Minister of Education what he is doing to ensure education support staff receive National Joint Council pay awards on time.

**(AQW 45698/11-15)**

**Mr O'Dowd:** Under the Executive's Public Sector Pay Policy, pay remit business cases for all public bodies, including the ELBs, now the Education Authority (EA), must receive the necessary approvals before any payments can be made to eligible staff.

Staff in DE and the EA are working together to finalise the pay remit business case as quickly as possible.

Once finalised, the pay remit business case will be submitted to the Department of Finance and Personnel for its consideration, in accordance with the above policy.

**Mr Lyttle** asked the Minister of Education for an update on the progress of the business case for the Together: Building a United Community pilot nursery and primary school buddy scheme.

**(AQW 45699/11-15)**

**Mr O'Dowd:** While officials have drafted a business case to support the implementation of the Together: Building a United Community commitment to roll out a "buddy scheme" in publicly run nursery and primary schools which includes the potential development of pilot schemes, no funding has been provided to my Department to allow this commitment to progress beyond the draft business case stage.

**Ms Sugden** asked the Minister of Education what bids he is preparing to submit for the June monitoring round.[R]

**(AQW 45707/11-15)**

**Mr O'Dowd:** I am currently in the process of reviewing my budget with a view to submitting bids in the June monitoring round which reflect the policy priorities of my Department.

**Mr McKinney** asked the Minister of Education whether he has plans to reduce the level of funding allocated to the Extended Schools budget for 2015/16.

**(AQW 45727/11-15)**

**Mr O'Dowd:** The Executive's Budget has been reduced by the Westminster Government by £1.5bn over the last five years. As a direct result of this reduction there is significantly reduced money to spend on frontline services such as Education.

I have taken every action possible to protect Education funding and those frontline services within the Department of Education's (DE's) remit. However, it is simply impossible to protect everything.

Following the Executive's Final Budget 2015-16 my Department has had to make savings of £97.6m in order to deliver my key objectives and live within the Final 2015-16 Budget settlement for the Department.

These savings include a reduction of £2m to the Extended Schools budget of £12.6m in 2014-15 to £10.6m in 2015-16.

On Wednesday 4 March 2015 I set out in detail to the Education Committee my Budget for 2015-16 including the allocation of £10.6m for Extended Schools. I have ensured that an Extended Schools programme will continue to be focused on those schools which serve areas of the greatest social deprivation. Currently there are 526 schools that meet the eligibility criteria for the 2015-16 programme which includes 49 new schools.

**Mr Easton** asked the Minister of Education how many nursery places are available at Ballymagee Primary School (AQW 45732/11-15)

**Mr O'Dowd:** The table below shows the number of nursery places available at each Primary School for September 2015:

School	Number of Nursery Places
Ballymagee PS	26
Kilcooley PS	26
Kilmaine PS	52
Bloomfield PS	52
Central PS*	0

\* There is no nursery unit at Bangor Central Integrated PS, however there are 78 places available at Bangor Central Nursery School.

**Mr Easton** asked the Minister of Education how many nursery places are available at Kilcooley Primary School (AQW 45733/11-15)

**Mr O'Dowd:** The table below shows the number of nursery places available at each Primary School for September 2015:

School	Number of Nursery Places
Ballymagee PS	26
Kilcooley PS	26
Kilmaine PS	52
Bloomfield PS	52
Central PS*	0

\* There is no nursery unit at Bangor Central Integrated PS, however there are 78 places available at Bangor Central Nursery School.

**Mr Easton** asked the Minister of Education how many nursery places are available at Kilmaine Primary School (AQW 45734/11-15)

**Mr O'Dowd:** The table below shows the number of nursery places available at each Primary School for September 2015:

School	Number of Nursery Places
Ballymagee PS	26
Kilcooley PS	26
Kilmaine PS	52
Bloomfield PS	52
Central PS*	0

\* There is no nursery unit at Bangor Central Integrated PS, however there are 78 places available at Bangor Central Nursery School.

**Mr Easton** asked the Minister of Education how many nursery places are available at Bloomfield Primary School (AQW 45735/11-15)

**Mr O'Dowd:** The table below shows the number of nursery places available at each Primary School for September 2015:

School	Number of Nursery Places
Ballymagee PS	26

School	Number of Nursery Places
Kilcooley PS	26
Kilmaine PS	52
Bloomfield PS	52
Central PS*	0

\* There is no nursery unit at Bangor Central Integrated PS, however there are 78 places available at Bangor Central Nursery School.

**Mr Easton** asked the Minister of Education how many nursery places are available at Central Primary School  
(AQW 45736/11-15)

**Mr O'Dowd:** The table below shows the number of nursery places available at each Primary School for September 2015:

School	Number of Nursery Places
Ballymagee PS	26
Kilcooley PS	26
Kilmaine PS	52
Bloomfield PS	52
Central PS*	0

\* There is no nursery unit at Bangor Central Integrated PS, however there are 78 places available at Bangor Central Nursery School.

**Lord Morrow** asked the Minister of Education what criteria are used for iPad allocation to children in Primary Schools in County Fermanagh.  
(AQW 45739/11-15)

**Mr O'Dowd:** I refer the member to my answer to his previous question AQW 45412/11-15 which is available in the Official Report published on 15 May 2015.

**Mr Easton** asked the Minister of Education how many nursery places are available at Clandeboye Primary School.  
(AQW 45790/11-15)

**Mr O'Dowd:** The table below shows the number of nursery places available at each Primary School for September 2015:

School	Number of Nursery Places
CLAndeboye PS	0
Rathmore PS	52
Crawsfordsburn PS	0
Grange PS	0

**Mr Easton** asked the Minister of Education how many nursery places are available at Rathmore Primary School.  
(AQW 45791/11-15)

**Mr O'Dowd:** The table below shows the number of nursery places available at each Primary School for September 2015:

School	Number of Nursery Places
CLAndeboye PS	0
Rathmore PS	52
Crawsfordsburn PS	0
Grange PS	0

**Mr Easton** asked the Minister of Education how many nursery places are available at Crawsfordsburn Primary School.  
(AQW 45792/11-15)

**Mr O'Dowd:** The table below shows the number of nursery places available at each Primary School for September 2015:

School	Number of Nursery Places
CLAndeboye PS	0
Rathmore PS	52
Crawsfordsburn PS	0
Grange PS	0

**Mr Easton** asked the Minister of Education how many nursery places are available at Grange Primary School.  
(AQW 45793/11-15)

**Mr O'Dowd:** The table below shows the number of nursery places available at each Primary School for September 2015:

School	Number of Nursery Places
CLAndeboye PS	0
Rathmore PS	52
Crawsfordsburn PS	0
Grange PS	0

**Mr McQuillan** asked the Minister of Education to detail the percentage of primary school pupils that receive free school meals.  
(AQW 45799/11-15)

**Mr O'Dowd:** The proportion of primary school pupils entitled to free school meals is 31.7%.

This figure includes pupils in nursery, reception and year 1-7 classes.

**Mr McQuillan** asked the Minister of Education to detail the percentage of primary school pupils in East Londonderry that receive free school meals.  
(AQW 45800/11-15)

**Mr O'Dowd:** The proportion of primary school pupils resident in East Derry entitled to free school meals is 33.3%.

This figure includes pupils in nursery, reception and year 1-7 classes. Free school meal entitlement includes nursery unit pupils that are in receipt of Income Support (IM) or income-based Jobseekers Allowance (JSA). These are two of the benefits which determine eligibility for free school meals.

**Source:** NI school census

**Mr D McIlveen** asked the Minister of Education to outline the rationale for removing European Studies from the curriculum.  
(AQW 45806/11-15)

**Mr O'Dowd:** European Studies has not been removed from the curriculum. Whilst I am aware that some schools involved in the European Studies Programme (ESP) used it to help deliver parts of the curriculum, the ESP has never been a compulsory element of the curriculum.

The Executive's Budget has been reduced by the Westminster Government by £1.5bn over the last five years. As a direct result of this reduction, there is significantly reduced money to spend on frontline services such as education. I have taken every action possible to protect education funding and those frontline services within the Department of Education's remit. However, it is simply impossible to protect everything, hence my decision to end the funding for the ESP.

An independent review of the ESP was conducted in 2014 which suggested that the objectives as originally envisaged were not well known by those who used the programme. In particular, the North/South dimension of the programme was not a major focus of the work being done within schools.

**Mr Weir** asked the Minister of Education to detail the primary schools in (i) Ards and (ii) North Down Borough Council that teach a modern language other than English; and to detail the language taught in each case.  
(AQW 45820/11-15)

**Mr O'Dowd:** Modern languages are not a statutory part of the curriculum at primary level and it is a matter for primary schools to decide whether they wish to teach an additional language. Therefore, my Department does not hold information on whether primary schools teach an additional language and what languages are taught.

**Mr Moutray** asked the Minister of Education how much funding his Department has allocated to the Northern Ireland Anti-Bullying Forum, in each of the last four years  
(AQW 45826/11-15)

**Mr O'Dowd:** In the last 4 years my Department has provided the following funding to the Northern Ireland Anti-Bullying Forum:

- 2012/13 - £87,000
- 2013/14 onwards - £113,000 per annum.

**Mr Moutray** asked the Minister of Education for his assessment of the effectiveness of the Northern Ireland Anti-Bullying Forum in tackling the problem of cyber bullying.  
(AQW 45827/11-15)

**Mr O'Dowd:** Cyber-bullying is a particularly complex problem which no single body or single course of action can hope to resolve. An effective response requires a multi-faceted approach involving awareness raising, better education concerning acceptable online behaviour and e-safety, a clear understanding of both school and parental responsibilities and an understanding of the serious criminal charges which can result from this type of behaviour.

The local Anti-Bullying Forum (NIABF) which brings together over twenty five regional statutory and voluntary organisations involved in tackling all forms of bullying. It contributes to tackling cyber-bullying through its awareness raising activities, such as the annual Anti-Bullying Week (ABW) and by providing practical support, resources and guidance to schools, parents and pupils. In November 2013, ABW adopted the theme of "I See, I Hear, I Feel" and examined how young people communicate with each other, both online and in the physical world, and the ways in which bullying, including cyber-bullying can happen as part of this. Over 650 schools and youth groups registered to take part in the week, receiving themed posters, assembly presentations and group learning activities. ABW was also used to remind schools of the importance of regularly reviewing and updating their anti-bullying policies to take account of emerging problems, such as cyber-bullying; and of the need for pupils and their parents to be actively involved in this process.

The Forum already makes a range of anti-bullying resources, including some on cyber-bullying, available through its website. It also developed and distributed a school resource pack, "Effective Responses to Bullying Behaviour", which highlights best practice for schools to follow. As part of an agreed 2015-16 work programme for the Forum, DE has asked it to update its existing cyber-bullying resources and prepare an additional insert for the "Effective Responses" resource pack to provide specific guidance for schools on cyber-bullying.

The NIABF is already involved with the work of the Safeguarding Board for Northern Ireland's to promote all aspects of e-safety for children and young people and this will help ensure a clear and consistent government message is delivered on this issue.

**Mr Lyttle** asked the Minister of Education to detail (i) how many funded pre-school places are needed; (ii) how many funded pre-school places are available; and (iii) where the funded pre-school places are located, in East Belfast for 2015/16.  
(AQW 45847/11-15)

**Mr O'Dowd:** The Pre-School Education Advisory Groups (PEAG) of each Region in the Education Authority (EA) are responsible for ensuring that there is adequate pre-school provision in local areas.

The Education Authority has advised that at the end of Stage 1 of the pre-school admissions process for 2015/16, a total of 1294 first preference applications were received by settings in the East Belfast Constituency.

As the pre-school admissions process is not yet complete, additional places may be allocated to voluntary/private settings, dependent on demand for places during Stage 2 of the admissions process. Statutory nursery settings may also apply for additional places under the Department's Temporary Flexibility arrangements.

The table below lists the settings in East Belfast and the number of funded pre-school places available in each for the 2015/16 academic year:

Settings	Number of Places Available
Avoniel PS	52
Ballybeen Pre-School	17
Belmont Pre-school Playgroup	48
Braniel PS	78
Bright Sparks Childcare Nursery	16
Brooklands PS	78
Carew II Family and Training Centre	16
Castlereagh Nursery School	52
Child's Play Day Nursery	24

<b>Settings</b>	<b>Number of Places Available</b>
Cregagh Pre-School	24
Dundela Infants PS	52
Dundonald PS	26
Euston St PS	52
First Steps Playgroup	9
Flutterbies Playgroup	24
Glendhu Nursery School	26
Greenwood PS	52
King's Road Nursery School	52
KnockBreda Nursery School	52
Knocknagoney PS	26
Little Gems Day Nursery	40
Loughview Integrated PS	26
McArthur Nursery School	52
Orangefield PS	52
Ravenscroft Nursery School	52
Sandbrook Nursery School	52
St Bernard's Pre-School Education Centre	52
St Colmcille's Pre-school Playgroup	96
St Matthew's PS	52
The Learning Tree Pre-School	16
Wee Care Day Nurseries	32
<b>Total</b>	<b>1298</b>

**Mr Easton** asked the Minister of Education how many cases of bullying have been reported in each of the last three years.  
(AQW 45879/11-15)

**Mr O'Dowd:** Schools are not currently required to record bullying incidences in school and the only figures available to the Department are for cases where bullying has been cited as the reason for a pupil being suspended or expelled. These figures are published annually by the Department and can be accessed via the following web-page.

<http://www.deni.gov.uk/index/facts-and-figures-new/education-statistics/suspensions-and-expulsions.htm>

On 23 June, I announced my intention to introduce Anti-Bullying legislation during the current mandate. One of the specific issues this legislation is intended to address is to introduce a requirement for all schools to centrally record incidents of bullying, their motivation and their outcome. This will allow us, going forward, to quantify the true scale of the problem and any emerging trends which may require further specific interventions.

**Mrs Overend** asked the Minister of Education for an update on progress for area planning for schools in Magherafelt.  
(AQW 45885/11-15)

**Mr O'Dowd:** It is the responsibility of the planning authorities, namely the Education Authority (which replaced the former Education and Library Boards on 1 April 2015) and the Council for Catholic Maintained Schools (CCMS) in conjunction with the integrated and Irish medium sectors amongst others, to manage and plan education provision.

Last year the former North Eastern Education and Library Board (NEELB) published the primary and post-primary plans for the North Eastern region, which includes Magherafelt and these plans are available via the following links:

<http://www.neelb.org.uk/schools/area-planning/> <http://www.neelb.org.uk/schools/area-planning/post-primary/>

The published area plans contain proposals for schools and any that have progressed to Development Proposal stage are detailed on my Department's website via the following link:

[http://www.deni.gov.uk/index/schools-and-infrastructure-2/area-planning/14-schools\\_estate\\_devprop\\_pg.htm](http://www.deni.gov.uk/index/schools-and-infrastructure-2/area-planning/14-schools_estate_devprop_pg.htm) .



**Mrs Overend** asked the Minister of Education to detail enrolment in each primary and post-primary school in the Magherafelt area for in the last five years.

**(AQW 45886/11-15)**

**Mr O'Dowd:** The enrolments for all schools situated in the former Magherafelt LGD over the last five years can be found below.

Primary and post-primary schools situated in the Magherafelt LGD and their enrolments, 2010/11 – 2014/15

**Primary schools**

School	2010/11	2011/12	2012/13	2013/14	2014/15
Altayiskey Primary School	34	33	30	30	29
Ampertaine Primary School	107	119	125	119	118
Anahorish Primary School	171	168	175	177	170
Bellaghy Primary School	34	43	45	49	55
Castledawson Primary School	99	106	96	95	88
Crossroads Primary School	123	115	116	121	115
Culnady Primary School	40	37	38	32	26
Desertmartin Primary School	31	28	23	19	19
Drumard Primary School	31	26	13	-	-
Gaelscoil an tSeanchaí	20	29	47	59	103
Gaelscoil na Spéiríní	26	27	33	36	41
Greenlough Primary School (St Mary's)	144	156	162	167	173
Holy Family Primary School, Magherafelt	561	561	574	583	592
Kilross Primary School	54	48	49	48	42
Knockloughrim Primary School	76	90	101	107	108
Knocknagin Primary School	30	30	30	37	43
Maghera Primary School	95	93	95	104	100
Magherafelt Controlled Primary School	271	252	243	243	254
New Row Primary School	170	177	181	179	171
Spires Integrated Primary School	201	197	203	203	197
St Brigid's Primary School, Knockloughrim	195	211	217	236	246
St Brigid's Primary School, Tirkane	145	161	165	180	184
St Columba's Primary School, Straw	136	140	147	157	161
St Columb's Primary School, Magherafelt	84	93	91	84	88
St Eoghan's Primary School	102	109	124	118	117
St John Bosco Primary School, Ballynease	105	103	110	115	115
St John's Primary School, Swatragh	180	182	194	197	203
St Mary's Primary School, Bellaghy	204	204	206	209	214
St Mary's Primary School, Draperstown	199	206	219	218	209
St Mary's Primary School, Glenview	251	231	231	240	245
St Patrick's Primary School, Glen	170	170	169	176	180
St Trea's Primary School	111	111	119	126	119
Tobermore Primary School	89	84	70	73	64

**Post-primary schools**

School	2010/11	2011/12	2012/13	2013/14	2014/15
Magherafelt High School	586	594	582	559	579
Rainey Endowed School	703	703	721	719	711
Sperrin Integrated College	481	495	492	499	501
St Colm's High School, Magherafelt	424	433	442	441	446
St Mary's College, Ballymena	317	329	341	321	315
St Mary's Grammar School, Magherafelt	1080	1078	1086	1097	1080
St Patrick's College Maghera	1329	1303	1289	1288	1313
St Pius X College	909	927	939	933	941

**Source:** NI school census

**Notes:**

- 1 Data is based on pupils enrolled on Census day i.e. The Friday of the first full week in October (In 2014/15 this was the 10 October 2014)
- 2 Figures for primary include nursery, reception and year 1 - 7 classes.

**Mr Agnew** asked the Minister of Education to detail (i) why his Department and the Department of Health, Social Services and Public Safety (DHSSPS) use a separate assessment process for autism; (ii) why a child who is on the waiting list for an autism assessment by DHSSPS would have an assessment for Special Educational Needs rejected by the Education Authority; and (iii) what co-operation takes place between his Department and DHSSPS in relation to their assessments of Special Educational Needs and autism in children.

**(AQW 45941/11-15)**

**Mr O'Dowd:** The assessment process used by the Department of Health, Social Services and Public Safety relates to establishing a medical diagnosis whereas the statutory assessment process used by the Education Authority (EA) is undertaken to determine how a child's learning needs can best be met. As an example of co-operation between the sectors The Education (NI) Order 1996, Article 14, places a duty on Health and Social Care Trusts (HSCTS) to inform the EA, after consulting with the parent, that a child who has not attained the lower limit of compulsory school age has, or probably has, special educational needs (SEN). In addition, if the EA is to undertake a statutory assessment, it will seek the advice of the HSCT's in relation to children with SEN.

As stated in my response to your previous AQW 44403/11-15, addressing the special educational needs (SEN) of a child is not dependent upon receipt of a medical diagnosis. It is for the EA to consider each request for statutory assessment of SEN independently of other assessments based on the individual needs of each child.

I remain committed to the close collaboration between the Education and Health sectors and other Departments in supporting pupils with special educational needs, including those with autism.

My Department will continue to work closely with the Department of Health, Social Services and Public Safety and other key Departments/Agencies to ensure that joined up working is effective for those children and young people with autism who rely on the services of more than one sector.

There is currently a great deal of effective collaboration between Health and Education Autism Spectrum Disorder Services, ongoing and developing, in respect of diagnostic assessment clinics, support for pupils with autism and joint training programmes.

**Mr Weir** asked the Minister of Education what consideration has been given to introducing a GCSE in British Sign Language.  
**(AQW 45962/11-15)**

**Mr O'Dowd:** I refer the member to my answer to AQW 44014/11-15 tabled by Fearghal McKinney MLA which was published in the official report on 3 April 2015.

**Mr Easton** asked the Minister of Education to detail the current laws in Northern Ireland regarding bullying.  
**(AQW 45995/11-15)**

**Mr O'Dowd:** Currently, within education, the only law regarding bullying is Article 3 of Education (NI) Order 1998, as amended by Article 19 of the Education and Libraries (NI) Order 2003. This legislation places a statutory requirement on all grant aided schools to have measures in place to promote and encourage good behaviour and respect for others, "in particular, preventing all forms of bullying among pupils." While it is a matter for each school to determine the detail of the policy, in consultation with pupils and their parents, guidance given by the Department must be considered as part of this process.

On 23 June 2014, I announced my intention to bring forward new legislation to tackle bullying in the current mandate. The Anti-Bullying Bill will provide

- A common definition of bullying;
- A requirement for all grant-aided schools to record all incidents of bullying; and
- A requirement for each Board of Governors to designate one or more members, with specific responsibility for anti-bullying policies and their implementation within the school.

## Department for Employment and Learning

**Mr Flanagan** asked the Minister for Employment and Learning whether legislative changes would be required to allow for the introduction of a loan scheme for postgraduate students.

**(AQW 42931/11-15)**

**Dr Farry (The Minister for Employment and Learning):** My Department is currently considering the introduction of a taught postgraduate loans scheme for Northern Ireland-domiciled students and European Union-domiciled students resident in Northern Ireland. My Department will be consulting on the identified policy options in the coming months.

If a taught postgraduate loan scheme is to be introduced for Northern Ireland-domiciled students and European Union-domiciled students resident in Northern Ireland, legislative changes will be required.

**Mr Weir** asked the Minister for Employment and Learning how his Department plans to address article 7 of EU Regulation 1304/2013 with regard to the European Social Fund Programme, given that less than 10 percent of successful projects specialise in this area.

**(AQW 44717/11-15)**

**Dr Farry:** In developing the ESF 2014-2020 Programme, account has been taken of both Article 7 and Article 8 referred to above. I am pleased to report that in excess of 10 percent of funding will be used to support both women's only projects and projects who will be targeted and supporting women as part of their activity

Support for women-only projects is provided through Priority Axis 1, Thematic Objectives 8 – "Promoting sustainable and quality employment and supporting labour mobility". Within this Thematic Objective, there are 2 separate investment priorities, one of which supports unemployed and economically inactive people - Investment Priority 8(i) – "access to employment for job-seekers and inactive people, including local employment initiatives and support for labour mobility". The second Investment Priority (8ii) describes support specifically for those Not in Education, Employment, or Training (NEETs) in the 16-24 age group.

In the guidance notes that accompanied the application form for applicants to the 2014-2020 Programme, examples of groups to be supported under the economically inactive category were given as: - "Economically inactive people, including people with barriers such as lone parents, ex-offenders, people with no/low qualifications". The following caveat was also included – "Please note this list is not exhaustive" - to allow applicants flexibility in the type of group project providers wished to support.

The description of this category as "unemployed, including longterm unemployed and economically inactive people" was agreed with the Commission on the basis that it allowed sufficient flexibility for disadvantaged groups, including women, to be represented as appropriate. This allows for projects specifically targeting women to be funded, and a total of 11.7% of funding was allocated to this group under Thematic Objective 8(i).

Through Thematic Objective 9 – "Promoting social inclusion and combating poverty and any discrimination" further support is provided to women.

Associated with Thematic Objective 9 is the following Investment Priority 9(i) – "Active inclusion, including with a view to promoting equal opportunities and active participation, and improving employability". It should be noted that the wording of the Thematic Objectives and associated investment priorities is that of the EU Commission and cannot be amended by Managing Authorities.

Whilst there is no specific reference to women in the wording of the Investment Priority for thematic objective 9, it addresses families in need, a high proportion of which are lone parents. Furthermore, evidence from the Community Family Support pilot showed a high percentage of women on this Programme. A total of 1,321 participants were supported over the 3 cycles of the Pilot, of which 887(67.1%) were female and 434(32.9%) were male. This support will continue in the 2014-2020 Programme.

**Mr Weir** asked the Minister for Employment and Learning given the Guidance Notes for the Northern Ireland European Social Fund Programme state "Projects meeting the minimum quality threshold on Phase 2 proceed to Economic Appraisal" why this was this not followed.

**(AQW 44801/11-15)**

**Dr Farry:** The European Social Fund Programme Guidance Notes for Applicants stated on page three that "If your application proceeds to full assessment it will have to secure a minimum Quality Threshold Score of 115 marks or above, out of a possible

170, in order to be considered for funding. Applicants should note that the Quality Threshold Score may increase in any of the individual priorities in the likely event the number of applications above the score exceeds the available budget in that priority”.

As the Programme was oversubscribed and there was insufficient budget available to support all applicants scoring above the Quality Threshold Score in the youth/NEET and the unemployed/inactive priorities, the Quality Threshold Score was increased in those priorities.

**Mr Swann** asked the Minister for Employment and Learning what role the NEET Strategy Forum will have in the delivery of the European Social Fund.

**(AQW 44905/11-15)**

**Dr Farry:** In developing the ‘Pathways to Success’ strategy, my Department helped establish the independent Not in Education, Employment and Training (NEET) forum to engage and help join up those organisations in the voluntary and community sector who deliver services in this area. Forum members are also represented on the NEET Advisory Group.

The voluntary and community sector will have a key role to consider the application of the empowerment principles developed by the European Social Fund (ESF) Learning Network to assist with overcoming the barriers found by ESF participants who are in the NEET category. It is hoped that the Forum will be a vehicle to consider best practice and co-ordinate the sector response to meet this need.

The sector will be a key partner in supporting the delivery of the European Social Fund programme throughout Northern Ireland and in joining up this work and giving a voice to young people.

The Forum is formally recognised as part of the organisational arrangements for taking forward the ‘Pathways to Success’ Strategy. Key priorities for the Forum are specifically identified as:

- providing better co-operation and integration of voluntary and community sector activity to address the NEET issue;
- acting as a source of best practice advice on community initiatives, for example, on assessment of needs, mentoring and family support; this will include the promotion of accreditation and approval of standards;
- providing for better engagement and involvement of young people in developments and initiatives; and
- considering the application of the empowerment principles developed by the European Social Fund Learning Network to assist with overcoming the barriers found by ESF participants who are in the NEET category.

**Mr Weir** asked the Minister for Employment and Learning given Article 7 of EU Regulation 1304-2013, why less than 10 percent of the overall European Social Fund allocation was aimed towards applications specifically targeting women.

**(AQW 44975/11-15)**

**Dr Farry:** In developing the ESF 2014-2020 Programme account has been taken of both Article 7 and Article 8 of the regulation referred to above. Support is available to women under all the Priorities of the programme, and especially through the Community Family Support Programme (CFSP).

Support for women-only projects is provided through Priority Axis 1, Thematic Objective 8 – “Promoting sustainable and quality employment and supporting labour mobility”. Within this Thematic Objective, there are two separate investment priorities, one of which supports unemployed and economically inactive people - Investment Priority 8(i) – “access to employment for job-seekers and inactive people, including local employment initiatives and support for labour mobility”. The second Investment Priority, 8(ii), supports projects specifically for those Not in Education, Employment, or Training (NEETs) in the 16-24 age group.

The description of this category as “unemployed, including longterm unemployed and economically inactive people” was agreed with the Commission on the basis that it allowed sufficient flexibility for disadvantaged groups, including women, to be supported as appropriate. This allows for projects specifically targeting women to be funded. The total amount of funding allocated under Thematic Objective 8(i) was £40,800,566. Out of this amount, a total of £4,793,012 was allocated to six women-only projects that were successful in obtaining funding. This represents 11.7% of the total allocation for Thematic Objective 8(i).

Through Thematic Objective 9 – “Promoting social inclusion and combating poverty and any discrimination” - further support is provided to women.

Associated with Thematic Objective 9 is the following Investment Priority 9(i)–“Active inclusion, including with a view to promoting equal opportunities and active participation, and improving employability”. It should be noted that the wording of the Thematic Objectives and associated investment priorities is that of the EU Commission and cannot be amended by Managing Authorities.

Whilst there is no specific reference to women in the wording of the Investment Priority for Thematic Objective 9, it addresses families in need, a high proportion of which have lone parents, mainly women. Furthermore, evidence from the pilot CFSP showed a high percentage of women on this Programme. A total of 1,321 participants were supported over 3 cycles of the pilot, of which 887 (67.1%) were female and 434 (32.9%) were male. This support will continue in the 2014-2020 Programme.

<b>Organisation</b>	<b>Total Amount of Funding Offered Under Thematic Objective 8(1)</b>
DFPF Ltd t/a People 1st	£999,269
The Princes Trust	£1,313,829
The Conservation Volunteers	£1,133,849
The Women's Centre Derry	£798,095
Shankill Women's Centre	£726,557
Ashton Community Trust	£9,381,565
Fermanagh and Omagh District Council	£2,765,673
Reed in Partnership	£859,050
Belfast Metropolitan College	£487,623
Women In Business NI	£381,230
TRIAx	£2,939,714
Southern Regional College	£3,060,966
Network Personnel Ltd	£1,837,504
Workforce Training Services	£556,391
Extern Northern Ireland	£3,303,866
Tyrone Donegal Partnership	£628,269
Derry Youth and Community Workshop Ltd	£1,564,144
First Steps Women's Centre	£1,555,816
Derry & Strabane District Council	£1,696,800
Enterprise Northern Ireland	£2,106,406
Women's Tec	£850,420
Footprints Women's Centre (WITHDREW)	£480,894
Wade Training Ltd	£420,000
Bryson Charitable Group	£952,636
<b>Total</b>	<b>£40,800,566</b>

<b>Women's Groups Only</b>	<b>Funding Offered</b>
The Women's Centre Derry	£798,095
Shankill Women's Centre	£726,557
Women In Business NI	£381,230
First Steps Women's Centre	£1,555,816
Women's Tec	£850,420
Footprints Women's Centre	£480,894
<b>Total</b>	<b>£4,793,012</b>

£4,793,012 = 11.74% of £40,800,566

By removing Footprints from the calculation, the following figures apply.

Total Amount of Funding Under Thematic Objective 8(1) - £40,319,672

Total amount of funding for women only projects – £4,312,118

£4,312,118 = 10.69% of £40,319,672

As stated earlier, we are unsure where the figure of "less than 10%" quoted by Peter Weir came from. An assumption was made that this figure was an approximate figure, based on the calculation that excludes Footprints.

**Mr Weir** asked the Minister for Employment and Learning, how many of the 27 appeals lodged with his Department in relation to the Phase 2 assessment of ESF applications were from (i) the unemployed / economically inactive strand and (ii) the next aged strand.

**(AQW 44983/11-15)**

**Dr Farry:** There were 19 appeals received from the (i) unemployed / economically inactive priority and ten appeals from the (ii) young people not in employment training and education priority. The remaining two appeals were from the disability strand.

**Mr Weir** asked the Minister for Employment and Learning when the monies from those projects that have taken up money awarded under the ESF programme will be reallocated; and how will this be undertaken.

**(AQW 44986/11-15)**

**Dr Farry:** My Department has a number of applicants that scored above the quality threshold score but insufficient funding was available to offer funding. Should successful applicants not be in a position to accept their funding offers, my Department will review the overall funding allocation, having regard to the need to ensure that the overall objectives of the programme will be met, and to the scores received by applications.

**Mr Weir** asked the Minister for Employment and Learning how many successful projects under the new ESF Programme have completed economic appraisal, and for those that have not completed this stage, how many have been advised they are working currently at risk.

**(AQW 45039/11-15)**

**Dr Farry:** Economic appraisals for the 68 successful applicants offered funding from the European Social Fund Programme are currently being finalised by the relevant officials within my Department. It is anticipated that these will be completed by 31 May 2015.

**Mr Weir** asked the Minister for Employment and Learning how many successful Projects under the New ESF Programme have advised his Department that they wish to reduce the amount, for which they had applied and been economically assessed.

**(AQW 45046/11-15)**

**Dr Farry:** To date one applicant offered funding through the European Social Fund Programme has indicated a reduced financial requirement to that outlined in their original application.

**Mr Weir** asked the Minister for Employment and Learning how many successful projects under the new ESF programme have not taken up the offer of monies from his Department.

**(AQW 45048/11-15)**

**Dr Farry:** To date one applicant offered funding through the European Social Funding Programme has advised the Department that it will not be accepting the offer of funding.

**Mr McKinney** asked the Minister for Employment and Learning for his assessment of the need to provide more apprenticeships to those aged 25 and over; and how he plans to increase the uptake of courses for this age group.

**(AQW 45122/11-15)**

**Dr Farry:** At present, following the direction set within the Northern Ireland Economic Strategy and my department's Skills Strategy, priority economic sectors were identified for the focus of employment and skills provision. With regard to apprentices aged 25 and over, from July 2012 ApprenticeshipsNI funding focused on the priority economic sectors at a rate of 50% of the funding available for those aged 16 to 24.

However, apprenticeship provision in Northern Ireland is changing. Securing our Success, the Northern Ireland Strategy on Apprenticeships published in June 2014, sets out the way forward for a new apprenticeship system. As part of the new system apprenticeships will be employer-led, extended to a wider range of occupational areas and will provide alternative pathways to further and higher education qualifications.

Apprenticeships will continue to be open to everyone, irrespective of age, but with a primary focus on young people. Under the new system, an apprenticeship will be recognised where it meets the core components set out within the Strategy, most importantly recognising that an apprentice must be employed in either a new job or a new job role which requires significant skills development.

Recognising that employers will continue to play the key role in identifying apprenticeship opportunities, my Strategic Advisory Forum has established a sub-group to consider the types of support and incentives needed to encourage employers, particularly small and micro businesses, to engage with the new system, thereby ensuring more apprenticeship opportunities are available for people of all ages.

**Mr Easton** asked the Minister for Employment and Learning what is the current budget for Queen's University.

**(AQW 45238/11-15)**

**Dr Farry:** My Department's recurrent block grant allocation to Queen's University for academic year 2014/15 is £94,581,189. Allocations in respect of other funding initiatives amount to an additional £5,020,181.

However, the university's overall operating budget for the year will also include income from other sources such as student fees. My Department does not hold details of such income.

**Mr Easton** asked the Minister for Employment and Learning what additional financial income is available to Queen's University.

**(AQW 45242/11-15)**

**Dr Farry:** Queen's University has provided the response to this question. The University leverages the public funds, provided by the Department for Employment and Learning, to generate additional funding as set out in the table below. These figures relate to the 2013-14 financial year which ended on 31 July 2014.

**Extract from Consolidated Financial Statements 2013-14: Consolidated Income (excluding DEL Block Grant)**

	<b>2014 £'000</b>
Tuition fees, support grants and education contracts	80,170
Research grants and contracts	64,546
Other operating income	52,548
Less: share of joint ventures	(2,378)
Endowment and investment income	6,496

**Mr McNarry** asked the Minister for Employment and Learning (i) whether he is aware of any restrictions on the use of a ministerial car and driver during elections; and (ii) why was his Ministerial car used for his attendance at the QRadio Citybeat Ulster University hustings event on 29 April 2015.

**(AQW 45286/11-15)**

**Dr Farry:** Whilst guidance on the use of official cars states that official transport must not be used for party political purposes, it makes allowances for some costs to be incurred in circumstances where a Minister's programme contains both official and party business. This recognises that, at election times, Ministerial itineraries can potentially combine official and party business, and does not impose an absolute prohibition on the use of official transport in connection with a party engagement. To maximise value to the public purse, I was engaged throughout the journey in question on Ministerial business.

**Mr Easton** asked the Minister for Employment and Learning how many unfair dismissal cases have been brought against his Department over the last two years.

**(AQW 45497/11-15)**

**Dr Farry:** In the last two years, there have been three unfair dismissal cases brought against the Department for Employment and Learning.

**Mr Campbell** asked the Minister for Employment and Learning when will the new Vice Chancellor of Ulster University take up his appointment.

**(AQW 45605/11-15)**

**Dr Farry:** In January this year Ulster University announced that Professor Nixon is expected to take up post as Vice Chancellor on 1 July 2015.

**Mr Weir** asked the Minister for Employment and Learning to detail the number of mature students studying at our universities in each of the last 5 years.

**(AQW 45661/11-15)**

**Dr Farry:** The table below shows the number of enrolments of students aged 21 or over at Northern Ireland's higher education institutions from 2009/10-2013/14.

These are the latest figures available to my Department. If you would like more up to date information you may wish to request this from the institutions directly.

	<b>2009/10</b>	<b>2010/11</b>	<b>2011/12</b>	<b>2012/13</b>	<b>2013/14</b>
Queen's University	14,090	15,345	14,105	13,690	14,135
University of Ulster	16,270	16,175	16,815	16,785	16,780

	2009/10	2010/11	2011/12	2012/13	2013/14
Stranmillis	670	705	715	840	895
St Mary's	445	410	445	565	640
<b>Total</b>	<b>31,475</b>	<b>32,635</b>	<b>32,085</b>	<b>31,880</b>	<b>32,450</b>

**Mr Swann** asked the Minister for Employment and Learning, for clarity, to combine the answers to AQW 44949/11-15 and 44991/11-15 onto a single table.

**(AQW 45731/11-15)**

**Dr Farry:** The information requested by the member is outlined in the tables below.

#### Further Education Colleges

The Financial Memorandum between my Department and the further education sector requires colleges to report all instances of potential fraud. Therefore, the recorded incidences in the table below include cases which resulted in no financial loss to the college concerned.

In each case the category of the reasons for the fraud mirrors the guidance issued on fraud reporting by the Department of Finance and Personnel.

For the 2012/13 year, further education colleges were not required to hold records on the final outcomes or actions taken in relation to fraud cases. However, this information was recorded for the 2013/14 and 2014/15 years and is outlined in the table below.

#### Further Education Colleges:

College	Year	Reasons for Investigation	Outcome/Actions taken
Belfast Metropolitan College	2012/13	Theft of assets – Safety Boots	For the 2012/13 year, further education colleges were not required to hold records on the final outcomes or actions taken in relation to fraud cases. However, this information was recorded for the 2013/14 and 2014/15 years and is outlined in the table below.
Belfast Metropolitan College	2012/13	Abuse of position / theft / false representation - Falsification of timesheets	
Belfast Metropolitan College	2012/13	Theft of assets – Mobile phone	
Northern Regional College	2012/13	Theft of cash – Missing cash lodgement (£160)	
Northern Regional College	2012/13	Theft of assets – Padlock	
North West Regional College	2012/13	Theft of cash - Cheque made out to student obtained by third party (£585.90)	
North West Regional College	2012/13	Credit card fraud – No financial loss	
North West Regional College	2012/13	Theft - Trainee allowances (£154)	
South Eastern Regional College	2012/13	Theft - Trainee allowances (Unknown)	
South Eastern Regional College	2012/13	Theft of assets - Copper calorifiers	
Southern Regional College	2012/13	Theft of assets – Laptops	
Southern Regional College	2012/13	Theft of cash (£55)	
Southern Regional College	2012/13	Theft of assets – Bus passes. No financial loss	
Southern Regional College	2012/13	Theft of assets – Laptop. No financial loss	



College	Year	Reasons for Investigation	Outcome/Actions taken
Southern Regional College	2012/13	Theft of assets – Lab equipment	
Southern Regional College	2012/13	Theft of assets – Laptop	
Southern Regional College	2012/13	Theft of assets – Projector	
South West College	2012/13	Theft of assets – Computer components	
South West College	2012/13	Theft of cash - Alteration of cheque. No financial loss	
Belfast Metropolitan College	2013/14	Theft of cash (£100)	Investigation complete. College held refresher training on cash handling.
Belfast Metropolitan College	2013/14	Abuse of position- Staff member suspected of taking funds for personal gain (£304)	Investigation complete. College issued revised procedures for all fund raising and events. Lecturer resigned
Belfast Metropolitan College	2013/14	Pay or pay related allowances - No financial loss.	Member of staff resigned - investigation stopped.
Belfast Metropolitan College	2013/14	Abuse of position – Potential double funding. No financial loss.	Investigation complete. Insufficient evidence to substantiate allegation.
Belfast Metropolitan College	2013/14	Theft of assets – Laptop	Investigation complete. No one caught in relation to the incident.
Belfast Metropolitan College	2013/14	Theft of assets – Lead from roof	Investigation complete. No one caught in relation to the incident.
Belfast Metropolitan College	2013/14	Theft of assets – Sewing machine	Investigation complete. No one caught in relation to the incident. Security increased at the college.
Northern Regional College	2013/14	Abuse of Position - Irregular payments made by a member of finance staff to an associated party. No financial loss	Investigation complete. Money fully recovered. Changes made to college processes.
Northern Regional College	2013/14	Theft of assets – Lead from roof	Investigation completed. College reviewed site security
Northern Regional College	2013/14	Credit card fraud - No financial loss	Investigation complete. Bank credited money to the college's account.
Northern Regional College	2013/14	Theft of cash – Bank error. No financial loss	Investigation complete. This was a bank error and the money has been credited to the college's account. College carried out additional cash handling training.
Northern Regional College	2013/14	Theft of assets - Lead from roof	Investigation complete. Regular patrols implemented by PSNI. Duration of external lighting provision extended.
Northern Regional College	2013/14	Theft of assets - Lead from roof	Investigation complete. Regular patrols implemented by PSNI. Duration of external lighting provision extended.
Northern Regional College	2013/14	Theft of cash (£50)	Investigation complete. College held refresher training on cash handling.
North West Regional College	2013/14	Theft - trainee allowances. No financial loss	Investigation complete -student dismissed. Money recovered in full.
North West Regional College	2013/14	Theft - trainee allowances. No financial loss	Investigation complete and funds repaid.
South Eastern Regional College	2013/14	Theft of assets – Equipment. No financial loss	Investigation complete. Goods recovered. Criminal prosecution pending.

College	Year	Reasons for Investigation	Outcome/Actions taken
South Eastern Regional College	2013/14	Theft of cash (£40)	Investigation complete. No one caught in relation to the incident. College room security revised.
South West College	2013/14	Theft of cash (£654.64)	Investigation complete. No one caught in relation to the incident. College introduced new procedure for entry to walk-in safe and cash handling.
Belfast Metropolitan College	2014/15	Theft of assets – iPad	External theft - investigation complete. Member of staff made aware of the importance of asset security.
Belfast Metropolitan College	2014/15	Theft - trainee allowances (£2,636.20)	Authority notified. Situation investigated. Pending repayment of grant. New procedures drafted.
Belfast Metropolitan College	2014/15	Pay related – Potential double claim by staff member. (Unknown)	Investigation completed - no fraudulent activity found.
Belfast Metropolitan College	2014/15	Payment process related - False claims. (Unknown)	Investigation completed -no fraudulent activity found. Enhanced procedures drafted within area as a safeguard.
Belfast Metropolitan College	2014/15	Abuse of position / theft / false representation - Unknown	Forensic investigation ongoing. Two members of staff have been suspended pending outcome of investigation.
North West Regional College	2014/15	False Travel CLaim (£228.40)	Student is no longer on the programme. All monies have been recovered from the student.
South Eastern Regional College	2014/15	Theft of assets - Zoom recorder	Investigation on-going. Audit of college equipment undertaken and review of processes regarding borrowing college equipment.
South Eastern Regional College	2014/15	Grant related/False representation/ Negligence - No financial loss	Investigation complete. Authority Notified. College reviewed and revised overseas travel procedure.
South West College	2014/15	Theft of Cash (£915)	Investigation on-going. College security processes upgraded. Refresher training on cash handling carried out.

### Universities

As a condition of their Financial Memorandum, the universities are required to report to my Department any theft, fraud, loss of charity assets or other irregularity where the sums of money involved are, or potentially are:

- in excess of £5,000; or
- where the particulars of the fraud, theft, loss of charity assets or other irregularity may reveal a systemic weakness of concern beyond the institution, or are novel, unusual or complex; or
- where there is likely to be public interest because of the nature of the fraud, theft, loss of charity assets or other irregularity, or the people involved.

### Universities:

University	Year	Reason	Action taken
Queen's University Belfast	2013/14	Theft of camera and other related kit from a student who was using it as part of her studies	Fraud reporting protocol enacted. PSNI informed
Queen's University Belfast	2013/14	Theft of Netbook	Fraud reporting protocol enacted.
Queen's University Belfast	2013/14	Break-in and theft of three cameras from University building	Fraud reporting protocol enacted. PSNI informed

University	Year	Reason	Action taken
Queen's University Belfast	2014/15	Theft of money by member of staff	Fraud reporting protocol enacted. PSNI informed. Member of staff resigned
Queen's University Belfast	2014/15	Theft of 9 cases of vodka from Students' Union	Fraud reporting protocol enacted. PSNI informed
Queen's University Belfast	2014/15	Fraudulent use of Purchase Card - refunded by the bank	Fraud reporting protocol enacted. Barclays Bank (Card provider) cancelled the card.
Queen's University Belfast	2014/15	Bogus email request from the Vice-Chancellor, requesting a wire transfer of money	Fraud reporting protocol enacted
Ulster University	2012/13	Individual was claiming mileage allowance whilst using a university pool car and inappropriate expenditure being incurred at conferences.	Action taken against one member of staff under the University's capability procedure and a period of monitoring the individual's performance was instigated.
Ulster University	2012/13	Fraudulent letter received advising of change of bank account details for a supplier.	
Ulster University	2013/14	Suspected overclaiming of fees by a student support provider over several years.	
Ulster University	2014/15	Request made to the University's former bank to set up a Standing Order between the University and a Post office account.	No action required as attempted fraud was unsuccessful as the fraudster approached the University's former bank.

**Note:** Several UU investigations are not yet complete

## Department of Enterprise, Trade and Investment

**Mr Allister** asked the Minister of Enterprise, Trade and Investment what is the religious breakdown of the InterTradeIreland workforce.

**(AQW 45252/11-15)**

**Mrs Foster (The Minister of Enterprise, Trade and Investment):** As at 1st May 2015 the religious breakdown of the InterTradeIreland workforce is:-

- Total number of staff employed – 39
- The Protestant Employee rate – 7 staff (18% of all staff)
- The Roman Catholic Employee rate – 31 staff (79.5% of all staff)
- Other – 1 staff (2.5% of all staff)

**Mr Moutray** asked the Minister of Enterprise, Trade and Investment to detail the number of small and medium sized enterprises in Upper Bann which her Department has supported through investment since 2012.

**(AQW 45265/11-15)**

**Mrs Foster:** Invest NI releases information at sub-regional level following each financial year end; therefore, the most up to date figures available show that between 1st April 2012 and 31st March 2014, Invest NI has approved offers of support to 208 SMEs located in the Upper Bann constituency area.

In addition, 272 individuals starting a business were supported indirectly by Invest NI through the Regional Start Initiative, delivered in conjunction with Enterprise Northern Ireland.

**Mr B McCrea** asked the Minister of Enterprise, Trade and Investment for an update on the Northern Ireland Sustainable Energy Programme.

**(AQW 45281/11-15)**

**Mrs Foster:** The Northern Ireland Sustainable Energy Programme which is delivered by the Northern Ireland Authority for Utility Regulation, was due to end in March 2016. I have however asked NIAUR to continue the scheme until such times as a suitable replacement is in place. NIAUR is currently consulting on amendments to the scheme. Further details can be found on the NIAUR website at [http://www.uregni.gov.uk/news/nisep\\_consultation\\_on\\_extension\\_to\\_programme\\_and\\_reallocation\\_of\\_costs\\_betw](http://www.uregni.gov.uk/news/nisep_consultation_on_extension_to_programme_and_reallocation_of_costs_betw)

**Mr B McCrea** asked the Minister of Enterprise, Trade and Investment how much funding her Department has allocated to Sentinus in each of the last three financial years.

**(AQW 45325/11-15)**

**Mrs Foster:** Over the past three financial years, Invest Northern Ireland has provided a total of £85,000 to Sentinus.

Under a two year agreement, Invest NI sponsored the Sentinus “Entrepreneurship in STEM” initiative, with the amount each year being:

- 2013/14 - £15,000
- 2014/15 - £15,000

In addition, Invest NI’s Skills and Strategy division transferred funds of £55,000 to the Department of Education in August 2013 (Financial year 2013/14), for the delivery of a programme entitled “It’s Your Choice”. The programme was delivered for the Department of Education by Sentinus. The programme was co-funded by Invest NI, DEL and DE, in order to overcome a funding shortfall which would have meant the programme would have been unable to proceed.

No other monies were paid in the last three years by Invest NI.

**Mr B McCrea** asked the Minister of Enterprise, Trade and Investment, pursuant to AQW 44511/11-15, whether her Department has contributed to the cost of this project.

**(AQW 45327/11-15)**

**Mrs Foster:** My Department has not made a financial contribution to the cost of the Moyle upgrade project.

**Mr Allister** asked the Minister of Enterprise, Trade and Investment to detail the spend on hospitality by InterTradeIreland in each of the last three years.

**(AQW 45338/11-15)**

**Mrs Foster:** InterTradeIreland reports on a calendar year basis. Spend on hospitality in each of the last three years is as follows:

- 2012            £ 8,612
- 2013            £ 7,262
- 2014            £ 6,965

**Mr Flanagan** asked the Minister of Enterprise, Trade and Investment what plans her Department has in place to increase the availability of Grade A office accommodation in Fermanagh.

**(AQW 45354/11-15)**

**Mrs Foster:** Following an independent review of commercial property in Northern Ireland, commissioned by Invest NI, the agency recently announced plans to stimulate the development of new Grade A office accommodation across Northern Ireland through the provision of mezzanine funding/equity to private sector property developers.

An expression of interest exercise commenced on 1st May and applications will be accepted by the agency between 1st June and 31st August 2015.

Further details on the scheme can be found on the Invest NI website.

**Mr McNarry** asked the Minister of Enterprise, Trade and Investment whether all second hand wind turbines currently operating in Northern Ireland, including those which have been modified, have been re-certified and comply with the EU Machinery Directive; and if so, whether copies of the certificates of compliance will be provided.

**(AQW 45389/11-15)**

**Mr Bell (The Minister of Enterprise, Trade and Investment):** All Wind Turbines currently operating in Northern Ireland, whether new or second hand, unless manufactured before the implementation of the original Machinery Directive in 1995, require to be CE marked in compliance with the Supply of Machinery (Safety) Regulations and European Machinery Directives.

If a wind turbine has been modified or refurbished to such an extent which substantially alters the way in which the original machine is operated and controlled, then it will be considered a “new” machine and will require re-assessment in line with the Supply of Machinery (Safety) Regulations.

If refurbishment of a Wind Turbine amounts to disassembly and a rebuild to original specification, albeit with replacement parts, which may be of a newer design, this will not usually require re-assessment in line with the Supply of Machinery (Safety) Regulations.

Under the regulations, manufacturers, importers or end users are not required to proactively provide evidence of compliance with the Regulations to HSENI.

HSENI responds to supply of machinery issues on a case by case basis and will require evidence of CE marking where there are issues of concern.

**Mr McNarry** asked the Minister of Enterprise, Trade and Investment for an itemised breakdown of the (i) Renewables Obligation Certificate; and (ii) Constraint payments made to the renewable energy industry, in each of the last six years. **(AQW 45406/11-15)**

**Mrs Foster:**

- (i) Table 1 sets out the approximate value of ROCs issued to renewable electricity generators in each financial year since 2009/10. Figures for 2014/15 are not yet available.

**Table 1: ROCs issued**

Year	Approximate value of ROCs issued
2009/10	£32,727,000
2010/11	£32,017,000
2011/12	£52,725,000
2012/13	£55,637,000
2013/14	£85,664,000

- (ii) Information on constraint payments made to the renewable energy industry in each of the last six years is not readily available.

**Mr McNarry** asked the Minister of Enterprise, Trade and Investment (i) how much has been spent on pylons and substations in upgrading the National Grid to accommodate the connection of wind farms and single wind turbines; (ii) how much is still required to be spent to connect wind farms to the National Grid that are still waiting to be erected because the National Grid has already reached saturation point; and (iii) how much of these costs will be passed onto (i) consumers; and (ii) business users.

**(AQW 45407/11-15)**

**Mrs Foster:**

- (i) Northern Ireland Electricity (NIE) estimates that, by 2017, it will have spent approximately £60 million upgrading the network to accommodate larger scale wind farms. To date, NIE has also made additional investments of £2.3 million to accommodate greater volumes of single wind turbines on the network.
- (ii) Future investment will be determined as part of the next regulatory price control.
- (iii) The cost of the investment will be passed onto all customers via the existing tariff arrangements.

**Mr Allister** asked the Minister of Enterprise, Trade and Investment whether she intends further funding to the Tourism Events programme; and, if so (i) how much additional funding; and (ii) when it will be made available.

**(AQW 45431/11-15)**

**Mrs Foster:** Due to budget challenges Tourism NI was not able to launch the Tourism Events Funding Programme last September as planned.

However, following the provision of an additional £1million for events in the final budget settlement, Tourism NI launched a call for both international and national events in February for the 2015/16 year.

Of the 110 applications received, Tourism NI was able to support 2 International Events and 41 National Sponsorship Events with the £1million which was provided.

No additional funding can be found in the current year to support any more events however I will strive to find suitable budget moving forward if the financial situation improves.

**Mr Easton** asked the Minister of Enterprise, Trade and Investment to detail the number of staff disciplinary hearings in her Department in the last two years.

**(AQW 45445/11-15)**

**Mrs Foster:** There were a total of 12 staff disciplinary hearings in the last two calendar years in my Department, including the Health and Safety Executive for Northern Ireland. The breakdown per year was as follows:

- 2013 - 4
- 2014 - 8

**Mr Allister** asked the Minister of Enterprise, Trade and Investment for a breakdown of the hospitality spend by Invest NI in 2014/15.

**(AQW 45500/11-15)**

**Mrs Foster:** The 2014/15 Invest NI Accounts are in the process of being completed. Final expenditure figures will be available by the end of June 2015

**Mr Allister** asked the Minister of Enterprise, Trade and Investment how many jobs were created by Invest NI in each constituency in 2014/15.

**(AQW 45502/11-15)**

**Mrs Foster:** The information you have requested is not currently available. Invest NI will make this information available to you when it has been validated and approved for public release.

**Mr Allister** asked the Minister of Enterprise, Trade and Investment how many visits by potential foreign direct investors took place to each constituency in 2014/15.

**(AQW 45503/11-15)**

**Mrs Foster:** The information you have requested is not currently available. Invest NI will make this information available to you when it has been validated and approved for public release.

**Mr Easton** asked the Minister of Enterprise, Trade and Investment how many unfair dismissal cases have been brought against her Department over the last two years.

**(AQW 45539/11-15)**

**Mrs Foster:** There has been one unfair dismissal case brought against my Department, which includes the Health and Safety Executive for Northern Ireland, in the last two calendar years.

**Mr Allister** asked the Minister of Enterprise, Trade and Investment for a breakdown of the hospitality spend by (i) her Department; and (ii) its arm's-length bodies, in 2014/15.

**(AQW 45570/11-15)**

**Mrs Foster:**

- (i) The total cost of hospitality provided by the Department in 2014/15 was £18,887.
- (ii) The total costs of hospitality provided by the arms length bodies in 2014/15 are detailed below:

Tourism NI:	£14,788
CCNI:	£ 2,059
HSENI:	£ 1,956

Invest NI's response to you is being provided under AQW 45500/11-15 in which you requested the same information.

**Note:** Figures for the 2014/15 Financial Year are still subject to audit.

**Mr Agnew** asked the Minister of Enterprise, Trade and Investment (i) whether the potential subsidy of £46million towards grid infrastructure from the European Regional Development Fund was factored in to the Ricardo AEA assessment, used in the consultation document on Contact for Difference; and (ii) if not, what impact factoring this in would have had on the conclusion; and (iii) whether it will be factored into the final report.

**(AQW 45673/11-15)**

**Mr Bell:** The Study into the Costs and Benefits of the Executive's 40% renewable electricity target, which included consideration of grid investment costs, will be published shortly.

**Mr Agnew** asked the Minister of Enterprise, Trade and Investment how much additional investment in electricity grid infrastructure would be required, in addition to the proposed £46million from the European Regional Development Fund, to meet the target of 40 per cent of electricity consumption from renewable sources.

**(AQW 45674/11-15)**

**Mr Bell:** The Study into the Costs and Benefits of the Executive's 40% renewable electricity target, which included consideration of grid investment costs, will be published shortly.

**Mr Kinahan** asked the Minister of Enterprise, Trade and Investment for her assessment of the Northern Ireland Centre for Economic Policy's report on Air Passenger Duty.

**(AQO 8104/11-15)**

**Mrs Foster:** European Studies Programme My Department commissioned the Northern Ireland Centre for Economic Policy to conduct a comprehensive assessment of the economic impact of short-haul Air Passenger Duty on the Northern Ireland economy.

The NICEP report, developed with aviation specialist consultancy York Aviation, is robust and comprehensively reflects the current position in Northern Ireland. The Report concludes that when the cost to the public finances in Northern Ireland is taken into consideration, APD is not considered to be a strong economic development tool.

Any reduction in APD in Northern Ireland alone would have to be paid from our public finances. This tax is imposed and set by the UK Government and therefore the onus must be on HM Treasury to deal with APD at a national level.

I am aware that Belfast International Airport has produced its own report in respect of the impact of APD on the Northern Ireland economy. Neither my Department, nor NICEP, accept the arguments made by the Airport. The NICEP conclusions are based on balanced and achievable assumptions which reflects available evidence and the relative performance of the Northern Ireland economy.

**Mr Agnew** asked the Minister of Enterprise, Trade and Investment what was the estimated cost of the upgrade of the electricity grid to facilitate 40 per cent renewable electricity which was used in the Ricardo AEA assessment.

**(AQW 45724/11-15)**

**Mr Bell:** The Study into the Costs and Benefits of the Executive's 40% renewable electricity target, which inter alia considered grid investment costs, will be published shortly.

**Mr Allister** asked the Minister of Enterprise, Trade and Investment if he has given any consideration to what role the Health and Safety Executive will have in monitoring the operation of oil and gas exploration at Ballinlea, Co Antrim.

**(AQW 45813/11-15)**

**Mr Bell:** HSENI's role is to assess the operator's compliance with their statutory responsibilities under the Health and Safety at Work (Northern Ireland) Order 1978 and relevant subordinate legislation.

This legislation relates to the operator's statutory responsibilities in the areas of well design, borehole notifications, examination of reports on well operations and the monitoring of site activities.

## Department of the Environment

**Mr Weir** asked the Minister of the Environment whether taxis that have already been fitted and sealed with meters that are EU certified will be accepted by his Department as comparable with new metering regulations.

**(AQW 44901/11-15)**

**Mr Durkan (The Minister of the Environment):** The proposed Taxis (Taximeters and Fares) Regulations (Northern Ireland) 2015 specify that only MID (Measuring Instruments Directive) compliant taximeters may be used after 30 October 2016. Until that date the Department will continue to accept meters that are on the current London Public Carriage Office (PCO) approved list so long as the meter can connect to a printer and produce a printed receipt at the end of the journey.

**Mr Flanagan** asked the Minister of the Environment, in relation to L/2014/0019/CA, L2011/0097/CA and L/2009/0185CA, to list the breaches of planning control that were found on site during these enforcement actions; and why it has been deemed not expedient to pursue these breaches.

**(AQW 44977/11-15)**

**Mr Durkan:** The majority of planning functions, including most enforcement cases, transferred to the new councils on 1 April 2015. The enforcement cases referred to in the question are now the responsibility of Fermanagh and Omagh District Council.

You may therefore wish to contact the Council regarding the matters raised. The point of contact for Fermanagh and Omagh District Council is Deirdre McSorley, who can be emailed at [planning@fermanaghomagh.com](mailto:planning@fermanaghomagh.com)

**Mr Weir** asked the Minister of the Environment whether there will be a requirement to have printers attached to meters as part of the new taxi metering requirements.

**(AQW 45113/11-15)**

**Mr Durkan:** There will be such a requirement; it is an integral part of the Taxis Act (Northern Ireland) 2008. As such, this requirement has been consistently communicated to the taxi industry since the enactment of the legislation. It was explicitly referred to in the Taximeter and Maximum Fare consultation that commenced in November 2011 and has been highlighted in

numerous communications since. Further, this requirement was included in the SL1 form for the Taxis (Taximeters and Fares) Regulations (Northern Ireland) 2015 recently considered by the Environment Committee.

**Mr B McCrea** asked the Minister of the Environment how much money his Department has allocated to UK City of Culture Legacy funding in the last two years.

**(AQW 45130/11-15)**

**Mr Durkan:** A total of £817,200 was provided to organisations in Derry to deliver the City of Culture 2013. Details are provided in the table below.

Organisation	Amount	Description
Architectural Heritage Fund	£250,000	Acquisition of Great James Street Presbyterian Church and 31-33 Shipquay Street - listed buildings at risk.
City Centre Initiative	£12,500	Installation of CCTV to discourage vandalism on the Walls
Derry City Council	£504,500	Dereliction Funding (£498,000) and publication of Island City (6,500)
Echo Echo Dance Studio	£6,200	Installation of disabled access ramp on Hangman's Bastion
Foyle Civic Trust	£6,000	Living History Exhibition
Holywell Trust	£10,000	Wave on the Walls (£5,000) and European Walled Towns Symposium (£5,000)
Lumen Christi College	£28,000	Conservation Programme on the 17th century windmill in college grounds.
<b>Total</b>	<b>£817,200</b>	

No further money has been allocated by my Department to date for legacy funding in relation to the UK City of Culture.

**Mr Agnew** asked the Minister of the Environment, pursuant to AQW 43942/11-15, to confirm that the material not considered by his Department as waste, has been confirmed to be highly contaminated by NIEA and has been deposited on a floodplain in very close proximity to the River Faughan Special Area of Conservation, upstream of the abstraction point for Derry's main water supply.

**(AQW 45141/11-15)**

**Mr Durkan:** Previous answers have indicated that following site visits in August and September 2013, NIEA officials did not observe or discover any controlled waste. Some precautionary samples of liquid in the settling pools on site were taken at the time and indicated a degree of chemical content (alkaline). It is not possible to confirm the exact level of contamination from the work previously undertaken and NIEA have not done so previously. However, the Environmental Crime Unit within NIEA will be undertaking a further visit to this site in the next few weeks. The purpose will be to ascertain the current situation with regard to issues of waste management. Matters of the content of settling pools and their construct are outside the scope of ECU officials. These involve the site operator and Planners (now the responsibility of local District Councils).

**Mr Agnew** asked the Minister of the Environment, in relation to the approval of a refused derived fuel incinerator at Bombardier, East Belfast under planning application Z/2014/1346/F, to detail (i) whether the likely environmental effects on Belfast Lough Special Protection Area formed part of his Department's Environmental Impact Assessment (EIA) determination before approval was granted and that this did not inform the negative EIA determination; (ii) the reasons why part 2(c)(v) of the negative EIA screening relating to areas classified or protected under EEA state legislation was considered not applicable; and (iii) how he intends to rectify this situation.

**(AQW 45197/11-15)**

**Mr Durkan:** In relation to the likely environmental effects on Belfast Lough Special Protection Area (SPA), officials had access to environmental information pertaining to the site of the proposed gasification plant which had been subject to the statutory planning process through the determination of planning application Z/2012/1387/F, the original permission for the facility. This was subject to scrutiny by the appropriate environmental bodies. It was therefore appropriate for my officials to take cognisance of the previous Environmental Statement (ES) and the advice of the environmental bodies to conclude that significant adverse effects on the integrity of Belfast Lough Special Protection Area were unlikely to occur subject to suitable mitigation measures. The mitigation was subsequently secured by condition on both the original planning permission and the amended application.

As you will be aware from AQW 44208 11-15 the proposal involved a reduction in the overall size of the previously approved building. Both the original application and the amended scheme were approved with no objections.

Ultimately, I am satisfied with the determination made by my Department that the amended scheme did not constitute EIA development on the basis that the amendment to the application was not considered to give rise to significant adverse effects.



**Lord Morrow** asked the Minister of the Environment why Belfast Public Hire Taxis cannot be recognised as an independent business grouping; and how this can be assuaged to permit competitive contract tendering as an established and legitimate business grouping.

**(AQW 45295/11-15)**

**Mr Durkan:** The question of how traders choose to group together to form entities for trading and tendering purposes is a matter for business regulation and not taxi regulation. There are no elements of the Taxis Act (NI) 2008 which preclude taxi providers grouping together to trade.

**Mr Agnew** asked the Minister of the Environment whether he intends to continue to legislate for the previous Minister of the Environment's 60 per cent recycling target by 2020.

**(AQW 45322/11-15)**

**Mr Durkan:** The new Northern Ireland Waste Management Strategy "Delivering Resource Efficiency", published in 2013, incorporated a commitment to consult on legislative proposals to implement a local authority collected municipal waste recycling target of 60% by 2020. The consultation on a Recycling Bill took place from May to September 2013. However, in light of responses to the consultation, observations from the Mills report on the illegal waste site at Mobuoy, and the impact of global energy prices on the value of recyclates, I need to consider carefully the timing of the introduction of such legislation to ensure that it achieves the most desirable overall outcomes.

Much has been achieved to date in improving the recycling rate across all the council areas and I have no desire to lose momentum on this important issue pending the introduction of legislation. I have therefore asked councils as a first step to concentrate on meeting the European Union revised Waste Framework Directive target of a household recycling rate of at least 50% by 2020 but to do so with a much greater focus on improving the quality of recyclates. Good recyclate quality contributes to a circular economy where these materials can be used closer to home, creating jobs and additional value for the economy. Higher quality recyclates also insulate the recycling sector from the fickleness of the market; aptly demonstrated by the recent low global energy prices which have significantly undermined the economical viability of low quality recyclate streams.

In continuing to support the drive to increase recycling and maximise the value from our waste streams my officials have put together a package on waste prevention and recycling measures that will help us move our society towards a zero waste goal. Last September the Northern Ireland Waste Prevention Programme – "The Road to Zero Waste" was published and the first phase of the Food Waste Regulations commenced in April this year with provisions placing a total ban on the landfill of separately collected food waste. The consultation on a Quality Plan for Recycling and Materials Recovery Facility Code of Practice concluded in March 2015.

**Mr Weir** asked the Minister of the Environment whether he plans to make a statement regarding the implementation and timeframe of compulsory fitting of taxi meters.

**(AQW 45362/11-15)**

**Mr Durkan:** In line with the commitments given by my officials to the Environment Committee on 30 April 2015, I can confirm that a letter will issue to all taxi operators in the coming weeks to provide an update and clarification on the delivery model for taximeter fitting, testing and sealing.

I can advise that it is my Department's intention, in line with legislative provisions, to set a maximum fare rather than a standard charge. It will be an offence to charge more than the maximum fare but operators may charge less than the maximum fare.

**Mr Weir** asked the Minister of the Environment whether he plans to make a statement on the appointment of approved taxi meter centres.

**(AQW 45363/11-15)**

**Mr Durkan:** In line with the commitments given by my officials to the Environment Committee on 30 April 2015, I can confirm that a letter will issue to all taxi operators in the coming weeks to provide an update and clarification on the delivery model for taximeter fitting, testing and sealing.

I can advise that it is my Department's intention, in line with legislative provisions, to set a maximum fare rather than a standard charge. It will be an offence to charge more than the maximum fare but operators may charge less than the maximum fare.

**Mr Weir** asked the Minister of the Environment what steps his Department will take to ensure a standard charge for all taxis to avoid unfair charging.

**(AQW 45365/11-15)**

**Mr Durkan:** In line with the commitments given by my officials to the Environment Committee on 30 April 2015, I can confirm that a letter will issue to all taxi operators in the coming weeks to provide an update and clarification on the delivery model for taximeter fitting, testing and sealing.

I can advise that it is my Department's intention, in line with legislative provisions, to set a maximum fare rather than a standard charge. It will be an offence to charge more than the maximum fare but operators may charge less than the maximum fare.

**Mrs Cochrane** asked the Minister of the Environment to detail (i) what measures his Department is taking to negate the negative financial impact of RPA on constituents transferring to new council areas and being required to fund the acquisition of new bins to facilitate waste collection; and (ii) what advice his Department would provide to constituents who have been informed that they will need to purchase a new bin to correspond with the new council's collection vehicles.

**(AQW 45385/11-15)**

**Mr Durkan:** Waste management is delegated to local government and the relevant legislation, Part II of the Waste and Contaminated Land (NI) Order 1997, provides councils with a range of options for providing receptacles for waste collection. These options range from requiring some form of payment from the occupier or requiring the occupier to provide the receptacle themselves, to the council providing the receptacle free of charge. It is a matter for each of the councils to determine how they resource their waste management costs and therefore whether or not they make a charge for providing a receptacle for the collection of waste.

**Mr McGlone** asked the Minister of the Environment what research has been conducted into the use of devices, such as the extra foot, to facilitate regular inspection of vehicles by drivers.

**(AQW 45386/11-15)**

**Mr Durkan:** My Department is not aware of research conducted into the use of devices such as 'The Extra Foot' to facilitate regular inspection of vehicles by drivers.

'The Extra Foot' enables drivers to carry out a safety check on brake light systems. Such checks can be completed in a number of ways such as using another driver or reversing towards a wall and checking the mirror. Most multiplex wired vehicles now have an information warning system on the dash to indicate if a bulb is faulty.

It is a matter for individual companies who operate buses and goods vehicles to decide how these checks are most effectively conducted to ensure that they fulfil their statutory duties in this regard.

**Mr McNarry** asked the Minister of the Environment, in relation to all single wind turbine planning applications that have been granted planning approval and erected, whether the same make and model stated in the original planning application was used.

**(AQW 45390/11-15)**

**Mr Durkan:** Information on the make and model of a wind turbine is not required in the submission and determination of a planning application for a wind turbine(s) under Planning Policy Statement (PPS) 18 - Renewable Energy. This information is therefore not collected by the Department.

Furthermore the Department does not hold or collate information on the number of single wind turbines that have been erected and therefore cannot provide a definitive answer in relation to this part of the question.

The make and model of wind turbines was a matter which was raised in the Environment Committee's recent report on their Inquiry into Wind Energy. I am currently formulating my response to the Committee on the recommendations contained within their report.

Furthermore, the member will be aware of my commitment to review Renewable Energy policy following the publication of the Strategic Planning Policy Statement (SPPS) in final form. I intend to publish the SPPS as soon as possible following consideration by the Executive Committee.

Information and statistics relating to all renewable energy applications including single wind turbines can be found at the following link [http://www.doeni.gov.uk/index/information/asb/statistics/planning\\_statistics.htm](http://www.doeni.gov.uk/index/information/asb/statistics/planning_statistics.htm)

**Mr Easton** asked the Minister of the Environment to detail the number of staff disciplinary hearings in his Department in the last two years.

**(AQW 45398/11-15)**

**Mr Durkan:** The number of disciplinary hearings in the Department of the Environment in the last two years is set out in the table below:

Calendar Year	Total number of Disciplinary Hearings
2013	14
2014	11
Total	25

**Mr McGlone** asked the Minister of the Environment what actual value of construction work funded from the resource budget his Department intends to start in the 2015/16 financial year.

**(AQW 45468/11-15)**

**Mr Durkan:** The Department of the Environment does not have any plans to fund construction work from its 2015/16 resource budget. However, it does provide listed building grants to third parties to enable work to be undertaken on certain projects. My Department has been subject to significant budget cuts, much greater than those imposed on any other Government Department. In the face of such severe budget reductions, I have allocated £0.5 million for listed building grants in 2015-16 from Carrier Bag Levy receipts which are classified as resource expenditure in recognition of the environmental and economic benefits this funding will bring.

**Mr McGlone** asked the Minister of the Environment what actual value of construction work funded from the capital budget his Department intends to start in the 2015/16 financial year.

**(AQW 45469/11-15)**

**Mr Durkan:** My Department subsequent to the imposition of severe budget cuts has a conventional capital budget of £7.5 million for 2015-16. The value of construction work planned to be funded from this budget is £1.7 million. This will cover projects in relation to Heritage Led Development and the refurbishment of the Exploris facility.

**Mr Agnew** asked the Minister of the Environment to outline the implications for Northern Ireland following the Supreme Court's ruling on 29 April 2015 directing the UK government to take immediate action on air quality and pollution.

**(AQW 45481/11-15)**

**Mr Durkan:** The issue you refer to concerns non-compliance with nitrogen dioxide limit values as set out in EU Directive 2008/50/EC on ambient air and cleaner air for Europe.

Nitrogen dioxide limit values were to have been achieved by 2010; however, the Directive allows Member States to apply for an extension to this deadline (to 2015). The application must be accompanied by an Action Plan, which sets out how compliance will be achieved by this later time.

The recent Supreme Court ruling refers to 16 non-compliant UK zones, for which compliance by 2015 was not projected, and for which Defra did not submit applications for extension to the compliance deadline.

None of these 16 zones is in Northern Ireland, and therefore the recent Supreme Court ruling does not have direct relevance here.

**Mr Weir** asked the Minister of the Environment to detail the status of taxi meters already fitted; and whether they will be considered fit for purpose after December 2015.

**(AQW 45511/11-15)**

**Mr Durkan:** Until 30 October 2016 my Department will continue to accept meters that are on the current London Public Carriage Office (PCO) approved list so long as the meter can connect to a printer and produce a printed receipt containing specific information.

From 30 October 2016, only those taximeters that are MID (Measuring Instruments Directive) compliant and can connect to a printer and produce a printed receipt containing specific information will be acceptable.

**Mr Weir** asked the Minister of the Environment what responsibility the new councils will have for cleaning debris from roads, particularly close to roundabouts.

**(AQW 45512/11-15)**

**Mr Durkan:** Article 7(1) of The Litter (Northern Ireland) Order 1994 states that:

*"It shall be the duty of each district council, as respects its relevant land or any relevant road for which it is responsible to ensure that the land or road is, so far as is practicable, kept clear of litter".*

Litter is defined in the Order as:

- a) any refuse, filth, garbage or any other nauseous, offensive or unsightly waste; or
- b) any waste which is likely to become nauseous, offensive or unsightly;

but not, subject to paragraph (7), animal droppings.

The recent reorganisation of local government does not alter councils' duty to, so far as is practicable, keep roads for which they are responsible clear of litter. Therefore the eleven new councils have the same responsibilities as their predecessors.

**Mr Agnew** asked the Minister of the Environment, pursuant to AQW 43944/11-15, and given the precautionary requirements of Article 6(3) of the Habitats Directive, why he has not instructed staff to issue a temporary stop notice.

**(AQW 45518/11-15)**

**Mr Durkan:** My officials have advised that the operations are unauthorised and have issued written requests for the cessation of those activities. Any proposal to resume operations will be subject to the requirements of the Habitats Directive, the EIA Directive and the Planning Act.

I have previously instructed officials to monitor any activity on the Lough to ascertain whether any unauthorised activity is currently still taking place.

**Mr Agnew** asked the Minister of the Environment what provisions his Department has in place to protect semi-natural habitats following the changes to the Department of Agriculture and Rural Development's Good Agriculture and Environmental Conditions standards.

**(AQW 45520/11-15)**

**Mr Durkan:** The Department has a number of provisions in place to protect semi natural habitats. The Department has declared and regulates the management of a number of designated nature conservation sites which protect large areas of semi-natural habitat. These include European sites comprising Special Areas of Conservation (SAC) and Special Protection areas (SPA) and additional national sites protected as Areas of Special Scientific Interest (ASSI), and National Nature Reserves.

The Department is also developing a new Northern Ireland Biodiversity Strategy and works closely with other parts of government to halt biodiversity loss and protect Northern Ireland priority habitats. New comprehensive arrangements for the Department to be consulted by local authorities on planning developments affecting priority habitats have been initiated and the Department is working closely with DARD on the implementation of the new Rural Development Strategy.

**Mr Agnew** asked the Minister of the Environment, pursuant to AQW 43944/11-15, what advice he has received from officials on the enforcement of unauthorised sand extraction from Lough Neagh Special Protection Area; and whether his instruction to staff was in the form of a Ministerial direction.

**(AQW 45521/11-15)**

**Mr Durkan:** I have been fully briefed on the issues relating to unauthorised sand extraction and expect officials to provide further briefing on their investigations as soon as possible along with recommendations on the way forward. I have instructed the Strategic Planning Division to take steps to monitor the situation on Lough Neagh and to take appropriate enforcement action.

**Lord Morrow** asked the Minister of the Environment, in relation to the charging of a male in relation to a number of alleged offences against a female following a pick-up in the Lower Crescent area of Belfast on 16 September 2014, to clarify whether the driver of the alleged taxi involved has had his taxi licence suspended by his Department pending the outcome of the case.

**(AQW 45533/11-15)**

**Mr Durkan:** It would be inappropriate for my Department, as the licensing authority, to comment on individual cases.

**Mr Easton** asked the Minister of the Environment how many unfair dismissal cases have been brought against his Department over the last two years.

**(AQW 45542/11-15)**

**Mr Durkan:** The total number of unfair dismissal cases brought against the Department in the calendar years 2013 and 2014 is 7.

**Ms Sugden** asked the Minister of the Environment for an update on the development of a new Driver and Vehicle Agency driver licensing IT system.

**(AQW 45548/11-15)**

**Mr Durkan:** The Driver & Vehicle Agency (DVA) is currently transforming the driver licensing service, which includes developing a new driver licensing IT system. This system will improve the customer experience, deliver service efficiencies and provide the opportunity to make online transactions available.

The Agency has completed the early discovery phase of the project and is currently progressing through the development phase. The new driver licensing system is on schedule to 'go live' in April 2016.

**Mr Weir** asked the Minister of the Environment how much has been levied in fines for pollution related offences in North Down in each of the last four years.

**(AQW 45550/11-15)**

**Mr Durkan:** The Northern Ireland Environment Agency successfully took four prosecution cases for pollution-related offences in North Down in the last four years resulting in fines of £23,900 being imposed by the courts; these cases were all taken in 2013.

**Mr Agnew** asked the Minister of the Environment whether a landowner is permitted to remove an area of woodland, wetland or other semi natural habitat of less than 5 acres during normal agricultural operations without the need for permission from his Department.

**(AQW 45554/11-15)**

**Mr Durkan:** The removal of woodland, wetland or other semi-natural habitat above 2ha by a landowner during normal agricultural operations on land outside an Area of Special Scientific Interest requires the permission of DARD under The Environmental Impact Assessment (Agriculture) Regulations (Northern Ireland) 2007.

The removal of woodland, wetland or other semi-natural habitat or any other activity listed as a notifiable operation that any landowner wishes to carry out within an Area of Special Scientific Interest requires permission, termed 'consent', from my Department under The Environment (Northern Ireland) Order 2002.

**Mr D McIlveen** asked the Minister of the Environment what his Department is doing to ensure toxins from graveyards do not enter the water supply.

**(AQW 45573/11-15)**

**Mr Durkan:** The Northern Ireland Environment Agency (NIEA) provides advice to the local planning authorities where new cemetery developments, including extensions, are proposed to ensure that any potential impacts on the local water environment are understood and mitigation measures are engineered during development. To assist developers, the NIEA has published guidance entitled 'Cemeteries, Burials & the Water Environment'. This is available to download from the NIEA webpage at: <http://www.doeni.gov.uk/niea/cemeteryguidance.pdf>.

**Mr Campbell** asked the Minister of the Environment how many rivers have been the subject of incidents where more than 100 fish have been killed, on more than two occasions, in the last five years.

**(AQW 45637/11-15)**

**Mr Durkan:** Information on all water pollution incidents reported and investigated is recorded on the PIMS (Pollution Incident Management System) database. A search of this database from January 2010 to December 2014 has revealed that no rivers have been subject to water pollution incidents where more than 100 fish have been killed on more than two occasions within this time frame.

**Mr Agnew** asked the Minister of the Environment why incinerator approval Z/2014/1346/F was not subject to a Habitats Regulation Assessment.

**(AQW 45670/11-15)**

**Mr Durkan:** A Habitats Regulation Assessment was carried out by the competent authority, NIEA Natural Environment Division, in November 2013 in relation to the original planning permission Z/2012/1387/F. NIEA were of the opinion that significant adverse effects on the integrity of Belfast Lough Special Protection Area /Belfast Lough Open Water SPA were unlikely to occur subject to suitable mitigation measures. These mitigation measures were secured by my planning officials through conditions of the planning permission. No objections were received to this planning application.

As advised in AQW 45197/11-15 my officials took account of the previous Environmental Statement (ES) and the advice of the environmental bodies, including those of NIEA, in reaching a decision on Z/2014/1346/F. It was therefore not considered necessary to ask NIEA to undertake a further Habitats Regulations Assessment.

The mitigation measures were subsequently secured by condition on the amended application. No objections were received to this planning application.

**Mr McNarry** asked the Minister of the Environment what guidance he has issued to the new councils in regard to planning applications for single wind turbines and wind farms.

**(AQW 45704/11-15)**

**Mr Durkan:** Since April 2015, my Department has produced the following guidance documents specifically in relation to planning applications for single wind turbines and/or wind farms:

- NIEA (April 2015) Wind farms and groundwater impacts: A guide to EIA and Planning considerations.

In addition, several pieces of guidance relating to planning applications in general have been produced. In some instances there is specific reference to single wind turbines and/or wind farms in these documents. The documents that refer specifically to wind turbines and/or wind farms within them include:

- NIEA (April 2015) Required Environmental Information: A guide to supporting information required for effective consultations.
- NIEA (April 2015) NI Biodiversity Checklist: A step by step guide to help identify a range of biodiversity interests associated with proposed development projects.
- NIEA (April 2015) Water features surveys: A guide to EIA and Planning considerations.
- NIEA (May 2015) Bats: Advice for planning officers and applicants seeking planning permission for land which may affect bats.

Additionally, a guidance note is currently being prepared in relation to the processing of wind farm applications and will be available in the near future.

It should be noted that the former Area planning offices which transferred to the Councils on 1 April 2015 had responsibility pre transfer for the processing of single wind turbine applications.

**Mr Allister** asked the Minister of the Environment to list the projects that have required Strategic Environmental Assessments in the last five years; and to detail the criteria on which such decisions are made and any relevant screening undertaken. (AQW 45752/11-15)

**Mr Durkan:** Strategic Environmental Assessment (SEA) is required for certain plans and programmes under the Environmental Assessment of Plans and Programmes Regulations (Northern Ireland) 2004 (SEA Regulations). No projects have required Strategic Environmental Assessment over the last five years as projects are more likely to have been considered under Regulations associated with Environmental Impact Assessment (EIA).

Screening to initially decide if a plan or programme is subject to the SEA Regulations should be undertaken by the responsible authority of the plan or programme in question. During such screening the responsible authority should consider the interpretation and description of plans and programmes in the SEA Regulations to decide if an environmental assessment is required.

The SEA Regulations do not stipulate any role for the Department in screening processes unless a determination is undertaken to decide whether the following type of plan or programme is likely to have significant environmental effects and thus require environmental assessment:

- those which do not automatically require environmental assessment under SEA Regulation 5 (1); and
- those which determine the use of a small area at a local level.

Such determinations can also apply to minor modifications to a plan or programme.

Under SEA Regulation 9 determinations the responsible authority must apply the criteria specified in Schedule 1 of the SEA Regulations to the plan, programme or modification under consideration and should prepare a report indicating whether the authority considers significant environmental effects are likely. The Department must then consider whether it agrees or disagrees with the report to enable a determination about whether or not a SEA environmental assessment is required.

**Mr B McCrea** asked the Minister of the Environment for an update on climate change legislation. (AQW 45784/11-15)

**Mr Durkan:** The UK Climate Change Act 2008 is the legislative driver for the UK to take action on climate change. It covers Northern Ireland and it provides the framework for Northern Ireland to develop an economically credible emissions reduction path and for the development of a Northern Ireland Adaptation Programme that will address our climate change risks and opportunities. We contribute to the UK target, set in the UK Climate Change Act 2008, of an 80% reduction in GHG emissions by 2050.

I believe that Northern Ireland climate change legislation would provide additional long term commitments to reduce emissions in Northern Ireland. It would support low carbon objectives, and it would provide certainty to business and policymakers. However I do not currently have the support of my Executive colleagues that will allow me to pursue and introduce Northern Ireland climate change legislation before the end of the current Assembly term.

I am fully committed to minimising greenhouse gas emissions in Northern Ireland and ensuring that we play our part in a global effort to reduce emissions.

I believe that work my department has undertaken to develop the Northern Ireland climate change evidence base and proposed joint climate change work with our counterparts in the Republic of Ireland will be helpful in convincing my Executive colleagues of the benefits of bringing forward Northern Ireland climate change legislation in the next Assembly term.

**Mr D McIlveen** asked the Minister of the Environment whether his Department has a renewable energy strategy. (AQW 45871/11-15)

**Mr Durkan:** My Department does not have a renewable energy strategy, as responsibility for renewable energy sits with the Minister for Enterprise, Trade and Investment. My Department is supportive of the DETI target for renewables and provides planning policy and guidance to those wishing to install renewables.

## Department of Finance and Personnel

**Mr Nesbitt** asked the Minister of Finance and Personnel (i) how many applications were received from external organisations requesting permission to hold events in the grounds of the Stormont Estate, in each of the past twelve months; (ii) what organisations were behind each request; (iii) what type of events they were seeking to hold; (iv) what was the outcome of each request; and (v) what were the cost implications of each event. (AQW 42874/11-15)

**Mr Hamilton (The Minister of Finance and Personnel):** Thirty five applications were received between 1 February 2014 and 31 January 2015, requesting permission to hold events on the Stormont Estate. Details of the organisations behind each request, the events they were seeking to hold, the month of application and the outcome of each request are included in the accompanying annex. DFP does not charge for use of the Estate.

**Annex A**  
**Details of Applications for Events to be held on the Stormont Estate**

**1 February 2014 – 31 January 2015**

Month	Organisation	Event	Permission
February	Runher	Sponsored Run	Yes
	Child Brain Injury	Sponsored Walk and Picnic	Yes
	Lagan Valley Orienteering Group	Orienteering	Annual Event
	Pancreatic Cancer Action	Sponsored Walk	Yes
	Diabetes/Weightwatchers	Sponsored Walk	Annual Event
	MS Society	Sponsored Walk	Annual Event
March	Mark Pollock Trust	Sponsored Run	Annual Event
	Marie Curie, CancerCare	Sponsored Walk	Annual Event
	Pinpals	Sponsored Walk	Yes
April	Brooklands Primary School	Sponsored Walk	Annual Event
	Heart on Sleeve Organisation	Fun Day	Yes
	Macmillan Cancer	Sponsored Run	Yes
	Newcastle Primary	Picnic	Yes
	Tinylife	Photo shoot	Yes
	Anti-hunt organisation	Rally	Yes
May	Barnardos	Motor Cycle Ride Start	Yes
	Strathearn School	Sponsored Walk	Annual Event
	Commonwealth Games	Commonwealth Games Baton	Yes
June	Cats Protection	Sponsored Walk	Yes
	Maiden City NI	Motor Cycle Ride Start	Yes
	Dogs Trust	Fun Day	Yes
	Invisible Traffic	Sponsored Walk	Yes
July	NICSSA	Cross Country Run	Annual Event
August	Akita Trust	Dog Fun Day	Yes
September	NICSSA	Cross Country Run	Annual Event
	Red Bull	Crashed Ice Downhill Championship	Yes
	Amber Green Tour of Ulster	Cycle Trials	Yes
October	Somme Association	March/Enactment	Yes
	Families for the Disappeared	Silent Walk	Yes
November	Aids Organisation	Tree Planting	Yes
December	Electric Glow Run	Run	Yes
	Downey Birch	Charity Event	No
	Co-operation Ireland	Waterslide	Yes
January	MS Society	Waterslide	No
	Cancer Focus	Sponsored Dog Walk	Yes

**Mr Kinahan** asked the Minister of Finance and Personnel whether she will put in place a central delivery unit for government projects.

**(AQW 44506/11-15)**

**Mrs Foster (The Minister of Finance and Personnel):** The former Minister of Finance and Personnel, in his role as Chair of the Procurement Board, established a sub-group to examine all stages of the commissioning and delivery of infrastructure projects. The sub-group prepared an Infrastructure Action Plan to address issues that are reducing the likelihood of the successful delivery of projects.

The Infrastructure Action Plan recommends a more centralised approach to infrastructure delivery so that retained experience and expertise can be used successfully to deliver major capital projects. As part of this, construction procurement staff from Health Estates Investment Group transferred to the Central Procurement Directorate (CPD) on 1 October 2014. Therefore, CPD acts as a central delivery unit for Government projects other than those in the highways, transport and water sectors.

I am pleased to have the support of the Ministers for Health, Social Services & Public Safety, Justice, Employment & Learning and Social Development for the Infrastructure Action Plan as I believe that it sets out practical actions to improve project delivery. As the former Minister of Enterprise, Trade and Investment, I was also content to lend my support for the Action Plan. The Minister for Culture, Arts and Leisure has indicated that she is not content. I await confirmation of the position of the Ministers for Education, Environment, Regional Development and Agriculture & Rural Development.

**Mr Allister** asked the Minister of Finance and Personnel (i) why the lawns of Parliament Buildings have been ploughed up; (ii) who is paying for this restoration work; and (iii) how much is it costing.

**(AQW 44608/11-15)**

**Mr Hamilton:** The lawns are being re-seeded following the Red Bull Crashed Ice World Championship which attracted over 40,000 spectators to the Stormont Estate on Friday 20 and Saturday 21 February 2015. Red Bull is paying for this work, the cost of which is assessed at £16,750.

**Mrs D Kelly** asked the Minister of Finance and Personnel, pursuant to AQW 43110/11-15, given that the level of housing benefit a person is entitled to may be increased by a disability premium if they are in receipt of Disability Living Allowance, whether any loss of housing benefit for rates or rate relieve entitlement be mitigated should a claimant, who has previously been awarded Disability Living Allowance, is not awarded Personal Independence Payment and loses their disability premium.

**(AQW 44704/11-15)**

**Mr Hamilton:** This is a matter for the Department of Social Development to answer within the context of the outworking of the Stormont House Agreement.

DFP continues its work to bring forward a new rate rebate scheme when Universal Credits is established. Its rules will not be the same as Housing Benefit.

**Mr Allister** asked the Minister of Finance and Personnel, to outline the pay-outs made in each of the last three years, by each Department in consequence of the late Payment of Commercial Debts Act.

**(AQW 44736/11-15)**

**Mr Hamilton:** The table below details the payments made by each Department in consequence of the Late Payment of Commercial Debts Act.

Department	2012/13 £	2013/14 £
DE	0	0
DFP	1,059	422
DHSSPS	0	0
DSD	0	0
DETI	0	0
DOJ	50	218
DRD	0	0
DOE	0	0
DEL	0	0
DCAL	0	0
DARD	0	0
OFMDFM	0	0
FSA	0	0



Department	2012/13 £	2013/14 £
AOCC	0	0
PPS	0	0
NIAO	0	0

Details for 2014/15 are still subject to audit and as such are unavailable at this stage. However, the information required can be found within each departmental Annual Report and Accounts which will be laid in the Assembly later this year.

**Mr B McCrea** asked the Minister of Finance and Personnel to detail (i) the cost of resurfacing the lawn in the Stormont Estate. (AQW 44780/11-15)

**Mr Hamilton:** The lawns are being re-seeded following the Red Bull Crashed Ice World Championship which attracted over 40,000 spectators to the Stormont Estate on Friday 20 and Saturday 21 February 2015. Red Bull is paying for this work, the cost of which is assessed at £16,750.

**Ms Sugden** asked the Minister of Finance and Personnel to detail the number of Post Offices in the East Londonderry area that were eligible for the small business rates relief scheme prior to Reval 2015 but are no longer eligible following the rise in their Net Annual Value.

(AQW 44844/11-15)

**Mr Hamilton:** The information requested is not currently available.

**Ms Sugden** asked the Minister of Finance and Personnel to detail the percentage of businesses in the East Londonderry area, who were eligible for the small business rate relief scheme prior to Reval 2015, but are no longer eligible following the rise in their Net Annual Value.

(AQW 44845/11-15)

**Mr Hamilton:** Information on the percentage of businesses which were eligible for Small Business Rate Relief (SBRR) but are no longer eligible following the rise in their Net Annual Value in the East Londonderry area is not available.

**Ms Sugden** asked the Minister of Finance and Personnel to detail the number of Post Offices who were eligible for 20 percent and 50 percent small business rates relief, in (i) East Londonderry and (ii) Northern Ireland, prior to Reval 2015.

(AQW 44846/11-15)

**Mr Hamilton:** Information on the number of Post Offices which were eligible for the 20% and 50% Small Business Rates Relief in East Londonderry is not available.

**Ms Sugden** asked the Minister of Finance and Personnel to detail the number of businesses which were eligible for small business rates relief of 20 percent or 25 percent in (i) Coleraine, (ii) in each constituency, prior to Reval 2015.

(AQW 44847/11-15)

**Mr Hamilton:** Information on the number of businesses which were eligible for the 20% or 25% rates of Small Business Rates Relief by parliamentary constituency is not available.

**Ms Sugden** asked the Minister of Finance and Personnel to detail the percentage of businesses, following Reval 2015, who are eligible for the small business rates relief scheme, in (i) Coleraine and (ii) East Londonderry and whether he will consider recalibrating the criteria.

(AQW 44848/11-15)

**Mr Hamilton:** Information on the percentage of businesses which were eligible for Small Business Rates Relief by parliamentary constituency is not available.

**Mr Easton** asked the Minister of Finance and Personnel whether he would consider a reduction in business rates for businesses affected whilst work is undertaken on public realm works.

(AQW 44883/11-15)

**Mr Hamilton:** Under the existing rating system, ratepayers can apply to the District Valuer in Land & Property Services to reassess an individual Net Annual Value (NAV). Temporary allowances can be given if the works are of sufficient severity and duration to directly cause a loss of trade that is sufficient to affect annual rental values in the vicinity.

In practice this means that the works need to last for a considerable period of time (more than a few months) and ratepayers will have to apply and in most cases produce evidence of cause and effect. Each situation is treated on its own merits and the outcome will depend on the degree of disruption.

**Mr Dickson** asked the Minister of Finance and Personnel what action is being taken to repair or replace the defective communications system used for passing emails between NI Direct and Mid and East Antrim.

**(AQW 44931/11-15)**

**Mr Hamilton:** The communication issues are due to a problem with the Council's IT. NI Direct officials have been liaising with the Council's network supplier to resolve their problem. An interim solution has been established to pass callers' details from NI Direct to the Council.

**Ms Sugden** asked the Minister of Finance and Personnel for the average rate increase for non-domestic and domestic properties in (i) Coleraine and (ii) East Londonderry, following Reval 2015.

**(AQW 44941/11-15)**

**Mr Hamilton:** Information on the average rate increase for non-domestic and domestic properties following Reval 2015 is currently unavailable.

**Mr Allister** asked the Minister of Finance and Personnel what is the scale of cuts, in both actual and percentage terms, being implemented in his Department's budget in 2015/16, specifying the level of cut in each programme.

**(AQW 45001/11-15)**

**Mr Hamilton:** The cuts to my Department's budget in 2015-16 are as follows:

Spending Area	Saving required	
	£'000	%
Finance & Personnel Policy & Other Services	2,967	11.8
NICS Shared Services	5,347	14.7
NI Statistics & Research Agency	948	9.9
Land & Property Services	4,288	22.0
EU Programmes	700	87.5
Special EU Programmes Body	53	4.1
NICS Accommodation Services	11,617	18.4
<b>Total</b>	<b>25,920</b>	<b>16.6</b>

Totals may not sum due to roundings

**Mr Flanagan** asked the Minister of Finance and Personnel whether his Department is preparing to carry out a review of the non-domestic rating system.

**(AQW 45052/11-15)**

**Mr Hamilton:** In November 2013 my predecessor made a commitment to undertake a fundamental review of the non-domestic taxation system after the revaluation had concluded. My Department is currently arranging an innovation lab for the beginning of June with external stakeholders, including business organisations, to help frame terms of reference and objectives for the review.

**Mr Flanagan** asked the Minister of Finance and Personnel, pursuant to AQW 43670/11-15, whether he can provide the information on the entitlement to the Terms and Conditions of the Civil Service Compensation Scheme 2010.

**(AQW 45055/11-15)**

**Mr Hamilton:** The terms of the Civil Service Compensation Scheme 2010 apply only to staff in the Home Civil Service and do not extend to the Northern Ireland Civil Service.

**Mr Flanagan** asked the Minister of Finance and Personnel whether his Department has received a business case or any other documentation for approval, following the recent agreement between NI Water and /or DRD, with trade union representatives, following recent industrial action by NI Water staff.

**(AQW 45191/11-15)**

**Mr Hamilton:** The Department of Finance and Personnel recently received pay remit business cases from DRD for Northern Ireland Water. These were approved on 21st April 2015.

**Mr McKinney** asked the Minister of Finance and Personnel to detail the number of deaths by suicide in each of the last ten years; and to provide the methodology for the collation of statistics.

**(AQW 45206/11-15)**

**Mr Hamilton:** The table below details the number of deaths registered due to suicide<sup>1</sup> between 2003 and 2013, the latest year for which figures are available.

**Number of Deaths from Suicide Registered<sup>1</sup> in Northern Ireland, 2003-2013**

Registration Year	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
Total	144	146	213	291	242	282	260	313	289	278	303

<sup>1</sup> In considering suicide events it is conventional to include cases where the cause of death is classified as either 'Suicide and self-inflicted injury' or 'Undetermined intent'. Since 2001, the ICD10 codes used for 'Suicide and self-inflicted injury' are X60-X84 and Y87.0 and the ICD10 codes used for 'Undetermined intent' are Y10-Y34 and Y87.2

Mortality Statistics in Northern Ireland are based on deaths which have been registered with the General Register Office (GRO) and while all deaths are required to be registered within five days of the death occurring, there are some situations where the registration of the death can be delayed. Examples include where the death has been accidental, unexpected or suspicious, as all such cases must be referred to the Coroner for investigation. As all deaths which are suspected to be due to suicide fall into this category and must be referred to the Coroner, they can only be registered when the Coroner has concluded his/her investigation.

Once a death has been registered with GRO, the tenth revision of the International Statistical Classification of Diseases, Injuries and Causes of Death (ICD10) is used to classify the cause of death. This is in line with the rest of the UK. The codes used for 'Suicide and self-inflicted injury' are X60-X84 and Y87.0 whereas the codes used for 'Undetermined intent' are Y10-Y34 and Y87.2. All of these codes are used to capture statistics in respect of deaths due to suicide.

Suicide death statistics, and mortality statistics more generally, are published as the number of deaths registered within a calendar year, as opposed to the number of deaths that actually occurred in that period. Given the delay in the registration of suicide deaths, these deaths may not appear in published statistics until subsequent years.

For more information on registration of suicide deaths can be found at the link below: [http://www.nisra.gov.uk/archive/demography/publications/suicides/Impact\\_of\\_registration\\_delays\\_on\\_suicide\\_statistics\\_in\\_Northern\\_Ireland.pdf](http://www.nisra.gov.uk/archive/demography/publications/suicides/Impact_of_registration_delays_on_suicide_statistics_in_Northern_Ireland.pdf)

**Mr Weir** asked the Minister of Finance and Personnel to detail the number of recorded deaths from legal highs in each of the last five years.

**(AQW 45230/11-15)**

**Mr Hamilton:** 'Legal highs' are defined as substances that mimic the effects of illegal drugs but are structurally different enough to avoid being classified as illegal substances under the Misuse of Drugs Act.

Death certificates for Northern Ireland, that were registered between 2009 and 2013, were examined to determine if the recorded cause of death text included a reference to New Psychoactive Substances<sup>1</sup> that were legal during this time. None were found to mention these substances.

It should however be noted that drug related deaths are referred to the Coroner's Service and thus there is usually a period between when a death occurs and when it is registered. As a result, drug related deaths that occurred between 2009 and 2013 may not have been registered during these

years. Finalised mortality data for the 2013 registration year are the latest available. Finalised data for 2014 will be available in summer 2015.

<sup>1</sup> Methylphenidate based New Psychoactive Substances including ethylphenidate, dichloromethylphenidate, methylphenidate, isopropylphenidate and propylphenidate, and dimethocaine and salvia divinorum.

**Mr Hussey** asked the Minister of Finance and Personnel how many rates bills were (i) sent with the incorrect insert and (ii) how much did it cost to correct this error.

**(AQW 45248/11-15)**

**Mr Hamilton:** No rate bills issued with an incorrect insert however, 48,816 rate bills issued to domestic customers without an accompanying 'New to Rates' information guide.

Information guides were retrospectively delivered to the 48,816 domestic customers, at no cost to DFP, LPS or the wider public purse.

**Mr Allister** asked the Minister of Finance and Personnel what is the religious breakdown of the workforce of the Special European Union Programme Body.

**(AQW 45256/11-15)**

**Mr Hamilton:** The religious background of staff currently employed by the Special EU Programmes Body is:

- Protestant 19
- Roman Catholic 31
- Other 3

These figures apply only to staff employed in the SEUPB's Belfast and Omagh offices. The SEUPB is not legislatively required to monitor the community background of staff employed in its Monaghan office.

**Mr Weir** asked the Minister of Finance and Personnel to detail the number of deaths by suicide in North Down in the last twelve months.

**(AQW 45298/11-15)**

**Mr Hamilton:** There were 10 deaths registered due to suicide<sup>1</sup> in the North Down Assembly Area during 2013, the latest year for which figures are available.

As all suicides are referred to the Coroner's Service there is usually a period between when such a death occurs and when it is registered. Consequently, some suicide deaths that occurred in 2013 may not have been registered in 2013. Equally, some that were registered in 2013 may have occurred in 2012.

<sup>1</sup> In considering suicide events it is conventional to include cases where the cause of death is classified as either 'Suicide and self-inflicted injury' or 'Undetermined intent'. Since 2001, the ICD10 codes used for 'Suicide and self-inflicted injury' are X60-X84 and Y87.0 and the ICD10 codes used for 'Undetermined intent' are Y10-Y34 and Y87.2

**Mr B McCrea** asked the Minister of Finance and Personnel, pursuant to AQW 44689/ 11-15, whether a qualifying level of trade within Northern Ireland has been established.

**(AQW 45328/11-15)**

**Mr Hamilton:** A minimum level of trade has not been set for companies seeking to avail of the new Northern Ireland Corporation Tax regime. However, the application of the regime does differ depending on the size of the company.

The new Northern Ireland rate will apply to the qualifying profits of large companies that are attributable to their Northern Ireland trading presence – where a large company is defined in employment terms as having 250 or more employees.

The Northern Ireland rate will apply to all of the qualifying UK trading profits of smaller companies so long as 75 per cent of their employee time and costs fall in Northern Ireland. This removes the need for profit apportionment and reduces the administrative requirements placed on such companies.

**Ms Sugden** asked the Minister of Finance and Personnel whether the Northern Ireland public pay policy mandates the application of a living wage, similar to that of Scotland and Wales.

**(AQW 45339/11-15)**

**Mr Hamilton:** The Northern Ireland Pay Remit Approval Process and Guidance details public sector pay growth limits and how these are applied in Northern Ireland. As per HM Treasury's overarching public sector pay guidance, it does not define specific pay levels, and as such, does not reference the living wage.

**Mr Easton** asked the Minister of Finance and Personnel to detail the number of staff disciplinary hearings in his Department in the last two years.

**(AQW 45447/11-15)**

**Mr Hamilton:** There were 17 disciplinary hearings in 2013 and 7 in 2014, in the Department of Finance and Personnel.

**Mr Easton** asked the Minister of Finance and Personnel how many unfair dismissal cases have been brought against his Department over the last two years.

**(AQW 45538/11-15)**

**Mr Hamilton:** Since April 2013, there has been one unfair dismissal claim brought against the Department of Finance and Personnel in the Industrial Tribunal.

**Ms Sugden** asked the Minister of Finance and Personnel for (i) an update on the Northern Ireland Investment Fund, including progress on the feasibility study and (ii) when the outcomes of this study will be published.

**(AQW 45597/11-15)**

**Mr Hamilton:** The feasibility study is the first step towards establishing a Northern Ireland Investment Fund. Over the last three months consultants Deloitte have advanced this study, which included consultation with a wide range of local stakeholders.

The study is on course to complete in the next few weeks and following its conclusion the cross departmental Project Board, established to take this work forward, will consider the implications. My officials will also need to liaise with their European Investment Bank counterparts. This should then result in a set of policy recommendations, which I intend bringing to the Executive. Only when I have Executive agreement on the way forward, can I inform the Assembly on the exact nature of the proposed Fund.

**Mr Easton** asked the Minister of Finance and Personnel how many people have died in the SE Trust region because of the use of Legal Highs over the last three years.

**(AQW 45633/11-15)**

**Mrs Foster:** 'Legal highs' are defined as substances that mimic the effects of illegal drugs but are structurally different enough to avoid being classified as illegal substances under the Misuse of Drugs Act.

Death certificates, for the South Eastern Health and Social Care Trust that were registered in 2011 to 2013, were examined to determine if the recorded cause of death text included a reference to New Psychoactive Substances<sup>1</sup> that were legal during this time. None were found to mention these substances.

It should however be noted that drug related deaths are referred to the Coroner's Service and thus there is usually a period between when a death occurs and when it is registered. As a result, drug related deaths that occurred in the period 2011 to 2013 may not have been registered during these years. Finalised mortality data for the 2013 registration year are the latest available. Finalised data for 2014 will be available in summer 2015.

<sup>1</sup> Methylphenidate based New Psychoactive Substances including ethylphenidate, dichloromethylphenidate, methylnaphthidate, isopropylphenidate & propylphenidate, as well as dimethocaine and salvia divinorum.

**Ms Sugden** asked the Minister of Finance and Personnel for (i) an update on the June monitoring round, including what money is expected to be available and (ii) to detail priority allocation areas.

**(AQW 45716/11-15)**

**Mrs Foster:** Departmental returns on the June monitoring round are due on 4th June. The level of funding available will depend upon a number of factors including the level of resources carried forward under the Budget Exchange Scheme, reduced requirements declared by departments and the position in relation to implementation of the Stormont House Agreement.

It will be for the Executive to agree any allocations in the June monitoring round in the context of pressures identified by departments and the level of resources available.

**Mr McKinney** asked the Minister of Finance and Personnel for (i) an update on the Northern Ireland Investment Fund and (ii) to provide a time line for when key investments in infrastructure projects will be advanced.

**(AQW 45730/11-15)**

**Mrs Foster:** As a first step towards establishing the Northern Ireland Investment Fund, my predecessor commissioned a feasibility study. Consultants Deloitte have advanced this study, which is on course to complete in the next few weeks. Following conclusion of this study the cross departmental Project Board, established to take this work forward, will consider the implications. My officials will also need to liaise with their European Investment Bank counterparts. This should then result in a set of policy recommendations, which I intend bringing to the Executive.

Only when I have Executive agreement on the way forward, can I inform the Assembly on the exact nature of the proposed Fund and the associated time line for its establishment.

## Department of Health, Social Services and Public Safety

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety to detail the number of whistle-blower claims submitted to his Department, broken down by each Health and Social Care Trust, in each of the last three years.

**(AQW 44805/11-15)**

**Mr Wells (The Minister of Health, Social Services and Public Safety):** Health and Social Care Trusts are asked to provide information to my Department each year on whistleblowing allegations which have been made to them. The figures for the most recent three years are shown in the table below. Figures for 2014/15 are not yet available.

	2011/12	2012/13	2013/14
Belfast Trust	2	5*	7
Northern Trust	1	4	13
South Eastern Trust	2	1	6
Southern Trust	0	4	13
Western Trust	2	9	10
NI Ambulance Service	0	1	3

\* Two of these five claims were submitted to the Department, having been first raised with the C&AG.

**Ms Sugden** asked the Minister of Health, Social Services and Public Safety to detail the number of new medical posts within the Northern Health and Social Care Trust, which have been based in the Causeway Hospital, in the last twelve months.  
(AQW 45455/11-15)

**Mr Wells:** Three new Consultant posts (2.5 whole-time equivalent) in General Surgery, Obstetrics & Gynaecology and Cardiology have been created in the last twelve months. Other appointments were made to fill vacancies.

**Mr Allister** asked the Minister of Health, Social Services and Public Safety to detail the number of referrals for autism in each of the last five years.

(AQW 45461/11-15)

**Mr Wells:** The information requested is not held centrally and was requested from the Health and Social Care Trusts. Table 1 below details the number of referrals for autism in each of the last five years.

**Table 1: Referrals for autism in each of the last five years (year ending 31 March)**

	2010/11	2011/12	2012/13	2013/14	2014/15
Referrals for Autism	1,452	2,181	2,465	2,979	3,394

**Source:** HSC Trusts

Please note these figures have not been validated by the Department

**Mr D McIlveen** asked the Minister of Health, Social Services and Public Safety what strategy his Department has in place to reduce self-harm and suicide amongst young people in North Antrim.

(AQW 45586/11-15)

**Mr Wells:** Young people in the North Antrim area have access to suicide prevention services that are delivered regionally under the Protect Life Suicide Prevention Strategy for Northern Ireland. These services include: Lifeline; Card Before You Leave; training and awareness raising programmes with sports bodies and church groups; public information campaigns; bereavement support and self-harm counselling and support. Child and Adolescent Mental Health Services are also provided in young people in the area in response to assessed needs.

In addition, a range of suicide and self-harm prevention resources and services are delivered specifically in North Antrim through the efforts of a funded Suicide Prevention Co-ordinator post working with the North Antrim Community Network. These include: pre-developed crisis response plans activated in response to local need; delivery of the Young Men's Suicide Prevention / Support Project (for ages 16-25 years); Barnardo's Children and Young People Bereaved by Suicide Support Project; family and individual outreach support for self-harm; and counselling and complementary therapies delivered by local community and voluntary sector groups.

**Ms Sugden** asked the Minister of Health, Social Services and Public Safety whether money for pay uplifts for Health and Social Care staff is ring-fenced by his Department.

(AQW 45590/11-15)

**Mr Wells:** Monies for pay uplifts for Health and Social Care staff are not ring-fenced by this Department.

**Mr Campbell** asked the Minister of Health, Social Services and Public Safety to detail the change in the numbers of people registered with a dentist, as Health Service patients, between 2004 and 2014.

(AQW 45636/11-15)

**Mr Hamilton (The Minister of Health, Social Services and Public Safety):** The number of people registered with a dentist, as Health Service patients, increased from 915,000 in December 2004 to 1,173,000 in December 2014.

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 44807/11-15, to detail the international evidence used as a base to form policy and merge mental health and suicide prevention into one strategy.

(AQW 45651/11-15)

**Mr Hamilton:** The main evidence that informed the decision by the Department to propose merging mental health promotion and suicide prevention within a single draft strategy document, which will be issued for public consultation later this year, is set out in the following reports and research studies:

- Preventing Suicide: a global imperative. World Health Organisation 2014. This document provides clear guidance that early prevention should be a core component of any suicide prevention strategy. It stresses that efforts to reduce suicide need to be combined with action to boost positive mental health, reduce mental illness, and address the risk factors for suicide
- World Health Organisation - Health Evidence Network synthesis report (2012)

- International Handbook of Suicide Prevention: Research, Policy and Practice. Editor(s): Rory C. O'Connor, Stephen Platt, Jacki Gordon.
- Mental Health in the EU: Key facts, Figures, and Activities. A Background Paper provided by the SUPPORT-project, 2008.
- Annual Report of the Chief Medical Officer 2013, Public Mental Health Priorities: Investing in the Evidence. Department of Health, London (2014)
- Mental Health Promotion: Building an Economic Case. Lynne Friedli & Michael Parsonage NI Association for Mental Health November 2007.
- A Report on the All-Ireland Young Men and Suicide Project (January 2013).
- A systematic international literature review of review-level data on suicide risk factors and primary evidence of protective factors against suicide (2008). The Scottish Government.
- Preventing suicide in England: One year on. First annual report on the cross-government outcomes strategy to save lives (2014).
- A Flourishing Society: Aspirations for Emotional Health and Wellbeing in Northern Ireland. Northern Ireland Association for Mental Health (2009).

**Mr Easton** asked the Minister of Health, Social Services and Public Safety what services are available to young people under-16 in North Down to deal with addiction to legal highs.

**(AQW 45678/11-15)**

**Mr Hamilton:** Under the New Strategic Direction for Alcohol and Drugs Phase 2, a range of alcohol and drug education, early intervention, and treatment and support services are commissioned from a number of providers by the HSC in the South Eastern Health and Social Care Trust (SEHSCT) area – details of these services are provided at the following link: [http://www.publichealth.hscni.net/sites/default/files/DrugsAlcohol\\_Directory\\_SouthEastern\\_12\\_12.pdf](http://www.publichealth.hscni.net/sites/default/files/DrugsAlcohol_Directory_SouthEastern_12_12.pdf). These services are available to people living in North Down.

A number of these services are targeted specifically at young people and their families. While the services available may not have a specific focus on New Psychoactive Substances, all are designed to provide appropriate advice, guidance and treatment for those who have issue with these substances.

In terms of referral pathways, I would advise that if young people or their parents are concerned about their drug misuse they should speak to their GP in the first instance. Information can also be sought confidentially from the Talk to Frank service on 0800 776 600 or any of the local service providers. Where young people present in crisis or in an emergency there are a range of service responses in place: the Trust Gateway Service and the Regional Out-of-Hours Service; CAMHS Crisis Resolution & Home Treatment Service. In addition the Lifeline service which operates across the region also provides a response.

**Mr Eastwood** asked the Minister of Health, Social Services and Public Safety to detail the (i) target waiting time for orthopaedic appointments; and (ii) number of patients currently waiting longer than this target, broken down by Health and Social Care Trust.

**(AQW 45714/11-15)**

**Mr Hamilton:**

- (i) At the 31st December 2014, the most recent quarter for which official statistics are available, the 2014/15 target waiting time for a first consultant-led outpatient appointment stated that, 'at least 80% of patients should wait no longer than 9 weeks for a first outpatient appointment, and no patient should wait longer than 15 weeks'.
- (ii) Consultant-led outpatient services in the Trauma & Orthopaedic (T & O) specialty are provided at every Health and Social Care (HSC) Trust in Northern Ireland with the exception of the Northern HSC Trust.

Information on the percentage of patients waiting over 9 weeks and the number of patients waiting longer than 15 weeks, at 31st December 2014, is detailed in the table below.

HSC Trust	Waiting times for a first outpatient appointment in the T & O Specialty at 31st December 2014	
	Percentage seen within 9 weeks	Number waiting longer than 15 weeks
Belfast	36.1	6,118
South Eastern	100.0	0
Southern	42.7	514
Western	51.3	709
N. Ireland	39.4	7,341

**Source:** Departmental Return CH3

The 2015/16 Ministerial target for outpatient waiting times states that, from April 2015, at least 60% of patients should wait no longer than 9 weeks for a first outpatient appointment, and no patient should wait longer than 18 weeks.

**Mr Eastwood** asked the Minister of Health, Social Services and Public Safety for his assessment of the impact of the proposed 5.5 per cent reduction in the 2015/16 budget of the Northern Ireland Fire and Rescue Service.  
**(AQW 45715/11-15)**

**Mr Hamilton:** The Northern Ireland Fire and Rescue Service (NIFRS) has been asked to develop savings plans to meet a 5.5% reduction to its 2015/16 budget.

Savings proposals must be prioritised based on those that minimise the impact on service delivery. Any changes to service delivery must ensure the continued safety of both the public and the firefighters who deliver the service. Engagement between Department officials and NIFRS senior team regarding the savings proposals is ongoing.

NIFRS will consider the requirement for Public Consultation in any potential changes to service delivery.

**Mr Agnew** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 44402/11-15, what child and family support is available for children and families awaiting an autism assessment.  
**(AQW 45723/11-15)**

**Mr Hamilton:** Each Health and Social Care Trust, as part of its triaging process at referral stage, is required to identify risks and provide families with information about how to access family support services (including Community Paediatrics, Speech and Language Therapy, Occupational Therapy, Psychology, Child and Adolescent Mental Health Services (CAMHS), Social Services or Educational Psychology) whilst waiting on Autism specific assessment.

Trusts should provide families with information about the range of services available through Family Support Hubs and other support services such as Family Support NI see: <http://www.familysupportni.gov.uk/>, and including community and voluntary services. The Health and Social Care Board is also in the process of auditing the current level of support being provided to those children, young people and parents whilst awaiting a diagnosis.

**Mr D McIlveen** asked the Minister of Health, Social Services and Public Safety for his assessment of the proposed 5.5 per cent budget reductions to the Northern Ireland Fire and Rescue Service; and how his Department plans to protect frontline services in light of such cuts.  
**(AQW 45803/11-15)**

**Mr Hamilton:** The Northern Ireland Fire and Rescue Service (NIFRS) has been asked to develop savings plans to meet a 5.5% reduction to its 2015/16 budget.

Savings proposals must be prioritised based on those that minimise the impact on service delivery. Any changes to service delivery must ensure the continued safety of both the public and the firefighters who deliver the service. Discussions between Department officials and NIFRS senior team regarding the savings proposals are ongoing.

NIFRS will consider the requirement for Public Consultation in any potential changes to service delivery.

**Mr Ramsey** asked the Minister of Health, Social Services and Public Safety how many healthcare workers, across all Health and Social Care Trusts, have outstanding payments due for hours worked.  
**(AQO 8181/11-15)**

**Mr Wells:** The Business Services Organisation Payroll Shared Services Centre has advised that all salary payments are up to date and that it is not aware of any salary underpayments to Health and Social Care staff.

I am aware that there have been a number of recent issues affecting the payroll for a specific group of staff in the Cookstown area, who are managed through the Northern Trust's Domiciliary Care Management System.

I also understand that these have now been resolved and a range of measures have been agreed with staff and put in place to avoid recurrence of these issues.

**Mr McAleer** asked the Minister of Health, Social Services and Public Safety when he will bring forward the 1 per cent pay increase recommended by the Pay Review Body.  
**(AQO 8187/11-15)**

**Mr Wells:** The NHS Pay Review Body (NHSPRB) and the Review Body for Doctors' and Dentists' Remuneration (DDRB) recommendations of a 1% increase from 1 April 2014 were considered in the context of the prevailing financial constraints and viewed unaffordable. Instead all eligible staff were awarded with either incremental progression or a 1% non-consolidated payment in respect of 2014/15 but not both. No decisions have yet been made in relation to the pay award for 2015/16.

**Mr Elliott** asked the Minister of Health, Social Services and Public Safety for an update on the 2015/16 funding pressures in the Western Health and Social Care Trust.  
**(AQO 8176/11-15)**



**Mr Wells:** The final budget settlement for my Department in 2015/16 is exceptionally challenging.

All Trusts, including the Western Trust, are facing a range of pressures in 2015/16, such as inflationary cost pressures, demographic pressures from an increasingly aging population and the pressures associated with new treatments and patient expectations.

Work is ongoing with all of the Trusts, the HSC Board and other Arm's Length Bodies to deliver balanced financial plans for 2015/16. At this stage, the Western Trust has plans in place to deliver over £10m of savings in 2015/16 and further work is taking place to identify any further opportunities.

In such a constrained financial context, and given the obligation to live within budget whilst also meeting an ever increasing demand for HSC services, it is inevitable that there will be an impact on the pattern of delivery of some of our services.

Nonetheless, I can assure you that maintaining the safety of services for patients and clients will remain my priority.

**Mr Kinahan** asked the Minister of Health, Social Services and Public Safety for an update on the temporary cost-saving measures, including a reduction in beds, announced last year by the Northern Health and Social Care Trust.

**(AQO 8190/11-15)**

**Mr Wells:** The final budget settlement for my Department in 2015/16 is exceptionally challenging. All Trusts, including the Northern Trust, are facing a range of pressures in 2015/16, such as inflationary cost pressures, demographic pressures from an increasingly aging population and the pressures associated with new treatments and patient expectations.

At this stage, the Northern Trust has plans in place to deliver over £10m of savings in 2015/16 and further work is taking place to identify further opportunities.

This includes a range of temporary measures that were actioned in 2014/15 and which are planned to be continued into 2015/16, including the reduction of beds at Mid Ulster and the closure of Whiteabbey minor injuries unit.

I can, however, assure you that maintaining the safety of services for patients and clients will remain my priority and consultation and engagement will be carried out as appropriate.

**Mr Swann** asked the Minister of Health, Social Services and Public Safety for an update on the progress made on the recommendations of the International Working Group in the review of paediatric congenital cardiac services.[R]

**(AQO 8182/11-15)**

**Mr Wells:** The all-island Congenital Heart Disease Network Board has met twice since 1 April 2015. The Board has formed subgroups to plan and implement the phased transfer of surgery and cardiac catheterisation to Dublin from Belfast. A Northern Ireland Implementation Subgroup is planning the implementation of proposals put forward by Belfast Trust cardiologists to strengthen the Northern Ireland hub in the all-island network. The first fortnightly session for cardiac catheterisations for Northern Ireland patients started in Dublin on 30 April. Two babies from Northern Ireland were recently delivered at the Coombe Hospital in Dublin who were fetally diagnosed in Belfast with heart conditions and had their procedures carried out in Dublin before transfer to Belfast. Recruitment for an additional Family Liaison Nurse is underway and recruitment for a Network Manager will begin this month. Good progress is therefore being made with implementing the International Working Group's recommendations. However, we remain reliant on the majority of elective procedures being carried out by specialist heart centres in England until sufficient capacity has been developed in Dublin to accommodate Northern Ireland patients.

**Mr Hussey** asked the Minister of Health, Social Services and Public Safety for his assessment of the pressures facing the Fire and Rescue Service.

**(AQO 8183/11-15)**

**Mr Wells:** In line with all public sector organisations, the Northern Ireland Fire and Rescue Service (NIFRS) will face significant challenges in delivering the savings required as a result of budget pressures.

NIFRS has been asked to finalise its savings plans to meet a 5.5% reduction in its 2015/16 revenue budget. Savings proposals must be prioritised on the basis of those that minimise the impact on service delivery, and ensure the continued safety of the public and firefighters who deliver that service. The savings plan is yet to be finalised and approved.

The 2015/16 capital budget allocation to the Northern Ireland Fire and Rescue Service is also less than they would have wished for but is considered to be manageable.

**Mr McKay** asked the Minister of Health, Social Services and Public Safety to outline the implications of the proposed 5.5 per cent cut to the Fire and Rescue Service budget.

**(AQO 8184/11-15)**

**Mr Wells:** The Northern Ireland Fire and Rescue Service's Savings Plans to meet the 5.5% reduction to its 2015/16 budget have yet to be finalised and approved. Discussions between Departmental and Fire and Rescue Service officials on the detail of the plans are ongoing. The savings proposals being considered have been prioritised on the basis of those that minimise the impact on service delivery. My predecessor made it clear that he would not preside over unsafe fire and rescue services,

and I will continue to work with the Fire and Rescue Service to ensure the continued safety of the public and the firefighters who provide the service.

**Mrs D Kelly** asked the Minister of Health, Social Services and Public Safety, given the outcome of a recent study into ovarian cancer which has highlighted that a new blood screening test could double detection rates, to outline what action he will take to improve early diagnosis of the disease.

**(AQO 8185/11-15)**

**Mr Wells:** I welcome any research that offers a prospect of improved early diagnosis of cancers.

The UK Collaborative Trial of Ovarian Cancer Screening has been running for 14 years. It has involved over 200,000 women between the ages of 50 and 74 including some from Northern Ireland. Belfast City Hospital has contributed to the study.

The full findings of the study are expected to be published around the end of this year. The UK National Screening Committee will examine the study and it will inform their consideration of policy on ovarian cancer screening. I will await the advice from the National Screening Committee.

In the meantime, it is important that women are aware of the warning signs and symptoms of ovarian cancer. There have been recent initiatives to raise awareness in Northern Ireland, including a campaign by the Public Health Agency in September last year.

I would encourage every woman to speak to her GP as soon as she has any concerns.

**Mr Irwin** asked the Minister of Health, Social Services and Public Safety for his assessment of the potential benefits to be gained from greater collaboration with local government.

**(AQO 8186/11-15)**

**Mr Wells:** Partnership working is vital if we are to improve health and reduce health inequalities, and there is a key interface between public health, health and social care and the role of local government.

In the context of the Executive's strategic framework for public health Making Life Better, and through the new community planning arrangements, opportunities exist to build on and strengthen existing intersectoral working between the new Councils, Health and other public sector organisations, and other sectors, to maximise the potential for improving the health and wellbeing of communities and tackling health inequalities at the local level.

The integration of planning, community planning, local economic development, local tourism, and in due course, regeneration, combined with councils' existing functions, should provide a better overview and a productive joined up approach that will enhance the role of local government as a natural partner in helping to deliver health improvements and address health inequalities at the community level.

**Mr G Robinson** asked the Minister of Health, Social Services and Public Safety what progress has been made in addressing the shortfall in the number of consultants at the Causeway Hospital.

**(AQO 8188/11-15)**

**Mr Wells:** Excellent progress has been made in addressing consultant vacancies within the Causeway Hospital. Five permanent appointments have been made recently to include consultants in surgery (x1), gastroenterology (x1), respiratory (x1), obstetrics and gynecology (x1) and a consultant physician in internal medicine (x1). A joint appointment with Altnagelivn Hospital of a consultant cardiologist has also been made.

In addition, the recruitment process to appoint a consultant physician in general medicine/care of the elderly and a further consultant surgeon is underway.

**Mr Lyttle** asked the Minister of Health, Social Services and Public Safety for his assessment of the concerns of the British Medical Association Northern Ireland Council Chair, Dr. John Woods, that as a result of ignored warnings and recommendations for workforce planning, general practice is now at crisis point.

**(AQO 8189/11-15)**

**Mr Wells:** I recognise the current challenges within Primary Care and the critical role of our GPs in delivering care to citizens. My Department and I remain committed to working with the BMA to identify opportunities to address the current and future challenges in Primary Care.

Up to £15million of investment in primary care services was recently announced. This investment is a clear signal of the vital role of GPs in meeting both the current and future needs of all of us in Northern Ireland.

The package of measures announced will also reduce the level of bureaucracy facing our GPs, so they can spend more time with their patients and less time filling in forms.

Consideration is also to be given to a range of additional measures to recruit and retain GPs, including how GPs wishing to return to practice in Northern Ireland can be facilitated to do so on a timelier basis.

## Department of Justice

**Lord Morrow** asked the Minister of Justice (i) to detail the costs paid, or estimated, in legal aid in the case of Lee McCausland (14/122133); (ii) whether the offences of taking photographs in court attracted imprisonment on conviction; and if not (iii) why legal aid was applied for and granted on the grounds of potential imprisonment on conviction.

**(AQW 45402/11-15)**

**Mr Ford (The Minister of Justice):**

- (i) To date the Legal Services Agency Northern Ireland has not received a claim for payment from the legal representative. The estimated cost of the case is £564.00 (inclusive of VAT of £94.00).
- (ii) It is an offence to take or attempt to take photographs in court contrary to section 29(1)(a) of the Criminal Justice Act (Northern Ireland) 1945. The maximum penalty for the offence is a fine not exceeding level three (£1,000) on the standard scale.
- (iii) Under the provisions of Article 28 of the Legal Aid, Advice and Assistance (Northern Ireland) Order 1981, any person charged with an offence before the Magistrate's Court can apply for Legal Aid. The decision whether to grant Legal Aid is a matter for the presiding judge.

I cannot comment on decisions taken by judges under the provisions of Article 28 as it would be inappropriate for me to interfere with the independent decision making of the presiding judge.

**Lord Morrow** asked the Minister of Justice whether he will instigate a review of the monitoring arrangements in the case of Gary McKenna (14/093481) to establish how, whilst under a Sexual Offences Prevention Order imposed in January 2010, further offending of the same nature commenced in April 2010 and continued until detection in January 2013.

**(AQW 45449/11-15)**

**Mr Ford:** The relevant agencies monitored this individual in accordance with established standards and any identified breaches of requirements were promptly brought before the court for action. There is therefore no case for a formal review of monitoring arrangements.

**Mr McGlone** asked the Minister of Justice what actual value of construction work funded from the resource budget his Department intends to start in the 2015/16 financial year.

**(AQW 45466/11-15)**

**Mr Ford:** Planned resource expenditure by my Department, including its Agencies but not its arms-length bodies, on construction work to start in the 2015-16 financial year is outlined below:

Youth Justice Agency intends relocating an existing server room and converting another room within its Foyle premises for office use. The estimated cost is £25,000.

Northern Ireland Prison Service intends to spend £2.22m on substantial planned and reactive maintenance work throughout the Prison Estate.

Community Safety Unit intends to spend £40,000 replacing security gates and fencing at Townsend Street and £20,000 replacing the two existing gates at Northumberland Street with a new design gate.

All work is subject to business case approval.

**Mr McGlone** asked the Minister of Justice what actual value of construction work funded from the capital budget his Department intends to start in the 2015/16 financial year.

**(AQW 45467/11-15)**

**Mr Ford:** Planned capital expenditure by the Department of Justice, including its Agencies but not its arms-length bodies, on construction work to start in the 2015-16 financial year is outlined below:

Youth Justice Agency intends upgrading the door access control system at Woodlands Juvenile Justice Centre. The estimated cost is £70,000.

Northern Ireland Prison Service intends to spend £6.895m on new construction work, as well as £1.766m completing construction work commenced in previous financial years.

Northern Ireland Courts and Tribunals Service intend to spend £180,000 on minor capital works.

Forensic Science Northern Ireland has no new construction work planned for 2015-16, but will spend £2.853m on construction work started in prior financial years.

All new work is subject to business case approval.

**Lord Morrow** asked the Minister of Justice whether he will instigate a review of the case known as CS at the High Court, who was refused a Judicial Review by Mr Justice Horner on Thursday 30 April 2015, to establish whether monitoring arrangements were sufficient and if breaches of bail whilst awaiting trial and sentencing or breaches of the Sexual Offences Prevention Order occurred.

**(AQW 45506/11-15)**

**Mr Ford:** The monitoring of conditions imposed with court bail is the responsibility of PSNI and enquiries in relation to this should be directed to the Chief Constable who is accountable to the Northern Ireland Policing Board. As the multi-agency public protection arrangements do not apply to individuals who have yet to be convicted of any offence, and a Sexual Offences Prevention Order was only imposed by the court at the point of conviction, a review of arrangements in the period in question is not warranted.

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 44578/11-15, whether consultation responses or general representation from the legal profession or acting bodies thereof have expressed support for this move.

**(AQW 45507/11-15)**

**Mr Ford:** The Law Society of Northern Ireland, Belfast Solicitors' Association and an individual solicitor responded to my Department's policy consultation "Reform of Committal Proceedings." A summary of those responses can be found on the Departmental website at: <http://www.dojni.gov.uk/index/public-consultations/archive-consultations/consultation-on-reform-of-committal-proceedings.htm>

In addition, the Law Society made submissions to the Justice Committee on the committal proposals during the Committee's Call for Evidence on the Justice Bill. Those submissions are available in the Committee's recently published Report on the Bill at: <http://www.niassembly.gov.uk/assembly-business/committees/justice/reports/report-on-the-justice-bill-nia-3711-15/>

**Lord Morrow** asked the Minister of Justice, in light of the case referred to as CS in the High Court, under Mr Justice Horner on 30 April 2015, in which Queens University was not made aware of the individual's bail terms or pending court case until it was published in the press, whether he will bring forward legislation or guidelines in cases of this nature whereby authorities, including the PSNI, ensure bail terms are adhered to in order to reduce risk; and include a bail condition which requires defendants to formally notify their work, school, college or any other of the charges and restrictions pending conclusion, which if not actioned would constitute a breach.

**(AQW 45534/11-15)**

**Mr Ford:** The setting of bail conditions is entirely a matter for the court taking account of the particular circumstances in individual cases and compliance is monitored by PSNI who are responsible for bringing any alleged breaches back before the court.

Defendants facing criminal charges are entitled to the presumption of innocence whilst due process takes its course and it is for police to assess when information about bail conditions should be shared with others. PSNI will automatically follow established child protection and notifiable occupation procedures and assess the need to make disclosure to other parties who may have an instrumental role in terms of risk minimisation.

These established arrangements are unlikely to benefit from additional guidelines or prescriptive statutory provision.

**Lord Morrow** asked the Minister of Justice whether Thomas Valliday has been categorised as dangerous as defined by the Criminal Justice (Northern Ireland) Order 2008.

**(AQW 45535/11-15)**

**Mr Ford:** Mr Valliday has not been categorised as dangerous as defined by the Criminal Justice (Northern Ireland) Order 2008. The crimes for which he was convicted were committed prior to the commencement of the Order.

**Lord Morrow** asked the Minister of Justice, since the commencement of Fine Default Review proceedings, to detail the cost to date of the personal service of summonses, where there has been no response to postal summonses, broken down by court division.

**(AQW 45537/11-15)**

**Mr Ford:** The table below outlines the cost of personal service of summonses, where there has been no response to postal summonses, broken down by court division.

Court Division	Service Fees
Antrim	611.00
Ards	5,499.00
Armagh & South Down	7,046.00
Belfast	11,115.00
Craigavon	3,003.00

Court Division	Service Fees
Fermanagh & Tyrone	5,551.00
Londonderry	5,122.00
Grand Total	37,947.00

**Mr Easton** asked the Minister of Justice how many unfair dismissal cases have been brought against his Department over the last two years.

**(AQW 45541/11-15)**

**Mr Ford:** There were four unfair dismissal cases brought against my Department in the last two years (01/05/13 to 01/05/15).

**Mr Moutray** asked the Minister of Justice how much his Department has spent on Policing and Community Safety Partnerships in each of the last three years.

**(AQW 45561/11-15)**

**Mr Ford:** In the last three financial years, approximately £17.9 million has been spent on Policing and Community Safety Partnerships through direct Departmental funding and funding from the Northern Ireland Policing Board which my Department also sponsors. A breakdown of the funding spent is attached at Annex A.

Approximately £15.9 million of this funding supported the implementation of PCSP local action plans, which are aimed at improving community safety by tackling crime and anti-social behaviour and supporting community confidence in policing by working in partnership with communities to ensure local accountability.

The additional funding streams have been awarded by my Department to support initiatives that address specific community safety issues including engaging with disaffected young people at times of heightened tension, assisting victims of crime and new projects to prevent crime or reduce the fear of crime.

#### Annex A

Funding Stream	2012/13	2013/14	2014/15
Department of Justice - PCSP Core Funding	£3,182,638	£3,157,126	£3,092,461
Northern Ireland Policing Board -PCSP Core Funding	£2,195,194	£2,139,405	£2,112,171
Priority Youth Funding	£154,134	£123,138	£124,392
Asset Recovery Community Scheme	£482,637	£207,159	£439,402
Victims of Crime Fund	£14,142	£8,000	£21,000
Community Safety Wardens	£239,803	£232,273	
<b>Total</b>	<b>£6,268,548</b>	<b>£5,867,101</b>	<b>£5,789,426</b>

\* Figures correct as at 15 May 2015

**Mr Moutray** asked the Minister of Justice to detail the number of (i) prosecutions; and (ii) convictions for racial hate crimes in each of the last three years, broken down by constituency.

**(AQW 45562/11-15)**

**Mr Ford:** The Public Prosecution Service for Northern Ireland holds information on the outcome of cases considered by a prosecutor to have involved racial hate crime which was 'Aggravated by Hostility'. I am committed to respecting the independence of the PPS and have been advised that they will respond directly to you.

**Mr Weir** asked the Minister of Justice when the remaining recommendations of the Scofield Report will be implemented.

**(AQW 45564/11-15)**

**Mr Ford:** My Department will not be responding to the Scofield report as it was commissioned by, and submitted to, the Policing Board.

My Department has, however, agreed to take forward actions to address a number of issues raised in the report. This includes a review of the policy and associated legislation. Guidance in respect of reviews was also provided to the Board in December 2014.

**Mr Weir** asked the Minister of Justice for his assessment of the recommendations of the Scofield Report.

**(AQW 45565/11-15)**

**Mr Ford:** My Department will not be assessing the recommendations of the Scofield report as it was commissioned by, and submitted to, the Policing Board.

My Department has, however, agreed to take forward actions to address a number of issues raised in the report.

**Mr Allister** asked the Minister of Justice for a breakdown of the hospitality spend by (i) his Department; and (ii) its arm's-length bodies, in 2014/15.

**(AQW 45566/11-15)**

**Mr Ford:** A breakdown of expenditure on hospitality by the Department of Justice, including its Agencies and arm's-length bodies, in the 2014-15 financial year is shown in the tables below:

<b>Core Department / Agency</b>	<b>Total spend £</b>
Core Department	10,815
Northern Ireland Prison Service	5,379
Northern Ireland Courts and Tribunals Service	3,296
Youth Justice Agency	2,297
Forensic Science Northern Ireland	1,998
<b>Total</b>	<b>23,785</b>

<b>Arm's-length Body</b>	<b>Total spend £</b>
Police Service of Northern Ireland	120,537
Northern Ireland Policing Board	7,175
Probation Board Northern Ireland	2,624
Office of the Police Ombudsman Northern Ireland	1,160
Northern Ireland Legal Services Commission	825
RUC George Cross Foundation	814
Criminal Justice Inspection Northern Ireland	344
Northern Ireland Police Fund	135
<b>Total</b>	<b>133,614</b>

Please note, the audit process for 2014-15 expenditure has not been finalised.

**Lord Morrow** asked the Minister of Justice, in relation to interpreters who attend court to assist defendants but leave before the case is called or dealt with, and excluding cases where a defendant fails to appear, whether any payment is made in these instances; and if so, who authorises the payment.

**(AQW 45567/11-15)**

**Mr Ford:** No payment would be made where the interpreter left the court premises without providing the services for which the interpreter was engaged. In all cases, the instructing solicitor is required to verify the actual time spent by an interpreter in consultation with the defendant on the day(s) of the court.

The Legal Services Agency Northern Ireland works closely with the contract provider to ensure that any issues with regard to the attendance of an interpreter at court are addressed.

**Mr D McIlveen** asked the Minister of Justice whether his Department is planning to prepare new draft regulations on injury on duty for police officers.

**(AQW 45572/11-15)**

**Mr Ford:** My Department is planning to prepare new draft Injury Benefit regulations which will be the subject of targeted consultation once legislative drafting has been completed. It is anticipated that this consultation will take place in the latter part of 2015.

**Lord Morrow** asked the Minister of Justice, pursuant AQW 45025/11-15, and going by the previous trend of mixed committals and preliminary investigations in past years, whether there is a specific type of offence, defendant, or legal representative, which is more inclined to have these hearings.

**(AQW 45600/11-15)**

**Mr Ford:** Data from 2012, 2013 and 2014 provides no clear evidence of any specific trends or patterns across the categories mentioned above for mixed committals and preliminary investigations when compared against preliminary inquiries.

**Lord Morrow** asked the Minister of Justice, since April 2010, how many cases have been prosecuted in which human trafficking was an original element, but were later dropped or amended; and in each instance to state the nature of the accompanying or other offences which were successfully prosecuted.

**(AQW 45601/11-15)**

**Mr Ford:** Since April 2010, a total of four defendants (in three cases) have been received in court on at least one charge relating to human trafficking, with the human trafficking charge later dropped or amended and a conviction being secured on at least one other charge.

The nature of the accompanying or other offences which were successfully prosecuted for each of these defendants is outlined in the following table.

Case	Defendant	Charges on which defendant was convicted
1	1	Controlling prostitution for gain
		Entering arrangement to acquire criminal property
2	1	Aiding and abetting brothel keeping
	2*	Converting criminal property
		Possessing criminal property
		Brothel keeping
3	1	Assisting illegal entry into UK

**Source:** ICOS

\*Original charges relating to human trafficking were left on the books.

**Lord Morrow** asked the Minister of Justice what is the cost, or anticipated cost, in legal aid of the failed appeal of Barry McCarney's conviction, shown by (i) law firm; (ii) junior counsel; and (iii) senior counsel.

**(AQW 45602/11-15)**

**Mr Ford:** The case has not yet concluded as Mr McCarney is also appealing against the length of sentence. Consequently the information requested is not yet available.

**Mr Campbell** asked the Minister of Justice how many people responded to the consultation on the future of Limavady courthouse.

**(AQW 45604/11-15)**

**Mr Ford:** There have been six responses using the consultation response template and one non-template response which referred to Limavady Courthouse specifically.

**Lord Morrow** asked the Minister of Justice in relation to cases currently in the court system in which human trafficking is an element, to detail the accompanying charges, broken down by (i) court level; and (ii) division.

**(AQW 45618/11-15)**

**Mr Ford:** There are currently three cases in the court system in which human trafficking is a charge. The list of all charges in these cases is set out in the table below, broken down by court tier and division.

County Court Division	Court Tier	Number of cases	Number of defendants	Charges	Number
Antrim	Magistrates'	1	1	Cause/incite child (13-16yrs) sexual activity	1
				Child abduction	2
				Meet a child following sexual grooming	2
				Rape	1

County Court Division	Court Tier	Number of cases	Number of defendants	Charges	Number
				Sexual activity by adult with child (13-16yrs)	2
				Sexual assault	1
				Sexual assault by penetration	1
				Trafficking within UK for sexual exploitation	2
Craigavon	Magistrates'	2	2	Acting as unlicensed gangmaster	2
				Conceal criminal property	1
				Require another person to perform forced labour	24
				Trafficking people within UK for exploitation	24

**Mr Eastwood** asked the Minister of Justice how his Department is supporting the Probation Board to continue to deliver its essential services to the community, following the recent bomb attack on its premises in Crawford Square, Derry.  
(AQW 45659/11-15)

**Mr Ford:** Officials from my Department have been liaising closely with Probation Board (PBNi) in the aftermath of this attack to ensure that the provision of effective services to the community is maintained, and to address the concerns of nearby residents and probation staff in relation to this incident. My Department will continue to provide support to PBNi, as necessary, in the forthcoming months to ensure essential services are delivered.

**Mr D McIlveen** asked the Minister of Justice what strategy his Department has in place to reduce the number of hate crimes.  
(AQW 45669/11-15)

**Mr Ford:** My Department has brought forward Building Safer, Shared and Confident Communities: A Community Safety Strategy for Northern Ireland 2012-2017. The Strategy contains a commitment to tackle hate crime and reduce the harm it causes.

My Department chairs a multi-agency hate crime delivery group, which consists of representatives from a range of criminal justice organisations, the Housing Executive, Belfast City Council, the Human Rights Commission for Northern Ireland and the Office of the First Minister and Deputy First Minister (OFMDFM). The group has developed an action plan which contains a range of actions being taken forward by the relevant organisations to tackle hate crime. The action plan and progress reports for 2013-15 are available on the DOJ website.

Examples of measures currently being delivered include: the provision of a third party reporting service and dedicated support to victims of hate crime through the regional Hate Crime Advocates; and the Hate Incident Practical Action (HIPA) Scheme which provides personal and home protection measures for victims of hate incidents where the incident has occurred at or in the vicinity of their home.

This work contributes to the wider government response to the societal issues which can be manifested through hate incidents and crimes, for example, through the Together: Building a United Community strategy led by OFMDFM.

**Lord Morrow** asked the Minister of Justice to detail the cost, or estimated cost, in legal aid for the European Court Human Rights challenge by Colin Duffy, Teresa Magee and Gabriel Magee, broken down by (i) law firm; (ii) junior counsel; and (iii) senior counsel.  
(AQW 45703/11-15)

**Mr Ford:** Legal Aid for the European Court of Human Rights is not within the scope of the Legal Aid Scheme in Northern Ireland.

**Mr Allister** asked the Minister of Justice for his assessment of police pensions not passing to the widow of an officer in instances where the officer was married after their service terminated, including what action he is taking to address this issue.  
(AQW 45712/11-15)

**Mr Ford:** In 1978, provision was made for widows of post-retirement marriages. The Royal Ulster Constabulary pension regulations were amended to permit pensionable service in the police after 5 April 1978 to count towards a pension for spouses in post-retirement marriages.

The widow of a police pensioner who has service since April 1978 is entitled to a pension regardless of when the marriage occurred, but such a pension is only based upon contributions from that date.

It is a principle in public service pension schemes that members are required to contribute towards the cost of their benefits. Indeed the benefits in the police pension scheme reflect the contributions made by its active membership.



**Mr Dunne** asked the Minister of Justice how many cases have been taken by the Public Prosecution Service under The Protection from Harassment (Northern Ireland) Order (1997) in the last three years; and how many of these cases were successfully prosecuted.

**(AQW 45776/11-15)**

**Mr Ford:** The most recent convictions data available relate to 2013. Information on prosecutions under the Protection from Harassment (Northern Ireland) Order 1997 and, of these, the number of successful convictions that have resulted, has been provided in the following table.

**Prosecutions and convictions for offences under Protection from Harassment (NI) Order 1997, 2011 – 2013**

	2011	2012	2013
Prosecutions	210	242	241
Convictions	124	155	149

**Note:**

- 1 Data are collated on the principal offence rule; only the most serious offence for which an offender is convicted is included.
- 2 The figures provided relate to convictions for all classifications of the offences specified.

**Lord Morrow** asked the Minister of Justice how many people have been convicted in (i) magistrates court and (ii) crown court of any sexually-related offences in each of the last three financial years, per court division,

**(AQW 45807/11-15)**

**Mr Ford:** Offences under the sexual offences classification may be prosecuted under various pieces of legislation. The table provided gives the number of convictions for sexual offences by court division and court type, for 2010/11, 2011/12 and 2012/13. These are the most recent three financial years for which the information requested is available.

**Number of convictions for sexual offences, 2010/11 – 2012/13**

Court Division	Court Type					
	2010/11		2011/12		2012/13	
	Crown	Magistrates'	Crown	Magistrates'	Crown	Magistrates'
Antrim	17	7	16	4	12	8
Ards	11	11	8	10	20	6
Armagh & South Down	5	10	9	4	6	8
Belfast	13	23	26	32	44	36
Craigavon	11	3	11	11	13	7
Fermanagh & Tyrone	11	8	11	4	12	7
Londonderry	11	4	14	4	14	15
<b>Total</b>	<b>79</b>	<b>66</b>	<b>95</b>	<b>69</b>	<b>121</b>	<b>87</b>

**Note:**

- 3 Data are collated on the principal offence rule; only the most serious offence for which an offender is convicted is included.
- 4 The figures provided relate to convictions for all classifications of the offences specified.
- 5 Figures for Magistrates' courts include Youth Courts.

**Lord Morrow** asked the Minister of Justice, in light of the absconding from prison leave of Jonathan Turley, what is the rehabilitative purpose of incarceration if prisoners are continuing to pose a significant risk to the public despite serving and being part way through sentences; and why are these safety undermining situations continuing to be permitted.

**(AQW 45855/11-15)**

**Mr Ford:** Jonathan Turley was not released from Magilligan Prison under any Prison Service administered scheme. He was granted bail at Belfast Magistrates Court sitting at Laganside on 9 May 2015.

**Mr Elliott** asked the Minister of Justice for an update on the proposed closure of Enniskillen Courthouse.

**(AQO 8204/11-15)**

**Mr Ford:** The consultation on the rationalisation of the court estate will run until the 18 May 2015. The responses to the consultation will then be analysed and recommendations prepared.

No final decisions on any of the proposals will be made until the autumn.

**Mr Ramsey** asked the Minister of Justice, given his own Department's figures showing that roughly 800 people have been waiting in excess of two months for Access NI checks to be completed, what steps will he take to address this back log. **(AQO 8198/11-15)**

**Mr Ford:** AccessNI receives approximately 125,000 applications per year. Currently all applications are being processed within 3 days of receipt. Where applications are received on-line, which has been possible since 31 March as a result of the introduction of a new IT system, these are being processed on the same day or the day after they are received.

Approximately 27% of all enhanced checks must be referred to the PSNI or other police forces across the United Kingdom. This process identifies whether the force have any relevant information about the applicant which ought to be disclosed. This is a vital element in the process for safeguarding the most vulnerable people in our society.

On 11 May 2015 there were 762 enhanced checks that had been with the PSNI for 60 days or more and 9 cases with police forces in Great Britain. I naturally regret the delay in this relatively small proportion of cases.

While they fall to the police, my officials, mindful of the impact on applicants who are unable to secure positions of employment without an AccessNI check, are working closely with PSNI to determine what can be done to reduce this backlog.

**Mr Frew** asked the Minister of Justice, in relation to section 15 (6) of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015, what actions the Department has taken to raise awareness of the criminalisation of the purchase of sexual services.

**(AQW 45901/11-15)**

**Mr Ford:** To raise public awareness of the criminalisation of the purchase of sex, my Department issued a press release to all press and broadcast media on 20 May 2015. This is reproduced below.

Given major press coverage of the new offence at the time of Assembly debate, and the fact that the research into Prostitution in Northern Ireland, carried out by Queen's University Belfast, and commissioned and published by my Department in October 2014, estimated that only 3% of the adult male population pay for sex in Northern Ireland, I considered that a press release at the stage prior to introduction was an adequate and proportionate method of raising public awareness. This will be further reinforced on 1 June 2015 by a specific entry on the NI Direct website. Information on the new law will also be disseminated through the NI Executive Twitter account.

Press Release on Paying for Sexual Services

'From 1 June, the law on paying for sexual services changes. Under section 15 of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015, it will become an offence to obtain sexual services in exchange for payment, either by paying, or promising to pay, any person directly, or through a third party.

This replaces the offence of paying for the sexual services of a prostitute subjected to force, where it is currently unlawful to pay for the sexual services of a prostitute who has been exploited by a third party using force or threats. This offence, which is an offence whether or not the person buying the services knows of the exploitation, carries a maximum penalty of a level 3 (£1,000) fine.

Under the new law, it will be illegal to obtain, for payment, sexual services from anyone, whether or not there is exploitation. The sexual services which will be illegal must involve the buyer being physically present with the seller and there must either be physical sexual contact or the seller must perform sexual acts where they touch themselves for the sexual gratification of the buyer.

Under the legislation, payment includes money or the provision of goods or services.

Anyone convicted under the new legislation can be sentenced to a maximum of one year's imprisonment, or a fine, or both.

It is not an offence to sell sexual services. The new law also removes criminality from loitering or soliciting for the purposes of offering services as a prostitute in a street or public place. It remains an offence to keep or manage a brothel.

Information about the new law will also be displayed on NI Direct from 1 June 2015.'

**Mr Frew** asked the Minister of Justice what action his Department has taken, and plans to take, to fulfil the requirements of s15 (6) of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015, to raise public awareness of the change in the law on payment for sexual services made by section 15 (5) of the Act.

**(AQW 45902/11-15)**

**Mr Ford:** To raise public awareness of the criminalisation of the purchase of sex, my Department issued a press release to all press and broadcast media on 20 May 2015. This is reproduced below.

Given major press coverage of the new offence at the time of Assembly debate, and the fact that the research into Prostitution in Northern Ireland, carried out by Queen's University Belfast, and commissioned and published by my Department in October

2014, estimated that only 3% of the adult male population pay for sex in Northern Ireland, I considered that a press release at the stage prior to introduction was an adequate and proportionate method of raising public awareness. This will be further reinforced on 1 June 2015 by a specific entry on the NI Direct website. Information on the new law will also be disseminated through the NI Executive Twitter account.

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Under the legislation, payment includes money or the provision of goods or services.

Anyone convicted under the new legislation can be sentenced to a maximum of one year's imprisonment, or a fine, or both.

It is not an offence to sell sexual services. The new law also removes criminality from loitering or soliciting for the purposes of offering services as a prostitute in a street or public place. It remains an offence to keep or manage a brothel.

Information about the new law will also be displayed on NI Direct from 1 June 2015.'

**Mr Frew** asked the Minister of Justice how (i) television advertising; (ii) radio advertising; (iii) poster campaigns; (iv) newspapers advertising; (v) websites; and (vi) leaflets have been used to raise public awareness of the change in the law on paying for sexual services as required by section 15(6) of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015.

**(AQW 45903/11-15)**

**Mr Ford:** To raise public awareness of the criminalisation of the purchase of sex, my Department issued a press release to all press and broadcast media on 20 May 2015. This is reproduced below.

Given major press coverage of the new offence at the time of Assembly debate, and the fact that the research into Prostitution in Northern Ireland, carried out by Queen's University Belfast, and commissioned and published by my Department in October 2014, estimated that only 3% of the adult male population pay for sex in Northern Ireland, I considered that a press release at the stage prior to introduction was an adequate and proportionate method of raising public awareness. This will be further reinforced on 1 June 2015 by a specific entry on the NI Direct website. Information on the new law will also be disseminated through the NI Executive Twitter account.

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Information about the new law will also be displayed on NI Direct from 1 June 2015.'

**Mr Frew** asked the Minister of Justice what proportion of the population by 1 May 2015 had been reached by his Department's awareness raising activity under section 15 (6) of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015.

**(AQW 45904/11-15)**

**Mr Ford:** To raise public awareness of the criminalisation of the purchase of sex, my Department issued a press release to all press and broadcast media on 20 May 2015. This is reproduced below.

Given major press coverage of the new offence at the time of Assembly debate, and the fact that the research into Prostitution in Northern Ireland, carried out by Queen's University Belfast, and commissioned and published by my Department in October 2014, estimated that only 3% of the adult male population pay for sex in Northern Ireland, I considered that a press release at the stage prior to introduction was an adequate and proportionate method of raising public awareness. This will be further reinforced on 1 June 2015 by a specific entry on the NI Direct website. Information on the new law will also be disseminated through the NI Executive Twitter account.

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Information about the new law will also be displayed on NI Direct from 1 June 2015.'

**Mr Frew** asked the Minister of Justice how much his Department has spent on awareness raising activities under section 15 (6) of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015.

**(AQW 45905/11-15)**

**Mr Ford:** To raise public awareness of the criminalisation of the purchase of sex, my Department issued a press release to all press and broadcast media on 20 May 2015. This is reproduced below.

Given major press coverage of the new offence at the time of Assembly debate, and the fact that the research into Prostitution in Northern Ireland, carried out by Queen's University Belfast, and commissioned and published by my Department in October 2014, estimated that only 3% of the adult male population pay for sex in Northern Ireland, I considered that a press release at the stage prior to introduction was an adequate and proportionate method of raising public awareness. This will be further reinforced on 1 June 2015 by a specific entry on the NI Direct website. Information on the new law will also be disseminated through the NI Executive Twitter account.

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Information about the new law will also be displayed on NI Direct from 1 June 2015.'

**Mr McKinney** asked the Minister of Justice what discussions he has had with the Chief Constable regarding the murder of Gerard 'Jock' Davison in Belfast on 5 May 2015.

**(AQO 8202/11-15)**

**Mr Ford:** I would like to take this opportunity to offer my deepest condolences to the family of Gerard Davison. There is no justification whatsoever for murder and I utterly condemn those who would carry out such attacks.

As Justice Minister, I have discussions with senior police following significant incidents such as this. As I have already said publicly, I spoke to a senior police officer regarding this incident that day.

**Mr A Maginness** asked the Minister of Justice for an update on his discussions with the Law Society and the Bar Council regarding the review of civil legal aid.

**(AQO 8203/11-15)**

**Mr Ford:** I held a joint meeting with both branches of the profession in January prior to announcing the latest proposals for reform to civil legal aid. I also met with a delegation of the Young Bar Association in April to hear their specific concerns pertaining to young barristers. My officials continue to engage with the Law Society and the Bar Council across the full range of issues relating to legal aid reform and both organisations recognise the need for change, and the importance of ongoing engagement. I would encourage the Bar Council and the Law Society to continue this constructive engagement to deliver the necessary reforms to legal aid.

**Mr McCartney** asked the Minister of Justice what impact the bomb attack outside the Probation Board offices in Crawford Square in the City of Derry has had on the Probation Service.

**(AQO 8205/11-15)**

**Mr Ford:** I condemn this cowardly and indiscriminate attack which has put lives at risk. While this incident has clearly had an impact on the service delivered by probation in the Derry area, the Probation Board has worked hard to minimise any impact on the community.

On Tuesday morning all staff from Crawford Square immediately relocated to the probation office in Limavady Road in the city where they continued to carry out their role in courts, the community and with victims of crime.

Probation officers in Northern Ireland are social workers who work with offenders to enable them to desist from reoffending as well as reducing harm to victims. They play a unique role in criminal justice and one which is valued across the community in Northern Ireland. I want to pay tribute to the determination and commitment that probation staff have displayed in getting on with the business of changing lives and ensuring safer communities in Northern Ireland.

**Lord Morrow** asked the Minister of Justice whether Jonathan Turley's compassionate leave was (i) unsupervised; and (ii) prison or court granted.

**(AQW 45963/11-15)**

**Mr Ford:** Jonathan Turley was not released from Magilligan Prison under any Prison Service administered scheme. He was granted bail at Belfast Magistrates Court sitting at Laganside on 9 May 2015.

As part of his bail conditions he was released into the custody of a named individual and instructed to report to the PSNI twice that day, upon arrival in Belfast and prior to returning to custody.

**Mr Easton** asked the Minister of Justice how many people have been prosecuted for assaults in schools in the last three years.

**(AQW 45996/11-15)**

**Mr Ford:** The information requested is not available. Court prosecutions and convictions datasets do not distinguish the location in which an offence took place and there is no specific offence which relates to an assault which took place in a school.

**Mr D McIlveen** asked the Minister of Justice for his assessment of the decision by Kevin Winters and Company to withdraw from the most serious criminal cases; and what his Department is doing to ensure that all criminal defendants receive adequate legal representation.

**(AQW 46059/11-15)**

**Mr Ford:** The decision by a major law firm to withdraw from the most serious Crown Court cases is regrettable. This decision appears to be based on recent changes to Crown Court Fees. The fee structure in place is a graduated system which makes provision for more serious and complex cases, which can attract a higher fee.

My Department is monitoring closely the impact of this decision and any implications for defendants in criminal cases.

## Department for Regional Development

**Mr Easton** asked the Minister for Regional Development to outline any potential new road calming measures planned for the Bangor area.

**(AQW 42669/11-15)**

**Mr Kennedy (The Minister for Regional Development):** I would remind the Member that information on completed and proposed roads schemes for the current financial year can be found in my Department's Spring and Autumn Reports to Councils. These reports can be accessed from my Department's internet site at the following web address:

[http://www.drdni.gov.uk/index/freedom\\_of\\_information/customer\\_information.htm](http://www.drdni.gov.uk/index/freedom_of_information/customer_information.htm)

The detailed budget for subsequent years has not yet been finalised and so it is not possible to provide details of future works programmes at this time.

**Mr Lyttle** asked the Minister for Regional Development what percentage of the Rural Transport Fund is spent on salaries for office staff, such as managers, transport managers, administration and booking line staff; and what percentage is spent on front line delivery such as vehicle operations, drivers salaries and access provisions.

**(AQW 44959/11-15)**

**Mr Kennedy:** The table below details the level of funding allocated to the Rural Community Transport Partnership's (RCTP) together with costs based upon estimates provided by the Partnerships. My Department have restricted the percentage on non front line costs to administration staff costs and direct accommodation costs.

It should be noted that this is an estimate of the costs as actual cost information will only be available when full Audited Accounts for 2014/15 are received from each RCTP.

Funding 14/15	Administration staff % costs
£3.63m	30%

**Mr Easton** asked the Minister for Regional Development to detail the number of staff disciplinary hearings in his Department in the last two years.

**(AQW 45395/11-15)**

**Mr Kennedy:** The number of staff disciplinary hearings within DRD is shown below:

Calendar Year	Number of Disciplinary Hearings
2013	26
2014	16

**Lord Morrow** asked the Minister for Regional Development, pursuant to AQW 41458/11-15, whether the revenue generated from the provider is returned in full or part to his Department, or retained by Translink; and if Translink is the main beneficiary, was this agreed at the time of the business plan being presented to his Department.

**(AQW 45405/11-15)**

**Mr Kennedy:** The NI Transport Holding Company and subsidiary companies can retain income and use it to off-set / subsidise public transport services under the 1967 Transport Act.

**Mr Moutray** asked the Minister for Regional Development to detail the number of major road schemes that exceeded their expected completion date in each of the last four years.

**(AQW 45409/11-15)**

**Mr Kennedy:** In the last four years only one major road scheme exceeded its completion date agreed at award of contract. This was the A32 Cherrymount Link in Enniskillen which was due to be completed on 25 February 2013. Due to the discovery of a Crannog, at Drumclay on the line of the proposed road, work was delayed to allow archaeologists to unearth this significant find. The actual completion date was the 4 June 2013.

**Mr Moutray** asked the Minister for Regional Development how much his Department has spent on providing or repairing bus lay-bys and shelters in Upper Bann in each of the last three years.

**(AQW 45410/11-15)**

**Mr Kennedy:** Provision and maintenance of bus lay-bys and shelters is a function carried out on behalf of my Department's TransportNI under a contract with an external provider, Adshel. There have been no costs incurred by my Department for the repair of bus shelters in the Upper Bann area over the last three years in this regard, as income from advertising covers such costs. My Department has no knowledge of the costs incurred by Adshel.

There has been no maintenance costs associated with the repair of bus lay-bys on the adopted road network in Upper Bann in the last three years.

**Ms Sugden** asked the Minister for Regional Development to outline the directive on hedgerow cutting which he issued to TransportNI and which is due to take effect from 13 July 2015.

**(AQW 45441/11-15)**

**Mr Kennedy:** I am not aware of any directive that has been issued in respect of hedgerow cutting.

**Lord Morrow** asked the Minister for Regional Development, pursuant to AQW 41458/11-15, when the business plan was first profiled, was the taxi-rank intended to be for public hire taxis.

**(AQW 45448/11-15)**

**Mr Kennedy:** Translink has advised me that in the original 'Traffic Management at Central Station' appraisal it does not stipulate the category of taxi that could use the taxi parking area. The appraisal was developed to alleviate the traffic management arrangements at Central Station, which at that time were described as poor.

**Lord Morrow** asked the Minister for Regional Development, pursuant to AQW 44582/11-15, how many tenders were received for the contract to provide taxi-provision at Central Station, Belfast.

**(AQW 45452/11-15)**

**Mr Kennedy:** Translink has advised me that there were two tender responses received.

**Mr Lyttle** asked the Minister for Regional Development, pursuant to AQW 44868/11-15, where the 8 arterial routes and 3 orbital routes of the Belfast Bicycle Network will be located; and what type of infrastructural improvements will be completed to ensure they are high quality and safe routes for cycling.

**(AQW 45471/11-15)**

**Mr Kennedy:** The draft Bicycle Network Plan for Belfast is currently under development so routes have not been decided. However, it is envisaged that the eight arterial routes will provide approaches into Belfast city centre from the northeast, east, southeast, south, southwest, west, northwest and north.

Two of the orbital routes will broadly follow Belfast's outer and inner rings, while options for a middle ring route are in the early stages of development. All these plans are broadly in line with the cycling routes originally proposed by the Belfast Metropolitan Transport Plan (BMTP).

The type of infrastructure will depend on each route and the street environment, but it is our intention to deliver the continuous cycling routes proposed in BMTP. More details on infrastructure details will be contained in the draft Belfast Bicycle Network Plan which is due for consultation later this year.

**Mr Lyttle** asked the Minister for Regional Development, pursuant to AQW 44869/11-15, what timescale has been set for the consideration of a Translink pilot for improved bicycle carriage on buses.

**(AQW 45472/11-15)**

**Mr Kennedy:** My previous answer referred to other pilot schemes in Great Britain – one of which is being taken forward in Bath. The legally required safety inspection for a pilot scheme to carry bikes on the front of buses in Bath is underway, and the Driver and Vehicle Licensing Agency report is due by the end of May 2015. Provided a certificate to operate is received by the bus company, a pilot exercise to carry bicycles on the front of buses will commence and is expected to run for six months.

Should the results from Bath show acceptability of the arrangement, Translink would be in a position to consider a trial in Belfast in 2016.

**Mr Easton** asked the Minister for Regional Development how many unfair dismissal cases have been brought against his Department over the last two years.

**(AQW 45498/11-15)**

**Mr Kennedy:** The number of unfair dismissal cases brought against my Department during each of the last two years is shown below:

Year	Number of Unfair Dismissal Cases
2013	0
2014	2 (1 of which was later withdrawn)

**Mr Allister** asked the Minister for Regional Development, pursuant to AQW 38593/11-15, whether there was a corresponding increase in employer pension contributions, reflective of the salary adjustment, flowing from the settlement.

**(AQW 45499/11-15)**

**Mr Kennedy:** Pursuant to AQW 38593/11-15, there has been an increase in employer pension contributions which reflects the increased salaries for the qualifying NI Water employees who had equal pay claims settled and paid during 2013, following completion of negotiations with NIPSA.

**Mr Allister** asked the Minister for Regional Development for a breakdown of the hospitality spend by NI Water in 2014/15.

**(AQW 45501/11-15)**

**Mr Kennedy:** The total hospitality spend by NI Water in 2014/15 was £29,733. This is made up of £22,002 internal hospitality and £7,731 external hospitality.

The figures reported are draft, based on unaudited 2014/15 accounts.

**Lord Morrow** asked the Minister for Regional Development, pursuant to AQW 44475/11-15 to provide, or place in the Assembly Library, a copy of the report following the informal consultation on additional taxi ranks in Botanic Avenue and High Street, Belfast.

**(AQW 45504/11-15)**

**Mr Kennedy:** I can confirm no such document exists.

**Lord Morrow** asked the Minister for Regional Development, pursuant to AQW 41408/11-15, to provide a copy of, or place in the Assembly Library, the business plan and economic appraisal for this development.

**(AQW 45505/11-15)**

**Mr Kennedy:** Translink has provided me with a copy of the Business Plan / Economic Appraisal for this development which will be placed in the Assembly Library.

**Mr Weir** asked the Minister for Regional Development to outline the responsibility that TransportNI has for clearing debris from roads, particularly close to roundabouts.

**(AQW 45513/11-15)**

**Mr Kennedy:** Under Article 94(1) of the Roads (NI) Order 1993, anyone who deposits or allows anything to be deposited on a road which is likely to cause an obstruction or danger shall be guilty of an offence and held liable, on summary conviction, to a fine not exceeding £200.

Under Article 95(1) of the above Order, anyone in charge of a vehicle on a road, who permits any solid or liquid matter from the vehicle to be spilled or dropped onto the road surface in such a quantity so as to create a danger or substantial inconvenience, shall be guilty of an offence and held liable, on summary conviction, to a fine not exceeding £1,000.

The responsibility for taking any prosecution under both these Articles lies with the Police. However, I understand that deposits on the road must be such that they are deemed by the Police, to contribute a danger to persons using the road before proceedings are instituted.

While the responsibility for any prosecution for deposits on the road lies with the Police, the objective of enforcement is, however, not so much to secure convictions and to impose penalties, as to restore the condition of the road, and/or to discourage other potential offenders. Where my Department's interests can be protected by persuasion, rather than prosecution, then so much the better.

To this end, TransportNI monitors roads on a regular basis and, when they can be clearly identified, any offenders are instructed to clean a road when local TransportNI staff become aware that it is unduly dirty. The Police are also informed, and if the offenders do not co-operate, the Police would consider taking action under the above 1993 Roads Order.

In certain circumstances, particularly in the interests of road safety, TransportNI may carry out whatever operations are necessary to restore the road condition themselves and may subsequently seek to recover costs from the offender if possible.

**Mr Allister** asked the Minister for Regional Development for a breakdown of the hospitality spend by (i) his Department; and (ii) its arm's-length bodies, in 2014/15.

**(AQW 45532/11-15)**

**Mr Kennedy:** The amount spent on hospitality by my Department and its Arm's Length Bodies in 2014/15 is detailed below:

Year	Department £'000	NITHC £'000	NI Water £'000	Total Cost £'000
2014 / 15	13*	19	30	62

\* These are draft figures based on unaudited 2014/15 accounts.



**Mr Hilditch** asked the Minister for Regional Development for an update on the grass-cutting schedule for (i) Carrickfergus; (ii) Larne; and (iii) Newtownabbey.

**(AQW 45543/11-15)**

**Mr Kennedy:** As you will be aware, my Department is facing a £60 million Resource budget pressure in 2015/16, more than half of which will fall to TransportNI.

This budget pressure has created an immediate impact on the delivery of routine maintenance services and, as such, I have had no option other than to agree a skeleton service at some financial risk to my Department, until June Monitoring.

Grass will be cut once, in all areas, between April and October with sightlines at bends and junctions being cut more frequently as and when required. Grass cutting in the Carrickfergus, Larne and Newtownabbey areas is currently underway.

I will be making a strong bid for additional resource funding in June Monitoring to return routine maintenance services to normal levels, which I hope will be supported by my Assembly colleagues.

**Mr Eastwood** asked the Minister for Regional Development, pursuant to AQW 44581/11-15, to outline each of the railway station project options for which tenders will be invited.

**(AQW 45599/11-15)**

**Mr Kennedy:** Translink has advised me that it is currently tendering for a design team who will be asked to develop a solution for the old station and consider all other options.

**Lord Morrow** asked the Minister for Regional Development, pursuant to AQW 45101/11-15, whether staff can also challenge public hire taxi drivers in these instances.

**(AQW 45619/11-15)**

**Mr Kennedy:** Translink has advised me that security staff may challenge any taxi, be it private or public, not belonging to the contract holder and found to be utilising the designated taxi rank on the private road beside the Central Station car park.

**Lord Morrow** asked the Minister for Regional Development, pursuant to AQW 44989/11-15, whether the departmental solicitor has examined this contract; and if so, to provide their response.

**(AQW 45620/11-15)**

**Mr Kennedy:** This was regarded as a normal operational matter for Translink to take forward and therefore was not referred to the Departmental Solicitor.

**Lord Morrow** asked the Minister for Regional Development, pursuant to AQW 44829/11-15 to list the areas where there is no traffic or parking enforcement.

**(AQW 45621/11-15)**

**Mr Kennedy:** Enforcement is only carried out in areas of Northern Ireland where parking restrictions are in place. These are typically represented by double or single yellow lines, or signs specifying the restriction at a particular location. TransportNI, through its service provider, NSL, visits and will continue to visit any location as part of (1) a schedule of beats or (2) upon request, for example, from road users, members of the public or the PSNI etc.

As enforcement is not carried out in those areas of Northern Ireland where no parking restrictions are in place i.e. a very large proportion of Northern Ireland, it would not be practicable to list the areas where no parking enforcement is carried out.

**Mr McNarry** asked the Minister for Regional Development to detail the cuts made to each TransportNI service division in each of the last three years.

**(AQW 45634/11-15)**

**Mr Kennedy:** Details of the staff and resource budget reductions made to Operations and Maintenance, TransportNI's in house service delivery unit, over the last three financial years are set out in the table below:

Year	Staff Reduction (Industrial & Non -Industrial)	Resource Budget Reduction (£K)
2012/13	22.5	221
2013/14	12	297
2014/15	30.5	267

**Mr McNarry** asked the Minister for Regional Development to detail the number of reinstatement inspections on road openings, in the each of the last three years; and in how many of these cases was the reinstatement work found to be unsatisfactory.

**(AQW 45641/11-15)**

**Mr Kennedy:** Details of the number of reinstatement inspections carried out on road openings, in the each of the last three years; and instances where reinstatement work was found to be unsatisfactory are set out in the table below:

Year	Number of Inspections carried out	Number of Reinstatements identified as unsatisfactory
2012/13	10,069	759
2013/14	10,393	704
2014/15	10,230	634

It should be noted that, in each case where a defective reinstatement was identified, a further follow-up inspection was carried out to ensure that the necessary remedial works had been completed.

**Mr McNarry** asked the Minister for Regional Development how much has been raised from fines for unsatisfactory road reinstatements, in each of the last three years.

**(AQW 45642/11-15)**

**Mr Kennedy:** In financial year 2012/13, my Department charged utility companies over £75,000 for reinstatement defect follow-up inspections. In 2013/14, the figure was almost £87,000 and for 2014/15 over £95,000 is being charged.

In addition, the Courts imposed fines of £250 in 2013/14 and £500 in 2014/15 for offences under the Street Works (Northern Ireland) Order 1995, in relation to reinstatement of road openings. There were no fines imposed in 2012/13.

The more significant impact for those failing to meet the required standard of reinstatement is their own costs in carrying out the necessary remedial works, and the cost of follow-up inspections carried out by my Department.

**Mr Lyttle** asked the Minister for Regional Development for details of the Greenway Projects currently being considered for funding under INTERREG V; and what work is being done to develop cross border greenways.

**(AQW 45643/11-15)**

**Mr Kennedy:** The INTERREG V Cross Border Co-operation Programme for 2014-2020 has been adopted by the European Commission. The programme includes an investment of €240m from the European Regional Development Fund (ERDF) with €40m of this allocated to a sustainable transport thematic objective. This funding will be used in support of a range of projects promoting sustainable transport and this could potentially include greenway projects.

The Managing Authority, the Special European Union Programmes Body (SEUPB), has responsibility to seek applications for funding from INTERREG V through a call process and it has not as yet indicated when a call will open through which relevant projects would be eligible to apply for funding.

My officials have been working closely with officials in the Republic of Ireland to scope out potential greenway projects that may be eligible for INTERREG V funding and have made a preliminary identification of a number of cross border greenways. It is the responsibility of individual Councils or organisations to submit applications for funding under INTERREG V. To date my Department has not been formally contacted, or advised, by any organisation that it intends to submit an application when the call is made.

**Mr I McCrea** asked the Minister for Regional Development, pursuant to AQW 43634/11-15, to detail the cost of the recently installed crossing on the Cookstown Road in Moneymore.

**(AQW 45646/11-15)**

**Mr Kennedy:** The cost of the recently installed crossing on the Cookstown Road in Moneymore was £7546.65.

**Mr Weir** asked the Minister for Regional Development how many people have been taken to court over unpaid parking fines in North Down in each of the last four years.

**(AQW 45660/11-15)**

**Mr Kennedy:** As Penalty Charge Notices are a civil matter no one has been taken to court by my Department.

**Mr Weir** asked the Minister for Regional Development to detail the traffic calming measures implemented in North Down in each of the last five years; and those proposed for 2015/16.

**(AQW 45668/11-15)**

**Mr Kennedy:** I would remind the Member that information on completed and proposed roads schemes, including traffic calming measures, can be found in Transport NI's Spring and Autumn Reports to Councils. These reports can be accessed from my Department's internet site at the following web address:

[http://www.drndni.gov.uk/index/freedom\\_of\\_information/customer\\_information/cinformatioctype-results.htm?signpost=Customer+information&informationType=Roads+Service+reports+to+councils](http://www.drndni.gov.uk/index/freedom_of_information/customer_information/cinformatioctype-results.htm?signpost=Customer+information&informationType=Roads+Service+reports+to+councils)

**Mr D McIlveen** asked the Minister for Regional Development for his assessment of the spend by Translink on public hire vehicles for use by employees.

**(AQW 45675/11-15)**

**Mr Kennedy:** I am aware of the costs involved in the provision of public hire vehicles for Translink staff. Translink has advised me that use of taxis is closely regulated and that they are only used when it is the most economically viable solution.

There are many reasons why the use of taxis is unavoidable, for instance:

- There may not be appropriate public transport links to the destination at the time of day required which is often very early or very late in the day and the employee may not be able to drive or have access to a car.
- To move train crews between depots (inter-depot working.), which allows for major depots to cover smaller country depot staff requirements without the requirement for localised overtime.
- Equally, taxis are also used during service exigencies, such as, security alerts, line closures and other service requirements, e.g. accidents, when there is a requirement to reinstate services promptly and ensure reliability of the timetable as far as is possible. In such instances, train crews often need to be re-positioned following completion of their shifts.

Overall these annual costs represent a very small amount in terms of the costs/inconvenience that would arise should services have to be cancelled due to staff not being available or in the correct place.

**Mr D McIlveen** asked the Minister for Regional Development what strategies his Department has in place to assist the regeneration of rural communities in North Antrim.

**(AQW 45677/11-15)**

**Mr Kennedy:** The Rural Transport Fund (RTF) is administered by my Department and has been in existence in Northern Ireland since November 1998. Its primary objective is to support transport services designed to give people in rural areas improved access to work, education, healthcare, shopping and recreational activities and by so doing assists in reducing their social isolation.

This year my department will be providing funding of £419,122 to North Coast Community Transport to provide transport services for the local communities.

A key aim of the Executive's spatial strategy, the Regional Development Strategy (RDS 2035), which I published in March 2012, is to support strong sustainable growth for the benefit of all parts of Northern Ireland and recognises that balanced regional growth is critical for the region. The RDS 2035 contains guidance to 'sustain rural communities living in smaller settlements and the open countryside', and to 'improve accessibility for rural communities'.

I manage and implement the Rathlin Island Policy and Action Plan and I chair the Ministerial Forum for Rathlin Island which is a three way partnership between the Executive, the islanders and other interested parties. This commitment recognises the unique circumstances of our only offshore inhabited island and aims to develop a vibrant sustainable island community.

Last week I announced a £2.8million contract to build a replacement car ferry for service between Ballycastle and Rathlin Island. The new vessel, to replace the existing MV Canna, is expected to be in service from the end of the summer next year. It will have capacity for 5 cars and up to 140 passengers, improving on the existing service and represents a very significant step forward in delivering a much needed new car ferry for the people of Rathlin Island.

I am also considering a number of options to improve the harbour facilities to accommodate the new ferry. It is expected that the outcome of these further investment proposals will be announced in the coming weeks.

**Lord Morrow** asked the Minister for Regional Development how many public hire taxi spaces will be provided at the conclusion of the resurfacing of Dublin Road, Belfast; and what is the timescale for completion of this work.

**(AQW 45688/11-15)**

**Mr Kennedy:** There are currently eleven public hire taxi rank spaces on Dublin Road and these will be retained and available for use upon completion of the resurfacing scheme, which is expected by the end of May 2015.

**Mr McNarry** asked the Minister for Regional Development how many Translink staff were in receipt of a staff pass in each of the last three years; and how much the staff pass scheme cost in each year.

**(AQW 45701/11-15)**

**Mr Kennedy:** The table below illustrates the number of Translink staff passes recorded during each of the last three years:

Year	No of Staff Passes
2012	3,938
2013	3,969
2014	3,971

In relation to the cost of travel made using these cards to the organisation, Translink does not extract this type of usage data from its information management systems for this group of individuals. The number of individual journeys made using such passes is recorded as part of its periodic passenger journey information, which is sufficient for business needs. For these reasons quantification of the cost is very difficult.

**Lord Morrow** asked the Minister for Regional Development (i) to outline the reasons for the reported £170,000 expenditure on taxi costs for Translink staff; (ii) whether these costs are claimed as expenses by staff; (iii) whether one taxi company, including the name of the company, is contracted to provide these services.

**(AQW 45706/11-15)**

**Mr Kennedy:** Translink has advised that the use of taxis is closely regulated and they are only used when it is the most economically viable solution. Some staff involved do not drive or have access to a car. In addition, there may not be appropriate public transport links to the destination at the time of day required which is often very early or very late in the day. These annual costs are less than the significant lost income and costs that would arise should services have to be cancelled due to staff not being in the correct place.

Such costs are not claimed as expenses by staff. They are paid directly by the Company.

The contract for provision of taxi services for passengers to/from the taxi rank at Central Station awarded to Value Cabs, also included the provision of a taxi service for NIR operational requirements for staff and NIR clients, as required.

**Mr Eastwood** asked the Minister for Regional Development whether TransportNI conducts disabled parking bay assessments after 6pm.

**(AQW 45718/11-15)**

**Mr Kennedy:** Establishing that there are parking difficulties outside an applicant's home is an integral part of the assessment process when considering provision of disabled parking bays for individuals. Local knowledge, combined with parking surveys, is used to assess the level of difficulty in each case.

The timing of the surveys can vary and use is made of information provided by the applicant when deciding when to conduct surveys, which may result in the need to carry out surveys in the evening. However, given the current financial position, my officials seek as far as possible to avoid undertaking surveys outside of normal office hours due to the associated costs. Nonetheless, each request is considered on a case by case basis and, if deemed necessary, surveys will be carried out after 6pm.

**Ms Sugden** asked the Minister for Regional Development why the cost per trip varies between rural community transport partnerships.

**(AQW 45751/11-15)**

**Mr Kennedy:** Based upon the information that has been provided to my Department by the Partnerships in audited accounts from previous years, the cost per trip does vary quite widely across the organisations. There may be a number of reasons for this variation. These may include the geographical size of each partnership area, the distance members live from the Partnership location and local services, and the administrative and operational costs. If, for example, we compare cost per miles provided, the position is very different. This suggests some provide longer trips for their members and others provide more trips for shorter distances. It has been suggested that my Department should allocate funding based on number of trips, but I would caution that this may not be the best option for a number of reasons.

My Department can, in accordance with the Transport (NI) Act 2011 provide grant funding to the Community Transport Partnerships for transport services. The policy aim is to supplement Public Transport services for those with a disability, the elderly or living in rural areas.

The decision on who gets the services and the frequency of trips is a matter for the Partnerships to determine. They are best placed to assess needs in their local areas. I would caution against simply looking at cost per trip in isolation without consideration of the needs of individuals who may require transport for longer distances.

I believe the Partnerships do provide a very valuable service but they must operate in as efficient way as possible. It is also important that funding takes account of relevant Procurement and EU Regulations. I would caution the member that if this doesn't happen the current grant funding regime could be threatened.

**Mr McNarry** asked the Minister for Regional Development to outline the estimated savings expected from an integration of public passenger transport services combined with Education and Library Board Transport Services, Rural Community Transport Services, Health Trust's Day Care Transport and Ambulance non-emergency Patient Care Service.

**(AQW 45760/11-15)**

**Mr Kennedy:** My Department is not currently in a position to outline the estimated level of savings that could be achieved from integrating passenger transport services. It is awaiting detailed financial information from the Education Authority in order to complete an economic appraisal of the options for improved integration of services that are currently provided separately by different publicly funded operators. When the requested information is made available and the economic appraisal is completed and agreed with the other Departments involved, my Department can then provide details of the estimated savings.

**Mr Weir** asked the Minister for Regional Development for an update on the future disposal or retention of reservoirs in (i) North Down; and (ii) Northern Ireland.

**(AQW 45772/11-15)**

**Mr Kennedy:** I have been advised by NI Water that, in accordance with the terms of its operating licence, NI Water has an obligation to dispose of assets that are no longer of use. 25 reservoirs have been identified for potential disposal during the current financial year, and these are detailed in the Annual Land Disposal Return 2015/16 which was submitted to the Utility Regulator on 1 April 2015. Eight of these reservoirs are in the Ards & North Down Council Area; these are Ballysallagh Upper, Ballysallagh Lower, Church Road Holywood, Conlig Low, Conlig Upper, Creightons Green, Portavoe and Lough Cowey.

In recognition of the potential for local community use through continued public ownership, NI Water agreed to offer these reservoirs to the public sector in the first instance, to determine any expressions of interest, prior to advertising them for sale on the open market. Expressions of interest were invited from the public sector during 2014, in accordance with the Department of Finance and Personnel's Disposal of Public Sector Property in Northern Ireland guidance document. Expressions of interest were received from local Councils for three of these reservoirs, i.e. Altmore and Cappagh in Mid Ulster and Portavoe in Ards & North Down. The Councils are presently considering the feasibility of procuring these assets. NI Water hopes that ownership of these assets can be transferred to the Councils within the current financial year.

Following the active marketing exercise during 2014, NI Water also agreed the sale of Knockbracken Reservoir, Belfast and Craigahullier Reservoir, Portrush to private purchasers and contracts are progressing with solicitors. Neither of these assets attracted any public sector interest.

The remaining impounding reservoir sites will be assessed for development and recreational potential, and advertised on the public market accordingly.

## Department for Social Development

**Mr Hussey** asked the Minister for Social Development how many applicants were on the housing waiting list over the last twelve months in District 5, Belfast, broken down by (i) first preference area choice; and (ii) the number of bedrooms required.

**(AQW 44532/11-15)**

**Mr Storey (The Minister for Social Development):** The information is not available in the format requested as the Housing Executive does not collate information on waiting lists on a monthly basis. However, the Housing Executive has provided the tables attached detailing the position in relation to (i) and (ii) for applicants as at 1 April 2015 in the Shankill area (formerly the Housing Executive's District 5) who are on the waiting list for housing outside the Shankill area.

**Table 1: (i) Applicants in Shankill District area whose first choice Common Landlord Area is outside Shankill District - first preference area choice**

Housing Executive District	Common Landlord Area	Total
Antrim Housing	CLA Crumlin	<10
	CLA Parkgate/Templepatrick	<10
	CLA Parkhall/Steeple	<10
	CLA/Firfields/Dublin Rd	<10
Antrim Housing Total		<10
Ballymena DO Housing	CLA Ballykeel 2	<10
		<10
Ballymena DO Housing Total		<10
Banbridge Housing	CLA Banbridge Town	<10
		<10
Banbridge Housing Total		<10
Bangor Housing	CLA Bangor Central	<10
	CLA Bloomfield Rd/Balloo	<10
	CLA Helens Bay-(Rural Area)	<10
	CLA Holywood/Redburn	<10
	CLA Kilcooley Bangor	<10
	CLA Donaghadee Rd	<10
	CLA Groomsport	<10
Bangor Housing Total		13

<b>Housing Executive District</b>	<b>Common Landlord Area</b>	<b>Total</b>
Carrickfergus Housing	CLA Eden	<10
	CLA Sunnylands	<10
	CLA Whitehead	<10
	CLA Greenisland	<10
	CLA Woodburn Upper	<10
Carrickfergus Housing Total		<10
Castlereagh Housing	CLA Ballybeen	<10
	CLA Belvoir	<10
	CLA Bests Hill	<10
	CLA Cregagh	<10
	CLA Galway Dr/Mews	<10
	CLA Newtownbreda	<10
Castlereagh Housing Total		10
Coleraine Housing	CLA Portstewart	<10
Coleraine Housing Total		<10
Downpatrick Housing	CLA Crossgar/Annacloy	<10
	CLA Saintfield	<10
Downpatrick Housing Total		<10
East Belfast Housing	CLA Newtownards Rd	<10
	CLA Sydenham/Sandbrook/Lisavon	<10
	CLA Willowfield/Upp Castlereagh	<10
	CLA Beersbridge Lwr/Mount	<10
	CLA Newtownards Rd	<10
East Belfast Housing Total		<10
Lisburn AS Housing	CLA Lambeg	<10
	CLA Old Warren	<10
	CLA Seymour Hill/Conway	<10
	CLA Upp Dunmurry Lane/Areema	<10
Lisburn AS Housing Total		<10
Lisburn Dairy Farm Housing	CLA Twinbrk-Poleglass	<10
Lisburn Dairy Farm Housing Total		<10
Magherafelt Housing	CLA Draperstown	<10
Magherafelt Housing Total		<10
Newry Housing	CLA Armagh Rd (Newry)	<10
	CLA Warrenpoint	<10
Newry Housing Total		<10
Newtownabbey 1 Housing	CLA Bawnmore/Old Mill	<10
	CLA Hightown	<10
	CLA Rathcoole	<10
	Felden	<10
	CLA Longlands	<10

<b>Housing Executive District</b>	<b>Common Landlord Area</b>	<b>Total</b>
Newtownabbey 1 Housing Total		<10
Newtownabbey 2 Housing	CLA Ballyduff	<10
	CLA Glenvarna/Glengormley	<10
	CLA Hyde Park/Parkmount	<10
	CLA Monkstown	<10
	CLA New Mossley	<10
	CLA Oakview/Roughfort	<10
Newtownabbey 2 Housing Total		<10
Newtownards Housing	CLA Ballyhalbert	<10
	CLA Ballywalter	<10
	CLA Carrowdore	<10
	CLA Comber	<10
	CLA Donaghadee	<10
	CLA Millisle	<10
	CLA Movilla	<10
	CLA Scrabo	<10
Newtownards Housing Total		<10
North Belfast Housing	CLA Ardoyne	<10
	CLA Ballysillan	19
	CLA Carlisle/New Lodge	<10
	CLA Cliftonville	<10
	CLA Fairhill/Waverley/Downview	<10
	CLA Gainsborough/Mountcollyer	<10
	CLA Gray Mount/Shore Cres	<10
	CLA Ligoneil/Glenbank Lwr	<10
	CLA Newington /Limestone	<10
	CLA Oldpark	<10
	CLA Oldpark Lwr	<10
	CLA Skegoneill/Ashfield/Fortwm	<10
	CLA Sunningdale	<10
	CLA Torrens	<10
	CLA Westland	<10
	CLA Cavehill	<10
	CLA Glandore	<10
North Belfast Housing Total		66
South Belfast Housing	CLA Annadale	<10
	CLA Donegall Pass	<10
	CLA Donegall Rd	<10
	CLA Finaghy	<10
	CLA Flush Pk	<10
	CLA Lisburn Rd	20

<b>Housing Executive District</b>	<b>Common Landlord Area</b>	<b>Total</b>
	CLA Ormeau Lwr	<10
	CLA Ormeau Upp	<10
	CLA Sandy Row	<10
	CLA Woodstock/Ravenhill	10
	CLA Taughmonagh	<10
South Belfast Housing Total		61
Strabane Housing	CLA Ballycolman	<10
Strabane Housing Total		<10
Waterside Housing	CLA Waterside Triangle	<10
Waterside Housing Total		<10
West Belfast Housing	CLA Andersonstown	<10
	CLA Beechmount	<10
	CLA Falls Ct/Clonard Cres	<10
	CLA Falls Lwr	<10
	CLA New Barnsley	<10
	CLA Springfield Pk	<10
	CLA Springfield Rd Lwr	<10
	CLA St.James	<10
	CLA Turf Lodge/Gortnamona	<10
West Belfast Housing Total		28
		202
Antrim Housing	CLA Firfields/Dublin Rd	<10
Antrim Housing Total		<10
Bangor Housing	CLA Bloomfield Rd/Balloo	<10
	CLA Donaghadee Rd	<10
	CLA Groomsport	<10
Bangor Housing Total		<10
Carrickfergus Housing	CLA Greenisland	<10
	CLA Woodburn Upp	<10
Carrickfergus Housing Total		<10
Castlereagh Housing	CLA Belvoir	<10
Castlereagh Housing Total		<10
Downpatrick Housing	CLA Saintfield	<10
Downpatrick Housing Total		<10
East Belfast Housing	CLA Beersbridge Lwr/The Mount	<10
	CLA Newtownards Rd	<10
East Belfast Housing Total		<10
Lisburn AS Housing	CLA Lambeg	<10
	CLA Seymour Hill/Conway	<10
Lisburn AS Housing Total		<10
Newtownabbey 1 Housing	CLA Hightown	<10



Housing Executive District	Common Landlord Area	Total
	CLA Longlands	<10
Newtownabbey 1 Housing Total		<10
Newtownabbey 2 Housing	CLA Glenvarna/Glengormley	<10
	CLA Monkstown	<10
	CLA New Mossley	<10
	CLA Oakview/Roughfort	<10
Newtownabbey 2 Housing Total		<10
Newtownards Housing	CLA Ballywalter	<10
	CLA Scrabo	<10
Newtownards Housing Total		<10
North Belfast Housing	CLA Ballysillan	<10
	CLA Cavehill	<10
	CLA Cliftonville	<10
	CLA Glandore	<10
	CLA Gray Mount/Shore Cres	<10
	CLA Oldpark	<10
	CLA Oldpark Lwr	<10
North Belfast Housing Total		10
South Belfast Housing	CLA Donegall Rd	<10
	CLA Lisburn Rd	<10
	CLA Taughmonagh	<10
	CLA Woodstock/Ravenhill	<10
South Belfast Housing Total		<10
		241

**Table 2:(ii) Applicants in Shankill District area whose first choice Common Landlord Area is outside Shankill District - the number of bedrooms required**

Applicants	Bedrooms Required
168	1
54	2
10	3
<10	4
<10	5
<10	6
<10	7
<b>(Total: 241)</b>	

Please note <10: For data protection purposes, where a number is less than 10, the exact figure is not provided.

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.

**Mr Allister** asked the Minister for Social Development to list the 34 applicants that have currently applied for grants under the Belfast City Centre Events Grant Scheme.  
**(AQW 45329/11-15)**

**Mr Storey:** Details of the 34 applications for Belfast City Centre grants are:

<b>Applicant</b>	<b>Event</b>
ArtsEkta	Nine Nights
Beat Carnival	Beat Carnival
Belfast Community Circus School	30th Anniversary
Belfast Festival	Belfast Festival
Belfast Healthy Cities	Kidspace
Belfast Hidden Tours	Tours
Belfast Photo Festival	Photo Festival
Belfast Pride	Party in the Square
Belfast Ultimate Strongman	Belfast Ultimate Strongman Giant Weekend 2015
Belly Laughs	Belfast Comedy Festival
Black Box Trust	Annual programme of events
Bryson Lagansports	Annual programme of events
Cancer Focus	Dragon Boat Race
Cathedral Quarter Trust	Culture Night
Comic Relief	Sport Relief - regional games
Community Arts Partnership	Street Art Exhibition
Cathedral Quarter Arts Festival	Festival Marquee in Custom House Square
Cathedral Quarter Arts Festival	Out to Lunch
Custom Bike Show	Custom Bike Show
East Belfast Partnership	Woodstock R n B
Festival of Fools	Festival of Fools
Festival of Fools	Sunday Treats street performances
Friends of Cancer Centre	Dragon Boat Race
Macmillan Cancer Support	Dragon Boat Race
Moving on Music	Brilliant Corners & City Centre Event
NI Hospice	Midnight Walk
Outburst Arts Festival	Outburst Arts Festival
Panarts	Nashville songwriters festival and events
Place	Open House Belfast
Queen's University	Boat Race
Science Festivals NI	Science Festival
Tesco	Dragon Boat Race
University of Ulster	Festival of Art & Design
Young At Art	Belfast Children's Festival

The scheme is managed by the Belfast City Centre Regeneration Directorate and I play no role in the assessment or approval of the applications.

**Mr McNarry** asked the Minister for Social Development how many (i) two bedroom; and (ii) three bedroom houses have been sold to sitting tenants by the Housing Executive in the last three years.

**(AQW 45333/11-15)**

**Mr Storey:** The table attached provides details of (i) two bedroom and (ii) three bedroom Housing Executive houses sold in the last three years to sitting tenants.

Property Type	2012/13	2013/14	2014/15
Two Bedroom	43	72	60
Three Bedroom	166	341	286

**Mr McNarry** asked the Minister for Social Development how many vacant properties are on the current list of the Housing Executive, broken down by constituency.

**(AQW 45335/11-15)**

**Mr Storey:** The Housing Executive has advised that at 5 May 2015 they had a total of 1,257 vacant properties in Northern Ireland, as broken down by Parliamentary constituency in the table attached.

Constituency	Total
Belfast East	93
Belfast North	349
Belfast South	58
Belfast West	96
East Antrim	35
East Londonderry	17
Fermanagh and South Tyrone	36
Foyle	50
Lagan Valley	29
Mid Ulster	19
Newry and Armagh	74
North Antrim	105
North Down	48
South Antrim	63
South Down	22
Strangford	62
Upper Bann	44
West Tyrone	57
<b>Total</b>	<b>1257</b>

#### Notes

This includes a total of 549 non lettable voids, which includes properties held for decanting for planned improvement schemes, adaptations, awaiting sale or awaiting demolition.

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.

**Mr Easton** asked the Minister for Social Development to detail the number of staff disciplinary hearings in his Department in the last two years.

**(AQW 45446/11-15)**

**Mr Storey:** In the Department for Social Development there were 37 staff disciplinary hearings in 2013 and 57 staff disciplinary hearings in 2014.

**Lord Morrow** asked the Minister for Social Development, in relation to Employment Support Allowance appeals, to detail the total cost of (i) venue hire; and (ii) panel payments, per division, in (a) 2013/14; and (b) 2014/15.

**(AQW 45453/11-15)**

**Mr Storey:** The information cannot be provided in the format requested. The Appeals Service arranges for all types of benefit appeals to be heard at venues throughout Northern Ireland based on the postal district within which the appellant resides. Therefore, a breakdown of the venue hire costs and panel member fees and expenses for Employment Support Allowance (ESA) appeals is not available.

However the tables below detail the cost of venue hire by tribunal district for all benefit appeals; the total cost of panel members' fees and expenses; the total number of appeals that have received a tribunal hearing; and the proportion of which relate to ESA appeals.

Tribunal District	Venue Hire Cost	
	2013/14 (£)	2014/15 (£)
Armagh	4,776.00	2898.00
Ballymena	28,449.98	13,988.13
Ballymoney	2,147.12	2,025.57
Banbridge	5,203.89	3,787.56
Belfast	-	-
Coleraine	9,926.53	9,702.00
Cookstown	6,688.00	3,733.14
Craigavon	26,641.00	13,515.00
Downpatrick	9,933.30	10,032.00
Dungannon	18,070.00	7,469.76
Enniskillen	12,312.00	8,677.26
Limavady	4,308.00	3,201.44
Londonderry	26,762.00	13,018.99
Magherafelt	9,139.00	6,354.00
Newry	11,394.00	9,936.00
Newtownards	23,205.12	14,811.24
Omagh	3,174.00	2,918.40
Strabane	7,998.00	3,162.30
<b>Grand Total</b>	<b>210,127.94</b>	<b>129,230.79</b>

Panel Members Fees & Expenses	2013/14	2014/15
<b>Total</b>	<b>£3,655,209.04</b>	<b>£2,927,282.57</b>

Appeals heard <sup>1</sup>	2013/14	2014/15
Total	25,120	16,270
ESA	16,270	8,753
<b>Total</b>	<b>41,847</b>	<b>25,023</b>

1 Includes the number of appeals that progressed to hearing and either reached a final outcome or were adjourned pending a further hearing.

**Ms Sugden** asked the Minister for Social Development how much his Department contributes to the Motability Special Vehicle Fund UK; and what plans he has to maintain this contribution to ensure provision in Northern Ireland.  
(AQW 45546/11-15)

**Mr Storey:** The amount contributed by the Department to the Department for Work and Pensions, for the Mobility Special Vehicle Fund UK in 2014/15, was £992,000.

The Specialised Vehicle Fund is administered by the independent charity Motability on behalf of the Department for Work and Pensions. This fund is administered on a UK wide basis. Information on matters relating to this fund can be obtained from Motability by writing to: Declan O'Mahony, Director, Mobility, Warwick House, Roydon Road, Harlow, Essex, CM19 5PX.

**Mr Weir** asked the Minister for Social Development how many Housing Executive homes in North Down have been purchased by sitting tenants in the last three years.  
(AQW 45662/11-15)

**Mr Storey:** The Housing Executive has advised that over the last three years they have sold 38 properties to sitting tenants in the North Down Parliamentary constituency.

**Mr Allister** asked the Minister for Social Development whether any of the community groups lending support to the Irish News advertisement of 10 May 2015 praising Gerard 'Jock' Davison, deceased, are in receipt of funding support from his Department.

**(AQW 45685/11-15)**

**Mr Storey:** The following community groups have been allocated DSD funding for 2015-16:

**Organisation Name**

- Ardmonagh Family & Community Group
- Carrick Hill Residents Association
- Cliftonville Community Regeneration Forum
- Divis Joint Development Committee
- Falls Community Council
- Glen Community Parent/Youth Group
- Lenadoon Womens Group
- Lower Ormeau Residents Action Group
- Markets Development Association
- Short Strand Community Forum
- Upper Springfield Development Company Limited
- Upper Springfield Resource Centre
- West Belfast Partnership Board

**Ms Sugden** asked the Minister for Social Development what bids he is preparing to submit for the June monitoring round.

**(AQW 45709/11-15)**

**Mr Storey:** Work is ongoing on my Department's return to DFP for the June monitoring round and I am currently considering proposals with officials. At this stage I am unable to confirm what bids, if any, may be submitted.

**Mr Weir** asked the Minister for Social Development to detail (i) the total number of calls; and (ii) the number of unanswered calls, in relation to crisis loans, in North Down in each of the last twelve months.

**(AQW 45771/11-15)**

**Mr Storey:** Teleclaim call handling for the North Down Region is centralised in Knockbreda Jobs and Benefits office with mobile calls directed to Omagh Jobs and Benefits Office. As Knockbreda Jobs and Benefits Office also deals with calls from the Belfast area, it is not possible to disaggregate call performance data for the North Down area from the overall figures.

**Mr Hussey** asked the Minister for Social Development how many written questions he has received in relation to the Charity Commission for Northern Ireland in the last twelve months.

**(AQW 45788/11-15)**

**Mr Storey:** In the last twelve months (01/05/2014-30/04/15) there have been 41 written questions in relation to the Charity Commission for Northern Ireland.

**Ms McGahan** asked the Minister for Social Development to detail the number of unregistered Houses in Multiple Occupation in Dungannon.

**(AQW 45869/11-15)**

**Mr Storey:** The Housing Executive is responsible for the regulation of Houses in Multiple Occupation (HMOs). The following table indicates a breakdown of HMO activity in Dungannon:

Current Status	Total
Registered HMOs	31
Exempt from Registration	3
Previously registered being renewed	3
In registration process	3
Enforcement/legal action	4

Current Status	Total
Total	44

**Mr Gardiner** asked the Minister for Social Development for his assessment of benefit uptake by pensioners.  
(AQO 8224/11-15)

**Mr Storey:** As Minister for Social Development I have ensured that the role of social welfare and the uptake of benefits by vulnerable groups are to the fore in my Department's policies aimed at tackling poverty and disadvantage.

Since 2005, the Agency has delivered Benefit Uptake Programmes to increase awareness and uptake of social security benefits, which has a number of approaches to specifically target older people including: writing out to older people not in receipt of certain benefits, the "Make the Call" advertising campaign, road shows held in local communities to promote the uptake of benefits, a team of Community Outreach Officers who will visit the vulnerable in their homes to assist in making a claim to benefit, partnership working with voluntary and community sector through the Innovation Fund, as well as working with other Government Departments, such as the Department for Agriculture and Rural Development, through its Maximising Access to services, grants and benefits in Rural Areas programme.

In 2013/14 over 4,000 people, many of them older people gained £14.2million in new and additional benefits. In fact, since 2005, benefit uptake work has generated over £81million in additional income for people in Northern Ireland, of which £62million was awarded to older people.

**Mr Kinahan** asked the Minister for Social Development whether he intends to take any action following the publication of the Committee for Social Development's report on the Inquiry into allegations, arising from a BBC NI Spotlight programme aired on 3 July 2013, of impropriety or irregularity relating to NIHE managed contracts and consideration of any resulting actions (NIA 222/11-16).  
(AQO 8232/11-15)

**Mr Storey:** Members are aware that the Social Development Committee's report in relation to Phase three of its Inquiry was debated in this House on Tuesday 12 May. During the debate I advised that I had received the full report with appendices on Tuesday 6 May and, as the report runs to over 1,100 pages, I will undertake to provide a full written response to the Social Development Committee within eight weeks.

**Mr Attwood** asked the Minister for Social Development for an update on the budget and waiting lists for home adaptations for people with disabilities.  
(AQO 8227/11-15)

**Mr Storey:** The Housing Executive has advised that the Capital Extensions budget for 2015/16 for adaptations for a person with a disability has been set at £4m. The minor adaptation budget - which includes heating, showers and lifts - is a further £2.7m.

Although adaptations are generally demand led, there are currently 299 schemes programmed for 2015/16 including 227 extensions and 43 stair lifts.

The Housing Executive has further advised that it does not hold a waiting list for adaptations to Housing Association properties, but does however manage the administration of Disabled Adaptations Grant payable to Housing Associations for the adaptation of their properties to meet the specific requirements of tenants. Disabled Adaptation Grants are paid out of the Housing Association Grant budget, and £1.2m was spent on this in 2014/15.

Turning to the private housing sector, Disabled Facilities Grants are available to owner occupiers, tenants and private landlords to make adaptations. The Housing Executive has indicated that it anticipates a target of 900 Disabled Facilities Grants approvals in 2015/16 with an indicative budget of around £10m.

**Mr Allister** asked the Minister for Social Development what action he intends to take in light of the Committee for Social Development's report on the Inquiry into allegations, arising from a BBC NI Spotlight programme aired on 3 July 2013, of impropriety or irregularity relating to NIHE managed contracts and consideration of any resulting actions (NIA 222/11-16).  
(AQO 8225/11-15)

**Mr Storey:** Members are aware that the Social Development Committee's report in relation to Phase three of its Inquiry was debated in this House on Tuesday 12 May. During the debate I advised that I had received the full report with appendices on Tuesday 6 May and, as the report runs to over 1,100 pages, I will undertake to provide a full written response to the Social Development Committee within eight weeks.

**Mr McAleer** asked the Minister for Social Development what funding he has allocated for Neighbourhood Renewal projects in the Omagh area.  
(AQO 8226/11-15)

**Mr Storey:** Contracts for funding for the 15/16 year have been issued to 8 projects in the Omagh Neighbourhood Renewal Area. The total value of funding awarded was £278,870.

**Mrs Cochrane** asked the Minister for Social Development how many homes have been developed or adapted to accommodate families with complex needs within social housing in each of the last three years.

**(AQO 8228/11-15)**

**Mr Storey:** In the last three years 95 new social housing units for complex needs have been developed plus four special acquisitions made.

With regard to adaptations since 2012 a total of 1,368 major adaptations which include the building of extensions to provide down stair bedroom and bathrooms, installation of lifts and change of heating have been completed.

Broken down by year:

- There were 515 major adaptations in 2012/13;
- 491 major adaptations in 2013/14; and
- 362 major adaptations in 2014/15.

**Mr F McCann** asked the Minister for Social Development when he plans to address the problems with the Housing Selection Scheme to ensure people do not have lengthy stays in hostels and over-crowded conditions.

**(AQO 8229/11-15)**

**Mr Storey:** In line with a commitment made within my Department's Housing Strategy, independent research was commissioned both to analyse the way social housing is accessed and allocated, and to make recommendations for further improvement to current approaches and systems.

Following the consultation on these independent recommendations, my officials are developing proposals for change which I will consider in due course. Consultation on these proposals is likely to begin in the autumn.

**Mr Lyttle** asked the Minister for Social Development for an update on the progress of the Department for Social Development and Northern Ireland Housing Executive Asset Commission, Asset Management Strategy and five year investment plan for Northern Ireland Housing Executive stock.

**(AQO 8230/11-15)**

**Mr Storey:** The Department for Social Development and Northern Ireland Housing Executive Asset Commission is nearing an end. The field work to survey the Housing Executive's residential portfolio is complete, with approximately one in four Housing Executive homes having benefited from a detailed condition survey. The Housing Executive is now working closely with the appointed consultants to quality assure and collate the data that has been collected.

Data analysis is also underway for the purpose of generating a number of strategic and tactical outputs – all of which will assist both my Department and the Housing Executive to provide improved housing for the future.

Housing Executive staff, supported by consultants, are in the process of developing and drafting the Housing Executive's Asset Management Strategy, which draws upon and reflects the stock conditions survey results.

The investment principles arising from the finalised Asset Management Strategy will then be fed into an investment planning process by the Housing Executive to deliver its projected five year investment plan. It is anticipated that formal review and approval of draft outputs will allow these to be ready later this year.

**Ms P Bradley** asked the Minister for Social Development how many vacant Northern Ireland Housing Executive properties there are in North Belfast.

**(AQO 8231/11-15)**

**Mr Storey:** The Housing Executive has advised that at 5 May 2015 they had 349 vacant properties in the North Belfast Parliamentary constituency of which 264 are non lettable voids. The non lettable voids include properties held for decanting for planned improvement schemes or adaptations. In addition, a number of the properties are awaiting sale or demolition.

**Mr Maskey** asked the Minister for Social Development for an update on the redevelopment of Belfast City Centre to address the dereliction which exists in the north and west of the city centre.

**(AQO 8233/11-15)**

**Mr Storey:** My Department tackles dereliction in Belfast City Centre and has promoted regeneration activity through masterplanning of the city quarters and distinct areas of the city centre. Implementation of this approach has resulted in the Belfast Streets Ahead programme successfully rejuvenating 14 streets, including several in the west of the city centre at a cost of £28m. Complementary rehabilitation of Bank Square costing £3m has seen a positive turnaround in that area. My Department has also used its comprehensive development powers to promote regeneration of the City Centre, both on major schemes, such as the Northside Regeneration Scheme and Victoria Square project and to address site specific dereliction e.g. the BT1 Gateway Site at the corner of North Street and Carrick Hill and the Bank Street development site.

While these powers will continue to be used to promote development, I am conscious of the requirement to balance what is best for the wider City and region with the needs of those living and working in the proximity of any city centre development.

My Department also uses innovative schemes such as the ReStore/Revitalisation programme, which combats the effects of vacant properties and dereliction, through enhancements to shop-fronts; one such example has been the ReStore Castle Street/King project, whilst another focused on the Smithfield and Union Street area in the north of the City Centre.



# Journal of Proceedings



# Minutes of Proceedings



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# Northern Ireland Assembly

Monday 20 April 2015

*The Assembly met at noon, the Speaker in the Chair.*

## 1. Personal Prayer or Meditation

Members observed two minutes' silence.

## 2. Assembly Business

### 2.1 Motion – Committee Membership

#### **Proposed:**

That Mr Gary Middleton be appointed as a Member of the Committee for Social Development.

*Mr P Weir  
Lord Morrow*

The Question being put, the Motion was **carried** without division.

*Deputy Speaker Dallat in the Chair*

## 3. Executive Committee Business

### 3.1 Statement – Enabling Success – Supporting the Transition from Economic Inactivity to Employment

The Minister for Employment and Learning, Dr Stephen Farry, made a statement regarding Enabling Success – Supporting the Transition from Economic Inactivity to Employment, following which he replied to questions.

## 4. Committee Business

### 4.1 First Stage – Public Services Ombudsperson Bill

The Deputy Chairperson of the Committee for the Office of the First Minister and deputy First Minister, Mr Chris Lyttle, introduced a Bill to establish and make provision about the office of the Northern Ireland Public Services Ombudsperson; to abolish the offices of the Northern Ireland Commissioner for Complaints and the Assembly Ombudsman for Northern Ireland; to provide that the Northern Ireland Public Services Ombudsperson is, by virtue of holding that office, the Northern Ireland Judicial Appointments Ombudsman; and for connected purposes.

The Public Services Ombudsperson Bill (NIA Bill 47/11-16) passed First Stage and ordered to be printed.

### 4.2 Motion – Extension of Committee Stage – Special Education Needs and Disability Bill (NIA 46/11-16)

#### **Proposed:**

That, in accordance with Standing Order 33(4), the period referred to in Standing Order 33(2) be extended to 13 November 2015, in relation to the Committee Stage of the Special Education Needs and Disability Bill (NIA 46/11-16).

*Chairperson, Committee for Education*

*Debate ensued.*

The Question being put, the Motion was **carried** without division.

#### **4.3 Motion – Prayer of Annulment – Department of Education Retention and Disposal Schedule for Employee Records**

**The following motion stood on the Order Paper in the name of the Chairperson of the Committee for Education.**

That this Assembly requires the preservation of medical records of those exposed to a substance hazardous to health listed for disposal in the Department of Education Retention and Disposal Schedule for Employee Records laid in the Assembly on 25 February 2015.

*Chairperson, Committee for Education*

*The motion was not moved.*

## **5. Private Members' Business**

### **5.1 Motion – Fuel Laundering**

That this Assembly expresses its concern at the continuing high levels of fuel laundering, the organised criminal activity surrounding it and the evident lack of criminal prosecutions; notes the environmental damage caused to the countryside; recognises the financial losses suffered by both Her Majesty's Treasury and legitimate fuel operators and the consequential serious implications for the local economy; and calls on the Minister of Justice to ensure action is taken at every operational level to secure greater numbers of prosecutions for this serious crime.

*Mr J Bell  
Mr A Ross  
Mr J Craig  
Lord Morrow*

### **5.2 Amendment**

**Proposed:**

Insert after 'economy;':

'further notes that legislation extending the role of the National Crime Agency in Northern Ireland has completed its passage at Westminster and that the National Crime Agency must now demonstrate that it will deploy its full powers and resources against any and all persons or organisations involved in fuel laundering and other organised crime;'

*[Mr A Maginness]  
[Mr A Attwood]  
[Mr P McGlone]*

*Debate ensued.*

*The debate was suspended for Question Time.*

*The Principal Deputy Speaker (Mr Newton) took the Chair.*

## **6. Question Time**

### **6.1 Finance and Personnel**

Questions were put to, and answered by, the Minister of Finance and Personnel, Mr Simon Hamilton.

### **6.2 Health, Social Services and Public Safety**

Questions were put to, and answered by, the Minister of Health, Social Services and Public Safety, Mr Jim Wells.

*The Speaker took the Chair.*

## 7. Private Members' Business (cont'd)

### 7.1 Motion – Fuel Laundering (cont'd)

*Debate resumed.*

The Question being put, the Amendment was **made**.

The Question being put, the Motion, as amended, was **carried**.

### 7.2 Motion – Westminster Elections

#### **Proposed:**

That this Assembly notes the potential for a hung Parliament following the Westminster elections; further notes that the votes of Members of Parliament from Northern Ireland could be critical in relation to the formation of the next Westminster government; and calls on all Members of Parliament returned from Northern Ireland to play their full part in achieving the best possible outcomes for Northern Ireland, in particular in relation to the block grant and welfare provisions.

*Mr C Eastwood*

*Mr F McKinney*

*Mr D Bradley*

*Debate ensued.*

The Question being put, there were dissenting voices. Tellers were called for a Division. Two Tellers presented for the Ayes but none for the Noes. In accordance with Standing Order 27(4) the determination of the Assembly was that of the side for which two Tellers had been nominated. The Motion was **carried** without division.

## 8. Adjournment

#### **Proposed:**

*That the Assembly do now adjourn.*

*The Speaker*

*The Assembly adjourned at 5.05pm.*

**Mr Mitchel McLaughlin**

**The Speaker**

20 April 2015

# Northern Ireland Assembly

## **Papers Presented to the Assembly on 15 April - 20 April 2015**

### 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

The Northern Ireland Social Security Agency Social Fund Account for the year ended 31 March 2014 (NIAO).

Northern Ireland Legal Services Commission Annual Report and Financial Statements for the year ended 31 March 2014 (DOJ).

Biodegradable Carrier Bags Report: Exemptions from the Northern Ireland Carrier Bag Levy April 2015 (DOE).

Report of the Northern Ireland Assembly Commissioner for Standards for 2014-2015 (Commissioner for Standards).

Weights and Measures Report for the Period 1 April 2011 – 31 March 2014 (DETI).

The Pollution Prevention and Control (Industrial Emissions - NIEA) Charging Scheme (Northern Ireland) 2015 (DOE).

The Radioactive Substances (Fees and Charges) Scheme (Northern Ireland) 2015 (DOE).

### 5. Assembly Reports

Report on Managing and Protecting Funds held In Court NIA 246/11-16 (PAC).

Inquiry into allegations, arising from a BBC NI Spotlight programme aired on 3 July 2013, of impropriety or irregularity relating to NIHE managed contracts and consideration of any resulting actions – Phase 3 NIA 222/11-16 (Committee for Social Development).

### 6. Statutory Rules

S.R. 2015/216 The Social Fund Winter Fuel Payment (Amendment) Regulations (Northern Ireland) 2015 (DRD).

#### **For Information Only**

S.R. 2015/214 The Road Races (Tour of the Sperrins Rally) Order (Northern Ireland) 2015 (DRD).

### 7. Written Ministerial Statements

Update on Progress with the Investment Strategy 2011-21 and report on Private Finance Initiative (PFI) projects (OFMDFM).



8. Consultation Documents

9. Departmental Publications

10. Agency Publications

11. Westminster Publications

12. Miscellaneous Publications

The Effectiveness of public transport in Northern Ireland (NIAO).



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# Northern Ireland Assembly

**Tuesday 21 April 2015**

*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 Further Consideration Stage – Pensions Bill (NIA Bill 42/11-16)

The Minister of Finance and Personnel, Mr Simon Hamilton, on behalf of the Minister for Social Development, moved the Further Consideration Stage of the Pensions Bill (NIA Bill 42/11-16).

No amendments were tabled to the Bill.

The Pensions Bill (NIA Bill 42/11-16) stood referred to the Speaker for consideration in accordance with Section 10 of the Northern Ireland Act 1998.

## 3. Committee Business

### 3.1 Motion – Report on Sickness Absence in the Northern Ireland Public Sector (NIA 237/11-16)

#### **Proposed:**

That this Assembly approves the report of the Committee for Finance and Personnel on its Review of Sickness Absence in the Northern Ireland Public Sector; and calls on the Minister of Finance and Personnel, in conjunction with Executive colleagues, to implement, as applicable, the recommendations contained therein.

*Chairperson, Committee for Finance and Personnel*

*Debate ensued.*

The Question being put, the Motion was **carried** without division.

## 4. Private Members' Business

### 4.1 Motion – Water Rates

#### **Proposed:**

That this Assembly reaffirms its rejection of the imposition of water rates on the people of Northern Ireland; recognises that were they to be introduced, households would face an additional cost of at least £400 per year; and calls on the Minister for Regional Development to prioritise within his budget to ensure sufficient investment is in place to maintain properly the local water infrastructure.

*Mr J Bell*

*Mr T Clarke*

## 4.2 Amendment

### Proposed:

Leave out all after 'year' and insert:

'notes that it is an Executive priority to ensure that there are no additional water charges; and calls on the Minister for Regional Development to work with his Executive colleagues to ensure sufficient resources are made available to his Department to maintain properly the local water infrastructure.'

*Mr L Cree*

*Mr R Beggs*

*Mr R Swann*

*Debate ensued.*

*The sitting was suspended at 12.25pm.*

*The sitting resumed at 2.00pm, with the Principal Deputy Speaker (Mr Newton) in the Chair.*

## 5. Question Time

### 5.1 Justice

Questions were put to, and answered by, the Minister of Justice, Mr David Ford.

### 5.2 Regional Development

Questions were put to, and answered by, the Minister for Regional Development, Mr Danny Kennedy.

*Deputy Speaker (Mr Beggs) in the Chair*

## 6. Private Members' Business (cont'd)

### 6.1 Motion – Water Rates (cont'd)

*Debate resumed on the motion.*

The Question being put, the Amendment was **made**.

The Question being put, the Motion, as amended, was **carried**.

## 7. Adjournment

Mr John Dallat spoke to his topic regarding services at the Causeway Hospital.

### Proposed:

That the Assembly do now adjourn.

*The Speaker*

*The Assembly adjourned at 5.05pm.*

**Mr Mitchel McLaughlin**

**The Speaker**

21 April 2015

# Northern Ireland Assembly

## **Papers Presented to the Assembly on 21 April 2015**

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

Report on Managing and Protecting Funds held In Court NIA 246/11-16 (PAC).

## 6. Statutory Rules

S.R. 2015/220 The Parkside Gardens, Belfast (Abandonment) Order (Northern Ireland) 2015 (DRD).

S.R. 2015/221 The Sliabh Dubh Glen and Sliabh Dubh View, Belfast (Footpath) (Abandonment) Order (Northern Ireland) 2015 (DRD).

### **For Information Only**

S.R. 2015/217 The One-Way Traffic (Belfast) (Amendment No. 2) Order (Northern Ireland) 2015 (DRD).

S.R. 2015/218 The Road Races (Spamount Hill Climb) Order (Northern Ireland) 2015 (DRD).

S.R. 2015/219 The Prohibition of Right-Hand Turn (Larne) Order (Northern Ireland) 2015 (DRD).

S.R. 2015/222 The Parking and Waiting Restrictions (Newtownabbey) Order (Northern Ireland) 2015 (DRD).

7. Written Ministerial Statements
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.**

## Stages in Consideration of Public Bills 22 April 2015

### 2011-2016 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	17.09.13
Welfare Reform Bill 13/11-15	01.10.12	09.10.12	19.02.13	14.02.13	10.02.15 & 11.02.15	24.02.15		
Education Bill 14/11-15	02.10.12	15.10.12	08.04.13	08.04.13				
Planning Bill 17/11-15	14.01.13	22.01.13	07.06.13	06.06.13	24.06.13 & 25.06.13			
Tobacco Retailers Bill 19/11-15	15.04.13	23.04.13	18.10.13	09.10.13	3.12.13	10.02.14	18.02.14	25.03.14
Carrier Bags Bill 20/11-15	03.06.13	11.06.13	30.11.13	26.11.13	28.01.14	25.02.14	10.03.14	28.04.14
Financial Provisions Bill 22/11-15	17.06.13	01.07.13	13.12.13	11.12.13	11.02.14	24.02.14	04.03.14	28.04.14
Public Service Pensions Bill 23/11-15	17.06.13	25.06.13	29.11.13	27.11.13	14.01.14	27.01.14	04.02.14	11.03.14
Licensing of Pavement Cafés Bill 24/11-15	17.06.13	25.06.13	13.12.13	05.12.13	04.03.14	25.03.14	07.04.14	12.05.14

Title & NIA Bill Number	First Stage	Second Stage	Comm. Stage to Conclude	Report Ordered to be Printed	CS	FCS	Final Stage	Royal Assent
Health and Social Care (Amendment) Bill 27/11-15	16.09.13	24.09.13	11.12.13	04.12.13	20.01.14	28.01.14	11.02.14	11.04.14
Local Government Bill 28/11-15	23.09.13	01.10.13	20.02.14	20.02.14	18.03.14 & 19.03.14	01.04.14	08.04.14	12.05.14
Road Races (Amendment) Bill 29/11-15	18.11.13	26.11.13	/	/	2.12.13	9.12.13	10.12.13	17.01.14
Reservoirs Bill 31/11-15	20.01.14	04.02.14	04.07.14	24.06.14				
Budget Bill 32/11-15	10.02.14	11.02.14	/	/	17.02.14	18.02.14	24.02.14	19.03.14
Legal Aid and Coroners' Courts Bill 33/11-15	31.03.14	08.04.14	20.06.14	18.06.14	16.09.14	30.09.14	13.10.14	17.11.14
Work and Families Bill 34/11-15	28.04.14	12.05.14	30.11.14	08.10.14	11.11.14	24.11.14	02.12.14	08.01.15
Road Traffic (Amendment) Bill 35/11-15	12.05.14	27.05.14	27.03.15					
Budget (No.2) Bill 36/11-15	09.06.14	10.06.14	/	/	16.06.14	17.06.14	30.06.14	16.07.14
Justice Bill 37/11-15	16.06.14	24.06.14	27.03.15					
Education Bill 38/11-16	06.10.14	14.10.14	/	/	21.10.14	11.11.14	17.11.14	11.12.14
Insolvency (Amendment) Bill 39/11-16	07.10.14	10.11.14	13.03.15	03.03.15				
Off Street Parking Bill 40/11-16	13.10.14	21.10.14	09.12.14	08.12.14	13.01.15	26.01.15	03.02.15	12.03.15
Food Hygiene (Ratings) Bill 41/11-16	03.11.14	11.11.14	08.05.15					
Pensions Bill 42/11-16	10.11.14	18.11.14	26.03.15	19.02.15	24.03.15	21.04.15		
Regeneration Bill 43/11-16	08.12.14	20.01.15	28.05.15					
Budget Bill 45/11-16	09.02.15	16.02/15	/	/	17.02.15	23.02.15	24.02.15	12.03.15

Title & NIA Bill Number	First Stage	Second Stage	Comm. Stage to Conclude	Report Ordered to be Printed	CS	FCS	Final Stage	Royal Assent
Special Educational Needs and Disability Bill 46/11-16	02.03.15	10.03.15	07.05.15					

**2011-2016 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
Road Traffic (Speed Limits) Bill 25/11-15	17.06.13 Bill fell. Re-introduced as Bill 30/11-15 (see below)							
Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill 26/11-15	24.06.13	23.09.13 & 24.09.13	11.04.14	11.04.14	20.10.14	01.12.14	09.12.14	13.01.15
Road Traffic (Speed Limits) Bill 30/11-15	09.12.13	17.02.15	16.10.15					
Children's Services Co-operation Bill 44/11-16	08.12.14	26.01.15	13.11.15					
Public Services Ombudsperson Bill 47/11-16	20.04.15							

/ 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 27 April 2015**

*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 – Reconsideration of the Belmont Road proposed development along the banks of the Sixmilewater River**

Mr Danny Kinahan was granted leave, in accordance with Standing Order 22, to present a Public Petition relating to reconsideration of the Belmont Road proposed development along the banks of the Sixmilewater River.

## 3. Executive Committee Business

### 3.1 **Motion - The Social Security Benefits Up-rating Order (Northern Ireland) 2015**

#### **Proposed:**

That the Social Security Benefits Up-rating Order (Northern Ireland) 2015 be approved.

*Minister for Social Development*

*Debate ensued.*

The Question being put, the Motion was **carried** without division.

## 4. Committee Business

### 4.1 **First Stage – Ombudsman and Commissioner for Complaints (Amendment) Bill (NIA Bill 48/11-16)**

The Chairperson of the Committee for the Office of the First Minister and deputy First Minister, Mr Mike Nesbitt, introduced a Bill to extend the maximum period for which an acting Assembly Ombudsman for Northern Ireland and an acting Northern Ireland Commissioner for Complaints may hold office.

The Ombudsman and Commissioner for Complaints (Amendment) Bill (NIA Bill 48/11-16) passed First Stage and ordered to be printed.

### 4.2 **Motion - Report on the Operation of the Provisions of Parts 3 and 4 of the Northern Ireland Act 1998.**

#### **Proposed:**

That this Assembly notes the report of the Assembly and Executive Review Committee on the Operation of the Provisions of Parts 3 and 4 of the Northern Ireland Act 1998 (NIA 242/11-16), made under Section 29A (3) of that Act.

Deputy Chairperson, Assembly and Executive Review Committee

*Debate ensued.*

*The Principal Deputy Speaker (Mr Newton) took the Chair.*

The Question being put, the Motion was **carried** without division.

## 5. Private Members' Business

### 5.1 Motion - Marriage Equality

*A valid Petition of Concern was presented under Standing Order 28, on Friday 24 April 2015 in relation to the Motion (Appendix 1).*

**Proposed:**

That this Assembly welcomes the marriage equality referendum in the south of Ireland; notes that a growing number of parliaments across the world have embraced, and legislated for, marriage equality; respects the rights of the religious institutions to define, observe and practise marriage within their beliefs; and calls on the Executive to legislate for marriage equality for same sex couples so that all citizens will have the same legal entitlement to the protections, responsibilities, rights, obligations and benefits afforded by the legal institution of marriage.

*Ms C Ruáine  
Mr Daíthi McKay  
Mr Chris Hazzard  
Ms Megan Fearon*

*The Speaker took the Chair.*

*Debate ensued.*

*The sitting was suspended at 13.55pm.*

*The sitting resumed at 2.00pm, with the Speaker in the Chair.*

## 6. Question Time

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

Questions were put to, and answered by, the First Minister, Rt. Hon. Mr Peter Robinson. The junior Minister, Mr Jonathan Bell, also answered a number of questions.

*The Deputy Speaker (Mr Dallat) took the Chair.*

### 6.2 Social Development

Questions were put to, and answered by, the Minister for Social Development, Mr Mervyn Storey.

*The Speaker took the Chair.*

## 7. Private Members' Business (Cont'd)

### 7.1 Motion – Marriage Equality (cont'd)

*Debate resumed.*

The Question being put, the Motion was **negatived** on a cross-community vote (Division).

## 8. Adjournment

**Proposed:**

That the Assembly do now adjourn.

*The Speaker*

*The Assembly adjourned at 4.00pm.*

**Mr Mitchel McLaughlin**  
**The Speaker**

27 April 2015

## 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 24 April 2015 in relation to the following motion:**

## **Marriage Equality**

That this Assembly welcomes the marriage equality referendum in the south of Ireland; notes that a growing number of parliaments across the world have embraced, and legislated for, marriage equality; respects the rights of the religious institutions to define, observe and practise marriage within their beliefs; and calls on the Executive to legislate for marriage equality for same sex couples so that all citizens will have the same legal entitlement to the protections, responsibilities, rights, obligations and benefits afforded by the legal institution of marriage.

- Mr Sydney Anderson
- Ms Paula Bradley
- Mr Thomas Buchanan
- Mrs Pam Cameron
- Mr Gregory Campbell
- Mr Trevor Clarke
- Mr Jonathan Craig
- Mr Sammy Douglas
- Mr Gordon Dunne
- Mr Alex Easton
- Mr Paul Frew
- Mr Paul Girvan
- Mr Paul Givan
- Mrs Brenda Hale
- Mr David Hilditch
- Mr William Humphrey
- Mr William Irwin
- Mr Ian McCrea
- Mr David McIlveen
- Miss Michelle McIlveen
- Mr Adrian McQuillan
- Mr Gary Middleton
- The Lord Morrow
- Mr Stephen Moutray
- Mr Edwin Poots
- Mr George Robinson
- Mr Alastair Ross
- Mr Jimmy Spratt
- Mr Peter Weir
- Mr Sammy Wilson

# Northern Ireland Assembly

27 April 2015

Division

## Motion – Marriage Equality

### Proposed:

That this Assembly welcomes the marriage equality referendum in the south of Ireland; notes that a growing number of parliaments across the world have embraced, and legislated for, marriage equality; respects the rights of the religious institutions to define, observe and practise marriage within their beliefs; and calls on the Executive to legislate for marriage equality for same sex couples so that all citizens will have the same legal entitlement to the protections, responsibilities, rights, obligations and benefits afforded by the legal institution of marriage.

*Ms C Ruáine*  
*Mr Daíthi McKay*  
*Mr Chris Hazzard*  
*Ms Megan Fearon*

The Question was put and the Assembly divided.

**Ayes:** 47

**Noes:** 49

### AYES

#### Nationalist:

*Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Durkan, Mr Eastwood, Ms Fearon, Mr Flanagan, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Dr McDonnell, Mr McElduff, Ms McGahan, Mr McGlone, Mr M McGuinness, Mr McKay, Mr McKinney, Ms Maeve McLaughlin, Mr McMullan, Mr Maskey, Mr Milne, Ms Ní Chuilín, Mr Ó hOisín, Mr Ó Muilleoir, Mr O'Dowd, Mrs O'Neill, Mr Ramsey, Ms Ruane, Mr Sheehan.*

#### Unionist:

*Mr Kinahan, Mr McCallister, Mr B McCrea, Ms Sugden.*

#### Other:

*Mr Agnew, Mr Dickson, Dr Farry, Mr Ford, Ms Lo, Mr Lyttle.*

*Tellers for the Ayes: Ms Fearon and Ms Ruane.*

### NOES

#### Unionist:

*Mr Allister, Mr Anderson, Mr Beggs, Mr Bell, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Campbell, Mr Clarke, Mr Craig, Mr Cree, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr Kennedy, Mr McCausland, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Mr McNarry, Mr McQuillan, Mr Middleton, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, 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 McQuillan and Mr G Robinson.*

Total votes	96	Total Ayes	47	[49.0%]
Nationalist Vote	37	Nationalist Ayes	37	[100.0%]
Unionist Votes	53	Unionist Ayes	4	[7.5%]
Other Votes	6	Other Ayes	6	[100%]

The following Members voted in both Lobbies and are therefore not counted in the result:

*Mrs Cochrane, Mr Lunn, Mr McCarthy.*

The Motion was **negatived** on a cross-community vote.

# Northern Ireland Assembly

## **Papers Presented to the Assembly on 22 April 2015 to 27 April 2015**

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. 2015/223 The Health and Safety (Miscellaneous Repeals, Revocations and Amendments) Regulations (Northern Ireland) 2015 (DETI).

S.R. 2015/227 The Misuse of Drugs (Amendment No. 2) Regulations (Northern Ireland) 2015 (DHSSPS).

S.R. 2015/228 The Misuse of Drugs (Designation) (Amendment No.2) Order (Northern Ireland) 2015 (DHSSPS).

S.R. 2015/229 The Ship Recycling Facilities Regulations (Northern Ireland) 2015 (DOE).

### **For Information Only**

S.R. 2015/226 The Road Races (North West 200) Order (Northern Ireland) 2015 (DRD).

7. Written Ministerial Statements
8. Consultation Documents
9. Departmental Publications  
The Waste Management Charging (Northern Ireland) Scheme 2015 (DOE).
10. Agency Publications
11. Westminster Publications
12. Miscellaneous Publications

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# Northern Ireland Assembly

Tuesday 28 April 2015

*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 Consideration Stage – Reservoirs Bill (NIA Bill 31/11-15)

The Minister of Agriculture and Rural Development, Mrs Michelle O'Neill, moved the Consideration Stage of the Reservoirs Bill (NIA Bill 31/11-15).

214 amendments were tabled to the Bill and selected for debate.

#### **Clauses**

After debate, Amendment 1 was **negatived** after division.

The question that Clause 1 stand part of the Bill was **agreed** without division.

*As Amendment 1 was not made, Amendment 2 was not called.*

The question that Clause 2 stand part of the Bill was **made** without division.

*The sitting was suspended at 12.27pm.*

*The sitting resumed at 2.00pm, with the Principal Deputy Speaker (Mr Newton) in the Chair.*

## 3. Question Time

### 3.1 Agriculture and Rural Development

Questions were put to, and answered by, the Minister of Agriculture and Rural Development, Mrs Michelle O'Neill.

### 3.2 Culture, Arts and Leisure

Questions were put to, and answered by, the Minister for Culture, Arts and Leisure, Ms Carál Ní Chuilín.

*Deputy Speaker (Mr Dallat) in the Chair*

## 4. Executive Committee Business (cont'd)

### 4.1 Consideration Stage – Reservoirs Bill (NIA Bill 31/11-15)

*Debate resumed on the Bill.*

After debate, Amendment 3 to Clause 3 was **made** without division.

After debate, Amendment 4 to Clause 3 was **made** without division.

After debate, Amendment 5 to Clause 3 was **made** without division.

After debate, Amendment 6 to Clause 3 was **made** without division.

After debate, Amendment 7 to Clause 3 was **made** without division.

After debate, Amendment 8 to Clause 3 was **made** without division.

After debate, Amendment 9 to Clause 3 was **made** without division.

After debate, Amendment 10 to Clause 3 was **made** without division.

The question being put, it was **agreed** without division that Clause 3, as amended, stand part of the Bill.

The question that Clauses 4 to 7 stand part of the Bill was **agreed** without division.

After debate, Amendment 11 to Clause 8 was **made** without division.

The question being put, it was **agreed** without division that Clause 8, as amended, stand part of the Bill.

The question that Clauses 9 to 15 stand part of the Bill was **agreed** without division.

After debate, Amendments 12 to 31 to Clauses 16 to 20 were **made** without division.

The question being put, it was **agreed** without division that Clauses 16 to 20, as amended, stand part of the Bill.

After debate, Amendment 32 to Clause 21 was **made** without division.

After debate, Amendment 33 to Clause 21 was **made** without division.

After debate, Amendment 34 to Clause 21 was **made** without division.

After debate, Amendment 35 to Clause 21 was **made** without division.

After debate, Amendment 36 to Clause 21 was **made** without division.

The question being put, it was **agreed** without division that Clause 21, as amended, stand part of the Bill.

After debate, Amendment 37 to Clause 22 was **made** without division.

After debate, Amendment 38 to Clause 22 was **made** without division.

After debate, Amendment 39 to Clause 22 was **made** without division.

After debate, Amendment 40 to Clause 22 was **made** without division.

After debate, Amendment 41 to Clause 22 was **made** without division.

After debate, Amendment 42 to Clause 22 was **made** without division.

After debate, Amendment 43 to Clause 22 was **made** without division.

After debate, Amendment 44 to Clause 22 was **made** without division.

The question being put, it was **agreed** without division that Clause 22, as amended, stand part of the Bill.

After debate, Amendment 45 inserting new Clause 22A was **made** without division and it was **agreed** that the new clause stand part of the Bill.

After debate, Amendments 46 to 52 to Clauses 23 and 24 were **made** without division.

The question being put, it was **agreed** without division that Clauses 23 and 24, as amended, stand part of the Bill.

After debate, Amendment 53 to Clause 25 was **made** without division.

After debate, Amendment 54 to Clause 25 was **made** without division.

After debate, Amendment 55 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.

After debate, Amendment 56 inserting new Clause 25A was **made** without division and it was **agreed** that the new clause stand part of the Bill.

The question that Clauses 26 and 27 stand part of the Bill was **agreed** without division.

After debate, Amendments 57 to 65 to Clause 28 were **made** without division.

The question being put, it was **agreed** without division that Clause 28, as amended, stand part of the Bill.

After debate, Amendment 66 to Clause 29 was **made** without division.



After debate, Amendment 67 to Clause 29 was **made** without division.

After debate, Amendment 68 to Clause 29 was **made** without division.

After debate, Amendment 69 to Clause 29 was **made** without division.

After debate, Amendment 70 to Clause 29 was **made** without division.

After debate, Amendment 71 to Clause 29 was **made** without division.

After debate, Amendment 72 to Clause 29 was **made** without division.

After debate, Amendment 73 to Clause 29 was **made** without division.

After debate, Amendment 74 to Clause 29 was **made** without division.

After debate, Amendment 75 to Clause 29 was **made** without division.

The question being put, it was **agreed** without division that Clause 29, as amended, stand part of the Bill.

After debate, Amendments 76 to 79 to Clause 30 were **made** without division.

The question being put, it was **agreed** without division that Clause 30, as amended, stand part of the Bill.

After debate, Amendments 80 to 87 to Clauses 31 and 32 were **made** without division.

The question being put, it was **agreed** without division that Clauses 31 and 32, as amended, stand part of the Bill.

After debate, Amendment 88 to Clause 33 was **made** without division.

The question being put, it was **agreed** without division that Clause 33, as amended, stand part of the Bill.

The question that Clause 34 stand part of the Bill was **agreed** without division.

After debate, Amendments 89 and 90 to Clause 35 were **made** without division.

The question being put, it was **agreed** without division that Clause 35, as amended, stand part of the Bill.

After debate, Amendment 91 to Clause 36 was **made** without division.

After debate, Amendment 92 to Clause 36 was **made** without division.

After debate, Amendment 93 to Clause 36 was **made** without division.

After debate, Amendment 94 to Clause 36 was **made** without division.

After debate, Amendment 95 to Clause 36 was **made** without division.

After debate, Amendment 96 to Clause 36 was **made** without division.

After debate, Amendment 97 to Clause 36 was **made** without division.

After debate, Amendment 98 to Clause 36 was **made** without division.

The question being put, it was **agreed** without division that Clause 36, as amended, stand part of the Bill.

After debate, Amendment 99 inserting new Clause 36A was **made** without division, and it was **agreed** that the new clause stand part of the Bill.

The question that Clause 37 stand part of the Bill was **agreed** without division.

*As Amendment 1 was not made, Amendments 100 and 101 were not called.*

The question that Clauses 39 to 41 stand part of the Bill was **agreed** without division.

*As Amendment 1 was not made, Amendment 102 was not called.*

The question that Clause 42 stand part of the Bill was **agreed** without division.

The question that Clauses 43 to 45 stand part of the Bill was **agreed** without division.

After debate, Amendments 103 to 106 to Clause 46 were **made** without division.

The question being put, it was **agreed** without division that Clause 46, as amended, stand part of the Bill.

The question that Clauses 47 and 48 stand part of the Bill was **agreed** without division.

After debate, Amendment 107 to Clause 49 was **made** without division.

After debate, Amendment 108 to Clause 49 was **made** without division.

After debate, Amendment 109 to Clause 49 was **made** without division.

After debate, Amendment 110 to Clause 49 was **made** without division.

The question being put, it was **agreed** without division that Clause 49, as amended, stand part of the Bill.

After debate, Amendment 111 inserting new Clause 49A was **made** without division, and it was **agreed** that the new clause stand part of the Bill.

The question that Clauses 50 and 51 stand part of the Bill was **agreed** without division.

After debate, Amendment 112 to Clause 52 was **made** without division.

*Deputy Speaker (Mr Beggs) in the Chair.*

After debate, Amendment 113 to Clause 52 was **made** without division.

After debate, Amendment 114 to Clause 52 was **made** without division.

After debate, Amendment 115 to Clause 52 was **made** without division.

After debate, Amendment 116 to Clause 52 was **made** without division.

After debate, Amendment 117 to Clause 52 was **made** without division.

After debate, Amendment 118 to Clause 52 was **made** without division.

After debate, Amendment 119 to Clause 52 was **made** without division.

The question being put, it was **agreed** without division that Clause 52, as amended, stand part of the Bill.

After debate, Amendment 120 to Clause 53 was **made** without division.

After debate, Amendment 121 to Clause 53 was **made** without division.

After debate, Amendment 122 to Clause 53 was **made** without division.

After debate, Amendment 123 to Clause 53 was **made** without division.

After debate, Amendment 124 to Clause 53 was **made** without division.

After debate, Amendment 125 to Clause 53 was **made** without division.

After debate, Amendment 126 to Clause 53 was **made** without division.

After debate, Amendment 127 to Clause 53 was **made** without division.

After debate, Amendment 128 to Clause 53 was **made** without division.

After debate, Amendment 129 to Clause 53 was **made** without division.

The question being put, it was **agreed** without division that Clause 53, as amended, stand part of the Bill.

After debate, Amendments 130 to 134 to Clauses 54 and 55 were **made** without division.

The question being put, it was **agreed** without division that Clauses 54 and 55, as amended, stand part of the Bill.

After debate, Amendment 135 to Clause 56 was **made** without division.

After debate, Amendment 136 to Clause 56 was **made** without division.

After debate, Amendment 135 to Clause 56 was **made** without division.

After debate, Amendment 137 to Clause 56 was **made** without division.

After debate, Amendment 138 to Clause 56 was **made** without division.

After debate, Amendment 139 to Clause 56 was **made** without division.

After debate, Amendment 140 to Clause 56 was **made** without division.

After debate, Amendment 141 to Clause 56 was **made** without division.

The question being put, it was **agreed** without division that Clause 56, as amended, stand part of the Bill.

The question that Clauses 57 to 64 stand part of the Bill was **agreed** without division.

After debate, Amendment 142 to Clause 65 was **made** without division.

The question being put, it was **agreed** without division that Clause 65, as amended, stand part of the Bill.

The question that Clauses 66 stand part of the Bill was **agreed** without division.

After debate, Amendment 143 to Clause 67 was **made** without division.

The question being put, it was **agreed** without division that Clause 67, as amended, stand part of the Bill.

The question that Clause 68 stand part of the Bill was **agreed** without division.

After debate, Amendment 144 to Clause 69 was **made** without division.

The question being put, it was **agreed** without division that Clause 69, as amended, stand part of the Bill.

The question that Clause 70 stand part of the Bill was **made** without division.

After debate, Amendment 145 to Clause 71 was **made** without division.

The question being put, it was **agreed** without division that Clause 71, as amended, stand part of the Bill.

After debate, Amendment 146 inserting new Clause 71A was **made** without division and it was **agreed** that the new clause stand part of the Bill.

The question that Clause 72 stand part of the Bill was **agreed** without division.

After debate, Amendment 147 to Clause 73 was **made** without division.

After debate, Amendment 148 to Clause 73 was **made** without division.

After debate, Amendment 149 to Clause 73 was **made** without division.

After debate, Amendment 150 to Clause 73 was **made** without division.

After debate, Amendment 151 to Clause 73 was **made** without division.

After debate, Amendment 152 to Clause 73 was **made** without division.

The question being put, it was **agreed** without division that Clause 73, as amended, stand part of the Bill.

After debate, Amendment 153 to Clause 74 was **made** without division.

After debate, Amendment 154 to Clause 74 was **made** without division.

After debate, Amendment 155 to Clause 74 was **made** without division.

After debate, Amendment 156 to Clause 74 was **made** without division.

The question being put, it was **agreed** without division that Clause 74, as amended, stand part of the Bill.

The question that Clauses 75 and 76 stand part of the Bill was **agreed** without division.

After debate, Amendment 157 to Clause 77 was **made** without division.

After debate, Amendment 158 to Clause 77 was **made** without division.

After debate, Amendment 159 to Clause 77 was **made** without division.

After debate, Amendment 160 to Clause 77 was **made** without division.

After debate, Amendment 161 to Clause 77 was **made** without division.

The question being put, it was **agreed** without division that Clause 77, as amended, stand part of the Bill.

The question that Clause 78 stand part of the Bill was **agreed** without division.

After debate, Amendment 162 to Clause 79 was **made** without division.

After debate, Amendment 163 to Clause 79 was **made** without division.

After debate, Amendment 164 to Clause 79 was **made** without division.

The question being put, it was **agreed** without division that Clause 79, as amended, stand part of the Bill.

The question that Clauses 80 and 81 stand part of the Bill was **agreed** without division.

After debate, Amendment 165 to Clause 82 was **made** without division.

After debate, Amendment 166 to Clause 82 was **made** without division.

After debate, Amendment 167 to Clause 82 was **made** without division.

The question being put, it was **agreed** without division that Clause 82, as amended, stand part of the Bill.

The question that Clause 83 stand part of the Bill was **agreed** without division.

After debate, Amendment 168 to Clause 84 was **made** without division.

After debate, Amendment 169 to Clause 84 was **made** without division.

After debate, Amendment 170 to Clause 84 was **made** without division.

The question being put, it was **agreed** without division that Clause 84, as amended, stand part of the Bill.

The question that Clause 85 stand part of the Bill was **agreed** without division.

After debate, Amendment 171 to Clause 86 was **made** without division.

After debate, Amendment 172 to Clause 86 was **made** without division.

After debate, Amendment 173 to Clause 86 was **made** without division.

After debate, Amendment 174 to Clause 86 was **made** without division.

The question being put, it was **agreed** without division that Clause 86, as amended, stand part of the Bill.

The question that Clause 87 stand part of the Bill was **agreed** without division.

After debate, Amendments 175 and 176 to Clause 88 were **made** without division.

The question being put, it was **agreed** without division that Clause 88, as amended, stand part of the Bill.

The question that Clause 89 and 90 stand part of the Bill was **agreed** without division.

After debate, Amendment 177 to Clause 91 was **made** without division.

The question being put, it was **agreed** without division that Clause 91, as amended, stand part of the Bill.

After debate, Amendment 178 to Clause 92 was **made** without division.

After debate, Amendment 179 to Clause 92 was **made** without division.

The question being put, it was **agreed** without division that Clause 92, as amended, stand part of the Bill.

After debate, Amendments 180 to 182 to Clause 93 were **made** without division.

The question being put, it was **agreed** without division that Clause 93, as amended, stand part of the Bill.

The question that Clause 94 stand part of the Bill was **agreed** without division.

After debate, Amendment 182 to Clause 95 was **made** without division.

The question being put, it was **agreed** without division that Clause 95, as amended, stand part of the Bill.

The question that Clauses 96 to 103 stand part of the Bill was **agreed** without division.

After debate, Amendment 183 inserting new Clause 103A was **made** without division and it was **agreed** that the new clause stand part of the Bill.

After debate, Amendment 184 inserting new Clause 103B was **made** without division and it was **agreed** that the new clause stand part of the Bill.

After debate, Amendment 185 inserting new Clause 103C was **made** without division and it was **agreed** that the new clause stand part of the Bill.

The question that Clause 104 stand part of the Bill was **agreed** without division.

After debate, Amendment 186 inserting new Clause 104D was **made** without division and it was **agreed** that the new clause stand part of the Bill.

The question that Clause 105 stand part of the Bill was **agreed** without division.

After debate, Amendment 187 to Clause 106 was **made** without division.

The question being put, it was **agreed** without division that Clause 106, as amended, stand part of the Bill.

After debate, Amendment 188 inserting new Clause 106A was **made** without division and it was **agreed** that the new clause stand part of the Bill.

After debate, Amendment 189 to Clause 107 was **made** without division.

After debate, Amendment 190 to Clause 107 was **made** without division.

After debate, Amendment 191 to Clause 107 was **made** without division.

After debate, Amendment 192 to Clause 107 was **made** without division.

The question being put, it was **agreed** without division that Clause 107, as amended, stand part of the Bill.

The question that Clauses 108 to 116 stand part of the Bill was **agreed** without division.

After debate, Amendment 193 to Clause 117 was **made** without division.

After debate, Amendment 194 to Clause 117 was **made** without division.

After debate, Amendment 195 to Clause 117 was **made** without division.

The question being put, it was **agreed** without division that Clause 117, as amended, stand part of the Bill.

After debate, Amendment 196 to Clause 118 was **made** without division.

The question being put, it was **agreed** without division that Clause 118, as amended, stand part of the Bill.

The question that Clause 119 stand part of the Bill was **agreed** without division.

After debate, Amendment 197 to Clause 120 was **made** without division.

After debate, Amendment 198 to Clause 120 was **made** without division.

After debate, Amendment 199 to Clause 120 was **made** without division.

After debate, Amendment 200 to Clause 120 was **made** without division.

The question being put, it was **agreed** without division that Clause 120, as amended, stand part of the Bill.

After debate, Amendment 201 inserting new Clause 121 was **made** without division and it was **agreed** that the new clause stand part of the Bill.

### **Schedules**

After debate, Amendments 202 to 205 to Schedule 1 were **made** without division.

The question being put, it was **agreed** without division that Schedule 1, as amended, stand part of the Bill.

After debate, Amendment 206 to Schedule 2 was **made** without division.

After debate, Amendment 207 to Schedule 2 was **made** without division.

After debate, Amendment 208 to Schedule 2 was **made** without division.

After debate, Amendment 209 to Schedule 2 was **made** without division.

After debate, Amendment 210 to Schedule 2 was **made** without division.

After debate, Amendment 211 to Schedule 2 was **made** without division.

The question being put, it was **agreed** without division that Schedule 2, as amended, stand part of the Bill.

After debate, Amendment 212 to Schedule 3 was **made** without division.

After debate, Amendment 213 to Schedule 3 was **made** without division.

After debate, Amendment 214 to Schedule 3 was **made** without division.

The question being put, it was **agreed** without division that Schedule 3, as amended, stand part of the Bill.

The question that Schedule 4 stand part of the Bill was **agreed** without division.

#### **Long Title**

The question being put, it was **agreed** without division that the Long Title stand part of the Bill.

*The Reservoirs Bill (NIA Bill 31/11-15) stood referred to the Speaker.*

## 5. Adjournment

#### **Proposed:**

That the Assembly do now adjourn.

*The Speaker*

*The Assembly adjourned at 5.48 pm.*

**Mr Mitchel McLaughlin**

**The Speaker**

28 April 2015

# Northern Ireland Assembly

28 April 2015

Division

**Consideration Stage – Reservoirs Bill (NIA Bill 31/11-15) – Amendment 1**

**Proposed:**

Clause 1, Page 1, Line 6

Leave out '10,000' and insert '25,000'

*Mr Trevor Clarke*

*Mr Paul Girvan*

The Question was put and the Assembly divided.

**Ayes** 33;

**Noes** 39.

**AYES**

*Mr Allister, Mr Bell, Ms P Bradley, Mrs Cameron, Mr Campbell, Mr Clarke, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mrs Hale, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr Kennedy, Mr McCallister, Mr I McCrea, Mr McGimpsey, Miss M McIlveen, Mr Middleton, Lord Morrow, Mr Nesbitt, Mr G Robinson, Mr Ross, Mr Spratt, Mr Storey, Ms Sugden, Mr Swann, Mr Weir.*

*Tellers for the Ayes: Mr Clarke and Mr G Robinson*

**NOES**

*Mr Agnew, Mr Boylan, Ms Boyle, Mr Brady, Mr Byrne, Mrs Cochrane, Mr Dickson, Mr Durkan, Dr Farry, Mr Flanagan, Mr G Kelly, Ms Lo, Mr Lunn, Mr Lynch, Mr Lyttle, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Mr B McCrea, Mr McElduff, Ms McGahan, Mr McGlone, Mr McKay, Mrs McKevitt, Mr McKinney, Ms Maeve McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Milne, Ms Ni Chuilin, Mr Ó hOisín, Mr Ó Muilleoir, Mr O'Dowd, Mrs O'Neill, Ms Ruane, Mr Sheehan.*

*Tellers for the Noes: Mr McAleer and Mr Milne*

The amendment **fell**.

# Northern Ireland Assembly

## **Papers Presented to the Assembly on 28 April 2015**

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. 2015/235 The Rules of the Court of Judicature (Northern Ireland) (Amendment) 2015 (DOJ).

## **For Information Only**

(C) The Public Authorities (Reform) (2009 Act) (Commencement No. 2) Order (Northern Ireland) 2015 (OFMDFM).

7. Written Ministerial Statements
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.**

## Stages in Consideration of Public Bills 29 April 2015

### 2011-2016 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	17.09.13
Welfare Reform Bill 13/11-15	01.10.12	09.10.12	19.02.13	14.02.13	10.02.15 & 11.02.15	24.02.15		
Education Bill 14/11-15	02.10.12	15.10.12	08.04.13	08.04.13				
Planning Bill 17/11-15	14.01.13	22.01.13	07.06.13	06.06.13	24.06.13 & 25.06.13			
Tobacco Retailers Bill 19/11-15	15.04.13	23.04.13	18.10.13	09.10.13	3.12.13	10.02.14	18.02.14	25.03.14
Carrier Bags Bill 20/11-15	03.06.13	11.06.13	30.11.13	26.11.13	28.01.14	25.02.14	10.03.14	28.04.14
Financial Provisions Bill 22/11-15	17.06.13	01.07.13	13.12.13	11.12.13	11.02.14	24.02.14	04.03.14	28.04.14
Public Service Pensions Bill 23/11-15	17.06.13	25.06.13	29.11.13	27.11.13	14.01.14	27.01.14	04.02.14	11.03.14
Licensing of Pavement Cafés Bill 24/11-15	17.06.13	25.06.13	13.12.13	05.12.13	04.03.14	25.03.14	07.04.14	12.05.14

Title & NIA Bill Number	First Stage	Second Stage	Comm. Stage to Conclude	Report Ordered to be Printed	CS	FCS	Final Stage	Royal Assent
Health and Social Care (Amendment) Bill 27/11-15	16.09.13	24.09.13	11.12.13	04.12.13	20.01.14	28.01.14	11.02.14	11.04.14
Local Government Bill 28/11-15	23.09.13	01.10.13	20.02.14	20.02.14	18.03.14 & 19.03.14	01.04.14	08.04.14	12.05.14
Road Races (Amendment) Bill 29/11-15	18.11.13	26.11.13	/	/	2.12.13	9.12.13	10.12.13	17.01.14
Reservoirs Bill 31/11-15	20.01.14	04.02.14	04.07.14	24.06.14	28.04.15			
Budget Bill 32/11-15	10.02.14	11.02.14	/	/	17.02.14	18.02.14	24.02.14	19.03.14
Legal Aid and Coroners' Courts Bill 33/11-15	31.03.14	08.04.14	20.06.14	18.06.14	16.09.14	30.09.14	13.10.14	17.11.14
Work and Families Bill 34/11-15	28.04.14	12.05.14	30.11.14	08.10.14	11.11.14	24.11.14	02.12.14	08.01.15
Road Traffic (Amendment) Bill 35/11-15	12.05.14	27.05.14	27.03.15	19.03.15				
Budget (No.2) Bill 36/11-15	09.06.14	10.06.14	/	/	16.06.14	17.06.14	30.06.14	16.07.14
Justice Bill 37/11-15	16.06.14	24.06.14	27.03.15					
Education Bill 38/11-16	06.10.14	14.10.14	/	/	21.10.14	11.11.14	17.11.14	11.12.14
Insolvency (Amendment) Bill 39/11-16	07.10.14	10.11.14	13.03.15	03.03.15				
Off Street Parking Bill 40/11-16	13.10.14	21.10.14	09.12.14	08.12.14	13.01.15	26.01.15	03.02.15	12.03.15
Food Hygiene (Ratings) Bill 41/11-16	03.11.14	11.11.14	08.05.15					
Pensions Bill 42/11-16	10.11.14	18.11.14	26.03.15	19.02.15	24.03.15	21.04.15		
Regeneration Bill 43/11-16	08.12.14	20.01.15	28.05.15					
Budget Bill 45/11-16	09.02.15	16.02/15	/	/	17.02.15	23.02.15	24.02.15	12.03.15

Title & NIA Bill Number	First Stage	Second Stage	Comm. Stage to Conclude	Report Ordered to be Printed	CS	FCS	Final Stage	Royal Assent
Special Educational Needs and Disability Bill 46/11-16	02.03.15	10.03.15	13.11.15					

**2011-2016 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
Road Traffic (Speed Limits) Bill 25/11-15	17.06.13 Bill fell. Re-introduced as Bill 30/11-15 (see below)							
Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill 26/11-15	24.06.13	23.09.13 & 24.09.13	11.04.14	11.04.14	20.10.14	01.12.14	09.12.14	13.01.15
Road Traffic (Speed Limits) Bill 30/11-15	09.12.13	17.02.15	16.10.15					
Children's Services Co-operation Bill 44/11-16	08.12.14	26.01.15	03.07.15					
Public Services Ombudsperson Bill 47/11-16	20.04.15							
Ombudsman and Commissioner for complaints (amendment) Bill 48/11-16	27.04.15							

/ 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 11 May 2015**

*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 – Inclusion of Gullion/South Armagh in new Newry, Mourne and Down Council name

Mr Mickey Brady was granted leave, in accordance with Standing Order 22, to present a Public Petition regarding the inclusion of Gullion/South Armagh in new Newry, Mourne and Down Council name.

## 3. Executive Committee Business

### 3.1 Motion – The draft Energy (Amendment) Order (Northern Ireland) 2015

#### **Proposed:**

That the draft Energy (Amendment) Order (Northern Ireland) 2015 be approved.

*Minister of Enterprise, Trade and Investment*

*Debate ensued.*

The Question being put, the Motion was **carried** without division.

### 3.2 Final Stage – Pensions Bill (NIA Bill 42/11-16)

The Minister for Social Development, Mr Mervyn Storey, moved that the Final Stage of the Pensions Bill (NIA Bill 42/11-16) do now pass.

*Debate ensued.*

*The Principal Deputy Speaker (Mr Newton) took the Chair.*

The Pensions Bill (NIA Bill 42/11-16) passed Final Stage.

## 4. Committee Business

### 4.1 Motion – Establishment of an Ad Hoc Joint Committee to consider the Mental Capacity Bill

#### **Proposed:**

That as provided for in Standing Order 64C, this Assembly appoints an Ad Hoc Joint Committee to consider the Mental Capacity Bill; and to submit a report to the Assembly by 28 January 2016.

Composition:	Democratic Unionist Party	4
	Sinn Féin	3
	Ulster Unionist Party	2
	Social Democratic and Labour Party	1
	Alliance Party	1

Quorum: The quorum shall be five Members except when no decision is taken or question put to the Committee, when the quorum shall be four.

Procedure: The procedures of the Committee shall be such as the Committee shall determine.

*Mr P Weir  
Ms C Ruane  
Mr P Ramsey  
Mr R Swann  
Mr S Dickson*

The Question being put, the Motion was **carried**.

#### 4.2 Second Stage – Public Services Ombudsperson Bill (NIA Bill 47/11-16)

The Chairperson of the Committee for the Office of the First Minister and deputy First Minister, Mr Mike Nesbitt, moved the Second Stage of the Public Services Ombudsperson Bill (NIA Bill 47/11-16).

*Debate ensued.*

*The debate was suspended for Question Time.*

*The Speaker took the Chair.*

## 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 Enterprise, Trade and Investment

Questions were put to, and answered by, the Minister of Enterprise, Trade and Investment, Mrs Arlene Foster.

### 5.3 Employment and Learning

Questions were put to, and answered by, the Minister for Employment and Learning, Dr Stephen Farry.

*The Deputy Speaker (Mr Beggs) took the Chair.*

## 6. Committee Business (cont'd)

### 6.1 Second Stage – Public Services Ombudsperson Bill (NIA Bill 47/11-16) (cont'd)

*Debate resumed on the Bill.*

The Public Services Ombudsperson Bill (NIA Bill 47/11-16) passed Second Stage without division.

### 6.2 Motion – Establishment of an Ad Hoc Committee to consider the Public Services Ombudsperson Bill

#### **Proposed:**

That as provided for in Standing Order 53(1), this Assembly appoints an Ad Hoc Committee to consider the Public Services Ombudsperson Bill; and to submit a report to the Assembly by 30 June 2015.

Composition:	Democratic Unionist Party	4
	Sinn Féin	3
	Ulster Unionist Party	1
	Social Democratic and Labour Party	2
	Alliance Party	1

Quorum: The quorum shall be five Members except when no decision is taken or question put to the Committee, when the quorum shall be four.

Procedure: The procedures of the Committee shall be such as the Committee shall determine.

*Mr P Weir  
Ms C Ruane  
Mr P Ramsey  
Mr R Swann  
Mr S Dickson*

The Question being put, the Motion was **carried**.

**6.3 Motion – Accelerated Passage: Ombudsman and Commissioner for Complaints (Amendment) Bill (NIA Bill 48/11-16)**

**Proposed:**

That the Ombudsman and Commissioner for Complaints (Amendment) Bill (NIA Bill 48/11-16) proceed under the accelerated passage procedure.

*Chairperson, Committee for the Office of the First Minister and deputy First Minister*

*Debate ensued.*

The Question being put, the Motion was **carried** with cross-community support *nemine contradicente*.

**6.4 Second Stage – Ombudsman and Commissioner for Complaints (Amendment) Bill (NIA Bill 48/11-16)**

The Chairperson of the Committee for the Office of the First Minister and deputy First Minister, Mr Mike Nesbitt, moved the Second Stage of the Ombudsman and Commissioner for Complaints (Amendment) Bill (NIA Bill 48/11-16).

*Debate ensued.*

The Ombudsman and Commissioner for Complaints (Amendment) Bill (NIA Bill 48/11-16) passed Second Stage without division.

## 7. Adjournment

**Proposed:**

That the Assembly do now adjourn.

*The Speaker*

*The Assembly adjourned at 4.49pm.*

**Mr Mitchel McLaughlin**

**The Speaker**

11 May 2015

# Northern Ireland Assembly

## **Papers Presented to the Assembly on 29 April - 11 May 2015**

### 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

Northern Ireland Civil Service Additional Voluntary Contribution Scheme (Amendment) Scheme 2015 (DFP).

Northern Ireland Partnership Pension Account Ill Health Benefits Scheme (Amendment) Scheme 2015 (DFP).

Unregistered Death Benefits Scheme (Amendment) Scheme (Northern Ireland) 2015 (DFP).

Northern Ireland Partnership Pension Account Death Benefits Scheme (Amendment) Scheme 2015 (DFP).

Department of Finance and Personnel Memorandum on the Twenty Seventh Report from the Public Account Committee Mandate 2011-2016 (DFP).

The Police and Criminal Evidence (Northern Ireland) Order 1989 (PACE) Codes of Practice A-H (DOJ).

### 5. Assembly Reports

Report on the Estimate of the Northern Ireland Audit Office 2015-16 (NIA 245/11-16) (Audit Committee).

Committee Stage of the Food Hygiene Rating Bill (NIA 204/11-16) (Committee for Health, Social Services and Public Safety).

### 6. Statutory Rules

S.R. 2015/224 The General Teaching Council for Northern Ireland (Constitution) (Amendment) Regulations (Northern Ireland) 2015 (DE).

S.R. 2015/225 The Police and Criminal Evidence (Northern Ireland) Order 1989 (Codes of Practice) Order 2015 (DOJ).

S.R. 2015/234 The White Lodge Court, Greenisland (Abandonment) Order (Northern Ireland) 2015 (DRD).

S.R. 2015/236 The Explosives (Appointment of Authorities and Enforcement) Regulations (Northern Ireland) 2015 (DOJ).

S.R. 2015/239 The Fisheries (Amendment) Regulations (Northern Ireland) 2015 (DCAL).

S.R. 2015/241 The Crown Court (Amendment) Rules (Northern Ireland) 2015 (DOJ).

S.R. 2015/242 The Motor Vehicles (Driving Licences) (Amendment No. 2) Regulations (Northern Ireland) 2015 (DOE).

S.R. 2015/244 The Londonderry Harbour (Variation of Limits) Order (Northern Ireland) 2015 (DRD).

S.R. 2015/XXX The Planning (Amount of Fixed Penalty) Regulations (Northern Ireland) 2015 (DOE).

#### **For Information Only**

S.R. 2015/230 (C) The Public Authorities (Reform) (2009 Act) (Commencement No. 2) Order (Northern Ireland) 2015 (OFMDFM).

S.R. 2015/232 The Parking and Waiting Restrictions (Antrim) Order (Northern Ireland) 2015 (DRD).

S.R. 2015/233 The Cycle Routes (Amendment) Order (Northern Ireland) 2015 (DRD).



S.R. 2015/240 The Off-Street Parking (Amendment) Order (Northern Ireland) 2015 (DRD).

## 7. Written Ministerial Statements

## 8. Consultation Documents

Entertainment Licensing Consultation – Report by the Entertainment Licensing Review Group (DOE).

Consultation Paper on the Planning (Hazardous Substances) (Amendment) Regulations (Northern Ireland) 2015 (DOE).

## 9. Departmental Publications

## 10. Agency Publications

## 11. Westminster Publications

## 12. Miscellaneous Publications



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# Northern Ireland Assembly

**Tuesday 12 May 2015**

*The Assembly met at 10.30am, the Speaker in the Chair.*

## 1. Personal Prayer or Meditation

Members observed two minutes' silence.

## 2. Speaker's Business

### 2.1 Ministerial Appointments

The Speaker informed Members that, on 11 May 2015 the following Ministerial appointments took effect: Mr Simon Hamilton had taken up the office of Minister of Health, Social Services and Public Safety; Mrs Arlene Foster had taken up the office of Minister of Finance and Personnel; Mr Jonathan Bell had taken up the office of Minister of Enterprise, Trade and Investment and that Miss Michelle McIlveen had taken up the office of junior Minister in the Office of the First Minister and deputy First Minister.

### 2.2 Committee Chairperson and Deputy Chairperson Nominations

The Speaker informed Members that the following resignations took effect from 11 May 2015: Miss Michelle McIlveen as Chairperson of the Committee for Education; and Ms Paula Bradley as Deputy Chairperson of the Committee for Health, Social Services and Public Safety. The Speaker also informed Members that, with effect from 11 May 2015, Mr Peter Weir had been nominated as Chairperson of the Committee for Education; and Mr Alex Easton had been nominated as Deputy Chairperson of the Committee for Health, Social Services and Public Safety and confirmed the appointments.

## 3. Executive Committee Business

### 3.1 Statement – North South Ministerial Council Transport Sector Meeting (Road Safety)

The Minister of the Environment, Mr Mark H. Durkan, made a statement regarding the North South Ministerial Council Transport Sector Meeting (Road Safety), following which he replied to questions.

### 3.2 Statement – North South Ministerial Council Transport Sector Meeting (Roads and Transport)

The Minister for Regional Development, Mr Danny Kennedy, made a statement regarding the North South Ministerial Council Transport Sector Meeting (Roads and Transport), following which he replied to questions.

*The Deputy Speaker (Mr Dallat) took the Chair.*

### 3.3 Motion – The Shared Parental Leave Regulations (Northern Ireland) 2015

#### **Proposed:**

That the Shared Parental Leave Regulations (Northern Ireland) 2015 be approved.

*Minister for Employment and Learning*

**3.4 Motion – The Statutory Shared Parental Pay (General) Regulations (Northern Ireland) 2015****Proposed:**

That the Statutory Shared Parental Pay (General) Regulations (Northern Ireland) 2015 be approved.

*Minister for Employment and Learning*

*A single debate ensued on both motions.*

The Question being put, the motion regarding The Shared Parental Leave Regulations (Northern Ireland) 2015 was **carried** without division.

The Question being put, the motion regarding The Statutory Shared Parental Pay (General) Regulations (Northern Ireland) 2015 was **carried** without division.

**3.5 Motion – The Paternity and Adoption Leave (Amendment) Regulations (Northern Ireland) 2015****Proposed:**

That the Paternity and Adoption Leave (Amendment) Regulations (Northern Ireland) 2015 be approved.

*Minister for Employment and Learning*

**3.6 Motion – The Maternity and Adoption Leave (Curtailed of Statutory Rights to Leave) Regulations (Northern Ireland) 2015****Proposed:**

That the Maternity and Adoption Leave (Curtailed of Statutory Rights to Leave) Regulations (Northern Ireland) 2015 be approved.

*Minister for Employment and Learning*

**3.7 Motion – The Maternity and Parental Leave etc. (Amendment) Regulations (Northern Ireland) 2015****Proposed:**

That the Maternity and Parental Leave etc. (Amendment) Regulations (Northern Ireland) 2015 be approved.

*Minister for Employment and Learning*

*A single debate ensued on all three motions.*

The Question being put, the motion regarding The Paternity and Adoption Leave (Amendment) Regulations (Northern Ireland) 2015 was **carried** without division.

The Question being put, the motion regarding The Maternity and Adoption Leave (Curtailed of Statutory Rights to Leave) Regulations (Northern Ireland) 2015 was **carried** without division.

The Question being put, the motion regarding The Maternity and Parental Leave etc. (Amendment) Regulations (Northern Ireland) 2015 was **carried** without division.

**3.8 Motion – The Statutory Shared Parental Pay (Adoptions from Overseas) Regulations (Northern Ireland) 2015****Proposed:**

That the Statutory Shared Parental Pay (Adoptions from Overseas) Regulations (Northern Ireland) 2015 be approved.

*Minister for Employment and Learning*

**3.9 Motion – The Employment Rights (Northern Ireland) Order 1996 (Application of Articles 107G and 107I to Adoptions from Overseas) Regulations (Northern Ireland) 2015****Proposed:**

That the Employment Rights (Northern Ireland) Order 1996 (Application of Articles 107G and 107I to Adoptions from Overseas) Regulations (Northern Ireland) 2015 be approved.

*Minister for Employment and Learning*

**3.10 Motion – The Shared Parental Leave and Paternity and Adoption Leave (Adoptions from Overseas) Regulations (Northern Ireland) 2015**

**Proposed:**

That the Shared Parental Leave and Paternity and Adoption Leave (Adoptions from Overseas) Regulations (Northern Ireland) 2015 be approved.

*Minister for Employment and Learning*

**3.11 Motion – The Statutory Shared Parental Pay (Parental Order Cases) Regulations (Northern Ireland) 2015**

**Proposed:**

That the Statutory Shared Parental Pay (Parental Order Cases) Regulations (Northern Ireland) 2015 be approved.

*Minister for Employment and Learning*

**3.12 Motion – The Employment Rights (Northern Ireland) Order 1996 (Application of Articles 107A, 107B, 107G, 107I, 112A and 112B to Parental Order Cases) Regulations (Northern Ireland) 2015**

**Proposed:**

That the Employment Rights (Northern Ireland) Order 1996 (Application of Articles 107A, 107B, 107G, 107I, 112A and 112B to Parental Order Cases) Regulations (Northern Ireland) 2015 be approved.

*Minister for Employment and Learning*

**3.13 Motion – The Paternity, Adoption and Shared Parental Leave (Parental Order Cases) Regulations (Northern Ireland) 2015**

**Proposed:**

That the Paternity, Adoption and Shared Parental Leave (Parental Order Cases) Regulations (Northern Ireland) 2015 be approved.

*Minister for Employment and Learning*

*A single debate ensued on all six motions.*

The Question being put, the motion regarding The Statutory Shared Parental Pay (Adoptions from Overseas) Regulations (Northern Ireland) 2015 was **carried** without division.

The Question being put, the motion regarding The Employment Rights (Northern Ireland) Order 1996 (Application of Articles 107G and 107I to Adoptions from Overseas) Regulations (Northern Ireland) 2015 was **carried** without division.

The Question being put, the motion regarding The Shared Parental Leave and Paternity and Adoption Leave (Adoptions from Overseas) Regulations (Northern Ireland) 2015 was **carried** without division.

The Question being put, the motion regarding The Statutory Shared Parental Pay (Parental Order Cases) Regulations (Northern Ireland) 2015 was **carried** without division.

The Question being put, the motion regarding The Employment Rights (Northern Ireland) Order 1996 (Application of Articles 107A, 107B, 107G, 107I, 112A and 112B to Parental Order Cases) Regulations (Northern Ireland) 2015 was **carried** without division.

The Question being put, the motion regarding The Paternity, Adoption and Shared Parental Leave (Parental Order Cases) Regulations (Northern Ireland) 2015 was **carried** without division.

*The Speaker took the Chair.*

## 4. Committee Business

### 4.1 Motion – Inquiry into allegations, arising from a BBC NI Spotlight programme aired on 3 July 2013, of impropriety or irregularity relating to NIHE managed contracts and consideration of any resulting actions (NIA 222/11-16)

**Proposed:**

That this Assembly notes the report of the Committee for Social Development on Phase 3 of its Inquiry into allegations, arising from a BBC NI Spotlight programme aired on 3 July 2013, of impropriety or irregularity relating to NIHE managed contracts and consideration of any resulting actions (NIA 222/11-16), which deals specifically with decision making relating to the award, modification and cancellation of NIHE maintenance contracts to establish any impropriety and, in particular, whether the actions of Ministers were appropriate.

*Chairperson, Committee for Social Development*

*Debate ensued.*

*The debate was suspended at 12.28pm.*

*The sitting resumed at 1.00pm, with the Speaker in the Chair.*

The Question being put, the Motion was **carried** (Division).

*The Principal Deputy Speaker (Mr Newton) took the Chair.*

## 5. Question Time

### 5.1 Environment

Questions were put to, and answered by, the Minister of the Environment, Mr Mark H. Durkan.

### 5.2 Finance and Personnel

Questions were put to, and answered by, the Minister of Finance and Personnel, Mrs Arlene Foster.

### 5.3 Education

Questions were put to, and answered by, the Minister of Education, Mr John O'Dowd.

*The Deputy Speaker Mr Beggs took the Chair.*

## 6. Adjournment

Mr Gary Middleton spoke to his topic regarding suicide prevention in Londonderry.

**Proposed:**

That the Assembly do now adjourn.

*The Speaker*

*The Assembly adjourned at 5.09pm.*

**Mr Mitchel McLaughlin**

**The Speaker**

12 May 2015

# Northern Ireland Assembly

12 May 2015

Division

**Motion – Inquiry into allegations, arising from a BBC NI Spotlight programme aired on 3 July 2013, of impropriety or irregularity relating to NIHE managed contracts and consideration of any resulting actions (NIA 222/11-16)**

**Proposed:**

That this Assembly notes the report of the Committee for Social Development on Phase 3 of its Inquiry into allegations, arising from a BBC NI Spotlight programme aired on 3 July 2013, of impropriety or irregularity relating to NIHE managed contracts and consideration of any resulting actions (NIA 222/11-16), which deals specifically with decision making relating to the award, modification and cancellation of NIHE maintenance contracts to establish any impropriety and, in particular, whether the actions of Ministers were appropriate.

*Chairperson, Committee for Social Development*

The Question was put and the Assembly divided.

**Ayes:** 55

**Noes:** 32

## **AYES**

*Mr Agnew, Mr Allister, Mr Beggs, Mr Boylan, Mr Brady, Mr Byrne, Mrs Cochrane, Mr Cree, Mr Dallat, Mr Dickson, Mrs Dobson, Mr Durkan, Dr Farry, Ms Fearon, Mr Ford, Mr Gardiner, Mr Hazzard, Mr Hussey, Mrs D Kelly, Mr G Kelly, Mr Kennedy, Mr Kinahan, Ms Lo, Mr Lunn, Mr Lynch, Mr McAleer, Mr McCallister, Mr F McCann, Ms J McCann, Mr McCarthy, Mr McCartney, Ms McCorley, Mr B McCrea, Mr McElduff, Ms McGahan, Mr McGimpsey, Mr McGlone, Mr M McGuinness, Mr McKay, Mrs McKeivitt, Mr McKinney, Ms Maeve McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mrs Overend, Mr Rogers, Ms Ruane, Mr Sheehan, Ms Sugden, Mr Swann.*

*Tellers for the Ayes: Mr Brady, Mr F McCann.*

## **NOES**

*Mr Anderson, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Campbell, Mr Clarke, Mr Douglas, Mr Dunne, Mr Easton, Mrs Foster, Mr Frew, Mr Girvan, Mr Givan, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr McCausland, Mr I McCrea, Miss M McIlveen, Mr McQuillan, Mr Middleton, Lord Morrow, Mr Moutray, Mr Newton, Mr Poots, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Storey, Mr Weir, Mr Wells.*

*Tellers for the Noes: Mr McQuillan, Mr G Robinson.*

The motion was **carried**.

# Northern Ireland Assembly

**Papers Presented to the Assembly on  
12 May 2014**

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**

S.R. 2015/245 The Parking and Waiting Restrictions (Fivemiletown) (Amendment) Order (Northern Ireland) 2015 (DRD).

7. Written Ministerial Statements
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.**

## Stages in Consideration of Public Bills 13 May 2015

### 2011-2016 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	17.09.13
Welfare Reform Bill 13/11-15	01.10.12	09.10.12	19.02.13	14.02.13	10.02.15 & 11.02.15	24.02.15		
Education Bill 14/11-15	02.10.12	15.10.12	08.04.13	08.04.13				
Planning Bill 17/11-15	14.01.13	22.01.13	07.06.13	06.06.13	24.06.13 & 25.06.13			
Tobacco Retailers Bill 19/11-15	15.04.13	23.04.13	18.10.13	09.10.13	3.12.13	10.02.14	18.02.14	25.03.14
Carrier Bags Bill 20/11-15	03.06.13	11.06.13	30.11.13	26.11.13	28.01.14	25.02.14	10.03.14	28.04.14
Financial Provisions Bill 22/11-15	17.06.13	01.07.13	13.12.13	11.12.13	11.02.14	24.02.14	04.03.14	28.04.14
Public Service Pensions Bill 23/11-15	17.06.13	25.06.13	29.11.13	27.11.13	14.01.14	27.01.14	04.02.14	11.03.14
Licensing of Pavement Cafés Bill 24/11-15	17.06.13	25.06.13	13.12.13	05.12.13	04.03.14	25.03.14	07.04.14	12.05.14

Title & NIA Bill Number	First Stage	Second Stage	Comm. Stage to Conclude	Report Ordered to be Printed	CS	FCS	Final Stage	Royal Assent
Health and Social Care (Amendment) Bill 27/11-15	16.09.13	24.09.13	11.12.13	04.12.13	20.01.14	28.01.14	11.02.14	11.04.14
Local Government Bill 28/11-15	23.09.13	01.10.13	20.02.14	20.02.14	18.03.14 & 19.03.14	01.04.14	08.04.14	12.05.14
Road Races (Amendment) Bill 29/11-15	18.11.13	26.11.13	/	/	2.12.13	9.12.13	10.12.13	17.01.14
Reservoirs Bill 31/11-15	20.01.14	04.02.14	04.07.14	24.06.14	28.04.15			
Budget Bill 32/11-15	10.02.14	11.02.14	/	/	17.02.14	18.02.14	24.02.14	19.03.14
Legal Aid and Coroners' Courts Bill 33/11-15	31.03.14	08.04.14	20.06.14	18.06.14	16.09.14	30.09.14	13.10.14	17.11.14
Work and Families Bill 34/11-15	28.04.14	12.05.14	30.11.14	08.10.14	11.11.14	24.11.14	02.12.14	08.01.15
Road Traffic (Amendment) Bill 35/11-15	12.05.14	27.05.14	27.03.15	19.03.15				
Budget (No.2) Bill 36/11-15	09.06.14	10.06.14	/	/	16.06.14	17.06.14	30.06.14	16.07.14
Justice Bill 37/11-15	16.06.14	24.06.14	27.03.15	25.03.15				
Education Bill 38/11-16	06.10.14	14.10.14	/	/	21.10.14	11.11.14	17.11.14	11.12.14
Insolvency (Amendment) Bill 39/11-16	07.10.14	10.11.14	13.03.15	03.03.15				
Off Street Parking Bill 40/11-16	13.10.14	21.10.14	09.12.14	08.12.14	13.01.15	26.01.15	03.02.15	12.03.15
Food Hygiene (Ratings) Bill 41/11-16	03.11.14	11.11.14	08.05.15	29.04.15				
Pensions Bill 42/11-16	10.11.14	18.11.14	26.03.15	19.02.15	24.03.15	21.04.15	11.05.15	
Regeneration Bill 43/11-16	08.12.14	20.01.15	28.05.15					
Budget Bill 45/11-16	09.02.15	16.02/15	/	/	17.02.15	23.02.15	24.02.15	12.03.15

Title & NIA Bill Number	First Stage	Second Stage	Comm. Stage to Conclude	Report Ordered to be Printed	CS	FCS	Final Stage	Royal Assent
Special Educational Needs and Disability Bill 46/11-16	02.03.15	10.03.15	13.11.15					

**2011-2016 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
Road Traffic (Speed Limits) Bill 25/11-15	17.06.13 Bill fell. Re-introduced as Bill 30/11-15 (see below)							
Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill 26/11-15	24.06.13	23.09.13 & 24.09.13	11.04.14	11.04.14	20.10.14	01.12.14	09.12.14	13.01.15
Road Traffic (Speed Limits) Bill 30/11-15	09.12.13	17.02.15	16.10.15					
Children's Services Co-operation Bill 44/11-16	08.12.14	26.01.15	03.07.15					
Public Services Ombudsperson Bill 47/11-16	20.04.15	11.05.15	30.06.15					
Ombudsman and Commissioner for Complaints (Amendment) Bill 48/11-16	27.04.15	11.05.15	/	/				

/ 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 18 May 2015

*The Assembly met at noon, the Speaker in the Chair.*

## 1. Personal Prayer or Meditation

Members observed two minutes' silence.

## 2. Assembly Business

### 2.1 Motion – Committee Membership

**Proposed:**

That Mr Jim Wells replace Mr Peter Weir as a member of the Committee for Finance and Personnel; that Mr Gary Middleton replace Mr Peter Weir as a member of the Committee for the Environment; that Mr Sammy Douglas replace Mr Gary Middleton as a member of the Committee for Social Development; that Mr Jim Wells replace Mr Alex Easton as a member of the Public Accounts Committee; that Mr Paul Givan replace Mr Sammy Douglas as a member of the Committee on Procedures; and that Mr Tom Buchanan replace Mr Sammy Douglas as a member of the Committee on Standards and Privileges.

*Mr P Weir  
Lord Morrow*

The Question being put, the Motion was **carried** without division.

### 2.2 Motion – Assembly Commission Membership

**Proposed:**

That, in accordance with Standing Order 79(4), Ms Paula Bradley be appointed to fill the vacancy on the Assembly Commission.

*Mr P Weir  
Lord Morrow*

The Question being put, the Motion was **carried** with cross-community support *nemine contradicente*.

## 3. Executive Committee Business

### 3.1 Motion – The Statistics and Registration Service Act 2007 (Disclosure of Patient Registration Information) Regulations (Northern Ireland) 2015

**Proposed:**

That the Statistics and Registration Service Act 2007 (Disclosure of Patient Registration Information) Regulations (Northern Ireland) 2015 be affirmed.

Minister of Finance and Personnel

*Debate ensued.*

The Question being put, the Motion was **carried** without division.

## 4. Private Members' Business

### 4.1 Motion – Funding Cuts to the Community and Voluntary Sector

**Proposed:**

That this Assembly notes the important role of the community and voluntary sector across Northern Ireland in providing effective, efficient and value for money frontline services; accepts that, as a consequence of the 2015-16 Budget, decisions are being made by individual Executive Departments with no consideration of the impact on these services or the effect that they will have on the vulnerable in society; further notes that the ambiguity surrounding the European Social Fund has also forced many organisations to reduce their staff and their operations; and calls on the Executive to act in a coordinated manner to ensure that the sector and its organisations receive the required level of support and funding allocations.

Mr R Swann  
Mr R Beggs  
Mrs S Overend

*Debate ensued.*

The Question being put, the Motion was **carried** without division.

### 4.2 Motion – Psychoactive Substances

**Proposed:**

That this Assembly expresses its concern at the impact of legal highs and in particular at the number of resulting deaths; and calls on the Minister of Health, Social Services and Public Safety to continue his work with the Home Office to ensure the introduction of new legislation across the United Kingdom to ban new psychoactive substances.

Mr A Easton  
Mrs P Cameron  
Mr G Robinson  
Mr P Givan

### 4.3 Amendment

**Proposed:**

Leave out all after 'Office;' and insert:

'and to work with his counterpart in the Republic of Ireland in order to consider the benefits of banning the supply of psychoactive substances regardless of chemical composition.'

Mr F McKinney  
Mr C Eastwood  
Mr J Byrne

*Debate ensued.*

The debate was suspended for Question Time.

*The Principal Deputy Speaker (Mr Newton) took the Chair.*

## 5. Question Time

### 5.1 Health, Social Services and Public Safety

Questions were put to, and answered by, the Minister of Health, Social Services and Public Safety, Mr Simon Hamilton.

### 5.2 Justice

Questions were put to, and answered by, the Minister of Justice, Mr David Ford.

## 6. Question for Urgent Oral Answer

### 6.1 Pneumococcal disease at Harland and Wolff, Belfast

The Minister of Health, Social Services and Public Safety, Mr Simon Hamilton, responded to a Question for Urgent Oral Answer tabled by Mr Phil Flanagan.

## 7. Private Members' Business (cont'd)

### 7.1 Motion – Psychoactive Substances (cont'd)

*Debate resumed.*

*The Deputy Speaker (Mr Beggs) took the Chair.*

The Question being put, the Amendment was **made** without division.

The Question being put, the Motion, as amended, was **carried** without division.

## 8. Adjournment

### **Proposed:**

That the Assembly do now adjourn.

*The Speaker*

*The Assembly adjourned at 4.50pm.*

**Mr Mitchel McLaughlin**

**The Speaker**

18 May 2015

# Northern Ireland Assembly

## **Papers Presented to the Assembly on 13 May - 18 May 2015**

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. 2015/231 The Environmental Liability (Prevention and Remediation) (Amendment) Regulations (Northern Ireland) 2015 (DOE).

S.R. 2015/238 The Hazardous Waste (Amendment) Regulations (Northern Ireland) 2015 (DOE).

S.R. 2015/243 The Student Fees (Amounts) (Amendment) Regulations (Northern Ireland) 2015 (DEL).

S.R. 2015/248 The Less Favoured Area Compensatory Allowances (Amendment) Regulations (Northern Ireland) 2015 (DARD).

S.R. 2015/249 The Electricity and Gas (Ownership Unbundling) Regulations (Northern Ireland) 2015 (DETI).

### **For Information Only**

S.R. 2015/245 The Parking and Waiting Restrictions (Fivemiletown) (Amendment) Order (Northern Ireland) 2015 (DRD).

S.R. 2015/246 The Road Races (Cairncastle Hill Climb) Order (Northern Ireland) 2015 (DRD).

## 7. Written Ministerial Statements

## 8. Consultation Documents

Consultation on a Draft Telecommunications Strategy 2015-2017 – Continuing to connect (DETI).

Consultation on proposed amendment to the Electricity (Single Wholesale Market) (Northern Ireland) Order 2007 (DETI).

## 9. Departmental Publications

Revised 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).

## 10. Agency Publications

## 11. Westminster Publications

## 12. Miscellaneous Publications



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# Northern Ireland Assembly

**Tuesday 19 May 2015**

*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 – Children in the Justice System: A Scoping Study and an Update on the Sentencing Framework

The Minister of Justice, Mr David Ford, made a statement on Children in the Justice System: A Scoping Study and an Update on the Sentencing Framework, following which he replied to questions.

## 3. Private Members' Business

### 3.1 Motion – Interactive Map-based Register of Defibrillators

#### **Proposed:**

That this Assembly calls on the Minister of Culture, Arts and Leisure to conduct a feasibility study into the potential for an interactive map-based register of defibrillators across the range of service providers within her Department, including arm's-length bodies; and further calls on the Minister to bring the findings from the feasibility study to the Executive, to ensure compatibility with the Northern Ireland Ambulance Service systems.

*Mr O McMullan*

*Ms R McCorley*

*Mr C Ó hOisín*

### 3.2 Amendment

#### **Proposed:**

Leave out all after 'Leisure' and insert:

'in conjunction with her Executive colleagues, to conduct a feasibility study into the potential for an interactive map-based register of defibrillators across all Departments, including arm's-length bodies; and further calls on the Executive to devise a strategy that will see an increase in provision of defibrillators in public buildings and to ensure compatibility with the Northern Ireland Ambulance Service systems.'

*Mrs K McKeivitt*

*Mr D Bradley*

*Debate ensued.*

The Question being put, the Amendment was **made** without division.

The Question being put, the Motion, as amended, was **carried** without division.

*The sitting was suspended at 12.22pm.*

*The sitting resumed at 2.00pm, with the Deputy Speaker (Mr Dallat) in the Chair.*

## 4. Question Time

### 4.1 Regional Development

Questions were put to, and answered by, the Minister for Regional Development, Mr Danny Kennedy.

### 4.2 Social Development

Questions were put to, and answered by, the Minister for Social Development, Mr Mervyn Storey.

*The Deputy Speaker (Mr Beggs) took the Chair.*

## 5. Private Members' Business (cont'd)

### 5.1 Motion – Tourism VAT

#### **Proposed:**

That this Assembly notes the decision by the Government of Ireland to retain a reduced rate of VAT on tourism and hospitality; further notes that this is a practice in many EU countries; recognises the potential of this measure to significantly boost the Northern Ireland tourism industry; and calls on the Minister of Enterprise Trade and Investment and the Minister of Finance and Personnel to undertake a report into those benefits for presentation to the UK Treasury.

*Mr P McGlone  
Mrs K McKeivitt  
Mr S Rogers*

*Debate ensued.*

The Question being put, the Motion was **carried** without division.

*The Principal Deputy Speaker (Mr Newton) took the Chair.*

## 6. Adjournment

Ms Bronwyn McGahan spoke to her topic regarding the lack of age-appropriate respite provision in South Tyrone.

#### **Proposed:**

That the Assembly do now adjourn.

*The Speaker*

*The Assembly adjourned at 5.11pm.*

**Mr Mitchel McLaughlin**  
**The Speaker**

19 May 2015

# Northern Ireland Assembly

## **Papers Presented to the Assembly on 19 May 2015**

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. 2015/XX The Marine Conservation (Fixed Monetary Penalties) Order (Northern Ireland) 2015 (DOE).

### **For Information Only**

S.R. 2015/250 The Taxis (Lisburn) Order (Northern Ireland) 2015 (DRD).

S.R. 2015/251 The Loading Bays on Roads (Amendment No.2) Order (Northern Ireland) 2015 (DRD).

S.R. 2015/252 The Footways (Prohibition of Waiting) Order (Northern Ireland) 2015 (DRD).

7. Written Ministerial Statements

New arrangements for the future support of Independent Living Fund users in Northern Ireland. (DHSSPS).

8. Consultation Documents

Proposals for draft Legislation on Financial Penalties, Collection and Enforcement: Equality Assessment and Regulatory Impact Assessment (DOJ).

9. Departmental Publications

10. Agency Publications

11. Westminster Publications

12. Miscellaneous Publications

# Northern Ireland Assembly Legislation:

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**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.**

## Stages in Consideration of Public Bills 20 May 2015

### 2011-2016 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	17.09.13
Welfare Reform Bill 13/11-15	01.10.12	09.10.12	19.02.13	14.02.13	10.02.15 & 11.02.15	24.02.15		
Education Bill 14/11-15	02.10.12	15.10.12	08.04.13	08.04.13				
Planning Bill 17/11-15	14.01.13	22.01.13	07.06.13	06.06.13	24.06.13 & 25.06.13			
Tobacco Retailers Bill 19/11-15	15.04.13	23.04.13	18.10.13	09.10.13	3.12.13	10.02.14	18.02.14	25.03.14
Carrier Bags Bill 20/11-15	03.06.13	11.06.13	30.11.13	26.11.13	28.01.14	25.02.14	10.03.14	28.04.14
Financial Provisions Bill 22/11-15	17.06.13	01.07.13	13.12.13	11.12.13	11.02.14	24.02.14	04.03.14	28.04.14
Public Service Pensions Bill 23/11-15	17.06.13	25.06.13	29.11.13	27.11.13	14.01.14	27.01.14	04.02.14	11.03.14
Licensing of Pavement Cafés Bill 24/11-15	17.06.13	25.06.13	13.12.13	05.12.13	04.03.14	25.03.14	07.04.14	12.05.14

Title & NIA Bill Number	First Stage	Second Stage	Comm. Stage to Conclude	Report Ordered to be Printed	CS	FCS	Final Stage	Royal Assent
Health and Social Care (Amendment) Bill 27/11-15	16.09.13	24.09.13	11.12.13	04.12.13	20.01.14	28.01.14	11.02.14	11.04.14
Local Government Bill 28/11-15	23.09.13	01.10.13	20.02.14	20.02.14	18.03.14 & 19.03.14	01.04.14	08.04.14	12.05.14
Road Races (Amendment) Bill 29/11-15	18.11.13	26.11.13	/	/	2.12.13	9.12.13	10.12.13	17.01.14
Reservoirs Bill 31/11-15	20.01.14	04.02.14	04.07.14	24.06.14	28.04.15			
Budget Bill 32/11-15	10.02.14	11.02.14	/	/	17.02.14	18.02.14	24.02.14	19.03.14
Legal Aid and Coroners' Courts Bill 33/11-15	31.03.14	08.04.14	20.06.14	18.06.14	16.09.14	30.09.14	13.10.14	17.11.14
Work and Families Bill 34/11-15	28.04.14	12.05.14	30.11.14	08.10.14	11.11.14	24.11.14	02.12.14	08.01.15
Road Traffic (Amendment) Bill 35/11-15	12.05.14	27.05.14	27.03.15	19.03.15				
Budget (No.2) Bill 36/11-15	09.06.14	10.06.14	/	/	16.06.14	17.06.14	30.06.14	16.07.14
Justice Bill 37/11-15	16.06.14	24.06.14	27.03.15	25.03.15				
Education Bill 38/11-16	06.10.14	14.10.14	/	/	21.10.14	11.11.14	17.11.14	11.12.14
Insolvency (Amendment) Bill 39/11-16	07.10.14	10.11.14	13.03.15	03.03.15				
Off Street Parking Bill 40/11-16	13.10.14	21.10.14	09.12.14	08.12.14	13.01.15	26.01.15	03.02.15	12.03.15
Food Hygiene (Ratings) Bill 41/11-16	03.11.14	11.11.14	08.05.15	29.04.15				
Pensions Bill 42/11-16	10.11.14	18.11.14	26.03.15	19.02.15	24.03.15	21.04.15	11.05.15	
Regeneration Bill 43/11-16	08.12.14	20.01.15	28.05.15					
Budget Bill 45/11-16	09.02.15	16.02/15	/	/	17.02.15	23.02.15	24.02.15	12.03.15

Title & NIA Bill Number	First Stage	Second Stage	Comm. Stage to Conclude	Report Ordered to be Printed	CS	FCS	Final Stage	Royal Assent
Special Educational Needs and Disability Bill 46/11-16	02.03.15	10.03.15	13.11.15					

**2011-2016 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
Road Traffic (Speed Limits) Bill 25/11-15	17.06.13 Bill fell. Re-introduced as Bill 30/11-15 (see below)							
Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill 26/11-15	24.06.13	23.09.13 & 24.09.13	11.04.14	11.04.14	20.10.14	01.12.14	09.12.14	13.01.15
Road Traffic (Speed Limits) Bill 30/11-15	09.12.13	17.02.15	16.10.15					
Children's Services Co-operation Bill 44/11-16	08.12.14	26.01.15	03.07.15					
Public Services Ombudsperson Bill 47/11-16	20.04.15	11.05.15	30.06.15					
Ombudsman and Commissioner for complaints (amendment) Bill 48/11-16	27.04.15	11.05.15	/	/				

/ Bill progressing by accelerated passage

\*\* Please note that any bills that received Royal Assent in the previous session have been removed from the table.