



Northern Ireland  
Assembly

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(Hansard)  
and  
**JOURNAL OF  
PROCEEDINGS**

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# Official Report (Hansard)



# Assembly Sitings



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# Northern Ireland Assembly

Monday 17 February 2014

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

*Members observed two minutes' silence.*

## Assembly Business

**Mr Storey:** On a point of order, Mr Speaker. Will you give guidance to the House on a matter of concern? It is whether or not the Education Minister misled the House in a statement that he made on 4 February, when, in response to a topical question, he said:

*"I am now in a position where I can confirm that no school will lose any funding as a result of the changes that I have made." — [Official Report, Bound Volume 91, p302, col 1.]*

However, Members will be aware that, at the weekend, on the 'Sunday Politics' show, the Education Minister made reference to the fact that he was yet to make up his mind. That was in agreement with what the Education Committee was told on Wednesday by officials. Is it, Mr Speaker, in your power to ask the Education Minister to come to the House to clarify and inform Members what those changes are? To date, they have not been conveyed to the Education Committee and are clearly in contravention with what he said in this House on Tuesday 4 February.

**Mr Speaker:** The Member and other Members will know that, on 26 January 2009, I made a very firm ruling that the Chair does not have any role in, and certainly does not sit in judgement on, how a Minister might answer a question in the House. However, I can understand the frustration of Members when they feel that they are not getting the appropriate answer from Ministers to their questions. I encourage the Member to pursue the matter through further questions to the Minister or through the Committee structures. There are a number of avenues that Members can use to pursue Ministers if they feel very strongly that they have not got a satisfactory answer.

## Executive Committee Business

### Budget Bill: Consideration Stage

**Mr Speaker:** I call the Minister of Finance and Personnel, Mr Hamilton, to move the Consideration Stage of the Budget Bill.

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

**Mr Speaker:** No amendments have been tabled. I propose, therefore, by leave of the Assembly, to group the seven clauses of the Bill for the Question on stand part, followed by the four schedules and the long title.

*Clauses 1 to 7 ordered to stand part of the Bill.*

*Schedules 1 to 4 agreed to.*

*Long title agreed to.*

**Mr Speaker:** That concludes the Consideration Stage of the Budget Bill. The Bill stands referred to the Speaker.

## Committee Business

### Delivering Social Change: Signature Programmes

**Mr Speaker:** The next item of business is a motion from the Committee for the Office of the First Minister and deputy First Minister on its report on Delivering Social Change signature programmes. The Business Committee has agreed to allow up to one hour and 30 minutes for the debate. The proposer will have 15 minutes to propose and 15 minutes to make a winding-up speech. All other speakers will have five minutes.

**Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister):**  
I beg to move

*That this Assembly notes the report of the Committee for the Office of the First Minister and deputy First Minister on its event on the Delivering Social Change signature programmes (NIA 150/11-15); and calls on the First Minister and deputy First Minister to ensure that meaningful and comprehensive engagement with practitioners and stakeholders is central to the development of any future signature programmes.*

It is a pleasure as Chairperson of the Committee for the Office of the First Minister and deputy First Minister to move the motion, which follows on from an event that the Committee held with stakeholders in the Long Gallery a few weeks ago.

Delivering Social Change is the Executive's framework to tackle poverty and social exclusion. The signature programmes were set up to improve literacy and numeracy, to offer increased family support and to support job creation in local communities.

The motion that the Committee presents today follows a stakeholder event that was held in November on the Delivering Social Change signature programmes that were announced by the First Minister and the deputy First Minister in October 2012. For the record, the programmes are as follows: improving literacy and numeracy, led by the Department of Education; nurture units, led by the Department for Social Development and the Department of Education; social-enterprise incubation hubs, led by the Department for Social Development and the Department of Enterprise, Trade and Investment; positive parenting, led by the Department of Health, Social Services and Public Safety; family-support hubs, led by the Department of Health, Social Services and Public Safety; and the community family-support programme, led by the Department for Employment and Learning.

There was a seventh programme, which was announced by junior Ministers in October 2013, with regard to £1.6 million of investment to enhance play and leisure opportunities for children and young people. It is unfortunate that the Committee was not advised of that until after the event in November, as it would have provided an opportunity for discussion on that programme as well as the other six that were discussed at that event. It is unfortunate, but perhaps typical, of the current communication channels between the Committee and the Department.

Although Delivering Social Change is an Executive-wide framework, with signature programmes being delivered by a number of different lead Departments, the £26 million budget for the programmes is allocated from a central ring-fenced Delivering Social Change fund, with governance arrangements and collaboration managed through the Office of the First Minister and deputy First Minister.

In September 2013, the Committee agreed to gather evidence from stakeholders on the signature programmes. The Committee recognised the wide range of stakeholders involved and agreed to hold an event to gather evidence on their views and to provide a platform for discussion on potential enhancement of the programmes. The Committee convened an event comprising relevant Departments, non-governmental organisations, members of the Committee for the Office of the First Minister and deputy First Minister, and stakeholders from the public and private sectors.

I would like to thank senior officials from OFMDFM and a number of other Departments for coming along and providing updates on the progress of their relevant programmes. I would also like to thank stakeholders for taking the time to come along and to provide very relevant and timely feedback on the progress of those programmes. Of course, I thank the Committee staff for making it all happen.

The stakeholder event was held on 13 November. Discussions covered these four key themes: experience of delivery and implementation to date; challenges and opportunities of the programme delivery mechanisms; innovative ideas to support effective delivery of the programmes; and suggestions for potential future signature projects.

Committee members will agree that, at the event, we had considerable discussions on those key themes and input from our stakeholders. As is so often the case, it is in talking to stakeholders that we hear the reality of people's experiences of dealing with complex and often intergenerational issues of poverty and social exclusion.

Although each signature project is distinct, with its own objectives, a number of issues were common across discussions on each individual programme. Those common issues may have wider implications for the success of the Executive's Delivering Social Change framework. The Committee, therefore, wished to highlight those issues to the Office of the First Minister and deputy First Minister in order to support the Department in enhancing delivery and outcomes on those programmes.

The common issues included: a reported lack of joined-up working; a reported lack of consultation; difficulties in measurement of outcomes; a need for long-term planning; the importance of identifying best practice and information-sharing; and a need for clarity of message and awareness-raising.

As an aside, with regard to the measurement of outcomes, it was only last week that the Committee heard from officials about gender equality and the fact that they intended to rip up a 10-year strategy because of the lack, largely speaking, of measurable targets. The fact that the focus is on measurable targets there is to be welcomed.

The input from stakeholders allowed the Committee to make a number of recommendations to OFMDFM on the programmes, on the future of some and on additional programmes. Again, I pay tribute to the people who participated in the event. The Committee made a

number of recommendations, and I will briefly go through those now.

One of the key issues identified was the perception of a silo mentality or a lack of joined-up working across Departments and agencies that had the potential to limit the effectiveness of the programmes. The Committee welcomes the fact that one of the key aims of the framework is to achieve a level of joined-up working in tackling poverty and social exclusion. The Committee highlights that effective policy design at the outset can include ways to tackle barriers to effective implementation. With that in mind, the Committee recommended that lead Departments re-evaluate the policy design process for the signature programmes in advance of any future tranche of programmes.

The Committee also recommended that lead Departments further consider the establishment of working groups or project teams which include key providers, stakeholders and other relevant Departments, where information can be shared and early resolution of issues can be sought. That early engagement with other stakeholders can facilitate effective joined-up working.

Another key theme highlighted was the measurement of outcomes. The Committee believes that the tools for monitoring and evaluating the programmes should have been clearly defined in advance of initiation of the various programmes. A more comprehensive consultation with experienced practitioners and organisations in those fields would have assisted the Departments in identifying realistic, timely and measurable outcomes.

Stakeholders highlighted the necessity for, in particular, measuring the value added by the signature programmes, whereby evidence should be sought on how effective they had actually been in tackling societal issues, rather than perhaps duplicating services that are already in existence.

The Committee recommends that OFMDFM, as the overseeing Department, works closely with the lead Departments in defining measurable outcomes that can be used to determine the success of interventions, which can then be mainstreamed into Executive policy in the future.

On best practice and information-sharing, the Committee recommended in its report that lead Departments work with stakeholders to gather information on best practice and innovation in the domains of the programmes in order to develop an effective legacy for the sharing of information. The Committee believes that the capture of such information will be vital in the enhancement of current services and the development of future services. We heard clearly from stakeholders that it was not necessary to "reinvent the wheel" where there were existing examples of best practice.

#### 12.15 pm

Another important issue raised during discussions was the need for clarity of message and awareness-raising. Stakeholders told us that there was often a lack of understanding of what each programme was offering and that those providing and those using the services often had very different interpretations of the programmes and their intent. For that reason, the Committee recommended that lead Departments consider how to raise awareness of their programmes. Consistent and clear communication of the programme aims would contribute to greater clarity

on the programmes and support greater take-up of the services offered. Branding of the programmes with a clear identity would support delivery partners in highlighting the services offered and facilitate a greater level of signposting. That branding was particularly important to programmes such as the family support hubs, which do not have a physical presence.

The Committee's report highlights that a communications plan should have been an integral part of the implementation plan for the signature programmes and recommends that that element be included in any future plans for further programmes.

A strong theme emerging from the discussions with stakeholders was the need for long-term measures to tackle poverty and social exclusion rather than quick fixes and short-term projects. The issues are complex, deep-rooted and often intergenerational in nature, and the Committee acknowledges that the outcomes from the programmes will be longitudinal and therefore may not be realised over a number of government terms. The Committee recommended in its report that the Executive seek a cross-party commitment to the continuation of the Delivering Social Change framework for the next mandate in order to secure the longer-term focus on these complex issues.

The last common theme that I want to discuss is an issue about which stakeholders were most concerned and that was identified at all tables as a key issue: consultation, or, perhaps better put, a lack of consultation. That is the issue at the heart of the Committee motion. At the event, stakeholders highlighted the importance of consultation with existing providers, experts and service users to ensure that resources are sufficiently targeted at those most in need.

In its report, the Committee recommended that OFMDFM seek to ensure that effective and timely consultation is undertaken. That would include engagement with organisations, groups and individuals who are experienced in the respective fields of future programmes. In chairing one of the discussions on the initiative on education, it was put to me by all stakeholders that, although the initiative would yield positive results, it would have been possible to yield even better and more lasting positive results had there been a different and more engaged form of pre-consultation on behalf of the devolved Government.

As the overseeing Department, OFMDFM should also seek to ensure that all lead Departments for delivery of the programmes can evidence a sufficient level of consultation. The Committee believes that a greater degree of sustained engagement and joined-up working between Departments and stakeholders can potentially address some issues for the current programmes as they go forward. The Committee also recommended that, in advance of any announcement of a future tranche of signature programmes, should that happen, comprehensive consultation be undertaken with practitioners in all the relevant fields.

I thank Members for their contribution at the event and in anticipation of their contributions to the debate today. I am particularly pleased to see junior Minister Bell here to respond to the motion. I thank stakeholders and departmental officials for their input at the event and hope that the issues raised will be addressed by Ministers

and the Department so that the programmes and future programmes have every opportunity to succeed and meet the needs of those people and families facing poverty and social exclusion.

As I await the response from the junior Minister, I am minded of the liaison between the Committee and the Department on the historical institutional abuse inquiry and the legislation, where there was exemplary cooperation between Department and Committee. I hope that we can replicate that here.

Finally, the Committee undertook the event with a view to identifying how any future programmes could be as effective as possible. The Committee has been very pleased with the positive and receptive responses to date from the relevant Departments on the issues that are specific to their programmes and, indeed, those from the Office of the First Minister and deputy First Minister. The Committee is heartened to note that its recommendations have all been welcomed, and, indeed, it is pleased to see that, in line with our recommendation, the Executive ministerial subcommittee recently agreed a communications strategy for Delivering Social Change.

Mr Speaker, I thank you for your time, and I look forward to Members' contributions today. I will finish by commending the motion to the House.

**Mr Moutray:** At the outset, I welcome the opportunity to take part in today's debate. Poverty and social exclusion are words that we hear so often within these four walls. I, for one, am very glad that the Office of the First Minister and deputy First Minister has, in the form of the Delivering Social Change programme, not just spoken about these issues but put in place initiatives and measures to help to tackle the problem.

Obviously, the six signature project programme that was launched in October 2012 is aimed at delivering improved numeracy and literacy throughout Northern Ireland through the provision of nurture units; development of social enterprise incubation hubs; positive parenting initiatives; the creation of family support hubs; and the community family support programme, all of which are delivered from Departments across the Executive. The Committee's role is to scrutinise and ensure that progress has been made. I feel that this report raises some valid points, but, at the same time, we must bear in mind that with such a wide portfolio, which stretches across the entire Executive cohort, there will always be hitches, issues that need to be addressed and lessons that can be learned.

The Committee was keen to engage public and stakeholders' opinions on the programmes so far. Therefore, as the Committee Chairman outlined, on 13 November 2013, it hosted a feedback event for stakeholders. I thank those who took the time to attend. However, I believe that, in these consultation events, it is incumbent on us to drill further down and to go right to the very heart of those who have been helped by such initiatives. That includes those who are obtaining one-to-one tuition and those who have obtained some experience, through the initiative in teaching, that has led to employment. I think that, all too often, we focus on the statutory groups, and although I appreciate greatly and commend them for their input, such a consultation must go further.

During the event, stakeholders raised the issue of silo mentality and said that they felt that it was a problem. I am not convinced of that argument on this particular occasion. Given that these projects do, in fact, take a holistic view of making changes in people's lives, I believe that this is a true joined-up government approach to tackling issues that go right to the core of our society. Unfortunately, we are not just there yet in having every Department buy in to joined-up government. However, I believe that, through time and work such as this, it can become much easier and more achievable.

Further consultation with stakeholders is an important element in the report, and we cannot underestimate the power and value that stakeholders bring to the table. I again go back to the fact that, in the past, there have been many conferences, seminars, pilot programmes and discussions but a lack of action. Delivering Social Change is about tangible initiatives, such as the employment of 230 young teachers to help with one-to-one tuition and to improve numeracy and literacy and the creation of 20 new nurture units in school settings to help to address barriers to learning among children that arise from social, emotional or behavioural difficulties. Through positive parenting programmes that provide guidance, training and information to up to 1,200 families, the parenting programme takes forward additional support to new and existing parents living in areas of deprivation. These types of programmes and initiatives cannot be underestimated. They are vital, and I believe that they can really change a society and address the trap that some find themselves in today.

Measurement was also raised. I believe that that is important, and I welcome the stakeholders' desire to see long-term measurement of the initiatives, bearing in mind that many children will not reap the benefits of the improved numeracy and literacy and nurture units until some years down the line. I believe that the comments from some stakeholders who attended were unfairly negative, with a lack of viable solutions put forward. One line that I am really surprised at is that children are fed up with numeracy and literacy. If that is the thought of professional stakeholders, we have a long way to go in educating them.

*(Mr Principal Deputy Speaker  
[Mr Mitchel McLaughlin] in the Chair)*

In conclusion, I ask everyone around the House to focus on what is being delivered through the Delivering Social Change six signature projects and the £26 million that has been invested to deliver them. The social change framework is how we, as an Executive, will help to tackle poverty and deprivation, and I support the call to note the comments of the report.

**Mr Maskey:** Go raibh maith agat, a Cheann Comhairle. I thank the Chairperson of the Committee for tabling the motion and speaking to it this morning on behalf of the Committee, and I endorse, more or less, all his commentary. I also thank Committee officials for putting a lot of work into making sure that the event was well attended and representative in its attendance. It was a very successful example of how the Assembly, through the Committees, needs to engage with a wide range of stakeholders to make sure that we can follow through, in

some substantive depth, the types of policies that we are referring to in the debate.

Delivering Social Change has been described by Mr Moutray and the Chair, and, for me, it is a flagship policy of the Executive, and, although it is relatively early days, it is about changing the way in which many of us work. We all have long experience of talking about a silo mentality in how Departments and other agencies work, and that is true to a large extent. We are talking about a real cultural shift in the way in which Departments will work together, and it is worth reminding ourselves that OFMDFM's role in Delivering Social Change is to drive forward the policy and make sure that it is doing so in conjunction and cooperation with all the relevant Departments. There are six signature projects in the policy and, hopefully, as time goes on, we will add to that and learn from the experience of the early days.

It is important to say that this cultural change has to impact on the stakeholders. I do not necessarily agree with Stephen Moutray that a lot of comments during the evening were negative. There was some negativity, and that is fair enough. Some members of stakeholder organisations were really concerned about duplication. When we refer to the need for clarity of message and so on, that is important. A number of organisations were one step behind the Department, because the Department is basically saying, "We will all have to muck in here and work together." We may not always necessarily pool resources but we must make sure we are going in the same direction, pooling energies and putting whatever resources we have into this collectively. However, that will also have to apply, in the longer term, to stakeholders themselves. A justifiable criticism was raised on the day when people said that the project was opening up in premises very close to their current premises as a stakeholder organisation. We need to be careful that, in joining up the Department's work with key stakeholders, we do not displace others. At the end of the day, if we are just displacing people, that will not give us any added value.

The stakeholder event was very important. It gave us some very important lessons from the ground even though some of them were negative. Generally, most people who attended the event and the people who Members and the Committee engage with on ongoing basis would acknowledge the need for joined-up working, and that has to translate to the stakeholders themselves. Many of them have been working for many years and sometimes in adverse conditions, and we have to recognise that they have been at the coalface for a long time. We should not come in bright-eyed and bushy-tailed to some projects when people are already working on them. This is about OFMDFM working with Departments and stakeholders in a cooperative way and making sure we get the best of everybody's efforts.

One of the lessons from all this has to be about sharing best practice. This means that we do not duplicate and that we work with one another. Duplication was one of the key concerns raised with me at the event. The issue of consultation has been addressed. It is important that we get consultation exercises right, and while I do not think that we should have never-ending consultation, this process is relatively new and challenging, and it provides us with very good opportunities. Consultation on this kind of work should be ongoing to ensure that we learn

and tweak our processes as necessary. The event was successful and important. When Committees engage with stakeholders, just as the Social Development Committee engaged with fuel poverty organisations, we can learn an awful lot and then input to the Department.

I support the motion.

### 12.30 pm

**Mr Attwood:** I apologise that, after I speak, I have to leave for a short while but I intend to return. I welcome the debate and the report, but, most of all, I welcome the contribution of stakeholders. As Mr Moutray said, the event demonstrated the "power and value" of the input of stakeholders into government practice and policy. That is evidenced by the content of the report.

We also need to recognise that the report touches on the lives of six Departments. Given the scale and range of stakeholders' views, we need to take what stakeholders said fully on board. As Mr Maskey said, the people who were present at the event, which touched on the lives of six Departments, are at the coalface when it comes to deprivation, exclusion and disadvantage. Contrary to what Mr Moutray said, the conclusion that we have to draw is that we should take those views fully and absolutely on board.

Let us be very clear. The SDLP perspective is that, if there are good projects that require funding, through this scheme, which is in operation, or through the social investment fund, now that it appears to be in operation, they should get funding. Bad projects should not get funding. When projects are funded, that should be done on the basis of very best practice and process. That is the standard against which we should judge. If there are good projects in the six areas of the Delivering Social Change signature programmes, they should get funding.

We should not dilute or diminish anything that was said by the stakeholders. Measured against any standard, what the stakeholders said was an indictment of the design and processes around Delivering Social Change. They recognised, as we all do, that there are projects that require funding and should get it, but they were withering in their criticism of the design and processes of Delivering Social Change. Evidence of that can be seen in the report's conclusions, which are informed by people's contributions at the event. A common issue, although not particular to any one Department, is the perception of a silo mentality. The report states:

*"A widely held view among stakeholders was that there had been insufficient consultation with stakeholders and experienced practitioners".*

That is not a partial or selected view but a widely held one. The report also states:

*"There were concerns from stakeholders that any future mainstreaming of specific interventions could be at risk as the evidence base to support this mainstreaming would be absent ... There was also frustration that evaluation of outcomes and measurement of success of the Signature Programmes ... may not present a true picture of how effective these Programmes have been".*

In my view, the history of this part of the world, the politics of exclusion and the lack of participation by citizens in the life of the state were all meant to have been changed by the watershed moment of 1998 that introduced new standards of inclusion, democratic participation and consultation, as laid down in law under section 75 of the Northern Ireland Act 1998. How is it that, 12 or 14 years later, when it comes to the design of this process, despite those standards of democratic participation, consultation and inclusion and after a very successful stakeholders' event, the scale and ambition of which was recognised by everybody, they drew that conclusion? The reason is that there are Departments better placed than OFMDFM to do the work — that is the conclusion to draw. Politically, that conclusion should be recognised by all those in government.

**Mr G Robinson:** For the best chance of introducing effective, enforceable and workable programmes, they must be based on evidence. That especially includes front line experience via consultation with those who know best practice. As the motion states, that is best done by:

*“comprehensive engagement with practitioners and stakeholders”.*

If the correct people are consulted, we can be assured of the highest possibility of workable signature programmes. I commend all those who attended our stakeholder event in Parliament Buildings recently.

With areas of high deprivation in my constituency, I would like specific concentration on projects that ensure educational attainment for children, with the literacy and numeracy of children being of special interest. Good education gives individuals the best opportunity to attain employment and improve their quality of life. The current scheme benefits 230 teachers on a fixed two-year contract and is improving the literacy and numeracy skills of primary and post-primary children. It is good to hear that the programme is moving ahead, and we look forward to seeing the benefits in years to come. I also welcome the nurture units in schools, which help to break down numerous barriers and aid the greatest achievement of each individual pupil. This means that approximately 480 children will benefit, and 20 teachers and 20 classroom assistants will be employed. I welcome the progress already made, not only in areas that I mentioned but across the board. I look forward to further positive reports in the future.

In conclusion, we should make sure that consultation is very prominent. I commend OFMDFM officials for all the work that they put in to make sure that the recent stakeholder event here in Parliament Buildings was so successful.

**Mrs Hale:** I declare an interest as a member of the OFMDFM Committee. I welcome the opportunity to speak on the motion today. I stress the importance of continuing to pursue the delivery of positive social change. The report supports the work carried out by OFMDFM, and it is enlightening on where some key policy and procedural changes may need to be made when planning future signature programmes. The First Minister and deputy First Minister should be congratulated on paving the way for the signature projects. Ministers with a remit in that area should also be praised for their work to date. After years of conversations, talks and discussions, it was time for

some positive action on many of the social problems facing local people. The signature projects have begun to make a positive contribution to the multitude of social issues.

It is clear from the report that the DUP is at the forefront of delivering positive social change for many in Northern Ireland who need help and support. Four of the current six DSC signature programmes are being led by DUP Ministers. Many will have felt the huge benefits of the family support hubs, parenting support and the social enterprise incubation hubs.

I acknowledge that some say that consultation was patchy, but the signature projects did not come through a traditional form of consultation; they were based on hard evidence and engagement with professionals who understand the complex issues. We heard about the OFMDFM Committee consultation event on 13 November that gathered evidence from stakeholders on the signature projects. That gave recognition to a wide range of stakeholders involved and provided an opportunity to gather evidence on the views of stakeholders and a platform for discussion on the potential enhancement of signature programmes in the future. The clear message from many stakeholders was that we should continue to drive from the centre an agenda of cross-effective departmental working that seeks to enhance a multiple objective approach. For example, as we heard, the teacher scheme targets educational underachievement in maths and English, but it also addresses another problem of low employment among our newly qualified teachers. The report is clear in stating that the signature programmes may not be an answer to all the problems but are a collection of cross-departmental actions that are indicative of the new approach of trying to source cross-departmental solutions to complex societal problems.

I think that we should be positive about the developments to date and continue to remember that, although consultation is an important element of future development, we must ensure that action and, indeed, positive development are our primary aims when it comes to tackling things. We can consult, engage, talk and discuss, but, ultimately, it will be our actions in dealing with our socio-economic complexities that the people of Northern Ireland will be most concerned with and will judge us on.

**Mr Cree:** The Committee for the Office of the First Minister and deputy First Minister agreed that the scrutiny of the Delivering Social Change signature projects would be a strategic priority during 2013-14. The six signature programmes were announced by the Ministers in October 2012. They are the responsibility of several Departments but will be carried out under the management and governance of OFMDFM. As part of the Committee's scrutiny, it arranged a stakeholder event on 13 November 2013 in Parliament Buildings. As other Members said, the event was very successful and a number of recommendations were developed from it. A seventh signature project was added recently, but, as the Committee had not been briefed on that programme, it was not included in the discussions. The additional project seeks to address play and leisure opportunities for children and young people, and some £1.6 million has been allocated to it.

At the stakeholder event, the Committee decided to focus on four key themes to do a stocktake of current delivery,

to discover stakeholders' views on how delivery could be enhanced and to identify suggestions for the development of future signature projects. Many common issues were identified, and the Committee forwarded a list of recommendations to OFMDFM to support it in enhancing the delivery of the programmes and their outcomes. The problem areas have been referred to by other Members, which included joined-up working; consultation, which was a major concern; the measurement of outcomes; long-term plans; best practice and information sharing; clarity of message; and awareness raising.

It is no credit to OFMDFM that it has taken years to develop the projects and to see money being spent where it was intended. Unfortunately, that is typical of how the office literally takes years to develop most projects and strategies, and there is a list of strategies that have not been finalised since the Programme for Government was introduced seven years ago. That really is not good enough, and more effort is required to tackle and achieve the targets that have been set. The £80 million in the social investment fund is probably a good example of a failure to deliver. How many mandates will it take to complete the Programme for Government that was agreed as far back as 2007?

Finally, the recommendations show common sense, and the support and advice from stakeholders was much valued and appreciated. Those people are involved in the various areas and at the point of delivery. I trust that the several Departments involved will take the recommendations on board, which are intended to improve design and delivery.

**Mr Spratt:** At the outset, I thank the Chair of the Committee for presenting the report to the House, and the Committee staff, who put a lot of hard work into it. I welcome the debate and the report that resulted from stakeholder engagement. I think that we have to very much take into account what they had to say. They raised some very valid points. One of the issues raised by the stakeholders was that of duplication, which could probably be raised about most programmes. They were worried about the duplication of the various schemes by work that was already being done, and it is important that we look at that.

#### 12.45 pm

It is obvious that Departments must work together to ensure the effective delivery of projects across the Province through the Delivering Social Change programme. For example, the social enterprise incubation hubs are led by DETI and DSD, so it is absolutely essential that those Departments work together. I was pleased to hear that Sandy Row in my constituency was selected as one of those hubs. The programme is designed to regenerate buildings that have become derelict while encouraging social enterprise, which will have the knock-on effect of creating much-needed jobs for local people. It will have a real and visible impact on that area, and it is a positive development that is much welcomed by the local community.

Similarly, the nurture units are led by DSD and the Department of Education. It is great that, also in my constituency, Taughmonagh was chosen to have one of the units. It is very positive that a number of teachers and classroom assistants have been recruited. The nurture units have been operational since the start of the current

school year. In many primary schools in deprived areas, up to 50% of children have special educational needs. The nurture units will benefit children who find learning difficult because of social, behavioural or emotional difficulties through the provision of individual learning plans agreed by parents and teachers. It stands to reason that DSD and the Department of Education should work together to deliver these valuable projects.

As of 13 November last year, five of the six projects had been implemented. I understand that much work has been completed since then on the incubation hubs, which is very much to be welcomed. The programmes are time-limited, with an end date in 2016 to coincide with the end of the current Assembly mandate. Many people have expressed concern that the projects will simply end at that point and possible future outcomes will be lost. However, the Committee recommends in the report that the Executive seek cross-party support to continue the Delivering Social Change framework into the next mandate. That would allow communities to build on what they have already achieved.

Many times in the past, short-term projects were delivered that, unfortunately, had only minimal impact. However, the Department has clearly taken that on board and is seeking to make these projects sustainable in the long term. For example, the social incubation hubs should be self-sustaining if local enterprises are established within them. For other projects, there is the possibility of mainstream funding if they have tangible outcomes.

All the projects will have a positive impact on families and young people in deprived areas. I commend colleagues in OFMDFM and, indeed, other Departments for the work that they have done, because these efforts will address many issues that lead to poverty and isolation. I thank my colleague the junior Minister for being in the Chamber to respond to this important report.

**Mr Storey (The Chairperson of the Committee for Education):** The Committee for Education welcomed the announcement of the signature projects when they were launched in October 2012. Of particular interest to members of the Committee were the literacy and numeracy and nurture unit projects. The Committee strongly felt that literacy and numeracy were the foundations for learning and progression at school and that additional support for pupils was therefore timely. Members also welcomed the Department of Education's subsequent decision to expand the number of graduate teacher places on that scheme. The Committee also noted the growing body of research that emphasises the value of the intensive work undertaken in nurture units. As with the other signature projects, the Committee felt that more support for that could really only be something to be valued and welcomed.

Although the Committee welcomed those interventions, members had some concerns about the continuity between those and other similar programmes. Members also expressed concern on the eligibility criteria for participating schools and around the restrictions applied to unemployed graduate teachers. As timescales and funds were limited, it was perhaps unsurprising that the design of the signature projects was somewhat less than perfect. The Committee noted, for example, feedback from the Northern Ireland Nurture Group Network in which stakeholders complained about the absence of continuing

funding for some existing nurture units and the lack of a buddying scheme for new nurture units established under the signature project.

Stakeholders also called for, in the longer term, central advice, support and guidance for all nurture units in Northern Ireland. The Committee also noted suggestions from the Nurture Group Network for eligibility criteria that would be based on multiple deprivation measures rather than simply free school meal entitlement, which is something that I will return to in a moment or two.

Additionally, in terms of the literacy and numeracy project, some members commented that the academic criteria served to exclude some struggling children who had made recent improvements, particularly in attainment. Those schools needed the support and had demonstrated the capacity to make good use of the project in that regard, yet they found themselves outside the programme, which was regrettable. There were also issues associated with the literacy and numeracy programme for recently unemployed teaching graduates.

In my comments as a Member in the moments that are left to me, I turn, in particular, to the point that was raised by the Northern Ireland Nurture Group Network, which does commendable work in Londonderry, Coleraine and many other parts of Northern Ireland. However, a concern has been raised, and it was included in the report:

*“Area-based approach does not allow for inclusivity of all pupils in need, e.g. not only children entitled to free-school meals, not all children in need of a nurture unit have access to school with one.”*

That goes to the heart of what is being deliberated on and of what I referred to in the House today in regard to possible changes to the common funding formula. We need to ensure that in any project, whether it is a signature project or any departmental approach to addressing a need, we have not created another element of children who are excluded and cannot access a particular project.

I welcome the fact that, albeit belatedly, the Department of Education came to embrace the issue of nurture. I welcome that and congratulate my colleague in DSD, Nelson McCausland, on the work that he and his Department have done. OFMDFM has subsequently picked up that need and, through the nurture provision in the signature project, is recognising that there is an intervention that can be made through the use of nurture that can be advantageous and beneficial to children in our communities.

I generally welcome the tenor of the comments in the report, and I look forward to the Department's response.

**Mr Bell (Junior Minister, Office of the First Minister and deputy First Minister):** I welcome this opportunity to respond to today's motion and acknowledge the OFMDFM Committee's report on the implementation of the Delivering Social Change signature programmes. We welcome the Committee's engagement with the key stakeholders, and we have read with interest the report and the recommendations from the event last November. The Executive are fully committed to the Delivering Social Change framework, which represents a new level of joined-up working across government to achieve real and long-lasting social benefits for those in our society who need them most.

Delivering Social Change is a new way of doing business. We are moving away from the lengthy action plans that list existing activities and focusing instead on a small number of projects that can really make a difference. We know that Delivering Social Change is not something that the Executive can deliver on their own. We appreciate that it will require partnership working with the wider public sector, with our community and with the voluntary and community sector. In recognition of that, we have been committed to engaging with stakeholders from the outset to seek their views on how best to tackle the complex social issues that face all of us in our society.

Indeed, it was following consultation with stakeholders in 2012 that the 'Delivering Social Change Children and Young Persons Early Action' document was developed. It outlined five key priority areas that Delivering Social Change should focus on in the coming years, including early years and early interventions; literacy and numeracy; transitions; integrated delivery; and joined-up planning and commissioning. Very much in line with the identified key priorities, the initial six signature programmes, announced in October 2012, focus on early interventions to tackle issues before they develop into problems and to give children a good start in life. Let me be clear that our engagement with stakeholders has not stopped following those initial events. We have continued to engage with stakeholders on an ongoing and regular basis.

In June last year, junior Minister McCann and I hosted a two-day conference that was attended by over 200 delegates from the third sector, the public sector and the wider community. Since then, Jennifer and I, as well as senior officials, have attended a wide range of events organised by stakeholders to further raise the awareness of Delivering Social Change and the difference that it is making. They included events organised by Belfast City Council, Children in Northern Ireland (CiNI), the Centre for Effective Services (CES), the Department for Employment and Learning, the National Children's Bureau (NCB) and the Northern Ireland Council for Voluntary Action (NICVA), to name but a few. Nearly 900 stakeholders attended the events, and that demonstrates our commitment to engaging with stakeholders and our determination to further raise awareness of the difference that Delivering Social Change is making.

As well as continuing to participate in events organised by our stakeholders, we are actively arranging engagement events with interested parties for specific elements of Delivering Social Change. For example, we are seeking the views of stakeholders — including the vital views of children and young people themselves — on our Delivering Social Change children and young people's strategy. We are working with the Departments on the best way in which to assess the effectiveness of Delivering Social Change programmes and have already provided guidance to them for the six initial signature programmes. We are investigating the establishment of oversight groups to include representatives of the third sector and end users. That will be an invaluable mechanism for evaluating the programmes and informing future policy in those areas.

I am pleased to report that the signature programmes are progressing well. Twenty new nurture units have been rolled out across Northern Ireland to help address the barriers to learning among children arising from social, emotional or behavioural difficulties. The units play a key

role in improving the lives and educational attainment of our most vulnerable children by targeting the support where it is most needed. Over 200 teachers are now in post in primary and post-primary schools providing additional teaching support to the children and young people who are most at risk of underachieving in English and maths at the critical stages of their education.

### 1.00 pm

The early support is critical when families need it most and when it can have the greatest impact. In recognition of that, a suite of parenting support programmes have been developed. They provide the additional, high-quality intervention support to new and existing parents. In addition, 16 existing family support hubs now benefit from continued support. Work is ongoing to establish the 10 new hubs. The hubs will provide assistance in a friendly, local environment and will help families to overcome the challenges that could otherwise be overwhelming and unmanageable.

From January to June last year, an intervention supporting parents and helping young people who are not in education, employment or training was successfully piloted with 44 families in east and west Belfast, Cookstown, Strabane and Newtownabbey. Positive outcomes from the pilot included family members moving into employment; young people returning to school to complete their GCSEs; family members participating in structured training programmes; and improved school attendance. An upscaled version of the pilot was launched in November last year targeting 720 families in disadvantaged areas.

Before I move on, I will turn to some of the comments that were made. I welcome much of the Chair's positive comment. I noticed that some claims were made about the gender equality strategy. Of course, the strategy runs from 2006 to 2016. We either attempt to implement the changes now for the remaining 18 months or we refocus now to effect the change that is required. I do not think that it is helpful for the Chair, in noting issues that are to be addressed, to slip in a criticism while ignoring the work that is already under way to resolve the most critical issues. I will also correct for the record the Chair's comments and say that the family support hubs have a physical presence and all 10 will be in place by summer 2014.

Members raised the issue of consultation, and it is important that consultation is meaningful. We have extended the children's consultation. We are already under way, and we are assured that the sector's passion, dedication and commitment will come through strongly.

The Chair raised the need to link funding and delivery. Delivering Social Change has sought to link Departments to ensure that the signature programmes integrate with their existing mainstream programmes. Next week, officials will bring together a range of other matters with a view to progress in their own Departments.

Mr Attwood discussed OFMDFM being the lead and a silo. Of course, it is always important to look at the facts that lie behind statements. All six signature programmes are led by a Department with a policy and operation locus in the field and not, Mr Attwood, by OFMDFM. In delivering, Departments work together with us in OFMDFM. However, they also work out with other Departments, agencies and

third sector bodies to start breaking down what have been historical silos.

Mr Cree mentioned delay. The additional teachers were announced in October 2012 and were mostly in place by September 2013.

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

**Mr Bell:** I want to address a number of contributions made by Members when you were out of the Chamber. It is only fair that I respond to them.

Looking forward, we recognise that Delivering Social Change is not only about delivery and immediate actions; there is also a need for longer-term planning. Many of the issues and problems that societies face are multifaceted and require a genuinely joined-up approach in and outside government. As we are aware, signature programmes alone will not eradicate issues such as poor health, low educational attainment or chronic unemployment. We need to look, in the longer term, at how services can be mainstreamed.

The signature programmes were intended to have an impact in their own right and act as a catalyst for change and for encouraging and driving change in mainstream services. We do not have unlimited money, so it is crucial that we get the evaluation of the Delivering Social Change programme right. We must identify what works and what measures have greatest impact and focus our efforts there.

An important aspect of the evaluation process will be the dissemination of the learning from the Delivering Social Change programmes. We wholly agree with the Committee's recommendation that the Executive should seek a cross-party commitment to the continuation of the Delivering Social Change framework for the next mandate. In fact, a Delivering Social Change policy project board was established in recognition of the fact that reducing intergenerational poverty can be achieved only by all Ministers working together with a longer-term view to the next Programme for Government period and beyond.

It is intended that the ongoing work to create a collaborative and longer-term social policy framework, aligned with our economic strategy, will be a major contributor to tackling poverty and social exclusion effectively. We believe that, through the Delivering Social Change framework, we can and will make a difference, but we accept that we cannot do it alone. It is only by working together, breaking down the old silos and creating the new partnerships that we can hope to effectively support the most vulnerable members of our society.

I hope that the House will be reassured that many of the recommendations contained in the OFMDFM Committee's report are consistent with the approach that we are taking already. We will continue to develop further in order to achieve the aims and objectives of Delivering Social Change.

I am sure that the House will agree that the work related to the Delivering Social Change framework illustrates a level of commitment by Ministers and Departments to work together in partnership with our key statutory, community and voluntary sector partners. That is what we are about. If this House is to be real and meaningful, we have to ensure that outcomes are maximised and there are improvements in the lives of everyone and, most particularly, our children and young people.

**Mr Lyttle (The Deputy Chairperson of the Committee for the Office of the First Minister and deputy First Minister):** I, too, welcome the debate and the publication of the Committee's report. It is a good example of how Committees have a significant role to play in the Assembly. We have had a positive engagement with stakeholders and have had a positive debate today. It has uncovered the complexities of dealing with poverty and social exclusion. As junior Minister Bell has said, it is important that Departments work together but also that the Assembly and its Committees work together. The number of contributions shows how many MLAs are interested in working together to tackle the issue, so it is important that the policy and framework are put in place to allow that to be achieved as effectively as possible.

We must not underestimate the scale of the problem that we face. According to the Institute for Fiscal Studies, relative child poverty is forecast to increase by 8.3% to 29.7%, and absolute child poverty is predicted to increase to 32.9% in Northern Ireland by 2020. This means that official targets are unlikely to be met. Under the Child Poverty Act 2010, the targets for relative and absolute child poverty were 10% and 5% respectively by 2020. The challenge is huge. We have to be serious about this, and we have to work together.

I will set out, as the Chair did in his opening remarks, what Delivering Social Change is. It is the Executive's delivery framework to coordinate efforts across Departments to take forward work on priority social policy areas. The framework seeks to coordinate actions between Departments to deliver a sustained reduction in poverty and associated issues across all ages; to improve the health, well-being and life opportunities of children and young people; and to break long-term cycles of multigenerational problems. Delivering Social Change is also intended to complement much larger social and economic policy and programmes operating against poverty.

I turn to the structures that are in place. The framework is being led by OFMDFM junior Ministers through the Executive ministerial subcommittees on children and young people and on poverty and social inclusion. All Executive Ministers are members of those two subcommittees, and, once a year, the First Minister and deputy First Minister co-chair a joint meeting of the Executive ministerial subcommittees. The subcommittees are also being supported by Delivering Social Change programme boards, which are also co-chaired by the junior Ministers, with key Departments represented by key officials in our Civil Service. There is also a Delivering Social Change fund, which is a consolidated and integrated fund that subsumes the childcare fund, the social investment fund and current and future signature projects. According to the Office of the First Minister and deputy First Minister, the fund is:

*"to respond quickly, and in a flexible manner, to urgent social needs as they arise and address the specific needs of some of our most in need individuals and families."*

We have heard in detail about some of the specific signature projects. They are focused on improving literacy and numeracy, nurture units, social enterprise hubs, positive parenting, family support hubs, the community

family support programme and a play and leisure programme.

I turn to Members' contributions. All Members recognised that this is an attempt to tackle some of the most serious issues in our community. Alex Maskey recognised that it needed to represent a cultural shift to change the way in which government responds to these issues. Alex Attwood was slightly more critical in saying that it was an indictment of policy design and the silo mentality in our government. He recognised, however, the positive power and value that the input of stakeholders can have into the formulation of government policy. Brenda Hale said that this was an example of action and positive social change rather than just strategic thought, and Jimmy Spratt went into detail about the extent of the problem with regard to special educational needs. It is also positive that the Chairperson of the Education Committee, Mervyn Storey, contributed, which demonstrates that it is positive that we debate this issue on the Floor. I regret that this type of report is not, at times, as forthcoming from the Department. As Members, we have shown that we can deal with these issues in a responsible and joined-up manner, and I would welcome further opportunities to get into more detail on the issues.

**Mr Attwood:** I thank the Member for giving way — unlike the Minister. The point that I was going to make to the Minister is that, although Departments have responsibility, does the governance and management responsibility not fall to OFMDFM?

If there are failures in joined-up government, consultation or the measurement of outcomes, is that not a commentary on issues of governance and management? Is that not a comment on OFMDFM?

#### 1.15 pm

**Mr Lyttle:** I take the Member's point. I cannot speak on behalf of the junior Minister about why he failed to give way, but I am sure that he will do that himself. I was about to turn to the junior Minister's contribution, in which he cited a number of examples of delivery, such as the 20 new nurture units that deal with the social, emotional and behavioural needs of children and young people. That is a positive policy introduction. He mentioned the 200 teachers who are working on literacy and numeracy, parenting support, family hubs and the community family programme. I take on board that he said that evaluation will occur, but, a year later, we are entitled to expect responsibility to be taken, and we need to see the outcomes.

The junior Minister was complimentary of the community family programme, which is a Department for Employment and Learning programme that the Minister for Employment and Learning is taking the lead on. He said that there are positive outcomes, with family members moving into employment, returning to education or taking up training opportunities. Those are the types of outcomes and examples that we want to hear about. Hopefully, the junior Minister will also take responsibility for governance in securing outcomes in other departmental areas.

The junior Minister also commented on the new level of joined-up working that the signature projects were to represent. He said that it would bring real benefits and move away from lengthy action plans. From my point of view, there is still some concern about whether moving

away from lengthy action plans is wholly positive and well intentioned in respect of securing outcomes, or just about making life a bit more difficult for those of us on the Committee or Members of the Assembly to be able to see in detail where the actions are and follow them to assess the outcomes that they do or do not achieve. We can give people the benefit of the doubt and see what other details come forward.

The junior Minister also mentioned the importance of consultation and the extension of the consultation on the Delivering Social Change for Children and Young People strategy. What he said was slightly lacking in detail, because there was an outcry from the Committee and the sector about the wholly inadequate time that was to be available for the consultation on this hugely significant strategy. It was to run from 20 January to approximately 21 February, but, thankfully, it has been extended to 31 March.

As chair of the all-party group on children and young people, I am sponsoring an event on Wednesday for children in Northern Ireland and will have a round-table discussion on the issue. All Members are more than welcome to attend the event, which was organised at very short notice because of the short notice of the consultation. I think that such events are positive. The report on the event that the OFMDFM Committee hosted shows that there is a wealth of expertise and experience in the children and young people's sector and the community and voluntary sector. As the junior Minister said, the Department must work in partnership with them to ensure that we achieve improved outcomes for our children and young people and for everyone in greatest social need.

The report makes specific recommendations, and the Chair went into those in good detail. A year after the introduction of the signature projects, the report found that there was still a lack of a joined-up approach in government and that improvements in consultation were needed. I cited a very recent example that is still there. A greater focus on outcome measurement is needed. The Chair rightly referred to the gender equality strategy and the shortcomings that we have seen in the lack of outcome measurement on that strategy. The Committee was encouraged by officials' recent work on the gender equality strategy, and I think that there are officials in the Department who are genuinely committed to improving an area in which there has been a lack of delivery in recent years. However, there is a need for long-term planning to identify best practice, and for clear messages and awareness raising.

I had the privilege of chairing a round-table discussion about the positive parenting programme. Some of the feedback that I gathered was that there is a lot going on to tackle poverty and social exclusion in our community, but there is real need to get clear messages out, to coordinate people and to raise awareness of the projects that are available there. As Mr Attwood said, there is a responsibility on OFMDFM to show leadership in that type of coordinating effort.

I will make a few short comments as an Alliance Party Member of the House. In our most recent Assembly manifesto, we stated that there was a need for a statutory duty to cooperate among all Departments. The debate today has shown that there is a real need to consider that type of statutory duty. Significant progress has been made

in recognising the need for a fundamental shift in how Departments work together, but I think that statutory duty to cooperate would develop that further.

I was interested to read an answer from the Agriculture Minister recently, who also recognised that that could be a positive addition to government here in Northern Ireland. She said:

*"The introduction of a statutory duty on public authorities here will help underpin the existing collaboration that takes place and encourage further joined-up working and where possible, the sharing of resources across government too."*

That sharing of resources is another passion of mine as well, from an Alliance Party MLA point of view, as is the need for children's budgeting. I noted with encouragement that OFMDFM is undertaking a children's budgeting pilot. That type of children's budgeting across all Departments would help us as MLAs and would help the public identify how much money is being spent on our children and young people on those types of issues, how well it is being spent and what outcomes we are achieving. I think it is possible to deliver that, and I look forward to hearing more detail about the children's budgeting pilot that OFMDFM is taking forward.

In conclusion, this is no doubt a complex area of policy that we are striving to improve in the Assembly and Executive. It is vital to achieving equality and tackling need across our community here in Northern Ireland. I hope that the Department takes its responsibility seriously in that regard and that, as a result of today, it sees the positive role that the Committee can play in engaging in the areas of policy that it is working on. I look forward to developing that relationship further with it to achieve better outcomes for everyone in Northern Ireland.

*Question put and agreed to.*

*Resolved:*

*That this Assembly notes the report of the Committee for the Office of the First Minister and deputy First Minister on its event on the Delivering Social Change signature programmes (NIA 150/11-15); and calls on the First Minister and deputy First Minister to ensure that meaningful and comprehensive engagement with practitioners and stakeholders is central to the development of any future signature programmes.*

## Private Members' Business

### Shared Education

**Mr Principal Deputy Speaker:** The Business Committee has agreed to allow up to one hour and 30 minutes for the debate. As two amendments have been selected and published on the Marshalled List, an additional 15 minutes has been added to the total time. The proposer of the motion will have 10 minutes in which to propose and 10 minutes in which to make a winding-up speech. The proposer of each amendment will have 10 minutes in which to propose and five minutes in which to make a winding-up speech. All other Members who are called to speak will have five minutes.

Before we begin, the House should note that the amendments are mutually exclusive, so, if amendment No 1 is made, the Question will not be put on amendment No 2.

**Mr Kinahan:** I beg to move

*That this Assembly notes with approval the concept of shared education; believes sharing between all types of school could lead to better educational and community relations outcomes; further notes with disappointment the failure of the current Minister of Education to effectively facilitate sharing across the sectors; believes that the current area-planning process has not been conducive to sharing between schools and that the ministerial advisory group report on advancing shared education was a missed opportunity; expresses disappointment at the continuing failure to introduce a shared education premium; and calls on the Minister of Education to take practical steps to promote and facilitate sharing, so that a single education system can become a realistic policy goal.*

This is probably one of the most important subjects that the Assembly can debate, and one on which the whole of society's future depends. We have all heard the quotation:

*"The hand that rocks the cradle is the hand that rules the world."*

That is, education is the key to making our society the world success that it should be.

After the appalling, disastrous year of protests and the ongoing division over Haass, we — that is all of us — need to show society, not just in the United Kingdom and Ireland but in Europe, the USA and the rest of the world, that Northern Ireland can put in place a total, all-encompassing educational framework that will help resolve our differences. I say it again: a total, all-encompassing educational framework.

The Ulster Unionist Party's driving policy is to put education first and, within that, to push for a single shared education system. The key word is "single": one; solitary — a sole shared education system. The Ulster Unionist Party follows the leadership shown by Lord Londonderry in the 1920s, Sir Basil McIvor and Brian Faulkner in the 1970s, and many others, in wanting and working for shared education. After 90 years, we still have not got there.

Today is a test for all of us. Do we want shared education? The public do: 68% want desegregation of schools and 79% of parents see integrated education as the right

way forward. In his 22 October statement, we saw the Sinn Féin Minister show that he wants shared education. Indeed, Sinn Féin reinforces that in its amendment. Almost all the other parties have shown that they, too, want it to some degree. Today is your test. Do you want shared education?

The motion should not be difficult for anyone to accept. We start by noting with approval, by all, of the concept of shared education. However, it is essential that we define what we mean. It is a mechanism, a total concept, of which integrated education is an absolutely key part. It is about creating a wholly inclusive educational environment that focuses totally on education. It means aligning every educational policy towards that one goal, including funding; the Education and Skills Authority (ESA), in an acceptable form; sectors; inspection; early years; the curriculum; exams; higher and further education; vocational and academic education; all other fields; and especially the *bête noire* that is the present area planning policy.

The area planning initiative must stop now and be completely rethought. It could fit into the overarching aim of a single shared education system if it were completely rethought. That would not be a backward step for the Minister, but a chance for a fresh look after so many other changes have been agreed. The Minister acknowledges that development proposals are written as if the school up the road does not exist, so he is already amending the initiative.

Shared education, as my party leader has often said, can happen totally for some schools now, for others in the next few years, and for all schools in the longer term. We all need to start putting a framework in place that ensures that that will happen so that "the next few years" becomes five or six years and "the longer term" becomes 10 or 15 years. That is our test today. I wonder whether everyone here will put that in place. It is in the Programme for Government, but in such a woolly way that I feel Shaun the sheep from 'Wallace and Gromit' should become the Executive's mascot.

Last year's 'Advancing Shared Education' report set out some excellent recommendations, except the final three. We believe that we missed an opportunity then in not grasping those. We should put in place the first 17 recommendations. Bring on the statutory duty and the establishment of a central unit to drive forward a strategy with targets and goals, regional structures, research and evaluations. However, that needs suitable funding. It needs a shared premium, funding for training, and so much more. Let us not go into all that today, because it is all in the report.

I pause for a second to congratulate the Education Committee and remind everyone that it has not forgotten that initiative and will be holding an inquiry on the matter later in the year. However, it concerns me that we have put that off until later in the year when so much change to policy and action needs to be put in place now. That is why we are having today's debate.

The debate is not just a call on political parties to support shared education, but a call to all involved. Many groundbreaking bodies are already working on it today. I pick out the examples of the Fermanagh Trust and the excellent work that the area learning communities are doing to set examples in sharing. In my constituency, we have Moneynick and Duneane Primary Schools, which benefited from PíEE, Atlantic Philanthropies funding

and, of course, the North Eastern Education and Library Board's support. However, the funding has stopped for the latter and is being reduced for the former. That is why this is a timely debate.

### 1.30 pm

We must use all that we have learnt and preserve and expand on it, rather than let it fade. Sharing is not just shared sports games or music lessons, facilities or transport to and from: it is shared teaching, shared teacher training and development, shared curriculum, shared classes, shared parents' meetings and shared governors and trustees. In the future, it could mean federations and groupings of all different types, especially in the sectors. It is everyone from the maintained sector, controlled sector, voluntary sector and library boards: this comment applies to all. Throw off your shackles and free yourselves — no more '12 Years a Slave'. Mark Twain said:

*"Twenty years from now you will be more disappointed by the things that you didn't do than by the ones you did do. So throw off the bowlines. Sail away from the safe harbor. Catch the trade winds in your sails. Explore. Dream. Discover."*

In the DUP amendment, we see just two areas of sharing being tackled. We need more. There is much to be praised in Together: Building a United Community. However, it is just one part of the whole jigsaw. There is much in the signature projects, too. We praise them. However, we need them to really happen. That is not really relevant to this debate: nothing to do with sharing. Indeed, I am concerned as to whether the DUP really gets shared education. Its leader said that segregated education was a form of benign apartheid. Do they get it? They talked about a commission on shared education, yet not one of the education and library boards has ever been contacted about it. We need courage, determination and resolution to put that in place, but as part of a single shared-education drive — starting today, a total, all-inclusive drive.

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

**Mr Kinahan:** No. You will get your chance in a second. Thank you.

We see much in Sinn Féin's amendment No 2. There is much that we can agree with, especially the opening sentence:

*"the current area-planning process must be conducive to sharing between schools"*.

It is not. We need to see it changed. Where we really differ is not expressed in words; it is in the dogma. Sinn Féin wants everyone to have the same excellent education by making the opportunities to all equal. We also want everyone to have an excellent education, but we want everyone to be given equal opportunities to excel in every field they can. Sharing the best that is — or, in some cases, was — in the grammar system is the way forward, not the divisive battle that each of those party's policies support. Today, what I call for is bigger than all of that.

Let us explore the suggestions by Professor Borooh and Professor Knox as part of the whole, total drive towards a single, shared education system. To all of you: throw off your shackles, drop your amendments, support the main motion as it includes all of your aspirations, catch the wind

of change and give your children the chance to explore, dream and discover. The UUP proposes the motion and opposes both amendments.

**Mr Storey:** I beg to move amendment No 1:

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

*"welcomes the initiative by the Office of the First Minister and deputy First Minister in progressing this work through the signature projects; and calls on the Minister of Education to actively assist in this work through the development of shared campuses so that a single education system can become a realistic policy goal."*

At the outset, I have to say to the Member who moved the motion that I in no way feel that I am in shackles and that somehow I have to shed those shackles to become subservient to another political party. He does himself, his party and his cause no good by coming to the House trying to paint the picture that somehow the only answers and solutions are to be found in his party's approach to the issue. I will deal with the detail of that in a moment or two.

At the commencement of my remarks, let me, in supporting my party's amendment, pay tribute to certain schools. We very often come to the House and talk in general terms. We somehow forget that there are teachers, schools, governors, parents and organisations who work tirelessly, year after year after year, to ensure that their schools are inclusive, shared facilities.

I have to pay tribute, for example, to Ballycastle High School and Cross and Passion College in my constituency. Way before it was ever popular to use the phrase "shared education", those schools recognised their geographical location and the challenges that they had. Did that prevent them from trying to bring forward something that was of meaning and value to their pupils and community? No, it did not. I pay tribute to them today. I trust that the Minister will very shortly be able to announce funding that will be of benefit to Ballycastle High School and Cross and Passion College. That will, for the first time, show them recognition for the work that they have done.

In coming to the amendment, let me also pay tribute to my party leader. I can say, without any fear of being contradicted, that it was he who made those comments when he went to Castlereagh, despite everybody, from the bishops down, attacking him because his words were somehow seen as an attack on Catholic education. Let us remember that those comments were made. Let us also remember that a week after my party leader made those comments in Castlereagh, we heard a different tone from the bishops.

Let us tease out the issue by, for example, looking at the statement made by the Education Minister back in October 2013. He said:

*"shared education is not a bolt-on or optional extra. It is fundamental to delivering good schools and central to my vision that every learner should achieve his or her full potential."* — [Official Report, Bound Volume 88, p311, col 2.]

That is to where we want to ensure that we move in the weeks, months and years ahead.

The mover of the motion rightly paid tribute to work done by the Fermanagh Trust, the North Eastern Education and

Library Board, the PIEE project and Queen's University and the excellent work it has done.

Here is where we have an issue. Shared education means all things to all people at certain times of the week or year, but it all depends on when you ask and quiz them. When it comes to other sectors, it is interesting to note the responses that we in the Education Committee sometimes get. The Member, in moving the motion, referred to Moneynick and Duneane, and he will be aware that we have a letter from Bishop McKeown about shared provision for Moneynick and Duneane. It is amazing that said gentlemen was not aware of any of the new arrangements between the two primary schools. Bishop McKeown went on to say — this sometimes goes to the heart of organisations that have vested interests — the following:

*"We are all aware of the proposed collocation of separate schools on the Lisanelly site. However, since we have never had to reflect on the issue of a shared building, NICCE"*

— the Northern Ireland Commission for Catholic Education —

*"has currently no views on the design of such shared education arrangements."*

Does that not give you an insight into an organisation that reportedly wants to be inclusive and to extend its remit for how it interacts with other elements of the community? Does that not give you an idea of what its real view of sharing is?

Let me take it down to a level that is a little bit more personal. I declare an interest as a member of the board of governors of Ballymoney High School and as a past pupil of Armoy Primary School. As everybody knows, Armoy is in the heart of my North Antrim constituency, and it has been involved with the PIEE project for a number of years. The PIEE project gave Armoy, St Olcan's, Barnish and Straidbilly — the four schools involved — an opportunity to share. In fact, St Olcan's and Armoy had a shared teacher. That was welcomed by the boards of governors at both schools and the community, because it was not a threat to either.

Depending on the figures that you use for the sustainability of a school — we all have concerns about the Bain figures, but let us set that issue aside for the moment — if you accept that there was to be further sharing and collaboration with Armoy, you would expect that those with an interest in the process, such as a governing body, would want to see that being progressed.

I have to say that, to date, it has been regrettable that others, not the two schools, St Olcan's board of governors and Armoy Primary School board of governors, have been making noises about where sharing should go. I think that that goes to the very heart of the issue. The Member who made that proposal today made the comment about everybody coming up to the plate on the issue. It is about people stating clearly what it is that they want in future provision.

I will give another example. It is on shared campuses, which we refer to in our amendment. Let us go to Lisanelly. There has been a lot of talk about the Lisanelly project, and the Minister has allocated a lot of money to it. However, we need to be absolutely sure about it, and there needs to be no doubt, no mist, no fog, no confusion, no doublespeak and no double standards so that whoever

moves onto the Lisanelly site moves there on the same basis, with the same arrangements and with the same contractual arrangements for ownership of the site so that none can claim advantage over another. I pay tribute to the fact that a special school is moving onto the site in the first place. Special educational needs is showing the way in shared education; special education has never been in a position where it is a maintained or an integrated provision. It is a controlled — a state — provision, and I pay tribute to those in special educational needs, who, despite all the problems and challenges that they face, continue to deliver for our young people and children who have particular challenges. It is a light to us, in a sense, that a special school will move first to the Lisanelly site.

The Minister knows my view on this already. We watch with interest to see how others will follow onto the Lisanelly site and whether they will follow on the same basis and with the same criteria. I beg to say that that may not be the case.

No doubt, others will say much more as we progress —

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

**Mr Storey:** No, I am concluding.

In conclusion, there is undoubtedly an appetite in our community to ensure that education continues to flourish and to progress to the benefit of all our young people, not just some.

**Mr Hazzard:** I beg to move amendment No 2.

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

*"believes that the current area-planning process must be conducive to sharing between schools and that the ministerial advisory group report on advancing shared education provides an opportunity to advance these aims; calls on the Minister of Education to introduce a shared education premium and to take practical steps to promote and facilitate sharing across the sectors and the entire education system."*

Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I welcome the opportunity to debate this very important issue and to move amendment No 2, which is in my name and that of my colleagues.

There has been an increasing interest in our education system and the wider public on the growth of shared education projects. So, it is important that we as an Assembly play our part in that growing conversation.

With that in mind, we ask Members to support our amendment. We feel that, unlike the motion, which does not sufficiently recognise the emerging success of sharing education projects or, indeed, the commitment and dedication that various schools, governors, teachers and the Minister has to shared education projects, our amendment acknowledges that appetite for increased sharing between our schools. We also feel that, given the appropriate support and investment, we should see a flourishing of sharing across the system in the months and years ahead. That was laid out specifically in commitments 71, 72 and 73 of the Programme for Government, which specifically mention shared education and call on the Minister to ensure that:

*"all children have the opportunity to participate in shared education programmes by 2015"*

and to:

*“Substantially increase the number of schools sharing facilities by 2015”.*

On the back —

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

**Mr Hazzard:** Go ahead.

**Mr Lyttle:** Is the Member able to provide us with an update on how the Department of Education is performing against the targets that he outlined?

**1.45 pm**

**Mr Hazzard:** I thank the Member, but I am not a spokesperson for the Department, so I will leave that update to the Minister in his statement later.

As the Member rightly pointed out, we had the launch of the shared education campuses programme in January, which will see the development and delivery of 10 shared education campuses locally. However, as outlined, I suppose, by the previous Member to speak, government is not leading the way on this as much as local schools, communities, teachers and, indeed, families, who have already invested a huge amount of work in sharing in our education system. Again, we, as a party, do not feel that the UUP motion pays significant recognition to those who are leading the way in sharing education. I point to a local example in Ballynahinch, where St Colman's High School and Ballynahinch High School have grasped the nettle and taken the lead to deliver the entitlement framework. I again pay tribute to the schools involved.

As has been said, the centre for shared education at Queen's University and the Fermanagh Trust continue to lead the way on shared education in many respects. The Committee will visit Fermanagh in the months ahead to have a closer look at how things are progressing in the county. Indeed, one latest example was a teacher exchange scheme that facilitated a number of primary schools exchanging teachers for one day a week to assist with curriculum delivery. It was a great success, as it enabled schools to access a wider range of teaching expertise and resulted in improved educational outcomes for many young people across Fermanagh. Moreover, given the rural dynamics of many of the participating schools, the growth of such schemes throughout other rural areas of the North could be of huge benefit.

The growth in, and advancement of, shared education is, perhaps, the most significant development in education policy in the past number of years. Importantly, it is also one of the most sensitive areas of change. If this process of change is to be successful and sustainable into the years ahead, we must all embrace the process equally. There must be a shared readiness to engage between schools, sectors and political parties.

When we stand in the Chamber and talk about bringing pupils and schools together, we must always bear in mind that we are talking about hugely complex issues of identity and ethos. We are asking local communities to buy into a process of change while balancing community values and expectations. So, when we discuss the need for increased sharing and demand it be delivered as soon as possible, we should keep these very sensitive dynamics in mind.

Today, we are faced with an education system that is built upon having many different types of schools, each with their own rights and entitlements and each with their own proud identity and supportive community. For many across the North, this choice in our system is a great strength. However, many others see things differently. They believe that such choice in our system reflects social and communal divisions, scars of conflict that need to be addressed as soon as possible. Although many sympathise with either narrative, it is important that we focus on the educational case for sharing.

This debate, and all future conversations on the advancement of shared education, must not be allowed to get sidetracked. Effective educational sharing must have an impact on standards, outcomes and the learning experience on our young people. There can be no doubt that to raise standards and improve outcomes our schools need to change. How we think about and understand education in the 21st century must change, and increased sharing within the system is undoubtedly central to such reform. That is because choice is important; we all accept that.

However, choice must not come at the expense of a good school, a good education and equal opportunity. Indeed, such inequalities in our system are bad for children and for society. Such inequity is damaging and unnecessary and we all have the power to eradicate it, if the will exists. Sharing is needed: not merely in the ethno-religious context that we are all so used to hearing about but within parameters of socio-economics.

If are to build a truly shared education system and society as a whole, we must move beyond the traditional narrative of religion and ethnicity and tackle the ever-enduring issues of social inequality and elitism. We need to challenge those who claim to support integrated and shared education yet support socio-economic separation in our system. How can religious division be wrong on the one hand yet economic division is acceptable on the other? I call on the Minister to introduce a shared education premium in the months ahead. I also urge him to continue to actively oppose and remove any barriers to integration in our system, be they religious or socio-economic.

Finally, I turn to the issue of the single education system, which I believe is too important to be a throwaway line at the end of any motion, particularly one on shared education. It is a very important programme of reform in its own right. A single education system is certainly a goal for many of us, but those of us who advocate such a policy goal have a responsibility to lay out the vision. Where is the detail in the Ulster Unionist contribution today? Where is the detail in the Democratic Unionist Party's contribution today?

We must all travel this journey together, yet the two unionist parties throw that line at each other without ever presenting a plan for change to inform us all of what this would look like. Indeed, when we discussed issues such as ESA, a body that would undoubtedly help to shape a united and cohesive system, the two unionist parties have merely sought to block and stall. They appear unwilling to act as a positive force for change.

Any future development of a single education system must be built on the protection of rights and parity of esteem for all citizens. Complex issues of ethos, identity and community values need sustained and sensitive contemplation. When

unionists run away from a bill of rights and a sexual orientation strategy, and given the irrational antipathy towards Irish-medium education and Irish language rights and the complete failure to tackle socio-economic inequalities and divisions, how could anybody blindly accept the throwaway line at the end of motion?

**Mr Rogers:** I welcome today's debate on shared education. We must think about where shared education happens. It happens in our schools across the North, and I want to highlight and acknowledge the great work in schools that are really advancing shared education. A wide range of schools adopt a shared system for learning and are real assets to our education system. Across the North, there are examples of good practice, with schools working together and sharing resources between and across the different sectors.

Twenty-six schools have already benefited from the primary integrating/enriching education project, which was funded by the International Fund for Ireland and Atlantic Philanthropies. We listened to the benefits of that project in Committee recently, and I was struck by the sharing of education and the fact that it led to better community cohesion. The Fermanagh Trust project, which Members mentioned, demonstrates good practice that could be rolled out to other areas. A number of primary schools, for example, engaged their teachers for one day a week to assist with curriculum development in their partner school. That enabled schools to access a wide range of teaching expertise and resulted in improved educational outcomes. The scheme could be of particular benefit to small rural schools throughout the region. The practices highlighted in Fermanagh should be incorporated into the mainstreaming of shared education and made available to all schools.

If truth be told, for shared education to be effective, we must bring our communities with us. Different communities are at different places with the level of acceptance of shared education. That is the reality. I can go back to the early years of education for mutual understanding (EMU) and our attempts to bring young people in Kilkeel from two traditions together for a soccer match or a ramble in the Mourne. Today, that has moved on considerably but still has plenty to do to catch up with Limavady High School and St Mary's, which the Minister visited recently. There are various examples of good practice that demonstrate how pupils from different backgrounds benefit from being educated together. The learning partnerships are a good example of that. However, we can do much more to ensure that all schools work collaboratively.

Shared education can become an opportunity for keeping education alive in our rural communities, be it cross-community or cross-border. For rural schools under threat of closure, shared education offers a viable and practical alternative to closure. We believe that it is perfectly possible for schools to provide a quality education without meeting the enrolment threshold if a school engages with a neighbouring school. That is a practical solution, and it can help to improve community cohesion in remote areas.

The SDLP recognises the advances made in shared education and urges the Minister to ensure that the promotion of shared and integrated education in all varieties and forms is a priority for the Department. The Minister must avoid any attempt to prioritise one form of education system over another. We should work together to ensure that a diverse range of schools is supported and empowered.

The last line of the DUP amendment and the Ulster Unionist motion refer to a single education system, but if we are to move shared education forward, we must focus on achievable short-term goals. We must have more sharing. We should work towards supporting a diverse range of schools and helping them to deliver a quality standard of education for all our young people. I agree with the Sinn Féin amendment that efforts at area-based planning to date have not been conducive to developing shared education, and I hope that a shared education premium will become a reality.

**Mr P Ramsey:** Will the Member give way?

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

**Mr P Ramsey:** Will the Member, like me, acknowledge the enormous contribution that schools with a faith-based ethos make to the progression of children's education?

**Mr Rogers:** Thank you for that intervention. I certainly acknowledge it. The point that I am making is that, as we move ahead with shared education — this came across very strongly in a recent presentation to the Committee — we must bring our communities with us, and we must protect the ethos of schools.

Building a truly shared future must include prioritising respect for the rights and choices made by parents. The ethos of various communities and schools must be protected as we move forward. I see great opportunities with the Lisanelly campus and similar proposals. We must continue to strive for the highest standards in learning and give our young people access to a broad range of high-quality educational institutions. We fully support and recognise the merits of promoting shared education. In doing so, it is also important to acknowledge the particular ethos of participating schools.

A number of commitments were made in the Programme for Government to help to advance shared education, with specific undertakings to:

*"Ensure all children have the opportunity to participate in shared education programmes by 2015".*

Secondly:

*"Substantially increase the number of schools sharing facilities".*

Shared education can help us to maximise resources and improve community relations.

**Mr Principal Deputy Speaker:** I was remiss. I ought to have informed the Member that he had an extra minute. Have you anything further to say quickly?

**Mr Rogers:** No, thank you.

**Mr Principal Deputy Speaker:** OK. 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 Trevor Lunn.

*The debate stood suspended.*

(Mr Speaker in the Chair)

2.00 pm

## Oral Answers to Questions

### Finance and Personnel

#### Equal Pay: PSNI/DOJ/NIO

1. **Mr Agnew** asked the Minister of Finance and Personnel for an update on the equal pay settlement for staff in the PSNI, Department of Justice and Northern Ireland Office. (AQO 5542/11-15)

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

Members will remember that it was clearly established in court that there is no legal liability for any payment in relation to equal pay in the Police Service of Northern Ireland, the Department of Justice or, indeed, the Northern Ireland Office. As I said before, I understand the genuine feelings that people have on the matter. I am working hard to find some way in which those feelings can be recognised. Since I last spoke on this issue in the Assembly, I have spoken with the Minister of Justice, and officials from both our Departments have met. I am consulting with officials to investigate whether there are any possible solutions to the issue that could be considered by the Northern Ireland Executive.

**Mr Agnew:** I thank the Minister for his answer. He outlined that there was no legal requirement on his Department. Equally, however, in the past, there have been situations, such as with the Presbyterian Mutual Society, where there has been no legal obligation, but there has been a moral obligation on the Executive to act. Does he not accept that, in this case, because of the inequalities that exist in our current Civil Service, there is such a moral obligation?

**Mr Hamilton:** I do not accept that there are inequalities. If there were inequalities in pay, I would expect the requisite Department, whether the Department of Justice or any other, to come forward with a case of an unequal pay situation needing to be rectified. He is right about the language I have used: I have stressed that, although there is no legal liability and, therefore, it is not an equal pay issue, even though we continue to refer to it as such, there is a moral responsibility on me to investigate opportunities or potential solutions for a recognition of the moral responsibility that may well be there.

I appreciate that the Member is not asking me to step outside the legal responsibilities that I or Executive colleagues have. However, looking at the news over the weekend, if the Member's party — the Green Party — had its way, perhaps it would add the extra stipulation that anybody who denies the existence of climate change should not be paid any money, whether moral or legal.

**Mr McKay:** Go raibh maith agat, a Cheann Comhairle. Obviously, Minister, in the opinion of many of the workers concerned, there has been a lot of toing and froing in this case for far too long. The Minister has touched on this already: how has he sought the support of the Executive for a financial resolution in this case? In the coming weeks

and months, what plans does he have to bring further cases to the table?

**Mr Hamilton:** I am not sure that I agree with the language of “toing and froing”, but I accept that there is perhaps a frustration. I sense that frustration from talking to some members of staff affected by the issue. I certainly see it in correspondence that I receive from them, as well as from talking face to face with them. At this stage, I have sought to engage directly with the Minister of Justice, who obviously has responsibility for the greater volume of staff, to seek a solution that he and I can agree on. The next natural step after that is to go to the Executive to seek agreement and then, hopefully, deal with the issue as a result. I am sure that the Member appreciates that, given the circumstances, Executive and cross-party approval is essential. In that respect, I hope that, if and when the Minister of Justice and I bring forward a solution to recognise the moral responsibility, it will get full support from all parties represented on the Executive, including the Member's party.

**Mr Wilson:** Is the Minister, like me, astounded by the brazen effrontery of the question from the Sinn Féin Member? He calls for additional money to be spent on equal pay settlements for those in the PSNI, and, at the same time, that party is squandering £5 million a month that could be used to make payment, but it prefers to give it back to the Government at Westminster. [Interruption.]

**Mr Speaker:** Order.

**Mr Hamilton:** I thank the Member for his very pertinent question. He is absolutely right. It is not the first time in the past week and I am sure that it will not be the last time today that Members opposite will press me to make finance available for all sorts of projects in their constituencies or across Northern Ireland. However, the final leg of a resolution to the issue of equal pay for staff working in the justice family, if we can devise a solution, will be the need to find some money to pay for it.

I know where there is £15 million that could not only be used to fund this issue but could be given to colleagues in the Executive like the Health Minister, to relieve the pressures that the health service faces, or the Minister of Education, to relieve pressures in the education budget. Right across the system, all Ministers face pressures; they speak to me regularly and bring issues to the House. Members know that departmental budgets are under pressure, but £15 million is being squandered and handed back to Westminster this year. That will rise to £105 million next year, and a total of £1 billion over the next five years. That is money that we can ill afford to lose, yet it is being handed back and not being put to any good use.

**Mr A Maginness:** I thank the Minister for his answers. I do not want to quibble with the Minister. He said that it was not an equal pay issue in the legal sense, and one can accept that. However, it is certainly an equal pay issue for those who are negatively affected. Will the Minister clarify the position that he reached with the Minister of Justice, if he did, indeed, reach a position with him, on how to bring this to a happy conclusion?

**Mr Hamilton:** I would have thought that a learned gentleman like the Member opposite would have appreciated that it is not a legal issue. Strictly speaking, there is no liability in a legal sense for the Executive to deal with.

My discussions with the Justice Minister have not reached a conclusion and are ongoing. I am happy to continue to discuss it directly with him, although officials from both Departments continue to engage to find some way in which the moral argument could be recognised. I am happy to continue to engage with the Minister of Justice and for engagement to take place between officials from both Departments. In fact, I am happy to engage with anybody, and, later this afternoon, I will engage with NIPSA on the issue. They also have a responsibility, having contributed to the raising of expectations on the matter over the past number of months by organising something of a campaign that called on me and other Ministers to solve the problem, as they see it. They also have a responsibility and a duty to come forward with ideas on how it might be resolved, and I look forward to hearing that from them later this afternoon.

**Mr Copeland:** I thank the Minister for his answers. I know that it is a difficult problem. Will he confirm whether the money required to settle this non-legal moral issue, which essentially it is, has been identified? Have any sums towards that been included in the current budgetary arrangements? If so, will they be ring-fenced for the purpose for which they were intended?

**Mr Hamilton:** I welcome the Member's view that resolving the issue is neither a simple nor straightforward matter. I hope that an understanding across the House that it is not simple or straightforward will result in some patience and tolerance among Members, as well as the members of staff who are affected.

No ring-fenced money has been put aside to deal with the issue. Money was set aside for it in the past, should it have materialised that the Executive had a legal responsibility to settle it. That money is no longer in place. It is for the Executive to look at where money for resolving it might come from, if and when they decide to move forward with a solution. Our job in finding that money is not made any easier — in fact, it is made considerably more difficult — when we see the squandering of £5 million a month through not progressing with welfare reform.

## Public Procurement

2. **Mr Weir** asked the Minister of Finance and Personnel to detail what progress has been made on improving the public procurement process. (AQO 5543/11-15)

**Mr Hamilton:** I thank the Member for his question. In its role of supporting the procurement board, the Central Procurement Directorate has made significant progress in improving public procurement processes by making them less bureaucratic and more SME-friendly. A number of improvements have been put in place, such as the publication of guidance notes on how to overcome barriers that may prevent local businesses and companies accessing procurement opportunities; making tendering opportunities easily available via a single portal; and simplifying the procurement process for lower-value procurements that are not subject to the same level of European legislation. The directorate is working closely with construction and business representatives, and further areas being addressed include the standardisation of tender documentation and terms and conditions of contract; setting qualification requirements at levels that are proportionate to the contract; and introducing project bank accounts for construction contracts. The measures,

many of which address the recommendations arising from the Finance Committee's inquiry into public procurement, are making it easier for Northern Ireland suppliers to participate in tendering opportunities. I look now to Executive colleagues to ensure that their Departments and arm's-length bodies implement those improvements with help and guidance from CPD.

**Mr Weir:** I thank the Minister for the responses so far. What work has gone on between the Central Procurement Directorate and business organisations with the aim of improving procurement processes?

**Mr Hamilton:** It is important that the Central Procurement Directorate and I, as the Minister responsible for public procurement policy in Northern Ireland, listen to concerns or positive suggestions from representatives of particularly the construction industry but right across business. My predecessor had an open door policy, and I have continued that in encouraging people who have issues around public procurement to come forward and raise them directly with me or with CPD. We will not be found wanting in coming forward with solutions where and when we can.

The CPD has been working closely alongside industry to address problems that it raised with us. For example, we have been working closely with the Confederation of British Industry (CBI) focusing on reducing bidding costs, improving consistency across centres of procurement expertise (COPEs), reducing information demands in tenders and standardising documents. The outcomes of that work were publicised at a public procurement conference that I attended at the end of January.

With the construction industry specifically, we have been working on developments on construction procurement, the most recent of which are the standardisation of pre-qualification questionnaires and the development of project bank accounts. We have also been working with business on the dissemination of public procurement policy and the review of the delivery of procurements across business sectors.

I very much support joint working between business and government in improving procurement because it is so important to developing and growing the Northern Ireland economy.

**Mr McCartney:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire. I thank the Minister for his answer. In light of some of the procedures in place, would the Minister consider a specific review? There are contracts worth less than £10,000, yet tenderers are expected to have an income of £2 million. Many small businesses feel that they are not in the range of earning £2 million but are ruled out of tenders of less than £10,000. Would he consider a review of such incidences?

**Mr Hamilton:** As the Member will know, procurement is a heavily regulated area, not least as a result of European directives handed down from national government that we have to implement at regional government level at Stormont. There seems to be positive progress in respect of the new set of EU procurement directives, which seem to be a little more responsive to and reflective of criticisms not just from Northern Ireland, the United Kingdom or Ireland but that the whole of Europe has been levelling against procurement across the European Union.

One issue that I think they specifically want to look at to assist small businesses is the turnover cap that prevents buyers from setting turnover requirements at more than twice the contract value. I can recall cases where requirements for the likes of insurance or indemnity insurance were unnecessarily high and above and beyond what many small firms could tender for. Without trying to twist or bend the rules in any way, we have always to be mindful in public procurement that our economy is dominated by microbusinesses and that, as we want to encourage them to avail themselves of public procurement opportunities, we do not set barriers of whatever nature so high that they will never surmount them. It is an area that we are mindful of and where we have taken action, and it is an area where, I hope, the new EU procurement directives will assist us in taking further action.

**Mr B McCrea:** Would the Minister care to comment on the impact that year-end flexibility or the lack of it has on the public procurement process and whether the public get value for money?

**Mr Hamilton:** I regularly hear the criticism from Ministers that not having end-year flexibility does not allow them, particularly on the capital side, to plan sufficiently far in advance. We are all aware of the old criticism that year-end expenditure is not necessarily of the same value as stuff that is planned further in advance. The problem is that we work within the rules that the Treasury sets us, which do not allow us to have end-year flexibility. It is not called "end-year flexibility" any more, it is the budget exchange scheme. In respect of capital carry-over into the next year, we have a maximum of £10 million for the entirety of the Executive's capital budget. That is out of a budget of over £1 billion of capital spend, so the Member and the House will appreciate that the amount of money that we can carry forward is very small. That does not permit us to give any one Department or business area total flexibility in what it can carry forward.

I accept that in many circumstances — I have spoken to some colleagues about this — there are business areas where not having the ability to carry forward money into another year does not allow them to plan capital expenditure with the degree of certainty and strategic nature that they would want.

2.15 pm

## Prompt Payments

3. **Mr Maskey** asked the Minister of Finance and Personnel what measures his Department is taking to ensure prompt payments to subcontractors. (AQO 5544/11-15)

**Mr Hamilton:** For all government contracts, CPD guidance includes a number of measures aimed at ensuring prompt payment to subcontractors. They include payments by main contractors being made within 30 days; monthly reporting by main contractors on payments to subcontractors where the subcontract value exceeds 1% of the total contract or £10,000; payment issues being a standing agenda item for project meetings; random checking by project managers to ensure that subcontractors have received payments due; and the exclusion of contractors from tender opportunities for a year if they do not comply with contract conditions

relating to prompt payment. In addition, my Department has introduced project bank accounts in appropriate construction work contracts, which help to accelerate payment to subcontractors and protect payments in the event of the main contractor's insolvency. Payment is made simultaneously to the main contractor and its subcontractors, usually within five days of funds being deposited in the project bank account.

**Mr Maskey:** Will the Minister comment on the fact that many in the construction industry say that some of the difficulties that they find lie more in the period between the submission of invoices and the actual payment? Will the Minister give me some insight into how that element of the process can be expedited to make sure that the targets are not flawed and are met?

**Mr Hamilton:** I accept that, even though we have put in a significant raft of measures to respond in the way that we want to from a public policy perspective, as responsible contractors or responsible buyers, we want to make sure that they abide by the sort of standards that we put upon ourselves. The Member will be familiar with the fact that we aim, as a Government, to pay all our invoices within 10 working days, not the 30 days that we have put on contractors, and obviously there needs to be a bit more time there because of the nature of the work.

I appreciate that sometimes there is a lapse between invoicing and payment. However, we have issued guidance to Departments, including my own, that, where we are developing contracts, particularly those with a significant volume of subcontracting, a condition must be that it is paid within 30 days.

Occasionally, there will be circumstances where the invoice submitted is not accurate. The main contractor might want to test that and make sure that everything that is being asked for is included and that our work has been done. However, by and large, everything should be easily paid within 30 days. As a Government, we endeavour to pay everything, and the project bank accounts will certainly help to ease out some of the problems, particularly with large construction projects.

**Mr I McCrea:** The Minister will be aware that the Health Minister raised the need for a project bank account to be included for the building of the training college at Desertcreat. Will he outline how important he thinks project bank accounts are to ensuring the quick payment of moneys to subcontractors?

**Mr Hamilton:** They are an incredibly valuable innovation. We are the first part of the United Kingdom to introduce project bank accounts, and I would not be surprised if other jurisdictions in the United Kingdom followed suit very quickly.

The Health Minister was right — I paid tribute to him at the time and would do so again — to ensure that a project bank account was included for the work at Desertcreat, which is in the Member's constituency, because of legitimate concerns that he had on the basis of previous experience in his sector about payment trickling down to subcontractors.

From January of last year, project bank accounts have been introduced into the contract conditions for government construction contracts let by my Department, where such contracts have an estimated value of £1 million and contain a significant subcontracting element.

CPD has now let two construction works contracts that include the use of a PBA: the new regional office for the Rivers Agency in Omagh, at a cost of £1.13 million, and the refurbishment of the jobs and benefits office in Foyle at a cost of £1.04 million. We have also prepared guidance for the application of project bank accounts in all construction contracts. Its adoption as Northern Ireland public procurement policy will be considered by the procurement board to ensure that it is applied by all Departments in future.

**Mr D Bradley:** Go raibh míle maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as ucht a fhreagra.

What monitoring process does the Minister have in place to ensure the effectiveness of the measures that he outlined earlier? Are any statistics available?

**Mr Hamilton:** I have no current figures, but I will attempt to furnish the Member with some data as quickly as possible. In fact, I would be interested in seeing it myself. As he will know, regular project meetings go on, particularly about big construction contracts, to measure and keep an awareness of various aspects of a contract. We have now issued guidance intended for all Departments to ensure that, as well as talking about whether the contract is on course to be finished on time and any issues that have arisen over the course of a project, payment issues are included as a standard item on the agenda of project meetings. That allows officials, whether from my Department, other Departments or arm's-length bodies, to bear down on contractors and ensure that they adhere to the very strict and firm conditions that we are setting for prompt payment.

## Construction Sector: Outlook

4. **Mr Craig** asked the Minister of Finance and Personnel for his assessment of the outlook for the local construction sector. (AQO 5545/11-15)

**Mr Hamilton:** We are continuing a theme, I suppose.

There is no doubt that our economy is beginning to show signs of recovery. We have had some encouraging indications that we are beginning to emerge from what has been the deepest and most protracted recession in living memory. The latest 'Northern Ireland Construction Bulletin' shows that the total volume of construction output here increased by some 2.4% in quarter 3 of 2013-14 compared with quarter 2. The Northern Ireland construction industry has demonstrated great versatility and resilience, with many firms winning major projects in Great Britain and beyond. A number of larger local construction firms have indicated that over 50% of their turnover comes from projects located outside Northern Ireland. The ability of local firms to compete and win work outside Northern Ireland is evidence of the quality of the construction industry here, and that gives me confidence in the future outlook for the industry.

**Mr Craig:** Can the Minister outline what government has done not only to stabilise but to assist the recovery of the construction sector?

**Mr Hamilton:** What we have done most and perhaps best is continue to invest in infrastructure across Northern Ireland. We have assisted the construction industry by at least attempting to simplify and streamline the procurement process, as I outlined in response to other

questions, and that has helped to reduce costs to the industry and, most importantly, public bodies. That has maximised the funding available for construction works and minimised delays in having schemes brought forward.

There is still considerable work to be done on speeding up our procurement process for major capital projects, and that is why I have asked the procurement board to carry out a targeted piece of work in that regard. However, in the biggest areas in which we are spending money on construction works, adjusted for inflation, we are now spending at the same level as we were prior to the 2007 credit crunch and downturn. Proportionately, public sector investment in construction, which, prior to 2007, was just below 40% of total investment, is now at 54% of total spend, which is testimony to the continued investment that we as a Government are putting in. However, it also shows the extent of the collapse in spending by the private sector. It is more of a private sector problem. I assure Members that all available capital moneys are being spent and that any surplus funding is being diverted into much-needed schemes through the monitoring round process.

**Mr Flanagan:** Go raibh maith agat, a Cheann Comhairle. The Minister's figure of 54% of spending in the construction sector indicates how important public sector expenditure is. That brings me on to the ISNI portal, which is used to highlight what projects there are for contractors. Some contractors have indicated that the portal is not as good as it could be. They accept that it is a good principle, but, for example, some projects are not on it yet.

**Mr Speaker:** I encourage the Member to come to his question.

**Mr Flanagan:** Can the Minister ensure that his Department and others use the portal effectively to benefit local construction companies?

**Mr Hamilton:** The Member makes a good point about the portal, which is a delivery tracking system that the Strategic Investment Board (SIB) runs on behalf of the Executive. Obviously, SIB's work is a ministerial responsibility for the First Minister and the deputy First Minister, but it has the potential to be the answer to the problem that the Member identifies, which is a lack of clarity about the pipeline of capital investment moving forward. I have listened to people in the construction industry who, although they are taking up opportunities for work outside Northern Ireland, say that they are starting to see some pick-up in work here in Northern Ireland, especially in the private sector. They still want to do public sector work, and we want them to do public sector work in Northern Ireland. However, as they are meeting other pressures and have to skill up and tool up for projects well in advance, they need good information and a delivery tracking system could and should be able to do that.

The problem, as the Member identified, is that not all Departments have availed themselves of the data tracking system. There are some Departments whose work is not on the delivery tracking system at all, and there are other Departments who put the information on it sporadically. So, you are very much getting an incomplete picture for people in the construction industry. I think that, if we, as an Executive, are serious about giving good and timely information to people in the construction sector, this is a device that we can use. If we wanted to, we could all do it within a week. There is no reason why Departments

should not be looking at it. As I mentioned in response to the previous question, I have asked the procurement board to look at this issue and related issues as part of its review of the procurement of major capital projects in Northern Ireland.

**Mr Gardiner:** Minister, there are still significant delays in many government capital projects hitting the ground. What can be done to improve the situation that we find ourselves in?

**Mr Hamilton:** Of course, one of the biggest capital projects not to proceed over the past couple of years is the A5 road project. The Minister for Regional Development, Danny Kennedy, was responsible for that project and fell foul of the courts in the process leading towards it materialising on the ground. There are lessons for all of us to learn from that. One of the lessons that, I hope, we learn and something that, I hope, the subgroup of the procurement board will look at closely is how we create a pipeline of work so that, in a situation such as that with the A5, where a significant amount of money could not proceed — roughly £100 million last year and £115 million this year could not be spent on that project — a sufficient volume of projects have advanced to a stage at which they can avail themselves of that funding if and when it materialises.

Obviously, we hope that the sort of situation that arose with the A5 does not happen again and that all major capital projects that we want to deliver are delivered. However, as we know, whether through planning or falling foul of the courts, as Minister Kennedy did with the A5, that is not always the case. There need to be other opportunities to soak up that money. If we do not have an opportunity to soak up that money, the funding will be lost to Northern Ireland, and our people will lose out as a result.

### Equal Pay: Civil Servants

5. **Mrs McKeivitt** asked the Minister of Finance and Personnel for an update on the equal pay issue for retired civil servants. (AQO 5546/11-15)

**Mr Hamilton:** I thank the Member for her question. I am very happy to say that, with my approval, officials from my Department are in the process of negotiating with NIPSA the settlement terms and processes for payment of former staff represented by the trade union who lodged writs in court following a change last year to the legal position on the time frame within which former staff can lodge equal pay claims. Affected former staff represented by NIPSA will be contacted soon. Once those processes have been agreed and payments for that group of staff are under way, officials will contact other former staff who could bring a claim and seek to settle with them in the same way.

**Mrs McKeivitt:** I am delighted to ask a supplementary question on that good news; I was not expecting it. Could the Minister advise the House of the time frame and of how many staff this affects?

**Mr Hamilton:** It is a very rare piece of good news around this place, but I am happy to bring it nonetheless. About 1,200 staff will be affected. Obviously, we are very keen to progress this as quickly as possible. As I said, we have already started discussing this with union officials to try to get it transacted as quickly as possible. However, as the Member will appreciate, given the volume of staff and the amount of money that will be paid out to affected

individuals — around £2 million — it will take some time to process not just the terms of the outstanding pay but the ramifications for pensions.

**Mr Anderson:** If finance were made available to settle the equal pay issue, will the estates of staff who have died also receive the payment?

**Mr Hamilton:** I thank the Member for his question on an important issue. Again, the answer is good news. Yes, officials will contact the estates of staff who have died and make a payment to the estate of the deceased member of staff.

**Mr Speaker:** Order. That concludes questions for oral answer to the Minister of Finance. We will now move to topical questions.

### Welfare Reform

1. **Mr F McCann** asked the Minister of Finance and Personnel to confirm that DSD has estimated that £450 million will come out of the local economy if welfare reform is implemented. (AQT 721/11-15)

#### 2.30 pm

**Mr Hamilton:** I am not particularly versed in DSD's precise estimate of what will come out of the economy as a result of welfare reform. Many people in Northern Ireland will benefit from welfare reform as a result of the move to universal credit, and a significant number will be better off. As happens with any changes or reforms, there are always winners and losers. However, the Member will know that, as I made perfectly clear not just in responses to earlier questions but very publicly in the media and in the House last week, we have to balance the impact of the money that is lost as a result of welfare reform with the significant amount that will be lost to the Northern Ireland economy and to our ability as an Assembly to spend money on public services that are needed by our citizens.

The Member and I go back a long time in looking at welfare reform, and he will remember the previous set of reforms, which were a bit of a teddy bears' picnic compared to the current ones. He will have to appreciate, as I am sure will others, that the impact of taking £1 billion out of our Budget over the next five years will affect some seriously vulnerable people in Northern Ireland society.

That does not take into account the impact of the cost of a replacement IT system. If we step away from parity with the rest of the United Kingdom, we will have to replace that system, the cost of which is estimated at £1.6 billion over the next 10 years. Then, there is the very real concern that, even in procuring a very expensive IT system of our own, it will take until beyond 2016 to put it in place. The ramifications of that are that many people, including 200,000 working families in Northern Ireland, will not receive the benefits to which they are entitled post-2016.

**Mr F McCann:** Go raibh míle maith agat, a Cheann Comhairle. I thank the Minister for his answer. I do not recognise the figures he mentioned; they have materialised only in the past few weeks. Rather than being a reform agenda, this is a cuts agenda. The British Government have already said that they want a 20% reduction in the benefit bill.

**Mr Speaker:** I encourage the Member to finish.

**Mr F McCann:** It is more likely to hit those who are most marginalised in society, such as low earners. Would it not be better if we stood together, as a House, and went to the British Government to say enough is enough?

**Mr Speaker:** I must insist that the Member now brings his remarks to a close.

**Mr F McCann:** Let us get a system that benefits —

**Mr Speaker:** Minister —

**Mr F McCann:** — the people rather than having cuts.

**Mr Hamilton:** I think that there was maybe a question in there somewhere; there was a why or a where or something.

I remind the Member that, whatever the estimates — he mentioned £450 million, and I have seen a figure of £750 million being put forward by others — that is not money that is being taken out of the economy. It is the amount less that we will have to spend on welfare in Northern Ireland. The overall global picture of welfare spending in Northern Ireland will continue to increase post-welfare reform. If we take the Member's figure, it is £450 million less than we might have expected as opposed to a net loss of £450 million.

Thinking back to figures that I saw 12 to 18 months ago, social security expenditure in Northern Ireland was anticipated to rise towards the end of the decade by roughly 20% as a result of the reductions that will come through from welfare reform; that will be roughly 17%. However, whether it is 20% or 17%, there will still be a net increase in welfare expenditure in Northern Ireland. There will not be a reduction.

As I said, in a situation where it might not be nice to see that amount of money not going into the Northern Ireland economy, we will sure as hell feel the impact of £1 billion being taken out of our ability to spend over the next five years. The Member said that he does not recognise the figures that I have put out, but he will start to recognise them when we see cuts to every single Department — every single Department. I will have no option but to bring forward a paper to Executive colleagues outlining how I think we should best reduce our expenditure across all Departments by £105 million next year. *[Interruption.]*

**Mr Speaker:** Order.

**Mr Hamilton:** I will really not look forward in a few years' time to taking over £300 million out of expenditure by Departments here in Northern Ireland. The impact of that will hit the very vulnerable people whom, I believe, the Member is trying to protect. Those same vulnerable people will be affected exceptionally negatively by cuts in housing, health, education and other sectors.

## Agrifood Loan Scheme

2. **Mr Hazzard** asked the Minister of Finance and Personnel when the agrifood loan scheme should reopen for applications, given its significance to our local industry and his revelation that it should reopen early in the financial year. (AQT 722/11-15)

**Mr Hamilton:** Work is ongoing. I would not necessarily describe what I said as a revelation. It was pretty clearly outlined to Executive colleagues in the January monitoring paper and was not hidden away anywhere. I raised it

specifically in the House when I brought forward the January monitoring paper.

I remain absolutely and totally committed to the scheme. It is a good scheme that allows us to avail ourselves of opportunities in UK supermarkets, which are increasingly sourcing food products, particularly meat products, from UK farms and producers. There are huge opportunities for the local sector to expand. I am sure that the Member will appreciate that bringing together government, banks, producers and processors was complicated from the outset. We anticipated that, even if applications were made in this financial year, the bulk of the spending would take place in the next financial year. That is why we have an existing commitment from January to an additional £10 million of expenditure in the agrifood loan scheme. Work continues on that, and I hope that it will be in place in the next number of weeks, ready for the next financial year and for people to avail themselves of an excellent opportunity to expand their businesses.

**Mr Hazzard:** Go raibh maith agat, a Cheann Comhairle. I thank the Minister for his answer. It may not have been a revelation for the Minister, but it certainly was for a large number of people in the industry. Will the Minister confirm whether the £10 million is still in place for the scheme?

**Mr Hamilton:** I am sure that many in the farming industry do not listen to January monitoring statements, and certainly a lot of Members of the House do not listen to those statements, even though they are incredibly important. There is £10 million committed to next year, and we will judge the success of the scheme on how it impacts on the poultry sector. If it is as successful as I think that it will be, we will look at additional expenditure in future years. There is money through financial transactions capital that is unallocated for future years and could be given to the poultry sector. We are also exploring opportunities in the pig meat sector, and we have not drawn a line just under those two sectors. We will look at other opportunities in other sectors of our booming agrifood industry.

## National Asset Management Agency

3. **Mr McKay** asked the Minister of Finance and Personnel what discussions he has had with NAMA in the past week, given the importance of its portfolio to the local economy and markets. (AQT 723/11-15)

**Mr Hamilton:** I have not had any discussions this week with NAMA. I am sure that the Member will refer to reports in the media, although I will try, as best as I can, not to pre-empt his supplementary question. I have had no conversations with NAMA this week, although I intend to have a conversation early next week.

**Mr McKay:** Go raibh maith agat, a Cheann Comhairle. I thank the Minister for his answer. It is important to appreciate the commercial sensitivities on this issue. Will the Minister reassure us that the Executive and the Dublin Government are making it quite clear that there is a need for responsible management of the NAMA portfolio to avoid any adverse effect on the local economy?

**Mr Hamilton:** The Member, and most Members, will have seen news reports towards the tail-end of last week on speculation about a potential buyer for the Northern Ireland portfolio. As I understand it, it is not only for assets

in Northern Ireland but for assets that are owned by Northern Ireland people. Those assets will predominantly be in Northern Ireland, but they could also be in Great Britain, the Republic or elsewhere. It has the potential to be very good for Northern Ireland as we get towards the business end of what NAMA has to do. NAMA has taken a responsible approach over the past number of years, but it is getting to the stage in its process at which it will have to start to realise some benefit and money from the assets that it holds in Northern Ireland and elsewhere. I am sure that the investor, who has been mooted in the press as having the backing of a \$2 trillion fund, will take a longer-term view of NAMA's assets in Northern Ireland. It has the potential to be very good in unlocking the huge potential in many of the assets that are locked up in NAMA.

However, it would be utterly inappropriate for me to discuss the merits or otherwise of particular bids with NAMA. We have an interest in what happens to those assets. From the outset, at the institution of NAMA, we encouraged it not to go down the route of a fire sale, and, to be fair, it has not. It has acted incredibly responsibly, and, in some respects, has been very good for the property market in Northern Ireland by carefully letting some assets out in the construction sector, in housing and in commercial properties. When I next speak to NAMA, I will continue to impress upon it that, whatever happens with the portfolio, whether it remains in NAMA's hands or goes to somebody else, it must ensure that the assets are handled with great sensitivity and that the property market in Northern Ireland, which is showing good signs and improving gradually, is not wounded or damaged in any way by a sale to somebody who wants to earn a fast buck.

### Principal Civil Service Pension Scheme

4. **Mr Kinahan** asked the Minister of Finance and Personnel for his estimate of the savings that his Department will require in the principal civil service pension scheme in 2014. (AQT 724/11-15)

**Mr Hamilton:** I do not want to guess so I will furnish the Member with the precise figures in correspondence, if he is content with that.

**Mr Kinahan:** Thank you. I expect a similar answer to my supplementary. What changes are likely to be applied to employee contributions to deliver the planned savings?

**Mr Hamilton:** As a result of the reforms that recently passed through the House but have not yet received Royal Assent, we will take whatever steps are necessary, as will all Ministers who are responsible for one of the five principal schemes covered by the Bill, to realise the savings that the Executive collectively have to make. There is a range of ways in which that can be done, and increased contributions are already hitting members of staff, but I would rather come back to the Member with more precise details than say something foolish and wrong in the House.

### Dormant Accounts

5. **Mr Boylan** asked the Minister of Finance and Personnel for an update on the £3.2 million in dormant accounts of faith-based organisations. (AQT 725/11-15)

**Mr Hamilton:** The Member will be aware that the issue has been around for some time, and some cynics might

say that it, in itself, has become dormant over the past number of years. We have been attempting to develop the most appropriate scheme to utilise the money in dormant accounts, which, as I understand it, has increased significantly. As more money passed the threshold — in a bank account showing no transactions for 15 years — it has come into the overall dormant account pool.

I agree with my predecessor's decision to move away from a grant-based programme to one that provides loans to people in various sectors who work with children and young people and others who are in need. I have regular meetings with officials on the detail of taking that forward, and I hope soon to be in a position to have a finalised scheme that can start to hit the ground running in the not-too-distant future and do some very good work right across Northern Ireland.

**Mr Boylan:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as ucht a fhreagra. I thank the Minister for his answer. Does he foresee who will administer the loans?

**Mr Hamilton:** That will be an issue in how we design any scheme. Who will do that is up for discussion. My personal favourite approach is that, instead of government administering it and having to create a bureaucracy of our own, we look to the market to people who are operating in Northern Ireland. I do not wish to name any particular organisations, but several that operate in Northern Ireland offer loans to people in the social enterprise sector. It is important that we piggyback on their experience and knowledge of the sector so that we can get all the money and, indeed, probably more into very needy projects across Northern Ireland.

### Health: January Monitoring Bids

6. **Mr Beggs** asked the Minister of Finance and Personnel what discussions he had with the Health Minister about the pressures in the health service, particularly the accident and emergency crisis, given that, in the recent in-year monitoring process, although the Health Minister bid for some £43 million for inescapable pressures, some £30 million was allocated. (AQT 726/11-15)

**Mr Hamilton:** I have regular discussions with the Health Minister and Executive colleagues, not least when I put forward my January monitoring paper and the Executive gave £30 million to my colleague the Health Minister to relieve pressures that his Department was under. I am not satisfied that just £30 million was needed; I think that the pressures probably deserved more. However, given the situation that we found ourselves in and that we were trying to balance competing pressures that the Executive face, I do not recall the Minister for Regional Development, for example, putting his hand up and offering the Minister of Health any additional funding. We have to balance a whole range of pressures. I am glad that we were able to give the Minister of Health £30 million to spend on relieving pressures right across the health service, as we did in previous monitoring rounds. I will continue to support the Health Minister when he comes forward with bids to meet the inescapable pressures that he faces as a result of years of mismanagement in the health service that he, of course, inherited just two years ago.

2.45 pm

## Enterprise, Trade and Investment

### Job Creation

1. **Mr Copeland** asked the Minister of Enterprise, Trade and Investment to outline the success of Invest NI initiatives in promoting and creating jobs for people who are long-term unemployed. (AQO 5556/11-15)

**Mrs Foster (The Minister of Enterprise, Trade and Investment):** My Department and Invest Northern Ireland have a key role to play in addressing unemployment by ensuring that we deliver on our Programme for Government commitment to promote 25,000 new jobs. A significant element of Invest NI's job promotion activity is directed at helping to rebuild the local economy in the wake of the economic downturn. In doing so, the jobs fund has offered an important source of employment creation, particularly in providing opportunities for those who would be considered as long-term unemployed.

Since its launch in 2011, the jobs fund has created over 4,300 new jobs. Some 300 of those jobs have been created for younger people not in education, employment or training who have received support to start up their own business. A further 650 residents of neighbourhood renewal areas have also received support to set up their own business, and 160 jobs have been created in social enterprises across Northern Ireland.

**Mr Copeland:** I thank the Minister for her answer. However, recent labour figures show that over-45s in Northern Ireland are more likely to be economically inactive than their counterparts in the rest of the United Kingdom. What specific steps does she have in mind to address that trend?

**Mrs Foster:** It has long been recognised that we in Northern Ireland have an issue about those who are economically inactive. It is one of the reasons why the Minister for Employment and Learning and I are engaged in a consultation on that very issue. In that consultation, we will, of course, engage with stakeholders, but we hope that people will take the opportunity to look at the consultation, because it gives the chance for people to come forward with innovative, new ideas for pilot projects. I know that some Members are engaged in looking at what that could mean for their own particular area, and I encourage him to do likewise.

**Mr Douglas:** Will the Minister inform the House what impact the jobs fund has had in my East Belfast constituency?

**Mrs Foster:** The jobs fund has been a tremendous success. Of course, it was one of the actions that we took to try to deal with the downturn that came upon us. In East Belfast, it has promoted a total of 1,259 jobs. I think that is a tremendous impact for the constituency. That includes 30 jobs fund business investment projects at various stages of development, which should lead to the creation of 1,179 new jobs as well. Of course, that includes a very large project known as Stream, which had 993 jobs. We should note that the jobs fund is also having an impact on neighbourhood renewal areas and on those not in education, employment or training. It is not just creating

new jobs but is helping people in those disadvantaged areas.

**Mr A Maginness:** Clearly, there is a need for a specific approach to the long-term unemployed. The Minister has put a lot of emphasis on the jobs fund. Will she estimate how many of the jobs that have been created have in fact gone to long-term unemployed people?

**Mrs Foster:** I do not have those statistics, because it is not a measure that we have. I know that the House would like me to have statistics broken down into many different categories, but I do not have that particular category. I think the jobs fund is my strongest tool to help in particular areas, but it should be seen alongside everything else that has been happening, including the work that goes on in Stephen Farry's Department, the Department for Employment and Learning, particularly through his employer subsidy, which is the Steps to Work strand. That subsidy provides an incentive to employers to recruit unemployed or economically inactive clients whom they would not otherwise look to. That is part of the suite: we have to look across government as to how we can help people who are struggling with unemployment, particularly those who have been struggling for a long time. The economically inactive strategy, which is, as I said, out for consultation, provides the opportunity to do something innovative in that area. We look forward to the consultation responses, which should be with us over the next month.

**Mr B McCrea:** Earlier, the Minister mentioned discussions with the Minister for Employment and Learning. Is she concerned about the large number of people who are getting ring binders full of certificates but are no nearer to getting a job because they lack the skills demanded by industry?

**Mrs Foster:** I am not here to answer questions on behalf of the Employment and Learning Minister; he is well capable of doing that for himself. However, one area where I am involved with him in relation to what the Member calls "ring binders full of certificates" is the Software Testers Academy. I know that those people get real and meaningful jobs. That is why the academy was set up: to deal with the deficit of skills for the IT industry. A targeted approach is certainly needed. There is no point in giving young people skills if there are no jobs at the end of that skills development. Certainly, that is where my focus has been. I think it is where the focus of the Employment and Learning Minister has been as well. That is why he is putting a lot of emphasis at the moment on apprenticeships. I encourage him in that; I think that that is the way we should be moving forward.

### HGV Road User Levy

2. **Ms Ruane** asked the Minister of Enterprise, Trade and Investment for her assessment of the impact of the heavy goods vehicle road user levy on cross-border trade, particularly that of small and medium-sized enterprises. (AQO 5557/11-15)

**Mrs Foster:** In 2013, I met the Freight Transport Association about those very issues. The UK Government estimate that nine out of 10 UK-registered HGV operators should experience no overall change due to reductions in vehicle excise duty. The Republic of Ireland remains our second largest market for sales, after Great Britain, and it is a particularly important market for SMEs. I am

aware that rising transport costs are a concern for many local firms. I have, therefore, tasked my Department and the Northern Ireland Centre for Economic Policy with conducting research on the cost of doing business. That research will examine a range of cost areas, including transport costs, and seek to benchmark costs for Northern Ireland firms against the Republic of Ireland and the rest of the United Kingdom.

**Ms Ruane:** Go raibh maith agat, a Cheann Comhairle. I thank the Minister for her answer. Does she agree that, given the impact such a levy would have on cross-border economic development, it is of a cross-cutting nature? Therefore, will she encourage the Environment Minister to bring a paper to the Executive on the matter?

**Mrs Foster:** It is not a matter for the Environment Minister; it is a matter for Westminster. They have decided that they are going ahead with the levy. In some ways, I understand why they have decided to do that. Many of our road hauliers have to pay tolls and charges when they travel across Europe. Even when they travel in the Republic of Ireland, they are subject to road charges and tolls. Therefore, it was felt that we needed to give a level playing field to our hauliers. The Freight Transport Association actually welcomes the road user levy. There were concerns about the Irish Government, in discussion with the UK Government, exempting the levy for the whole of the Northern Ireland road network, but that has not been the case. The Westminster Department considers Northern Ireland part of the scheme as well.

**Mr Dunne:** I thank the Minister for her answers, and I welcome her back from her business trip to Singapore. I am sure that we will hear some good news later on.

Does the Minister believe that it is right for the Republic of Ireland to push for Northern Ireland roads to be exempt from the levy while Northern Ireland hauliers are paying toll charges when using roads in the Republic of Ireland?

**Mrs Foster:** As I said, it is a Westminster matter. It has been decided to exempt seven kilometres of road in Northern Ireland that goes in and out along the border so that there are no enforcement difficulties.

That is in and around the A37 and A3, which, as I said, weave in and out of the Republic of Ireland. It would be unfair for our hauliers to have to pay the tolls that they have to pay. I know that the cost of doing business across Europe has risen. I am waiting for that report from the Northern Ireland Centre for Economic Policy. I look forward to the evidence base that it will bring me. It is unfair that they should be expected to pay tolls when people who come from the rest of Europe, including the Republic of Ireland, do not pay a charge in Northern Ireland. It is the right compromise. I hope that we will continue to keep an eye on that to make sure that our hauliers are not disadvantaged.

**Mr Dallat:** I have listened very carefully to the Minister. I am sure that she will agree with me that what we and hauliers want more than anything is a unified and coordinated approach to this. She will be aware that the Minister for Transport, Leo Varadkar, is meeting his counterparts in the UK at the end of February. What is she doing to ensure that we do not end up with a situation where there is ping-pong between North and South and that, in fact, there is a coordinated and unified approach to a very serious problem?

**Mrs Foster:** Perhaps that is more a matter for the Minister for Regional Development, who shadows Leo Varadkar on this issue in the North/South Ministerial Council. I will certainly pass on the Member's comments on the matter. As I understand it, the whole issue of being able to enforce related to that stretch of road that goes in and out of the Republic of Ireland. That is why they have determined that it is exempt from the regulations and that it is only in the rest of Northern Ireland that they will be applicable. The Department for Transport has taken the view that exclusion of those particular roads will not affect the overall cohesiveness of the scheme in Northern Ireland. I very much hope that that is the case. I hear what the Member is saying, but he should reflect on the fact that the Freight Transport Association welcomes the scheme in Northern Ireland. It made that point to me back in March of last year.

**Mr Allister:** With regard to the pressures that are being placed on hauliers, is the Minister aware of the difficulties that are being created for Northern Ireland hauliers by excessive delay in the Southern authorities' refunding of VAT that they are entitled to on fuel purchases? Is there anything that she can do to try to expedite those matters?

**Mrs Foster:** I am aware of that issue because it has been raised with me at a constituency level as opposed to a ministerial level. However, again, it is probably more an issue for the Department for Regional Development. I am, of course, content to pass on the Member's concerns to the Minister so that he can raise it with the appropriate authorities in the Republic.

## Oil Prices

3. **Mr Brady** asked the Minister of Enterprise, Trade and Investment for her assessment of the levels of transparency in home-heating oil prices. (AQO 5558/11-15)

**Mrs Foster:** The price of heating oil is largely determined by international markets. Daily movements in the commodity price for kerosene are fully transparent. The Consumer Council produces a range of current and archived retail oil prices across Northern Ireland on its oil watch web page. Additionally, the Northern Ireland Oil Federation, in partnership with the Consumer Council, launched a customer charter that provides service and price guarantees to consumers confirming the price of oil in advance of delivery.

**Mr Brady:** I thank the Minister for her answer. As she may be aware, my colleagues in the Committee for Enterprise, Trade and Investment raised those concerns in December. Can she indicate what response she has had from the Oil Federation in that regard? Go raibh maith agat.

**Mrs Foster:** I am not entirely sure what concerns have been raised. Certainly, I have not received any issues to take forward. The reality is that the price is transparent. We have looked at that in the past. Indeed, the Office of Fair Trading looked at the issue in 2011. All that we can do is continue to look at the price of oil and work with the Consumer Council, which, as I have indicated, keeps a very close eye on the issue. Indeed, I welcome the fact that it is now working more proactively and positively with the oil industry here in Northern Ireland.

**Ms P Bradley:** Can the Minister comment further on the need for regulation of the home heating oil market?

**3.00 pm**

**Mrs Foster:** As I indicated, the 2011 Office of Fair Trading study considered the Northern Ireland oil distribution sector to be transparent and, more importantly, competitive on price, with cheaper retail prices than Great Britain and, indeed, the Republic of Ireland. That point is sometimes missed when the story comes to the fore.

It remains very unclear whether regulation would achieve significant benefit. However, I know this much: it would place a large regulatory burden and cost on what is assessed as being a competitive oil supply and distribution sector. Let us not forget that the cost will be passed on to the consumer. Therefore, regulation is not a cost-free option. It brings costs, and those costs have to be passed on to the consumer. We should remember that when we talk about regulation.

**Mr McGlone:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as a freagraí go dtí seo. Will the Minister advise the House how often she meets, or her departmental officials meet, the likes of oil retailers to discuss prices and the impact of those prices on the economy, fuel poverty and related consumer matters?

**Mrs Foster:** As the Member is only too well aware, the issue of fuel poverty is taken forward by my colleague the Minister for Social Development, and I am sure that he keeps in contact with the retailers. Steps have been taken to help those in fuel poverty. I particularly commend the efforts in and around bulk buying. I am aware of very many excellent examples of credit unions, local councils and communities working together in oil-buying schemes or oil stamp-saving schemes to ease the burden of purchasing oil. We know that the cost of energy, regardless of whether it is oil, gas or electricity, is a burden on those in fuel poverty. Therefore, I welcome the fact that such schemes are in place to help individuals.

**Broadband: Rural Areas**

4. **Mr Irwin** asked the Minister of Enterprise, Trade and Investment for an update on the measures being undertaken to improve broadband coverage in rural areas. (AQO 5559/11-15)

**Mrs Foster:** In recent years, my Department has invested significantly to facilitate the extension of broadband networks, making use of numerous technologies including fixed-line, radio and satellite. On 7 February 2014, I announced further investment of some £23.5 million from government and BT to improve broadband choice and speed to over 45,000 premises across Northern Ireland. That work is scheduled to be completed by the end of 2015. I will continue to work to extend broadband services, where it is feasible and cost-effective to do so.

**Mr Irwin:** I thank the Minister for her reply. What criteria will BT use to determine where investment, if any, is placed?

**Mrs Foster:** We are working again with BT, which has proven itself to be a good partner in the past. The improvements that will take place are based on engineering criteria and what represents the best value for money. Of course, most of the money is public money, so we will want to make sure that our intervention represents good value for money.

**Mr Boylan:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as a freagraí. That is welcome news. When does the Minister foresee the money first being rolled out? Will she give an assurance that she will look at and address the fact that there are those who will not be able to use line-based technology? However, this is a good-news story.

**Mrs Foster:** I thank the Member for his acknowledgement that it is a good-news story. I know that we have been waiting on investment for some time now. Indeed, he is one of the Members who keeps asking me when it will be available. We are pleased that the tender has now been agreed with BT. It will look at the many postcodes that have been submitted to the Department to see what engineering solutions are available in those areas and whether they represent good value for money.

We are looking forward to the roll-out of the mobile infrastructure project for mobile phones. You might ask why I am mentioning that in the context of broadband, but the reason is that we know that many people use their mobile devices to access broadband. We are looking at the issue in the round and trying to make sure that people who cannot access fixed-line broadband can do so through another technology.

**Mr McCallister:** Will the Minister outline how much of the £230 million from the UK Government her Department will receive and where it will be spent?

**Mrs Foster:** The £23.5 million that we are rolling out in Northern Ireland is a mixture of money from my Department, the European Union, the Department for Culture Media and Sport (DCMS), BT and DARD. So, there are five parts to the scheme. I think that we received in the region of £6 million, although I stand to be corrected on that. I am going from memory, Mr McCallister, so forgive me if that figure is wrong. However, I think that it is £6 million from DCMS for this particular pot of money. We will receive more money for the mobile infrastructure project, as I indicated. However, for this particular scheme, I think that it is £6 million.

**Economic Rebalancing**

5. **Mr Gardiner** asked the Minister of Enterprise, Trade and Investment what steps her Department has taken towards rebalancing the economy. (AQO 5560/11-15)

**Mrs Foster:** Actions that are set out in the Northern Ireland economic strategy seek to rebalance the local economy by stimulating higher rates of innovation, increasing skills levels and encouraging export growth. Considerable progress has been made across all Departments in implementing those actions. My Department has promoted 19,329 jobs and secured investment of £1.04 billion in the Northern Ireland economy. In addition, Invest NI has supported investment of £238 million by businesses in R&D since April 2011. We have also taken action that is aimed at rebuilding the local labour market by continuing to offer support for businesses through a range of measures, including the jobs fund and the growth loan fund. We are continuing to advance the case for the devolution of corporation tax, which has the potential to help to rebalance and rebuild the Northern Ireland economy faster than would otherwise be possible.

**Mr Gardiner:** I thank the Minister for her response thus far. How many services that the Civil Service formerly delivered are now delivered by the private sector, and how many jobs have been relocated from the public to the private sector as a result?

**Mrs Foster:** I do not have those figures in front of me today, but I am happy to make contact with the Department of Finance and Personnel to try to assess them.

**Mr Campbell:** Will the Minister give us an update on the measures that are outlined in the Northern Ireland economic pact and on how progress is going there?

**Mrs Foster:** As the Member knows, in June 2013 just before the G8, the economic pact was a document that was set about from Westminster and ourselves. Obviously, corporation tax is a very important part of that, and we await the Scottish referendum being dealt with before we have a particular answer on that issue. However, that does not mean that we have not progressed in other areas. We have agreed to pilot an enterprise zone that will build on Coleraine's role as a digital hub, which I am sure that the Member is delighted about. My colleague the Finance Minister sent details of the possible proposals to Her Majesty's Treasury on 6 December as a basis for discussion, and we are awaiting feedback on that issue.

Where access to finance is concerned, we have, of course, met as a joint ministerial task force to examine whether tailored support is required for our banks and how support for Northern Ireland businesses can be maximised to improve access to finance. We are meeting again in joint ministerial task force remit on 26 March. We have also set up the access to finance implementation panel, which has commenced its meetings with the four local banks. I am very pleased with the calibre of people whom we were able to attract to that panel. The business regulation review has been launched. The expert advisory panel, which includes Lord Curry, who is the Chair of the Westminster Better Regulation Executive, has also started its piece of work. So, the projects are progressing, and we will keep in touch with our colleagues in Westminster to continue to pursue corporation tax.

**Mr Flanagan:** Go raibh maith agat, a Cheann Comhairle. I thank the Minister for her answers. Does she accept that the term "rebalancing the economy" must include addressing the historical neglect west of the Bann, and will she explain how her Department strives to rectify that situation?

**Mrs Foster:** Obviously, we are dealing with that issue, in particular the way in which west of the Bann had to deal with IRA violence in the past and the fact that a lot of infrastructure was damaged in that way. I am delighted that the licence competition for gas to the west has been announced. We look forward to natural gas being available to citizens and businesses in the west of the Province for the first time. That will have a big impact in the west of the Province, particularly for businesses that have had to endure not having the choice of energy provision. I very much welcome that they will now have the choice of natural gas and I look forward to that being rolled out in the west of the Province.

**Mrs D Kelly:** Minister, you will be aware of the important role that small businesses play in the Northern Ireland economy. I will speak to you later about this, but will you visit part of my constituency and speak to local

businesses about some of the difficulties they face in matching education to the skills that their industry needs? In particular, Minister, how often do you and Minister Farry have that analysis?

**Mrs Foster:** And, indeed, the Minister of Education as well. At the next meeting of the Executive subgroup on the economy, we intend to discuss that very issue, around careers advice and making sure that it fits in with the economy of today and tomorrow. As I indicated to Mr McCrea, there is little point in having a surfeit of skills that do not match the workforce that we need. We very much need to join up the Departments of Education, Employment and Learning and Enterprise, Trade and Investment in relation to careers and skills advice. I am more than happy to have a conversation with the Member around that issue.

## Wind Energy

6. **Mr Agnew** asked the Minister of Enterprise, Trade and Investment what assessment her Department has made on the impact of wind energy on energy prices. (AQO 5561/11-15)

**Mrs Foster:** Wind generation rarely sets the price of wholesale electricity, although it does influence prices on a continuing basis. At peak demand times, wind can often offset more expensive peaking plant. Also, if there is a lot of wind on the system, remaining demand will be met by conventional generators, with the more efficient and cheaper being dispatched first.

**Mr Agnew:** I thank the Minister for her answer. It has come to the attention of the Enterprise, Trade and Investment Committee that when wind energy can meet demand, generation costs are significantly reduced. Does the Minister agree that to bring down price, we need to increase our investment in wind energy and reduce our over-reliance on expensive fossil fuels such as gas?

**Mrs Foster:** As I have always said to the Member: it is not just about wind energy; it is about renewable energy from all the different types of technologies. At present, we are probably over-reliant on wind as a source of renewable energy. I hope that other sources will emerge in the future, whether it is tidal or marine, and we look forward to that coming on to the grid as well as wind. I am carrying out a cost-benefit analysis. I think that the time is right to do that in relation to the energy market. We are about halfway in the strategic energy framework, therefore it is right to review the cost of energy as whole, and we will be doing that. In fact, I have appointed consultants to do that, and that report will be with me by the end of the year. We will then have that look at the strategic energy framework.

**Mr Wilson:** The UK government indicated that, between 2004 and 2012, the increase in electricity bills has gone up from 2% to 8% as a result of renewable energy. Today, industry in Northern Ireland says that we are one of the least competitive places for energy in the whole of Europe. Does the Minister agree that, if we followed the policies of the Green Party, we would be back to the dark ages of blackouts, no competitive industry and increased fuel poverty, and that really we ought to be going for greater electricity —

**Mr Speaker:** I encourage the Member to come to his question.

**Mr Wilson:** — from fossil fuels, which are much less expensive?

**3.15 pm**

**Mrs Foster:** I agree with the Member that we need to be aware of our security of supply, and, as Members will know, in 2016, there will be only 200 megawatts above the balance. We should be concerned about that, and we will take action on the issue over the coming months because we cannot allow ourselves to get into a position where we are at risk of blackouts. That would be the worst-case scenario for citizens and particularly for industry and businesses. How could we possibly say to people that they should invest in Northern Ireland if we do not have a secure energy platform on which they could come forward? I hear what the Member is saying about energy costs. He will know that we are looking, with the Utility Regulator, into the whole issue. I will also say this: every day that we are without the North/South interconnector costs £7 million to consumers in Northern Ireland alone, and it costs a significant amount — *[Interruption.]*

**Mr Speaker:** Order.

**Mrs Foster:** — of money to Republic of Ireland consumers as well. So every day that we are without the North/South interconnector is a constraint on the energy of Northern Ireland.

**Mr Speaker:** That concludes oral questions to the Minister. We now move to topical questions. Anna Lo is not in her place.

## One Plan: Regeneration

2. **Mr P Ramsey** asked the Minister of Enterprise, Trade and Investment whether she or her officials have had any discussions with the Ilex regeneration company in his constituency regarding the economic regeneration elements of the One Plan. (AQT 732/11-15)

**Mrs Foster:** No, I have not had any discussions, but that does not mean that the Department has not had discussions. I am, of course, aware of the One Plan, and we very much support the overarching vision that the One Plan brings not only to the city but to the north-west. I will be happy to meet the Member to consider such a request.

**Mr P Ramsey:** I thank the Minister for her response and for her cooperation in teasing the issue out. Is the Minister aware of the U4D launch last week? That campaign points out very clearly that the most important economic regeneration plan ever to come into the city would be the expansion of Magee. In its words, the development of Magee would lead to combating one of the highest levels of unemployment in the region.

**Mrs Foster:** I am aware of the campaign and its very capable spokespersons, who very often remind the Executive about the issue. However, as the Member will no doubt be aware, that is not a matter for me but for the Minister for Employment and Learning, and I presume that he will have been listening last week to the case that was put forward.

## Trade Mission: Singapore

3. **Ms Boyle** asked the Minister of Enterprise, Trade and Investment for an update on her recent trip to Singapore with Ministers from Dublin and London. (AQT 733/11-15)

**Mrs Foster:** I thank the Member for that question because I have not been able to sandwich that response in anywhere else on today's agenda. The trade mission was the first of its type in so far as it was the first joint mission between the United Kingdom, the Republic of Ireland and Northern Ireland, and Invest Northern Ireland, Enterprise Ireland and UK Trade and Investment worked very well to put forward three Ministers to go to Singapore to talk about the aerospace sector. We have a very strong aerospace sector in Northern Ireland. We have, of course, the very big influence of Bombardier in east Belfast, but we also have about 50 companies involved in the aerospace supply chain. I was very pleased to be present at the Singapore Airshow. It is probably the third-most important global aerospace show, and it was important that we were there to put forward our case.

**Ms Boyle:** Go raibh maith agat. I thank the Minister for her response. Will she indicate how Invest NI, when organising trade missions, works with local councils, such as my council in Strabane, to promote subregions as a possible destination for foreign investors?

**Mrs Foster:** That issue has come up on many occasions, and I have always said to the councils involved that they need to bring forward their proposition to us so that we are aware of the offering in the council area. We have 26 councils at present, and that will soon be down to 11.

In particular, I ask the Member to look at our newly developed app for each of the council areas. Councils can put their individual strengths and skills advantages on the app so that it can be given to all potential investors. I know that she will join me in welcoming the recent announcement of jobs in O'Neills. Over 60 jobs were created with the help of the jobs fund in a very worthwhile and good investment for Strabane.

## Loan Sharks

4. **Mr Dallat** asked the Minister of Enterprise, Trade and Investment, given that her Department has a proud record of relationships with the credit union movement, whether she shares his concern that, day and daily, we read about people being ripped off by loan sharks and online companies that charge outrageous rates of interest and whether she would consider re-engaging with the credit union movement to establish why, although millions of pounds are in savings, in the same townlands and parishes, these loan sharks are running riot through people's pockets. (AQT 734/11-15)

**Mrs Foster:** I am more than happy to say that I have always recognised the role that the credit union plays in Northern Ireland. I say "in Northern Ireland" because the mainland does not have the same presence of credit unions. As he says, credit unions are recognised and have a good reputation, and, therefore, people trust them and want to invest in them. I am happy to speak to the Member outside of the House about what he has in mind for their promotion. I certainly share his concerns about loan sharks and companies that, on the face of it, look very

warm and cuddly, but, when you look a bit further, are not cuddly at all.

**Mr Dallat:** I thank the Minister for her answer, which, as I expected, is very positive, and I encourage her to continue in that vein. The Minister referred to “the mainland”, but we will not fall out about that. Is she aware that, “on the mainland”, the Government appointed field officers to go out into the highways and byways to educate people about the advantages of credit unions and encourage their use? Would she consider a scheme similar to that here?

**Mrs Foster:** I thought that that was where the Member was going with this. The Member knows that Northern Ireland has a much more developed credit union system than the rest of the United Kingdom. That is why they have felt the need to appoint field officers and finance what is happening there. We do not see the need for that because we have at least two very strong federations. They make their voice heard, rightly so, and have done so throughout the whole credit union reform process, which, as the Member knows, is ongoing. Therefore, I do not think that there is a need for field officers as such, but I am happy to talk to him about other options that may fall somewhat short of that.

### Agrifood Loan Scheme

5. **Mr McMullan** asked the Minister of Enterprise, Trade and Investment why the £10 million agrifood loan scheme, which she announced with the Finance Minister, was handed back. (AQT 735/11-15)

**Mrs Foster:** It has not been handed back; it just could not be spent within that period because of legal issues that had to be sorted out between the banks, industry and government. This is the first time that we have tried anything like this, and, sometimes, when you try something for the first time, it takes a little while for the lawyers to get their head around it. I understand that the lawyers acting for the banks are now content and that the issue is now with the principal poultry supplier. Therefore, I am very hopeful that the matter will come to a head in the very near future.

**Mr McMullan:** I thank the Minister for her answer. Will she give me an update on the Going for Growth strategy? When does she expect it to be brought before the Executive for consideration?

**Mrs Foster:** As I am sure the Member is well aware, this is a joint paper between the Agriculture Minister and me, given which I was rather surprised to hear the Agriculture Minister's comments on it when I was out of the country last week. It is quite a comprehensive paper. It is now before the Executive, and I am certainly not “holding it up”, which was, I think, the allegation made last week when I was not around to deal with the issue.

We very much hope that Executive colleagues will sign up to Going for Growth, but, of course, that is in the context of money being available to deal with it. As we know, we are going to lose millions of pounds if we do not get agreement on welfare reform. Therefore, it is very difficult to see where the money will come from. Indeed, I would welcome the Agriculture Minister's clarification on where the schemes are, what she is putting forward for them and some clarity on where the money is going to come from. We look forward to that clarification in the coming days.

**Mr Speaker:** Colum Eastwood is not in his place for question 6.

### Credit Unions

7. **Mr McElduff** asked the Minister of Enterprise, Trade and Investment, without being too repetitive given Mr Dallat's question, whether she will work closely with local credit unions to expand on the range of services that they are able to deliver, given the increasing number of bank closures in rural areas, including Dromore, Fintona and Beragh in my constituency. (AQT 737/11-15)

**Mrs Foster:** Part of the credit union reform is looking at the range of powers that credit unions will have. I hear what the Member said about bank closures. It is concerning for those of us who live rurally and have to deal with these issues. As well as that, we can access banking services through the Post Office. The Post Office is very keen that we do that. I have had some discussions with it about the fact that it can take deposits from most of the major banks and deal with other issues in that regard as well. We will look at credit unions, post offices and anything else that can help in the circumstances for rural dwellers.

**Mr McElduff:** Does the Minister have any thinking on the type of additional services that might be delivered through credit unions in the future? Does her Department have a regular liaison arrangement with credit union leaders to discuss issues of common concern?

**Mrs Foster:** Of course, it was not that long ago that we not only registered but regulated credit unions. We had a very close relationship with the credit unions. We no longer regulate the credit unions; as you will recall, that is now carried out by Westminster. We just register the credit unions, but we still have a very good working relationship because of the historical working relationship with the credit unions, including the Ulster federation and the Irish federation.

As for extra powers, I think that we looked at them being able to deal with some benefits that come forward from government. I am quite happy to clarify that to the Member in writing. There are certainly particular powers that we are looking at bringing to the credit unions.

### Renewable Energy

8. **Mr Swann** asked the Minister of Enterprise, Trade and Investment whether she still believes that the Programme for Government 40% target for renewable energy is realistic and achievable. (AQT 738/11-15)

**Mrs Foster:** I do. Last year, we hit, I think, 17% for renewable energies. The biggest challenge for us in renewable energy is the grid. We have had a stronger uptake in small renewable projects, which has put more of a strain on the grid than the larger renewable energy projects. We have a challenge with our grid. We are looking at that proactively at present. The regulator has allowed NIE to invest in the grid, although maybe not as much as NIE would have liked. We are also looking at some European funding, which would have to be match-funded by the industry here, to see whether that is available to us to help to strengthen the grid, particularly in the west of the Province.

**Mr Swann:** Was the Minister surprised when the former Minister of the Environment and Finance Minister called the same target impossible and economically destructive?

**Mrs Foster:** No, I was not surprised at all. *[Laughter.]*

**Mr Speaker:** Order, Members. That concludes Question Time.

**Ms Lo:** Mr Speaker, I very much apologise to you and the House for my absence today. I have been very busy today dealing with a number of issues. It just went out of my mind. I am very sorry.

**Mr Speaker:** I very much acknowledge the Member coming to the House and apologising.

3.30 pm

## Private Members' Business

### Shared Education

*Debate resumed on amendments to motion:*

*That this Assembly notes with approval the concept of shared education; believes sharing between all types of school could lead to better educational and community relations outcomes; further notes with disappointment the failure of the current Minister of Education to effectively facilitate sharing across the sectors; believes that the current area-planning process has not been conducive to sharing between schools and that the ministerial advisory group report on advancing shared education was a missed opportunity; expresses disappointment at the continuing failure to introduce a shared education premium; and calls on the Minister of Education to take practical steps to promote and facilitate sharing, so that a single education system can become a realistic policy goal. — [Mr Kinahan.]*

*Which amendments were:*

(1) *Leave out all after "outcomes;" and insert*

*"welcomes the initiative by the Office of the First Minister and deputy First Minister in progressing this work through the signature projects; and calls on the Minister of Education to actively assist in this work through the development of shared campuses so that a single education system can become a realistic policy goal." — [Mr Storey.]*

(2) *Leave out all after "outcomes;" and insert*

*"believes that the current area-planning process must be conducive to sharing between schools and that the ministerial advisory group report on advancing shared education provides an opportunity to advance these aims; calls on the Minister of Education to introduce a shared education premium and to take practical steps to promote and facilitate sharing across the sectors and the entire education system." — [Mr Hazzard.]*

**Mr Lunn:** At the outset, I want to say that those of us who think that the best way to bring our children together and encourage better community relations is to educate them together in the same school, classes and uniform will take little comfort from whatever decision the House comes to on the motion or the two amendments. I note that both amendments leave the first section of the motion unchanged.

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

I imagine that, in countries where integration is normal and there is no religious segregation to start with, there are situations in which sharing classrooms, teachers and facilities is practised for reasons of economy and the delivery of a full curriculum. I have no difficulty with that approach. However, I listened very carefully to what Mr Kinahan had to say when he proposed the motion. At times, he used the words "single", "shared" and "integrated" almost in the same sentence, without really explaining exactly what he meant. I do not mean any offence to Mr Kinahan; I know that it is a complicated subject, but those three words are not really interchangeable.

**Mr Kinahan:** They are.

**Mr Lunn:** Well, OK, but to extend the principle that you will get better community relations and promote the ideal of a single education system out of a shared system is perhaps stretching it a bit. While, in theory, shared education in the format envisaged puts children together, it would accentuate difference at the same time because pupils would be transported across town in different uniforms, eventually coming back to their own sector, their own school, their own environment and their own space.

The motion is, frankly, bizarre; it goes all over the place. The reference to area planning without the obvious requirement for a single Education and Skills Authority (ESA) to manage it is out of place. Again, it is all about shared education, not integrated education, and the management of division rather than overcoming it. It refers to a "single education system", yet the parties that advocate that do not approve of a single education body. We already have a single system for the curriculum and ultimate government management, yet, in other ways, we do not. I would happily take an intervention from any unionist who would like to try again to define precisely what the term "single education system" actually means. If nobody is getting up, I will continue. Maybe when she is making the winding-up speech, Mrs Dobson will be able to enlighten us as to what it means. On this side of the House, we do not really know.

The DUP amendment is not acceptable to us. Some members of the Education Committee — Mr Storey, Mr Kinahan, Mr Hazzard, Mr Rogers, I think, and me — were in Scotland a few months ago to look at a shared campus. Based on the one that we looked at, if anybody came back from that experience thinking that that was a great idea and the way forward, I would be seriously worried about them. That school is almost T-shaped. It has a common entrance door, a common dining area and, apparently, common buses to bring the kids to and from school. However, there was no other aspect of the operation of that school to which you could apply the words "common" or "shared". We were told that there were no shared classes and that the two schools operated completely separately in the same building. We were also told anecdotally, but I believe it, that, when the schools were brought together, some of the staff demanded that the staff room, which was meant to be shared, was partitioned. So —

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

**Mr Lunn:** Yes, certainly.

**Mr Kinahan:** I note that the Member has focused on one school that tried that approach. I do not think that we should look at that as either a failed or a successful school.

To try to get the point across, this is about setting up a management body with a complete structure that will look at everything to do with education and will slowly funnel everybody towards a single shared education system. It will be different in absolutely every area, depending on the types of schools that are asked to work together. It is about trying to get the best out of the system, putting a time frame on it and working together. The integrated system is an excellent example of that, but it is the major one that you are working towards.

**Mr Lunn:** Yes. I thank Mr Kinahan for that intervention. I do not know quite what to say about it, but I thank him anyway.

I try not to be negative about the sharing concept, particularly when I see academics of the stature of Professor Tony Gallagher and others advocating it. The first line of the motion — to approve the concept — is not something that we could oppose. Frankly, however, it goes downhill after that. If it is to be viewed as a step on the road to an integrated system where all pupils can attend the nearest school of their choice without sectoral barriers, it is to be welcomed, but how realistic is that at the moment in this country? It is just not going to happen.

Instead of building shared campuses, we should be promoting proper integration without the need to abolish any sector. In England, it is quite normal for Protestant children to attend Catholic schools; it happens here as well. Look around. Look at Columbanus College, look at the Dominican College in Portstewart. On the other side of the fence, look at Belfast Royal Academy (BRA), my old school. Look at Methody. All well mixed and well integrated, no problem whatsoever.

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

**Mr Lunn:** Yes, thank you. We will oppose amendment No 1 and support amendment No 2. We will listen carefully to what the Ulster Unionists have to say about the motion.

**Mr Moutray:** I will speak to the amendment tabled by myself and my party colleagues. I commend the First Minister and our party leader for leading the way in the campaign to build a single education system since 2010, when he outlined clearly our party's vision with regard to shared education. We would all be politically naive if we thought that it could happen overnight, but our party remains committed to the change.

It is important to note that the First Minister ensured that the objective was in the Programme for Government in the form of Lisanelly, the creation of the advisory group and ensuring that all children had participated in shared educational programmes by 2015, even though some other parties in the Chamber were not in favour of the concept. Furthermore, our party will not be found wanting in going forward with the creation of a single education system. We will continue to that end to fulfil our Programme for Government commitment and our party objective. In the light of the positive comments by my party leader on the subject, I am disappointed by the tone of the Ulster Unionist motion.

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

**Mr Moutray:** No, I will not.

The motion is negative in its content and offers little of a practical nature to move this challenging and complex situation forward. We all know that the advisory group was a missed opportunity. Indeed, it was the First Minister and my party's education spokesman who said so on the day that the report was issued. However, despite our criticism of its failings, we have continued to promote the concept in a positive way through the example of the signature project initiative.

No one knows the inadequacies of the area planning process more than I do. In the Craigavon area, however, my party and I listened to the views of local people —

something that others failed to do. I am pleased to say that we have forced the Southern Education and Library Board and the Minister to think again on the shape of the future provision for the area. We are confident that the final shape of any area plan will reflect the wishes of parents whose children attend schools in the controlled sector and that, within the framework of the Dickson plan, we will continue to shape provision that meets the needs of all our children for many years to come.

The only positive comment in the Ulster Unionist motion relates to the introduction of a shared education premium. As a party, we have no problem supporting that concept. Indeed, Members from this party have been actively promoting sharing in schools in the North Eastern Education and Library Board and other places over a number of years. Most Protestants still choose to be educated in the controlled school system, while Roman Catholics choose to attend government-funded maintained schools run by the Catholic Church. Both systems have widespread support in their community. However, if we are to encourage the promotion of a single education system, we must begin to tackle the issues at hand and start to build on the shared education agenda. That is exactly what the signature projects and shared campuses will do. We all know that that will take time. It will, indeed, need the support —

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

**Mr Moutray:** No.

It will need the support of all partners in education. It must be built on the firm foundation of equality and inclusion, and it must be grounded in strong and robust locally based programmes, where the young can meet and share together. Finally, it must have the positive support of all parties in the House.

OFMDFM has challenged the House with its signature and shared campus projects, a United Youth programme with 10,000 one-year placements, 100 shared summer schools and 10 shared education campuses. Those are all very challenging tasks, but they make a clear statement that our First Minister is dedicated to delivery. The signature projects that the Department has commissioned undoubtedly work towards a genuine shared future.

I am a believer in not forcing children together but creating a norm — creating somewhere safe. Where is safer than a school or an organised summer school or youth programme?

We encourage the Education Minister to actively support the programme. He must show leadership and demonstrate his desire to create a path that promotes shared education. He must encourage managing authorities to be active participants in developing shared campuses where there is equality in ownership, governance and participation. I support the DUP amendment.

**Ms Maeve McLaughlin:** Go raibh maith agat, a LeasCheann Comhairle. I support amendment No 2 and welcome the opportunity to debate the important subject of shared education and examine the policy context of a single education system.

As has been stated, on 10 January 2014 the Minister, John O'Dowd, launched a programme for the delivery of 10 shared education campuses locally. It is clear that that

programme will complement the work that is clearly already under way on shared education and area planning. Schools locally already work together in shared education programmes and in the delivery of the entitlement framework. That is a fact. As was mentioned, the Lisanelly project is visionary. It will be the largest investment in education facilities ever made, with construction costs estimated to be in excess of £120 million as it brings six schools together on one campus in the town for the first time.

Much reference has been made to the ministerial advisory group on shared education. Importantly, it found that sharing was not only about sharing across religious barriers but about sharing across socio-economic barriers. It remains a fact that children in lower income brackets are at much higher risk of educational underachievement. In my constituency of Foyle, where 35% of children in three wards live in child poverty, there is a direct correlation between child poverty, deprivation and educational attainment. That cannot be ignored in this debate.

The Minister has rightly outlined his response to each of the recommendations in the ministerial advisory group's report. He has committed to bringing forward a statutory definition of shared education in the Education Bill and provisions to ensure that the Education and Skills Authority will have a duty to encourage and facilitate it. The Minister has said that any proposal for a new school must be sustainable and capable of delivering high-quality education for the pupils it serves. We want to see collaboration, not competition; we want to see sharing, not duplication.

The primary integrating/enriching integration (PIEE) project, delivered across 26 schools, engaged 1,900 pupils. We have research through the schools omnibus survey on shared education, which received 539 responses from schools. Interestingly, 285 respondents identified disadvantages from schools, pupils and teaching being involved in shared education, and 284 said that there was no disadvantage. It is very clear that parents and children want high-quality schools in their community. They are up for sharing, not separation.

There are 20 recommendations in the report, some that can be taken forward immediately and others that require further consideration and debate. There is nothing to stop us, if the political will exists to extend and enhance our equality duties to ensure better outcomes and policies.

### 3.45 pm

Research in 2011 showed that, although, on the whole, attitudes to shared education in the North were positive and the potential benefits were acknowledged, in practice there was a range of difficulties that could have an impact on the willingness and capacity of schools to collaborate. Shared education is a programme of work. It is a process in its own right. Therefore, throwing out a line on a single education system without preparatory work, without detail and without connection to statutory duties is asking for trouble.

**Mr Newton:** I support the DUP amendment. Whether we call this area of our children's future and the education of our children "shared education" as a transitional step or a "single education system", a number of underlying and underpinning principles have to be adhered to. Those, generally speaking, can be summed up in the words

“inclusion”, “integration”, “respect”, “responsibilities”, “rights”, “sharing” and “tolerance”. If those underpinning principles are not adhered to, we will not provide the education system for the future that pupils in Northern Ireland deserve.

I support the amendment standing in the names of my colleagues and reject the amendment standing in the names of Mr Hazzard, Mr Sheehan and Ms McLaughlin. I do so because the Minister recognises that the area planning that he undertook was a failure and that there were inadequacies in it. The motion recognises that, but the actions to address it took too long and dealt with the issue only partially. I welcome the fact that the Minister did address some of the issues, but they were addressed only partially.

The biggest problem — certainly in the east of the Province — is around the South Eastern Education and Library Board and the failure to take action to democratise it. For a number of years — around four, I think — the board has been run by three appointed persons. I am sure that they are honourable people, but that means that parents and political representatives have no say in the running of the board. How can parents share an education system and contribute to it when they and their representatives are excluded from the board? The South Eastern Education and Library Board is not conducive to a sharing philosophy and does not underpin any of the features that I outlined.

**Mr Lunn:** I thank the Member for giving way. Can he give us an example of how pupils and parents in the South Eastern Education and Library Board area have suffered compared with those in the other boards, which are properly run in a democratic way? What is the difference?

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

**Mr Newton:** There is a situation at the moment involving the South Eastern Board and the Belfast Education and Library Board that the Minister is well aware of. It concerns Newtownbreda and Knockbreda high schools. Parents have no way of influencing the South Eastern Board in the decision-making process there. Until recently, the Belfast Board had a deficit of councillors. Four representatives from Belfast City Council are entitled to sit on that board, and it was only lately that the Minister took action to remedy the situation. That process is not good for sharing.

When moving the motion, Mr Kinahan treated us to a history lesson as an introduction. In many ways, that is fair enough. However, the motion fails to recognise that shared education can be achieved only when there is a wider context of improvements across all departmental aspects of our society in Northern Ireland. Responsibility for that lies around the Executive table.

There is a road to be travelled to shared or single education. We need to rise to the challenges. The professionals who are at the chalk face of education are making demands. A number of Members referred to the desire for shared education and a coming together in education. Pupils are demanding it, and parents are demanding it. We will have failed if we do not travel this road. Future generations will condemn us if we do not travel this road and go towards that goal.

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

**Mr Newton:** I will not get any extra time for giving way.

I pay tribute to the First Minister, as has been done, for his vision and his remarks about travelling down the road to a single education system. The OFMDFM strategy is designed to improve community relations. It will all be underpinned by the words that I used in my opening remarks. In doing that, we are on a continuing pathway towards a more united and shared society. I commend the DUP amendment to the House.

**Mr B McCrea:** I listened with some amazement to this speech. This is the group of parties that could not reach agreement at the Haass talks. These are the people who will lecture us about how we should all get together, build a common future and be friends and do all of that sort of stuff. Yet, they cannot agree with each other.

Mr Kinahan's motion has rightly been ripped to shreds in the debate. If we have a single, integrated education system, will every Member send their children to it? That is the key point. Is parental choice appropriate? I defend people's right to choose to send their children wherever but do not try to lecture me that all our children should go somewhere but somebody else's children should go somewhere else.

I listened to Mr Storey, who, removing his glasses, spoke with some seriousness about the matter and about how wonderful Mr Robinson was. I chanced upon this document, which states:

*“Free Presbyterian church slams shared education”.*

If I am right, Mr Storey is an elder of that organisation and sends his children to different places. He is entitled to do that, but do not try to tell me through your amendment, “By the way, we should have a single, universal education system”.

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

**Mr B McCrea:** I will give way.

**Mr Storey:** Not only am I proud that my children went to an independent Christian school but I will tell you the difference: I paid for everything that they got in the school. I never asked the state for one shilling. I never asked the state for one farthing. I went for faith-based education for my children. It ill becomes you and whoever gave you that piece of paper to bring my personal preferences and choices into this debate, especially when I paid for those choices.

**Mr B McCrea:** I support Mr Storey's right to choose whatever he thinks is right for his children. Although this is not necessarily to do with that individual, I will say this to the Assembly generally: if you are going to call for a single education system, perhaps people should practise what they speak. It is hypocrisy if you say the opposite.

Members talked about how wonderful Peter Robinson was for saying, “Oh, I would like us all to get together. We would all like to be friends. Let us try to build a future”. It is rank hypocrisy. Look at all the other policy documents that we talk about, all the other issues that we have and all the things that went on at the Haass talks. Your actions do not measure up to your words. What is all this talk about? If you really want a shared future and shared education, get together around the Executive table and thrash something out.

When it comes to the Sinn Féin amendment, I am interested in whether we can get some mainstream funding

for schools that share education. If there is a shared premium, I am all for that, and I hope that the Minister will give us some detail about it. However, it needs to be more than just box ticking; it needs to be something real. It should not be something that you do just to get extra money.

Our issue with this whole debate is that we may, in the future, want to see — I hope that we all do — some form of unification in this part of the world, which I call Northern Ireland. We should understand that, although there are differences, those differences should be respected and accorded dignity and we can work together to say that it is not “Them and us” but “We”. However, are we going to do that in one go? Are we going to do that now?

We have to work in a particular direction of travel. I happened to watch the ‘Sunday Politics’ show, and I saw Mark Carruthers having a go at the Minister of Education. I would love to get all the education spokesmen here on the ‘Sunday Politics’ show to see what a forensic investigation of their stances would actually mean. None of them stands up to scrutiny.

One of the allegations put forward in this debate was made by Mr Hazzard, who asked about the follow-through and the detailed plans. I will tell you what I want to see. We talk about citizenship at school, but what the heck is citizenship? What does it actually mean? I want to find out what people are being told about how to vote, about the issues and about our local history. I do not want to be in the situation in which I found myself, where I was not taught Irish history and I did not deal with Bloody Sunday or the Maze or any of those issues. If we are genuinely going to build a shared future, those are the issues we have to confront. *[Interruption.]*

**Mr Deputy Speaker:** Order. The Member should resume his seat. As I said before, the Speaker needs to hear exactly what is being said. I have to remind Members that the rudimentary rules of the classroom apply here: there should be no shouting from a sedentary position. The Member will continue.

**Mr B McCrea:** Thank you, Mr Deputy Speaker.

There are issues in our curriculum that we need to examine.

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

**Mr B McCrea:** With 20 seconds to go it is a bit late, otherwise, as the Member knows, I would have taken his intervention on board.

We need to work out how we deal with the curriculum. We need to engage in our history, and we need to make sure that we challenge, understand and, if necessary, confront it and move forward. Our education system should do that, but we should do it whether we have integrated education, if that is right, or shared education, if that will not do.

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

**Mr B McCrea:** We must find a way to move forward. Let us invest in our future and stop talking tosh.

**Mr Allister:** Shared education, from everything that I see and hear about it, is one of those fluffy buzzwords that is supposed to give you a warm glow and can really mean whatever you want it to mean. It is clear in the House that it means different things to different interests.

To some, it seems to mean the start down a road that will, ultimately, lead to a single education system for which the state pays and in which anyone who wants their own system, be it a church-based system or anything else, will pay for it. That seems to be the vision of some. Those who are wedded to faith schools, as they are called, can equally clamber on board the shared education bus and say that they are enthusiasts for shared education. Yet, their stance is “We will cling to Catholic schools for Catholic children”. That is the essence of the stance of some. Yes, they can pay lip service to all the nice-sounding shibboleths and jargon surrounding shared education but never will it mean giving up Catholic schools for Catholic children. There is no chance, they tell us, of it leading to the vision of some others, which is that it is all about getting to a single education system. So, what does it really mean? Even the integration lobby is not happy, as we heard from its most fanatical supporters today. In some way, they feel that it sells the cause short and, in some way, gazumps what they believe in.

So what does it actually mean? For me and many people out there, that is one of the biggest difficulties with dissecting and understanding what various proponents of what they call “shared education” mean. Does it mean, for example, that, in the North Antrim constituency, in shared education, we will get to shared sport? Are Mr Storey and Mr Frew recommending that the kids at Ballymena Academy should perhaps learn to play Gaelic with St Louis or whatever? Is that part of the process that is being proposed, and vice versa? We need to be honest and straightforward with our constituents about what we are talking about with shared education.

#### 4.00 pm

We then discover that, at the heart of it, something is talked about that would be a premium paid in respect of shared education. What is this shared education premium? Is it seriously being suggested that some schools that cannot avail themselves of shared education because of where they are should be prejudiced by getting less money per pupil than those that embrace shared education?

Let me give you the example of the school that I perhaps know best, Moorfields Primary School, where I chair the board of governors. It is five miles outside Ballymena, and, happily, it has the facilities that it needs. It has 200 pupils, seven teachers and a full class for each year. That school has no particular need, in an educational or infrastructural sense, for shared facilities. It has no need to share a gymnasium or classes. So what are we really saying about such a school, which does not need the practical advantage of sharing facilities?

I can understand that, if two schools are sitting cheek by jowl and both need a new science lab, they decide to build one that they might share. However, are we seriously saying to schools that are in a situation that is different to that that they are to be prejudiced against in that their pupils are to get less money per head to educate them because they do not qualify for the shared education premium? I think that we have enough of a hierarchy of funding in this country.

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

**Mr Allister:** We have enhanced funding for the Irish-medium sector and for the integrated sector, and now

someone is suggesting that we prejudice everyone else by having an enhanced funding premium for shared education.

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

**Mr Agnew:** At the outset, I declare an interest as a director of the Northern Ireland Council for Integrated Education (NICIE), but I am speaking on behalf of the Green Party in Northern Ireland.

To some extent, my comments follow on from what was said previously in the debate. What is shared education? What do we mean by it? I have asked a number of questions of the Education Minister on how it will be defined and what the minimum requirements of sharing are. There is no clear definition, and, from the debate today, the House is certainly not clear. As Mr Allister pointed out, it seems to be a blank canvas, and everybody can make it be what they want it to be.

I do know that shared education is not integrated education, and I think that an attempt has been made to try to paint it as that. Sharing classrooms can mean many things. It can mean pupils sitting in the same uniform, being taught the same curriculum by the same teacher, but it can also mean two sets of pupils going in through different doors of the same building, wearing two different uniforms, sitting in the same classrooms but at different times and being taught by different teachers to a different curriculum. That is where my concern lies about shared education, and that is where, for me, neither the motion nor any of the amendments adequately addresses the issue. For that reason, none of them can command my support or that of the Green Party.

We need some honesty in this debate, and we have to look at why we are here today discussing shared education. Is it because of a genuine desire to move towards a single education system, or is it, as I believe, an effort to sustain a segregated education system that is crumbling, with falling classroom numbers in many cases and insufficient funds for capital build programmes? For me, it is the latter. It is about sustaining our segregated system. It is not, as some propose, about moving towards a single system. It props up the very thing that those people claim that they are trying to get rid of: the various state-funded sectors in Northern Ireland.

**Mr Lunn:** I thank the Member for giving way. I wonder whether he managed, in the course of the debate, to figure out what exactly is meant by a single education system, because he referred to it twice. Maybe he has been more attentive than I have.

**Mr Agnew:** I thank the Member for his question. As he pointed out in his speech, the words "single", "shared" and "integrated" were almost used interchangeably. I support a single education system. For me, a single system does not mean having different sectors; that is not a single system. It also means not having academic selection. With a single system, you cannot have grammar schools and non-grammar schools. Those are separate systems and separate bodies.

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

**Mr Agnew:** Yes, I will give way.

**Mr Kinahan:** I want to make it absolutely clear that when I spoke at the beginning of the debate, I mentioned that the

integrated sector was very much part of, and the goal of, a single shared education system. A lot of people seem to be trying to find holes in it rather than sitting down and trying to find a way forward, which was the whole point of the debate.

**Mr Agnew:** I thank the Member for his intervention. It exactly addresses my concern, which is that, somehow, shared education becomes our focus and we forget about what is, for me, the much higher aspiration: a truly integrated system in which children from different community backgrounds wear the same uniform; they attend the same school and genuinely share a classroom; and they share their childhood experience rather than campuses, which is one of the terms that I heard used today. I went to Grosvenor Grammar School, and we shared a campus with Orangefield, but, believe me, it was not a shared experience. In fact, it was a very oppositional experience, and, sometimes, when we saw some of the tougher Orangefield boys, we avoided them.

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

**Mr Agnew:** I will continue because I do not have much time left. I have heard terms such as collocation. All these terms are about maintaining our current segregated system in a new way rather than challenging that system and moving it forward towards integration. To some extent, we are letting some segregated schools fail so that we can use falling classroom numbers as an opportunity to create integrated schools that will be financially sustainable as well as societally good.

I keep hearing about parental choice and that parents are choosing shared education. I do not see the evidence for that. In the Northern Ireland life and times survey, 88% of people said that they supported integrated education. People will say that they are not voting with their feet. However, in Northern Ireland, saying that you do not choose integrated education is like saying that you do not choose sunshine. We do not have the choice. Only 62 of over 700 schools are integrated, so the real choice is not there yet. Unless we give the support needed to develop the integrated sector, parents will never be able to make that choice.

If we are really to move forward with my vision of a single education system—the common education of our children for the common good—we need to move towards a truly integrated system and move on from this mythical concept of shared education.

**Mr O'Dowd (The Minister of Education):** Go raibh maith agat, a LeasCheann Comhairle. A LeasCheann Comhairle, ós mé an tAire atá freagrach, fáiltim roimh an deis labhairt, agus muid ag tarraingt ar dheireadh na díospóireachta inniu ar oideachas roinnte. I welcome the opportunity to speak as the responsible Minister as we draw towards the end of today's debate on shared education.

The motion quite rightly calls on the Assembly to note with approval the concept of shared education and the benefits of sharing between all types of school, but, interestingly, ends with a call to get rid of all these types of schools in favour of a one-size-fits-all model.

The first of the two amendments is helpful in recognising and welcoming the role of the Executive's Delivering Social Change programme, which was debated earlier today in the Chamber, in helping to advance shared education but

also has a single educational model as its ultimate goal, without going into any detail of what that single educational model would look like or what rights and entitlements would be enshrined within it.

With regard to the second amendment, I fully agree that the area planning process must be conducive to sharing between schools and that the ministerial advisory group's report does indeed provide an opportunity to advance those aims. I previously indicated to the Assembly that I accept that mainstream financial support is required for additional costs involved with shared education. I am already taking steps to promote and facilitate sharing across our education system.

I will shortly respond to the points made during the debate, but it is important that I start my remarks by making clear my commitment to advancing shared education and to doing so in a manner that puts pupils first. By shared education, I mean, of course, the provision of opportunities for children and young people from our two main community backgrounds to come together and learn together. I recognise that many schools already have the confidence to embrace sharing across the community divide — a number of Members referred to that — but others do not, nor do the communities that they serve. My goal is to support them in taking the steps that they need to take if we are, together, to build a united community.

I also want shared education to be organised and delivered in such a way that it also promotes equality of opportunity and social inclusion more widely. The primary focus must be on breaking down barriers across the two major traditions here, but it cannot stop there. I do not think we should be satisfied with cosy sharing. We know that some of the greatest divisions in education are more to do with social circumstances, not religion or community background. So, I want the work we do to also provide opportunities for children from different racial backgrounds; children with and without disabilities; children who are carers or school-age mothers; and children from different socio-economic backgrounds to come together and learn together at school and in less formal education.

Shared education is, of course, not just a priority for me as Minister; it is a priority for the whole Executive. Our Programme for Government prioritises it, our investment in signature projects like the Lisanelly shared education campus demonstrates it, and the work programme being led under the Together: Building a United Community programme supports it.

Events of recent weeks remind us why it is so important that we take every step to give young people from different backgrounds the opportunity to come together, to learn together and, most importantly, to learn from one another. As Education Minister, a key priority for me is to build aspirations among our young people and to have high expectations for them, but as we have seen in recent weeks, they too have aspirations for us. They set high expectations for us as Ministers and politicians.

Results from a recent life and times survey of 16-year-olds tell us that 89% of our young people think that working together with pupils from other schools is a good idea, and 83% think sharing facilities and resources is also a good idea. So, our young people are up for shared education, but they need our help in providing opportunities. Almost

one third of young people told us in the 2011 survey that they rarely or never socialise with young people from the other community. Our challenge, therefore, is to help to provide those opportunities. It makes good educational, social and financial sense to do so.

I will now turn to a number of points raised in the debate, starting with the SEELB and its political representation. The SEELB, like other boards, should not be in existence. We are now seven or eight years into a debate around the establishment of the Education and Skills Authority, which will bring all the managing authorities under the one tent. Those who are serious about moving towards a single education system would take a significant step forward if we moved towards ESA.

Regarding the political representation on ESA, when I hear Members talking about political representation on boards, I am sometimes concerned that they see that not as a leadership role but almost as a role of, "There go my people; I must follow them". That is not the role of a board or an elected representative. Education and library boards, as currently constituted, have a legal duty to give leadership around education duties. I have to say that, in recent days, a number of them have not.

Regarding Mr McCrea's intervention, which, perhaps necessarily, raised the temperature and colour of the debate a little, the curriculum allows for the scenarios that he set out.

Our curriculum allows, regardless of the sector of the school, the history of any era, from any section of our society, from any part of the world to be taught. I would encourage schools to debate all the circumstances around Irish history and British history — or however you wish to refer to it. There is nothing in history that we should be afraid to debate; in fact, we have to learn from history to move on.

#### 4.15 pm

I see shared education —

**Mr B McCrea:** Will the Minister allow an intervention?

**Mr O'Dowd:** Yes.

**Mr B McCrea:** I agree with the Minister that it is possible to do such things. However, I am not sure that everybody does it. I would like to see some direction given to say that we should be dealing with those issues.

**Mr O'Dowd:** I have no power to give direction on such matters. Our curriculum is set out in legislation in such a way that we set the parameters of the curriculum, then schools teach it in whichever way they and their board of governors feel comfortable with. However, I would certainly encourage it.

I see shared education not simply as children in different school uniforms sitting in the same classroom learning the three Rs. I want to see children from different schools, in different uniforms if need be, sitting in a classroom learning about one another and from one another in a respectful way. I want to see subjects such as our recent history and our future together broached. I want to see young people, whether from a nationalist/republican background or a unionist/loyalist background, learning about the history of those communities and what is important to them. I want to see young people from a

Protestant/unionist/loyalist background talking about, for instance, the loyal orders or the importance of parading and bands and what that means for their cultural identity. I want to see them talking to young people who have never experienced that before, and vice versa. I want to see the breaking down of the misconceptions around sporting organisations, such as the GAA, and all those sorts of things. Young people being able to come into a room and talk about those things has to be part of the shared education system.

Mr Allister pointed out, quite correctly, that shared education means many different things to many different people in this room and beyond. He asked whether young people from Ballymena Academy should be playing GAA. I ask this: why not? Why would young people from St Louis in Ballymena not be playing rugby or cricket? It is sport, and it is very entertaining. Why not? I do not know the answer to that question.

Will there be a Catholic sector and different sectors as we move forward? The reason why we have a divided education system in this society goes back to the foundation of the state and to men like Mr Allister. We have a divided education system and a divided society because of people with a mindset like yours.

**Mr Allister:** Is the primary reason why we have a divided education sector not because the initial Government of Northern Ireland, in their generosity, decided to fund a separate Catholic system of education because that was the demand of the Catholic Church? If, instead, the state had funded one system of education and left anyone who wanted a different system to fund it themselves, we would have a single education system. Does not, in fact, the division in our education sector come from the generosity of funding not one but two systems?

**Mr O'Dowd:** If you look at the history of funding from the formation of the state right through until perhaps even the 1980s, you will see that "generous" may not be the word to use. I said "men" like yourself, and those men were involved in many different bodies, not only political but others.

You said that there are many different interpretations of a shared education system. There are many different interpretations of "a single education system", which is in the final line of the motion. A single education system has to protect the rights of all citizens; it has to embrace all citizens; it has to be aware of, acknowledge, support and promote the cultural differences that exist on this island; and it has to allow young people to develop their own cultural identity. That is where the final line of the motion fails. Although we should be moving towards a single education system, those who promote it have to go much further than one line in a statement. They have to talk about how they envisage protecting the rights of individual citizens in a single education system, how they would protect communities and minorities and how they would ensure that everyone is given an equal place in society.

In conclusion, the proposers of the motion —

**Mr Lyttle:** I thank the Minister for giving way. The Programme for Government targets have been mentioned throughout the debate. Two of its key targets are to ensure that all children have the opportunity to participate in shared education programmes by 2015 and to substantially increase the number of schools sharing facilities by 2015.

Given the proximity to that date, can the Minister update us on progress towards achieving those targets, and indeed whether measures to achieve those objectives have been put in place?

**Mr O'Dowd:** Yes. I actually meant to deal with your question earlier. With regard to the four Programme for Government targets on shared education, progress has been made and continues to be made on commitment number 70, which is to significantly progress work on Lisanelly. Work to establish a ministerial advisory group and the report on that have been completed. It is worth noting that that report has been with the Executive since June 2013. I am still waiting to debate that at the Executive table. Work to ensure that all children have an opportunity to participate in shared education is on track. We are working towards the announcement of a new shared education programme in spring 2014. Finally, again, progress on work to substantially increase the number of schools that share facilities is on track. A call for shared campus proposals was issued in early January. Proposals are invited by the end of March. An announcement is planned for June 2014, including on other programmes of work.

I, along with other Ministers, have to report regularly to the First Minister and deputy First Minister on my Programme for Government targets. They are all in place apart from ESA. With regard to those matters, it is the only one that is not in place.

In conclusion, the proposers of the motion and, indeed, the two tabled amendments are correct when they say that sharing between all types of schools could lead to better educational outcomes and community relations for society. I believe that we should recognise the richness of diversity that characterises our system and, with that, encourage sharing to flourish. My focus and, I believe, that of the Executive in their Programme for Government is to encourage sharing in a system that promotes equality and diversity and encourages confidence in our individual identities and respect for those of others.

Deirim seo leis na Comhaltaí: tá mé ábalta ag an dúshlán; tá súil agam go bhfuil siad féin fosta. Agus sin ar intinn, beidh mé ag tacú leis an dara leasú. I can assure Members that I am up for the challenge of shared education. I hope that they are, too. With that in mind, I will support the second amendment. Go raibh míle maith agat.

**Mr Sheehan:** Go raibh maith agat, a LeasCheann Comhairle. I welcome the opportunity to speak in the debate. I support the Sinn Féin amendment.

I was fortunate enough to have received a third-level education. I am eternally grateful to Her Majesty's Prison Service for that privilege. One of the first things that my tutor told me to do, when answering any question, was to define the terms. Nowhere here today have I heard the term "single education system" being defined. In fact, I agree wholeheartedly with Trevor Lunn that the terms "single", "shared" and "integrated" have been used interchangeably. Anyone with any sense knows that they are not interchangeable: they are completely different concepts.

When he was ending his speech, the Chair of the Committee, Mervyn Storey, said that the education system should benefit all pupils, not just a few. I cannot disagree with one word of that. For that reason, when we debate education issues here, we should not use education as

a political football. It is much too important for that. The education of young people is one of the most important things in society. It is an area where we should, as much as possible, try to get agreement. If we cannot get agreement, we should at least take the sting or the toxicity out of debates.

I will not try to define a single education system. However, my guess at what is meant by that is that one size fits all. Where into that does the Irish-medium sector fit? I know that Jim Allister in the corner singled out the Catholic sector. The Catholic maintained sector is outperforming every other sector at the minute on educational outcomes. Why on earth would it agree to go into a single education system? Why would the Irish-medium sector do so? Why would people who want to play Gaelic sports go into a system in which they might not be catered for? All those issues have to be teased out.

The fact is that we have differences in our society and those differences need to be respected. The way in which they can be respected is within a shared system, in which we can share facilities and resources and more efficiently target public funds.

Some Members argue that the integrated system covers that. Steven Agnew made a valiant effort to defend a single education system, but the fact is that the integrated sector still supports socio-economic divisions in our education system. The sector has been interrogated on the issue in the Assembly on a number of occasions, but it is still not prepared to come out and support an end to those divisions.

**Mr Agnew:** I thank the Member for giving way. Given that integrated schools are not selective, on what does he base his view that the integrated sector continues socio-economic segregation?

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

**Mr Sheehan:** A number of integrated schools still operate a selection process, whereby students have to do a transfer test to get into those schools. It is straightforward. It is not rocket science.

The fact is that there are many sensitivities around bringing different education sectors together. There are religious differences. There are communal differences —

**Mr Kinahan:** Thank you very much for giving way. I very much take the Member's point about looking for a framework and pulling everyone together, but does he not accept that the area planning initiative, as it is worked out at the moment, has caused schools to join together in their sectors rather than move towards what we are all looking for, which is sharing?

**Mr Sheehan:** I am not so sure that I agree on that point. There are circumstances in which it would be difficult for schools in different sectors to cooperate. As such, you have a situation in which some schools in a particular geographical area end up sharing facilities or resources with a school from the same sector. That is not the ideal situation. I think that the ideal situation is for different sectors to be sharing —

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

**Mr Sheehan:** In any event, I call on the House to support the Sinn Féin amendment.

**Mr Craig:** I support amendment No 1. This has been a fascinating debate to listen to, and I wrote down some of the comments made. What I find remarkable is that, in a House that is debating shared education, some Members sitting here have this wonderful slogan for themselves: new face, new thinking in politics. What I heard today was old politics being dribbled out to the Chamber by that individual. I am not at all surprised, because the same individual took a sheet of paper from somebody who is the old face of unionism and certainly represents the old way of thinking when it comes to everything in the House.

Shared education is not a new concept.

#### 4.30 pm

**Mr Allister:** On a point of order, Mr Deputy Speaker. If Mr Craig's last comment, which he did not even have the courage to spell out, was meant in some way to be a reference to me giving a piece of paper to Mr McCrea, I want to nail that lie. I gave no piece of paper to Mr McCrea. Perhaps the Member would be big enough to withdraw the allegation.

**Mr Deputy Speaker:** I do not believe that that is a point of order. However, if the Member's motive was to get it on record, he succeeded in doing that.

**Mr Craig:** Guilty by association; that is your problem. What I will say is —

**Mr Allister:** He's not even man enough.

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

**Mr Craig:** More points of order.

**Mr B McCrea:** On a point of order, Mr Deputy Speaker. Surely we should be able to talk without using the words "guilty by association" and suchlike. We are trying to have a debate here. For the record, Mr Allister did not pass me any piece of paper.

**Mr Deputy Speaker:** I am sure that the Member shares with me the ideals of many other Members, which are that we all have ambitions but do not quite achieve them.

**Mr Craig:** The idea of shared education is not a new concept. It has been going on in education for almost a decade. Shared education has been run out in shared area plans for sixth-form provision in schools for quite a time. It works out in practice, and it means that all sectors have to share courses across different sectors. It is not a new concept; it has been quietly working in the background for a number of years. It works in my constituency, and it works in every constituency for every Member. So the idea that shared education is a new concept is a foolish one; it is something that goes on in practice. That is because resources in our education system are finite, and, therefore, there is a need to share them.

It is the sharing of resources that has driven the whole shared education agenda forward. It is being driven forward by government now because a realisation is settling in on all of us that five separate education systems in this country are not affordable. Ultimately, I have no idea where those five systems are going, but the one thing that I do realise is that, as a nation and a country, we cannot afford to have five separate systems all funded by the taxpayer. That is where the problem lies. I have no difficulty whatsoever with an individual making the

choice of a separate education system for their child, as occurs the world over. However, they pay for it themselves; they do not expect the state to fund it. Nevertheless, we have the taxpayer funding five separate systems in Northern Ireland.

I listened with interest to what Danny Kinahan said about the motion when he said that we have to go forward with "courage, determination and resolution." Our education system is moving forward with courage, determination and resolution, but it is all done quietly in the background. Our educational achievers out there — the principals and the boards of governors — just get on with the job of carrying out that function, and very little is said on a daily basis about the work that is going on there.

Will this ultimately lead to a single education system? I do not have a crystal ball, Mr Deputy Speaker. I do not know where it leads. However, I know that the imperative is there; this party has led the way for a shared education system. It makes economic sense, and it also makes sense when you think about the historical divisions that there have been in this country, because others share their opinions when they are in that system. That cannot be a bad thing for society as we move forward. So, I commend our amendment to the House.

**Mrs Dobson:** I agree with my colleague and proposer of the motion, Danny Kinahan: this issue is one of, if not the, most important that the Assembly will ever debate. Looking towards the future, shared education of all young children should be our shared goal. Government should recognise and celebrate that inside every child in Northern Ireland is a spark of ability and talent. The question is this: how do we best find that spark, irrespective of whether it is academic or vocational, and allow it to flourish into later life? We must never say that one is better than the other. Everyone is different, and we should not ask, "How smart are you?" but rather, "How are you smart?"

A single shared education system can answer that question. However, in following on from other Members who spoke today, I think that it is crystal clear that the current actions of the Department, and indeed the boards, regarding area planning have left us far from reaching that goal. Indeed, they all too often head us in the opposite direction. How can we truly realise shared education for our children if boards are prepared to force unpalatable solutions down the throats of local communities that are resolutely united against them?

Although this debate is not about the Dickson plan, the Minister and I share a constituency but, it is widely known, we do not share the same view on area planning. He may well lambaste the SELB for last week finally bowing to pressure and removing option A. However, he must surely —

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

**Mrs Dobson:** No, I want to make my points.

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

**Mrs Dobson:** Well, if you are quick.

**Mr Storey:** Maybe the Member will clarify for the House what her party's point of view was and whether her party in Upper Bann was united, particularly Mr Arnold Hatch, in relation to the proposals that were on the table at the SELB.

**Mrs Dobson:** I thank the Member for his intervention. I am on the record from 2011, and my commitment is clear on the Dickson plan. So, I am speaking here today.

The Minister must surely realise that when area planning so enrages and angers communities, something has to give. How can he truly claim to be putting pupils first and shaping their futures if they and the wider communities continually state their opposition to area-planning proposals? I join Mr Kinahan in calling for the current area-planning process to be stopped. Minister, pitting school against school — grammar against high school and primary against primary — is no way to build a shared future. Indeed, as the Minister's colleagues' amendment suggests, area planning should be "conducive to sharing between schools".

Perhaps the Minister's idea of sharing is to force the amalgamation of schools, irrespective of their views. That runs contrary to Sir George Bain's report of December 2006. Minister, in the House, last October, you said:

*"As Minister, I see far too many development proposals that are written as if the school up the road does not exist. That has to change."*— [Official Report, Bound Volume 88, p311, col 2.]

Why, then, was one sector allowed to unilaterally reconfigure and rationalise its schools ahead of the viability audits and area plans of 2011 and 2012. All sectors — maintained, controlled, voluntary, integrated, library boards, everyone — should be actively working together and be on an even playing field. Minister, let us not have a shared out future when it comes to education. One example is the removal of the certificate in religious education that is required to teach in the Catholic maintained sector. Forced amalgamations and soured relations, created by the Department, are no way to begin to build that shared future.

Despite these actions, collaboration between schools is happening and is to be welcomed. I pay particular tribute to the influence that area learning communities have had on sharing between schools. I have attended a number of ALC meetings and was pleased to see the level of cooperation that exists between schools from different sectors and the fantastic collaborative work between FE colleges. However, and the Minister is well aware of this, if funding is removed, such collaboration and best practice comes to an end.

I will make some remarks on a number of contributions to the debate, primarily from the party spokespeople.

Mervyn Storey paid tribute to teachers and parents who have for years worked hard to ensure that their schools are open and shared spaces. That was organic rather than forced, and I also praise those teachers, parents and communities. He praised his party leader for changing the mind of bishops, which was a little bizarre, and went on to say that a shared future can be all things to all people. It must be a shared future in which all sectors have an even playing field and, as Sean Rogers said, with no prioritisation by the Minister. Mr Storey also praised the special schools as leading lights when it comes to sharing, and I totally agree with that. Their example and continued leadership can be an example to all.

Chris Hazzard, although critical of our motion, said that he wants sharing to flourish in the months and years ahead.

He described how local communities and schools, not government, are leading the way when it comes to sharing. That is a sad indictment of the success of Ministers and their policies. Many Members, including Mr Hazzard, praised the work of the Fermanagh Trust as an example for others to follow. He also said that the scars of the conflict must be addressed sensitively without opening old wounds, and we agree with that.

Sean Rogers said that communities must be brought with us if we are truly to achieve a shared education system, and I totally agree, especially in light of area-planning disasters, including in my constituency. Mr Rogers also made an extremely valid point about sharing being a viable alternative to closure for rural schools, and he also called for an even playing field for all sectors. We can wholeheartedly agree with that. There should be no prioritisation.

Trevor Lunn made the case for the integrated sector, and I agree that all sectors have to play their part. Again, there should be no prioritisation. Mr Lunn also asked that I enlighten him. Now there is a challenge.

I was disappointed by some Members who were unable to lift their eyes to the endgame of a totally shared education model for the future children of Northern Ireland. I welcome the Minister's willingness to advance shared education, but I would welcome clarity, Minister, on your view on bringing communities with us.

As I bring my contribution to a close, I am mindful of it once being said to me, "If you started with a blank canvas, we would never in a million years draw up an education system like Northern Ireland has today". We do not have the luxury of a blank canvas. Rather, our education system is a product of the patchwork history of Northern Ireland. For some communities, sharing can begin immediately, which is to be welcomed but, for others, it may be medium to long term. However, if the motion is to achieve anything, it should focus our eyes on the endgame of a Northern Ireland in which our children are educated not because of their family background but in the best interests of their future.

Minister, let us not make shared education something that was never meant to be. Let us encourage equal sharing between all the sectors and not continue with the soured relations and forced amalgamations within one. I commend the motion to the House.

**Mr Deputy Speaker:** Before I put the Question on amendment No 1, I remind Members that, if it is made, I will not put the Question on amendment No 2.

*Question put, That amendment No 1 be made.*

*The Assembly divided:*

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

*Ayes 35; Noes 20.*

#### **AYES**

*Mr Anderson, Mr Bell, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Campbell, Mr Clarke, Mr Craig, Mr Douglas, Mr Dunne, Mr Easton, Mrs Foster, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr McCausland, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Lord Morrow, Mr Moutray, Mr Newton, Mr Poots, Mr G Robinson,*

*Mr P Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Weir, Mr Wilson.*

*Tellers for the Ayes: Mr Clarke and Mr G Robinson.*

#### **NOES**

*Mr Agnew, Mr Allister, Mrs Cochrane, Mr Copeland, Mr Cree, Mr Dickson, Mrs Dobson, Mr Elliott, Mr Ford, Mr Gardiner, Mr Kennedy, Mr Kinahan, Ms Lo, Mr Lunn, Mr McCallister, Mr McCarthy, Mr B McCrea, Mr Nesbitt, Mrs Overend, Mr Swann.*

*Tellers for the Noes: Mrs Dobson and Mr Kinahan.*

*The following Members voted in both Lobbies and are therefore not counted in the result: Mr Attwood, Mr Byrne, Mr Durkan, Mrs D Kelly, Dr McDonnell, Mr McGlone, Mrs McKeivitt, Mr A Maginness, Mr Rogers*

*Question accordingly agreed to.*

**Mr Deputy Speaker:** I have been advised by the party Whips that, in accordance with Standing Order 27(1A)(b), there is agreement that we can dispense with the three-minute rule and move straight to the Division.

Order. Some people do not appear to be in a hurry home tonight. *[Interruption.]*

*Main Question, as amended, put.*

*The Assembly divided:*

*Ayes 34; Noes 15.*

#### **AYES**

*Mr Anderson, Mr Bell, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Campbell, Mr Clarke, Mr Craig, Mr Douglas, Mr Dunne, Mr Easton, Mrs Foster, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr McCausland, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Lord Morrow, Mr Moutray, Mr Newton, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Weir, Mr Wilson.*

*Tellers for the Ayes: Mr Clarke and Mr G Robinson.*

#### **NOES**

*Mr Agnew, Mr Allister, Mr Copeland, Mr Cree, Mrs Dobson, Mr Elliott, Mr Gardiner, Mr Kennedy, Mr Kinahan, Mr McCallister, Mr B McCrea, Mr Nesbitt, Mr Ó hOisín, Mrs Overend, Mr Swann.*

*Tellers for the Noes: Mrs Dobson and Mr Kinahan.*

*The following Members voted in both Lobbies and are therefore not counted in the result: Mr Attwood, Mr Boylan, Ms Boyle, Mr Brady, Mr Byrne, Mrs Cochrane, Mr Dickson, Mr Durkan, Ms Fearon, Mr Flanagan, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Ms Lo, 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, Mrs McKeivitt, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Miine, Ms Ni Chuilín, Mr O'Dowd, Mrs O'Neill, Mr Rogers, Ms Ruane, Mr Sheehan.*

*Main Question, as amended, accordingly agreed to.*

*Resolved:*

*That this Assembly notes with approval the concept of shared education; believes sharing between all*

types of school could lead to better educational and community relations outcomes; welcomes the initiative by the Office of the First Minister and deputy First Minister in progressing this work through the signature projects; and calls on the Minister of Education to actively assist in this work through the development of shared campuses so that a single education system can become a realistic policy goal.

## Remote Sensing Inspections

**Mr Deputy Speaker:** The Business Committee has agreed to allow up to one hour and 30 minutes for the debate. The proposer of the motion will have 10 minutes to propose and 10 minutes to make a winding-up speech. All other Members who are called to speak will have five minutes.

**Mr Frew:** I beg to move

*That this Assembly expresses dissatisfaction with the Department of Agriculture and Rural Development for its failure to effectively inform the 1,139 farm businesses that received a remote sensing inspection in 2013; notes that the farmers only received notification days before they were expecting their single farm payment and recognises that this will place many farm businesses under incredible pressure in the coming months; and calls on the Minister of Agriculture and Rural Development to explain how this happened and give assurances that she has put in place measures that will prevent it happening again.*

To do the subject of this DUP motion justice, you have to go back to the start and to the crux of remote sensing. I suggest that remote sensing is, indeed, a good idea. It should speed up the inspection process and should mean that more farm businesses will be paid their single farm payments more quickly. So, in a general sense, remote sensing is a good thing. However, the issue here is that it seems that the Department of Agriculture and Rural Development was not fit for purpose to advance remote sensing inspections to the level that it took on. By that I mean that 1,139 farms were inspected by remote sensing this year and 250 farms were inspected in that way last year. That was a massive increase in remote sensing at a time when DARD did not have the technology or the system in place to cater for it.

In the last week of November, I started to receive phone calls about the issue from farmers who were concerned about their single farm payments. When they rang their local DARD office to enquire about their payments, they were told that they had, indeed, been part of an inspection process. The majority of those farmers had no idea that they were involved in an inspection. It is not as though people and feet were on their grounds; these inspections are done by aerial photographs and can be done remotely, as the name suggests. So, those farmers had no concept or no idea that there was going to be a delay in their single farm payments, some ranging from thousands to tens of thousands of pounds. Those farmers were expecting that money a week later. Now, you can imagine how any business could cope with that information at that time, a week before they were expecting thousands of pounds to come into their bank account.

When they then phoned Orchard House, which is the main DARD HQ for processing single farm payments, they were told the same thing. They were told that they were involved in a remote sensing inspection and that their local offices would be writing to them soon to confirm that. When the local offices were contacted again, farmers were told that Orchard House would be issuing the letters. So, one part of DARD did not know what the other part of DARD was doing. The question that I will pose to the Minister is this: who was actually responsible? Why did it go on for so long? Those aerial photographs were taken in April, May,

June and July, and it took DARD until December to inform people.

### 5.15 pm

The Department and the Minister have spoken on this matter. I asked the Minister an urgent question for written answer on 6 December 2013. I wrote to the Minister at the same time and received a response on 23 December. I also met DARD officials on 31 January 2014 along with Diane Dodds MEP and farmers from north Antrim and Clogher valley. On most of those occasions, if not all, I was given the excuse that a farming community cannot be told that they have been inspected because, at that point, they could not change their claims. Well, I am sorry: that is weak.

If you were to receive an ordinary inspection, you would see the inspectors on the ground. You would see that you were involved in an inspection process. You would know that you were not going to be paid in December and that it would be many weeks or months later. DARD should have been able to tell these farmers somehow that they were involved in an inspection process; that they should not expect their single farm payment cheque in December; and that they should try to plan ahead in their business plans and purchasing so that they would not hit this hard wall come December.

This has had a massive impact on the farming community. The areas picked — or plucked out of the air — for remote sensing were two concentrated areas: one in North Antrim and one in Fermanagh and South Tyrone. They were chosen basically because aerial photography would be easier there. I can understand the logic of that. What I cannot understand is why they chose so many — 1,139 — and why they concentrated on two areas when they knew fine rightly that they did not have the IT systems in place to process and deal with those applications.

They knew months before December that all these farmers would be left out of the payment scheme in December. That brought much hardship not only for the farmers in the concentrated areas in North Antrim and Fermanagh and South Tyrone but for the merchants, suppliers and local grocery stores, which were relying on the farmers getting that money and paying out. It got to the point where merchants and suppliers were having to bankroll those large areas and many farmers while they waited for their single farm payments.

It is not good enough that DARD was able to simply leave those 1,139 applications to one side. They knew that they could not cope with them. They knew that they could not process them. They could then ignore them and go and achieve a target of 90%. The Minister will quote that she has achieved the target set by the EU; that is fine and dandy. However, in other years when we have had so many people inspected in this process, they have been scattered around the Province. This year, two concentrated areas have not got their money. It has had a devastating effect in my constituency and in the constituency of Fermanagh and South Tyrone.

I pose these questions to the Department and the Minister. If the Department could not cope, why did it increase the number of cases of remote sensing by so many? Why could it not cope? Why could it not have had a system in place earlier to cope with the increase in remote sensing?

Why could the Department not have communicated with the farmers involved much earlier? The excuse that they would not be able to change their claim is very weak. When farmers apply for their single farm payment, they have applied and that is it done. To say that we have saved them because they will be able to change their application is incorrect. That is not the case. As soon as you have DARD officials on your farm and are inspected by feet on the ground, you lose that opportunity anyway.

Minister, that is a very weak excuse for not notifying these farmers. They should have been notified somehow. Somehow your people should have been able to go to the farmers and say, "By the way, you have been inspected by remote sensing. Do not expect your money in December." We are talking about businesses with massive amounts of debt, cash flow and turnover. They have been disabled over the past number of weeks because their cash flow has been hurt dramatically.

Does the Minister realise the impact that that has not only on those farm businesses but on those concentrated areas of North Antrim and Fermanagh and South Tyrone? Why, then, when she knew that all those problems were going to come about, did she pick North Antrim and Fermanagh and South Tyrone? Would she like to tell the House what areas she is going to pick for next year? They may face the same problems as my constituents in North Antrim and constituents in Fermanagh and South Tyrone. Why, Minister, have we bitten off more than we can chew? Why is the Department not fit for purpose for remote sensing when other countries in Europe, including the Republic of Ireland, can do that and do it well?

**Mr Deputy Speaker:** The Member should bring his remarks to a close.

**Mr Frew:** Why, Minister, have you failed the farming community and my constituents of North Antrim once more?

**Mr Milne:** Go raibh maith agat, a LeasCheann Comhairle. I welcome the opportunity to speak to the motion. We must not underestimate the importance of the single farm payment to farmers and the rural community. However, it is also important that the payment is accurate as well as timely and that it falls within the regulations set down by Europe.

When the targets and requirements for all three aspects have been met, we will have a perfect system. It makes no sense to focus on speedy payments if they are to be followed by an overpayment notice or penalties from Europe. Farmers and DARD have upped their game when it comes to how claims are submitted through to when they are paid out. We have seen steady improvements over the past two years, but there is still some way to go.

I can appreciate that the Department is undergoing a lot of changes to its systems and processes. I can accept that, when difficulties have been identified, they have been addressed in the short term and, just as importantly, rectified for the long term. However, I have no doubt that that brings little comfort to the individual farm families who have been affected, and their concerns and anxieties need to be addressed.

Remote sensing has undoubtedly speeded up the payments process. With all that we have heard throughout the debate, it would be easy to forget that more farmers

were paid last December than ever before and that the targets that were set for February are expected to be met. However, improvements can still be made, particularly in the communication and planning of the inspection process, which would help those who are selected for the process to plan for the months ahead, and those improvements need to be put in place.

Although there are advantages to centralising inspections to specific areas, that has to be weighed against the potential knock-on effect on local suppliers and the local economy as a whole. Early notification will also be an issue, because the rules surrounding it are governed by Europe and are there to protect the integrity of the inspections.

As the necessary IT systems are now up and running, delays in beginning the remote sensing inspections, which have led to the debate and the difficulties that we are discussing, should not have the same effect next year; I ask the Minister for her assurance on that. A number of applications will always be delayed because of matters that are outside DARD's control such as probate or missing information, but when the Department can make improvements, it has a responsibility to do so.

**Mr Byrne:** I welcome the opportunity to speak in the debate, and I thank Mr Frew and his colleagues for tabling the motion.

On 13 January 2014, a Member of the House queried the numbers of people who were subject to remote sensing inspections. The Minister answered that any people who were inspected would be paid by the end of February. If that is the case, perhaps she will enlighten us as to how many of the 1,139 farmers have been paid since the first week of December. The delay that those farmers have endured in receiving farm payments over the past period of time has been intolerable for some.

Remote sensing inspections were introduced as a means of checking the eligibility of land for single farm payment (SFP) claims and of making the process more efficient.

DARD, as we know, completes about 2,000 random single farm payment inspections, as per its obligations under EU legislation. In the past, these were carried out by on-the-ground visits. Increasingly, inspections take place using remote sensing. This involves looking at a satellite image or aerial photograph and comparing that with the area declared on the single farm payment application form.

When remote sensing inspections were introduced, DARD committed itself to completing checks and informing claimants as soon as they were processed. This was designed to assist the speed and accuracy of the single farm payment assessment. The purpose of removing the number of on-the-ground inspections should be to help to reduce the administrative burden that is placed on farm businesses, not, as the case has been, to add to farmers' stresses. Unfortunately, many farmers were not notified that a remote sensing inspection of their land would be taking place. This has led to unnecessary distress and anxiety, as Mr Frew outlined. Given the number of difficult years that farmers have faced with inclement weather and the fodder shortage, it is imperative that the processing of SFP claims is as easy as possible.

The Minister must recognise that the failure to notify farmers in writing or otherwise about inspections of their

land must never happen again. In some instances, farmers received notification but only a few days before they were expecting their single farm payment. DARD has defended its decision, saying that farmers were not informed of inspections because, if they were informed and then made changes, it could leave them subject to penalties. All these farmers are suffering from the delay in payment, even if no discrepancies are revealed. Up to 38,000 farm businesses in Northern Ireland receive the SFP. It is an essential payment, which helps farmers to pay suppliers for a variety of items such as meal and fuel bills and, in many cases, to pay the banks. Many farmers have been told to wait for their single farm payment while inspections are ongoing. Farmers should have at least been forewarned that payment would be delayed because, at least, they would then have been in a position to inform their bank and, indeed, their suppliers.

Remote sensing has the potential to speed up the inspection and payment process if it is implemented effectively. The majority of farmers affected appear to be in the same geographical locations, the Lower Bann and the Clogher valley, comprising mainly the constituency of North Antrim, parts of Mid Ulster, parts of Fermanagh and South Tyrone and parts of West Tyrone in the Fintona area. Some of the farming communities that have experienced this difficulty are suffering cash flow problems. We recognise that this is a new process and that there are bound to be some teething problems, however we wish to ensure that the issues are addressed fully by the Minister so that they do not recur. DARD must put forward a plan for such inspections and make farmers aware that their land will be subject to remote sensing inspection. I think that it is only a courtesy that the farmer should know that an inspection is taking place.

Questions need to be addressed by DARD on why the equipment and scheduling have resulted in another unfortunate development that led to farmers being hit once again. Inspections took place last May, but it was December before said farmers were informed, and that was when they were expecting their single farm payment cheque. The Minister needs to explain fully why another administrative fiasco by DARD has again been exposed and why only farmers in the Lower Bann and Clogher valley areas who have suffered through the delayed SFP.

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

**Mr Byrne:** The questions are these: were drones or satellite images used; what was the equipment fault; and what administrative bottlenecks are resulting in these problems?

**Mrs Dobson:** I welcome the opportunity to speak on the motion, although I was disappointed that the Ulster Unionist amendment was not selected, as I believe that it would have added to it. Nevertheless, even without it, we can have as many take-note debates as we like; we can challenge the Minister as much as we like at Question Time; and we can issue as many press releases as we like expressing concern at her handling of remote sensing. However, if she and her Department remain as stubborn as they currently are, there is little chance that anything will be done.

Year on year, the Department and the Minister walk themselves into holes, which, very often, are dug entirely

by them. We should have known that the Department would not have been able properly to administer remote sensing. It is continually unable to carry out even the most basic tasks without demonstrating its usual level of ineptitude. I do not doubt that the Minister, in her response, will give an explanation for how remote sensing has been carried out, but I ask her to go and try to explain that to the many farm businesses that have found themselves the guinea pigs to the Department's efforts to play catch-up to avoid further EU disallowance. That includes the 150 farmers who joined Robin Swann and me at an open meeting organised by Robin in Glarryford Young Farmers' hall at the end of last month.

I and my party recognise that remote sensing should have helped the Department to make faster payments.

**Mr Elliott:** I thank the Member for giving way. Does she agree that one of the major problems was that when we, as elected representatives, or the farmers got a response from the Department, it was inadequate and insufficient because it did not tell them why there was a delay and why they were not going to get their single farm payment until February?

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

### 5.30 pm

**Mrs Dobson:** I thank my colleague for that intervention. He is quite right: that further added to the exasperation and frustration felt by the farmers.

The situation was so ridiculous over recent years that it could do nothing but improve. My issue is not with remote sensing. In the right hands, it should be a quick and efficient system, but with the Department's handling of it, it has been little more than 'Carry on Mapping'. By treating farmers with its usual level of suspicion, the Department has only further soured relations with many. It is increasingly adopting a policing as opposed to a supporting role. That message was delivered to DARD officials loud and clear by the farmers at Glarryford. Minister, it is a two-way street. If you and your Department want to hold the respect of farmers in the wider industry, you need to earn it.

There are many actions that the Department could take to improve relations. Take the issue of tackling red tape, which is a matter of failure for the Minister, yet not once has the Department held its hand up and apologised. Another issue is the continued blight of TB, where forced action continues at a snail's pace, leaving farms at the mercy of a disease that thrives under a regime of departmental foot-dragging.

The Department continues to fail, and fail scornfully. I understand that a level of inspection is required under remote sensing, but refusing to inform the affected farmers until the very last moment that their payments would be delayed was simply out of order. Those are businesses too, remember, with costs and a constant eye on outgoings and incomes like any other. The single farm payment is, of course, public money, so it needs a high degree of transparency at every step of the way, but the Department has used that requirement to put up additional barriers.

I tabled an amendment to the motion raising, once again, the issue of advance payments. Our farms remain at a distinct disadvantage, not least compared with those in the

Republic. It is an issue that has been widely talked about in the past by the Assembly, even as recently as last June through another amendment that I proposed, but the fact that —

**Mr Deputy Speaker:** I remind the Member that the debate is on the motion in front of us today.

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

**Mrs Dobson:** No, I want to make my points. I gave way to Tom, and I have an extra minute. The fact that the Department remains as flippant on an almost unanimous request just goes to show the level of contempt in which it holds the thoughts of not only this Assembly but the wider industry.

In conclusion, I do not expect that the debate will be anything other than 90 minutes of venting or justifying. I expect the Minister to make excuses, such as the need to avoid disallowance, problems of lining up the payment system and the mapping system, but it will do little to reassure farmers who find themselves at the mercy of DARD inspectors. So, I call on the Minister to reassure us that the same problems will not occur next year, but even if she does so, can we have the confidence to believe it?

**Mr Irwin:** At the outset, I declare an interest as a farmer and someone who is in receipt of a single farm payment. Here we are again, discussing an issue of importance and concern within the farming community regarding the administering of single farm payments in the Province.

Farmers are increasingly concerned, as, year after year, the Minister makes promises that the system will be improved with investment in various aspects of the single farm payment processing wing, yet, year on year, the complications continue. Unfortunately, with the complications come unacceptable delays for the farmer. That is certainly the case with remote sensing and the debacle that has left hundreds of farmers still waiting for their single farm payment some nine months later. Those farmers were expecting a relatively trouble-free payment process. Therefore, to find, a few days before they were to receive their eagerly anticipated payment, that their farm was now subject to remote sensing was absolutely infuriating.

Earlier this month, the Minister tried to give her version of events at Question Time, and I was less than impressed by her attempt to justify yet more delay and complication for farmers. Indeed, my colleague Sammy Wilson MLA was right to press her on the description of Members who were raising the issue as losing the run of themselves. It is clear that the Minister does not have irate farmers contacting her directly to vent their anger and frustration at the Department over the mishandling of the remote sensing debacle. Indeed, her attempt to divert attention through the use of percentages is no comfort to the hundreds of farmers across Northern Ireland who remain without their payment.

In case it has slipped the mind of the Minister, farmers rely heavily on their single farm payments, especially with the latest beef price crash and the various other pressures being brought to bear on the industry. We have increasing concerns about the persistent wet weather and the possible ramifications that that will have in the spring for getting animals back out to grass and trying to ease those pressures. Energy costs continue to burden the farmer,

as do ongoing price battles with the large supermarkets. All those issues combine to put a massive strain on cash flow for the farmer. The Minister has the power to do something about the issues that she is responsible for. She cannot control the weather. However, she can control her resources and her team, and it is high time that the farmer was treated with some respect.

Northern Ireland farmers cannot sustain year-on-year single farm payment problems, yet, year on year, that is what farmers get from the Department.

**Mr Frew:** I thank the Member for giving way. Earlier he mentioned the Minister stating that we should not lose the run of ourselves. It was, at that time, a flippant comment by the Minister. I know that the hustle and bustle of this place can bring out the best of us in debates. I have no problems with that. I am thick-skinned enough to take it, and it is healthy to have it, but there is a seriousness to it. Those areas of North Antrim, Fermanagh and South Tyrone and the surrounding areas — Mid Ulster included, of course; we cannot be remiss — were left to one side while the Department targeted a target, knowing fine rightly that they would not even be processed by December.

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

**Mr Irwin:** I thank the Member for his intervention, and I certainly agree with him. I respectfully ask that the situation change. When will we see a fit-for-purpose payment system that does not starve farmers of vital payments?

The issue of early payments and part payments was raised earlier by the Member for Upper Bann, and I know that that is an issue for farmers. However, I believe that, in the Republic of Ireland and other farming areas that have advance single farm payments, if there is an inspection they do not make advance payments to those farmers. That is a problem. Maybe the Minister could update us on that, but I think that that is a problem with advance payments.

**Mr McMullan:** Go raibh maith agat. Today's motion explains in detail how the Minister is using modern technology to speed up single farm payments. Let us put some of that in context, for it has been very emotive so far. I cannot understand why some things have been left out.

Remote sensing was first used in 2012, and 250 claims were selected for inspection, which allowed 83% of the 2012 claims to be paid, amounting to £184 million. In 2013, Commission regulations required a minimum of 5% inspections or on-the-spot checks to be carried out, which meant that, of 2,129 claims, 999 were farm inspections, which left 1,130 that were selected for inspection in 2013. That was from a total of 37,500 claims for single farm payment. It resulted in 90% of 2013 single farm payments being finalised in December 2013, totalling £232 million. It means that the payment target of 95% by February 2014 may be met, with the remaining cases to be paid by the end of April at the latest. Those targets — this is something that we have not had today — are two months ahead of the 2012 payment timeline and four months better than 2011 figures.

It is vital —

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

**Mr McMullan:** Hold on; I am trying to get my point across.

It is vital that we all work with the Minister in helping promote the technology. We can all agree that we have to get the money out to the farmers, and quickly. We are all working towards that.

**Mr Frew:** I thank the Member for giving way. He is very gracious.

The motion is clear. It is not about the failure to hit a target. DARD has hit a target. It has improved on the year before, and there are many reasons for that. One reason is this: those 1,139 applications were simply left on a pile to one side because they could not be progressed as the Department did not have the technology. Some of those are still to get a rapid field inspection. As far as I know, none of them had a rapid field inspection before December. That is the issue. You simply set those aside to meet a target, and that has hurt those areas where remote sensing was used.

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

**Mr McMullan:** I thank the Member for his intervention. We are not going to fall out over whether what you are saying is true or untrue. We are all trying to get to the point where we get over all the inspections. However, we must allow more time for the technologies to work in. We cannot expect to get them all right in the first year.

**Mr Frew:** Why?

**Mr Deputy Speaker:** Order.

**Mr McMullan:** Remote sensing technology involves the careful examination of satellite images or aerial photographs and comparing them to an area declared in a single farm payment application form. Rapid field visits may be required if an image of an eligible area within a field cannot be made; which could be because of tree coverage or fog or mist on the day. Once remote sensing was completed, the information was further checked by staff using DARD's control management systems. Do not forget that one thing Members from both sides of the House attacked the Minister on before was the cost of making those farm visits to look at the inspections. Here we are now, getting 95% of them out, and we are still complaining.

The purpose of the control has not in any way changed up to now. The timing of the remote sensing checks has meant that it has not been possible to notify farm businesses that they have been selected for remote sensing checks. That is in line with the accompanying guidance, something that none of you has even touched on today. Under guidance set out on the 2013 single farm payment application form, applicants did not receive notification of a remote sensing check unless a field visit was required. That is EU regulation, not the Minister's regulation, and that is something that should be brought out. We are sending out the wrong message to farmers.

The Member to my left talked about the meeting he organised in Ballymena with 150 people at it. I organised one in Ballymena and had nearly 500 people at it, and there was not one word of this. They knew that there were going to be delays, but it was understood that the new technology was bedding in. Those things were understood. We understand —

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

**Mr McMullan:** No, you have had one bite of the cherry.

You cannot afford to be complaining all the time. We know that the Department will have to improve in ways. None of us here is denying that. However, at least give this a chance to bed in. You would nearly be forgiven for thinking that there is an election on, the way you are going here. Get the facts out there: it is EU regulation, nothing else.

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

**Mr Deputy Speaker:** Will the Member bring his remarks to a close? *[Laughter.]*

**Mr McMullan:** You are too late.

**Mrs Overend:** The Minister talked about new technology. Surely DARD has email and text messaging facilities. It should use that new technology to get the message through to farmers.

**Mr Deputy Speaker:** Time is up.

**5.45 pm**

**Mr McMullan:** As I said, EU regulations —

**Mr Deputy Speaker:** The Member's time is up. *[Interruption.]* Order. Time is up.

**Lord Morrow:** It is regrettable that the debate has to take place. In fact, the matter should never have had to come to the House. Had the Minister done her duty and shown that she was concerned about the issue, she would have come to the House with a statement. Instead, she chose not to do that. What has annoyed many farmers and Members is the detached stance that she has taken. She and some of her colleagues have come to the House and tried to make light of the fact that there is just £25 million still outstanding for distribution. In my books and by my calculation, that is no small amount of money. Knowing the way in which it operates, I suspect that it is a small amount of money to Sinn Féin. The Minister has taken a hands-off approach: "It is not really my problem"; "I am not too concerned". That is how she comes across. I say this today: the situation is bordering on crisis. If the House and her Department do not take the issues seriously, the Minister has to consider her position.

In my constituency of Fermanagh and South Tyrone, particularly in the south Tyrone part of it, farmers are standing waiting and pleading, "Why can we not get our payments?" The only answer that the Minister can give is that the Department has got the payment out to over 90% of farmers. It is 92% or 93%, I think. That is fine for those farmers who have received it. However, if you are one of the 7% or 8% of farmers who has not received it, you are in diff's. That is something that the Department and the Minister just do not get. They just do not get the message.

In chastising a Member who asked about it, the Minister said, "I think that you are losing the run of yourself". That has become the catchphrase since Martin McGuinness first used it when he challenged Margaret Ritchie, the then Minister for Social Development. He used the phrase, "You're losing the run of yourself, Margaret". Sinn Féin Ministers have now adopted that as their catchphrase. When anybody challenges what Sinn Féin does, or, in this instance, is not doing, it says, «Don't lose the run of yourself». In other words, it is not an important issue.

Let me make this very clear to the House: the issue is very important. The Minister needs to take on board that

some farmers, who, at the end of the day, are running businesses, are struggling to keep going. The weather has not been good to them. The rising prices have not been favourable to them. They were budgeting to have received their single farm payment. The Minister was not able to deliver. I hope that, when she responds in the House, she will be able to give a specific date when everybody will receive their payment. Dates have been bandied about. There has been talk about the end of February. I see that April is sometimes mentioned. Indeed, some farmers have now become so despondent that they are beginning to think that it could be June, July or August.

**Mr McMullan:** I thank the Member for giving way. Does he not agree that the number of farmers who are now getting paid has gone up, that the percentage has gone up and that we are reaching out to more farmers? We are working with a figure for the number of farmers who have not been paid. We accept that. However, does the Member not agree that the Minister, since the new technology was introduced, has improved the payment scheme from 2011-12 right up until now?

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

**Lord Morrow:** Thank you, Mr Deputy Speaker. I have already said that over 90% of farmers have got payment. That is fine if you are one of the over 90%. What if you are one of the 7% who has not been paid?

The figure that is in front of me is that — this was in the Minister's press release from 20 December — £232.5 million worth of payments had been made to farmers. If that figure is right, and if it represents nine tenths of the total budget, it seems to me that £25.83 million has still to be distributed. The Member who asked that question —

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

**Lord Morrow:** I will in a moment. Does the Member who asked that question see the importance of that £25-plus million getting out to the farmers who are standing waiting for it?

I will give way to Mr Frew.

**Mr Frew:** I thank Lord Morrow for giving way.

**Mr McMullan:** Can the Member justify —

**Mr Deputy Speaker:** Order.

**Mr Frew:** Thank you, Mr Deputy Speaker. Again, some people are losing the run of themselves. Lord Morrow, given that we just heard from Sinn Féin personnel across the way that this was new technology, maybe the Department lost the run of itself when it decided —

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

**Mr Frew:** — to pick 1,139 for remote sensing inspections?

**Lord Morrow:** Yes, I think that it did.

I know that my time is up, and the Deputy Speaker is going to remind me of that. If we can do anything here today, maybe we can get the message to the Minister —

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

**Lord Morrow:** — about the seriousness of the situation, which she has failed to grasp to date.

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

**Mr McAleer:** Go raibh maith agat, a LeasCheann Comhairle. To start off, I acknowledge that the DUP has admitted that the Minister cannot control the weather; it has tried to blame her for everything else.

I want to make a couple of points here today. Despite what Lord Morrow said a while ago, we are not making light of the situation. We know exactly what it is like for farmers. We are from farming communities, and we know exactly how it affects people in local areas. We are not detached from local communities. I have been here for many of the agriculture debates, and I have not seen Mr Morrow speaking up in too many of them. Maybe that is because you spend most of your time over in the Lords; I do not know. You called us “detached”, but I suspect that you are more detached from farmers in the Clogher valley than we are.

I will move on. Paul Frew made the point that farmers cannot change their applications. That is factually incorrect. Field data can be changed in single application forms but not after a farmer has been told about an inspection.

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

**Mr McAleer:** Yes, but —

**Mr Frew:** I take that for granted; I am not disputing that. What I am disputing is that, once you get an inspection on the ground, you lose the ability to change your claim. So, why are on-the-ground inspections different from remote sensing inspections? Why is there a difference?

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

**Mr McAleer:** Go raibh maith agat.

I want to get back to the fact of the matter. Again, I reiterate that we support farmers and acknowledge the difficulties. We met the UFU earlier today, and it told us about those difficulties and the importance of single farm payments to the farming community.

During the year, we have had many motions about farming and single farm payments and the importance of getting them moved on. Two of the key vehicles for moving them on were online applications and a move towards remote sensing inspection. There is widespread support across —

**Ms McGahan:** Go raibh maith agat. I thank the Member for giving way. First of all, I declare an interest as someone who is in receipt of a single farm payment and lives in the Clogher valley area. A large number of my constituents have been subject to the inspection. They are asking questions, and rightly so. Will the Member explain the rationale for remote sensing inspection, as opposed to the traditional method of on-farm inspection?

**Mr McAleer:** That sort of links into the point that I was making. The idea behind moving to remote sensing inspections was to make the system more efficient; it is one of the key control mechanisms.

We got some information from the South of Ireland, where remote inspections are used. The cost of such inspections is drastically different and is much cheaper than the classic method. Indeed, in the information that we got from the South of Ireland, we found that the cost is in and around €1,800 for a classic inspection, whereas it is around €60 to €70 for a remote sensing inspection. That is much better value for money.

In the case of remote sensing inspections, we welcome that the Department has met very challenging targets this year. We have already seen over 90% being paid out. Going back to notification, although we empathise with farmers and see the importance and relevance of them being notified in due course, it is very important to point out that — this is in the staff application guidance notes — when you submit your application, you agree to permit the Department to carry out a land eligibility check, with or without prior notice. The check may go ahead if contact cannot be made. When farmers submit their forms, they have the guidance notes. Despite that, the Department went beyond the guidance notes and issued letters to farmers in mid-December notifying them of an inspection. The point that I am making is this: they were notified.

Mr Morrow made the point about getting the payments out. Would you rather breach the EU regulations around this and face infraction and penalties from Europe where everybody loses out? Is that what you would prefer?

**Lord Morrow:** I thank the Member for giving way. Given that £25 million is still waiting to be distributed, does he not see the importance of getting that money out? Those are the issues that his Minister should be dwelling on. Instead of clapping her on the back for inefficiency, he should be saying, “Look, step up to the plate here”.

**Mr McAleer:** It is important to put this in context. The single farm payment is worth £0.25 billion a year. Rather than risk breaching EU rules and risk that £0.25 billion, is it not better to get it right and do it within the rules?

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

**Mr McAleer:** Yes.

**Mr Frew:** I take the Member’s point entirely, and I understand the EU rules. However, why were the rapid field inspections not done before December, because that would have given an early indication to those farmers that they were involved in an inspection process?

**Mr McAleer:** I accept your point. However, I go back to my point that they were notified in mid-December of the inspection. So they did know. I accept that, where it is possible and if it is possible to notify them earlier and more effectively, that would be fair enough. Quite a number of the farmers that we met through our constituency offices made that point to us and that, had they know earlier, they could have planned ahead much more easily.

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

**Mr McAleer:** In conclusion, we empathise with the farmers. We are confident that the Minister will listen to today’s debate and that measures will be put in place to deal with the issue ahead of the applications going into next year.

**Mr Rogers:** I apologise for my bit of technology going off earlier.

With regard to the Member’s point, the improvement in statistics is fine, and it is fine for the farmers who got their money. However, in my constituency, 89 farmers did not get their money by the end of January. If you were to try to tell them that the statistics were better, you would need to have your escape planned from their farmyard.

The introduction of new remote sensing technology to monitor the use of land resulted in unforeseen delays in payments despite hopes that the technology would actually streamline operations. Assurances that all single farm payments would be finalised by the end of February are of little use to the farmers who are faced with managing immediate cash flow problems. At a recent meeting of Magherafelt District Council, a motion was passed expressing the concern of the farming community.

The Minister must get to grips with implementing remote sensing inspections. The opportunity that this technology presents should guarantee that inspections are administered in an efficient and effective manner. Remote sensing inspections provide a satellite image or aerial photograph and compare that with the farmer's single application form. This was meant to improve the method of processing single farm payments. In many cases, it has made the process more cumbersome. Mr Frew has a relevant point in that, if they had been done much earlier, it would have been better.

Prompt payment of the single farm payment is crucial to support —

**Mr McMullan:** I thank the Member for giving way. Does he agree that if there were more online applications, the problem would be lessened and that that would also speed up the process?

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

**Mr Rogers:** The Member may have a point. However, with regard to getting online applications right, our farmers need better IT training and so on and they need a lot of help in that area.

Undoubtedly, farmers have faced increased pressures over the past number of years, which has led to the cash flow problems that Lord Morrow talked about. The Minister must give the House a firm assurance that the delay will be prevented in future. Inadequate notice was given to the 1,139 farm businesses that were to receive the remote sensing inspection.

**Mr McAleer:** Will the Member take an intervention?

**Mr Rogers:** I will.

**Mr McAleer:** The Member referred to the Magherafelt motion. In that motion, the SDLP called for a three-month notification period. Does he accept that if that were the case, it would result in an infraction of EU legislation and disallowance?

#### 6.00 pm

**Mr Rogers:** There has to be an accommodation for farmers, and we need better notification than a few days on this type of issue.

Although there may be many challenges to implementing a new method of assessment, the Department must recognise the stresses and strains that the farming community has faced over the past number of years. Central to alleviating that distress is the single farm payment, which must be paid in a timely fashion.

We know the value of the single farm payment to our economy, and the Minister must assure us that nothing will interfere with people's payments. Some 38,000 farms avail themselves of this crucial payment for vital farm supplies.

Farmers should have been forewarned about any delay in their payments so that they could make some attempt to balance their finances.

If the technology for remote sensing inspections is utilised effectively, it should result in a more streamlined system of assessment. Although we accept that there may be some initial difficulties involved in switching from on-the-ground assessments, it is unacceptable that farmers should in any way be penalised by a delay in receiving what is owed to them. The Department must have an efficient and reliable inspection process in place and keep farmers fully informed about when exactly their land will be subject to remote sensing inspections and how this affects their payment. I acknowledge that this delay did not affect payments in south Down, but I hope that lessons will be learned so that DARD can get the technology right, and farmers get their single farm payment on time.

**Mr Deputy Speaker:** The business in the Order Paper has not been disposed of by 6.00 pm. In accordance with Standing Order 10(3), I will allow business to continue until 7.00 pm or until the business is completed.

**Mr Swann:** Thank you, Mr Deputy Speaker. You are so kind.

We have heard a lot of repetition about the problems, and I commend the Sinn Féin Members who have spoken to date for defending their Minister. They have quoted the statistics: 93.6% of payments made by 3 February, and the hope is to hit the 95% target. Those targets are not the problem; the problem is the fact that all the farmers are compressed into two small geographical areas in Northern Ireland. The first is in Fermanagh and South Tyrone and the other includes my North Antrim constituency, with bits of Mid Ulster and East Londonderry.

I wonder whether Sinn Féin Members would be standing here tonight saying what a great achievement the 95% payment is if those areas were in West Tyrone and the glens, and it was their members, their constituencies, their friends and the farmers in their areas who were suffering so intensely.

We have heard the figure 1,139 trotted out by a number of Members. We need to bring into perspective that those are 1,139 families. I have heard them referred to as 1,139 businesses or farms. They are not; they are 1,139 families who are sitting, at this minute, with major cash flow problems in their bank accounts. They are drawing down their personal savings —

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

**Mr Swann:** I will, if you are brief.

**Mr Frew:** I take your point, and the Member is making it well. It is not only the families, because those families may employ farm helpers. So it will have a knock-on effect on other families.

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

**Mr Swann:** Thank you very much. I take the Member's point. However, I will be honest with him. The farmers whom I know are still paying their helpers, which is where the frustration comes in. They are still meeting the suppliers' needs. They are still meeting their bank payments. It is their families who are suffering, which is why we need to speed up the processes. When remote sensing and aerial photography were brought, the Minister said — I will quote her from 18 June 2012 — that it was to

“help reduce the administrative burden”. They did that and reduced the administrative burden by one letter, the letter that would have informed each of those families that their farms were to be inspected.

As far as I am aware, up to 19 inspections by DARD or its associated bodies can take place on farms, and each one of those can give up to two days' notice. So they can give notice of the inspections. I have heard Mr McAleer ask, on a number of occasions, whether we would rather break EU regulations. The guide on how to complete a 2013 single application and field data sheet states:

*“By submitting a Single Application, you agree to permit the Department to carry out an OTS land eligibility check (with or without prior notice at any reasonable time).”*

So even the Department, in its guidance notes, says that it has the ability to give notice of an area for remote inspection. It is within the Minister's gift to do this, and I ask her again to do it. Remote sensing will not go away. The frustrations have been mentioned repeatedly by a number of Members, and the debate has to try to improve the situation for next year. We have to get the payment out to the waiting families and ensure that the process is improved for next year.

Last year's pilot of 250 claims was referred to. It was June, Mr McMullan, before most of those farmers were paid. I think that the pilot was in and around the Ballyclare area. We now find that, because it is such a small geographical area, men meet at the same marts and agricultural suppliers so that information is being passed on. Families have been promised payment, but when Department officials ring, they say, “The payment will be coming at the end of February”. They also meet farmers who say to them, “I was part of that project last year, and I did not get paid until June”. So the stress on our farm families is increasing.

One thing that I find frustrating is the handling of single farm payments and how we process them. The Minister outlined this information in a recent answer to me. The cost to the Department of managing the single farm payment increased from £2 million to £2.63 million from 2010-11 to 2012-13, not including the cost of inspections. That is a 30% increase in three years. That is the cost of managing the fiasco to date. Out of this debate needs to come a better use of resource and learning from what we have seen last year and this year. I hope that the Department is able to do it.

My concern now is that I am already receiving communication from members of staff in DARD to the effect that, in the Department, people are being moved about to try to meet the February date. Other schemes, payment divisions and branches are having personnel removed to try to meet that date and ease the situation. Although that is commendable, I hope that the —

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

**Mr Swann:** — Department puts the resources into place to make sure that this does not happen again next year. If the same geographical area is selected again, and there is a chance that it will —

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

**Mr Swann:** — the same families will be hit for a second year, and they will not survive it.

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

**Mr McCallister:** The figures that Mr Swann gave on the cost of DARD administering the single farm payment suggest that that end of the public sector is one of the few areas not affected by austerity.

I declare an interest as a recipient of single farm payment, although it is probably a fairly modest one in comparison with Mr Irwin's.

There are many factors in this, and, when you condense it into small geographic areas, that intensifies the difficulties faced, not only by the businesses but, I dare say, even further up the supply chain. You are affecting cash flow in a limited area. As pointed out, south Down was not one of the areas affected, but that intensifies the problems that others are facing.

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

**Mr McCallister:** Certainly.

**Mr Swann:** The Member said that south Down was not affected this time, but I hope that he takes my point that the Department has now divided Northern Ireland into 157 tiles or geographical areas. So south Down may be a target next year — the word “target” was used by another Member — and that would intensify the problems with the supply of single farm payment in that area.

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

**Mr McCallister:** I am grateful, Deputy Speaker. My point was more that we had escaped this time, but dear knows whether we will be as fortunate in the future. That is the worry. We have been trying to sort out so many inspection issues for so long. The entire single farm payment process has been difficult.

We have had one party in charge of it now for seven years, and I have to say that the very fact that we are debating it again does not suggest that huge progress has been made in that area. You are intensifying the problems. You need to look at the various processes that are in place with our inspection model and compare them with those in other parts of Europe. Why does it seem so difficult to get some of these things right?

Every year, we talk about cutting red tape and making the application process for single farm payments easier. Quite frankly, as someone who has been in the system and looked at it from that point of view, I have not seen a lot of those changes or advances making it easier or less bureaucratic. Over the past 20 years, when we had the integrated administration and control system (IACS), which then evolved into single farm payments, we have not seen progress in making it simpler or more user-friendly. We have increased the levels of inspection and the burden that that represents, the penalties and the time lag for getting something. Even the businesses that get a clean bill of health on inspection still suffer significant delays to the payment. That is something that must be addressed.

Given her political background, the Minister obviously looks a lot to our near neighbours in the Republic. I am sure that she is aware of how they do this business. Mrs Dobson mentioned that, in the Republic, there are advance payments and staged payments that can help

with cash flow problems. We do not do that and have not even looked at whether it would be desirable. I think it would be desirable, particularly for the 10% of farms that are affected. It would have a huge impact on cash flow and help prevent some people going into dire financial hardship.

We must also look at some of the issues around it. The way they handle this process in the Republic of Ireland seems to be a lot better than what happens here. So, Minister, I think we will have to —

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

**Mr McCallister:** Briefly.

**Mr Milne:** Does the Member not agree that this is just the second year of this type of inspection? We are into a new system. You referred to Sinn Féin's seven-year Ministry. Does the Member not accept that there are always teething problems when it comes to new systems?

**Mr McCallister:** I am grateful to the Member for that. I look forward to Sinn Féin Members being so understanding when it comes to things like welfare reform and glitches with that computer system. I take the point that we have changed the system, but could we not get some of these things in order? I accept that it is only the second year, but this is causing severe financial hardship in limited, tight geographical areas. My point is that, when you apply this and look at comparisons from across the border, they suggest that Sinn Féin's goal of an Ireland of equals does not exactly apply to farmers.

**Mr Allister:** If there is one sector in our economy that is absolutely vital, it has to be the farming agriculture sector. It produces much of the food that all of us eat, and yet it is the sector that is probably the most regulated of all. Indeed, it is over-regulated and is constantly burdened with endless inspection and regulation. This episode is, in itself, an illustration of that.

As I understand the situation, from last May, the Department had the satellite images. It then embarked on aerial photography during the summer and then what did it do? What has it been doing since? We arrive at December with notification, when farmers are expecting their payment, but the Christmas message that they get from the Department — the supposed champion of farming — is very different. It is this: you are not getting your payment.

### 6.15 pm

Why did the Department hold off? It held off quite deliberately and consciously to stem a tide of protest and complaint, including MLAs and others campaigning on behalf of the farmers for the matter to be expedited. The Department said, in effect, "Don't tell anyone; we'll just bounce them. Come December, we're not going to make the payment". It was not because the Department was trying to prevent some cover-up by farmers of what the actuality was on their farms. It is not that sort of situation. It is aerial-type inspection. Quite a cynical hand has been at play in the Department in that regard.

I have a number of questions for the Minister. As we sit here tonight, how many field inspections that are now being resorted to are still outstanding? She has told us that she expects the payments to be made mostly in February. Here we are past the halfway point in February; can she tell us how many field inspections are still outstanding?

That will help us to judge whether the indication that the payments will be made will be met.

Can she give the House an assurance that the areas selected this year for random aerial inspection will not be selected in the coming year? Will they be exempt by virtue of the fact that they have been inspected this year, or could we face the scenario in which the same farmers will be subject to the double whammy of another such inspection next year? There are so many different areas, so there is nothing to be lost by giving an undertaking that those areas will be exempt from future inspections.

This whole episode amounts to another indictment of a failing Department. Under EU rules, it is allowed to make advance payments as early as October. However, it has not put in place anything to allow that to happen, so we are still restrained to December. Then, come December, a large number of families received that Christmas box from the Minister. The Minister presents herself as a friend of the farming community, but she presides over a Department that seems to excel in placing obstacles in the way of success for the farming community and starving it of funds. The single farm payment is not a luxury or an extra that farmers happen to get; it is the lifeblood for many of them. It was how many of them were going to pay their bills in December.

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

**Mr Allister:** Not only was it going to pay for Christmas, it was going to pay their suppliers as well. What does the Minister do? With a sweep of her hand she says, "You won't be getting it. We didn't bother telling you. Why would you need to know? You're only the supplier".

**Mr McMullan:** On a point of order, Mr Deputy Speaker. I ask you to rule on a comment by the Member for North Antrim. He implied that there was some kind of cynical move in the Department on the payments method. I ask for Hansard to reveal what was said and for you to rule on it.

**Mr Deputy Speaker:** I think that it was all part of the cut and thrust of debate rather than a specific attack on an individual.

**Mrs O'Neill (The Minister of Agriculture and Rural Development):** Go raibh maith agat, a LeasCheann Comhairle. I welcome the debate on remote sensing, as it is still a relatively new method of inspection for the Department. However — I will address the reasons why I say this — it has already proved itself a key instrument for the early completion of inspections and a mechanism to speed up payments to farmers. That is something that the House debates quite regularly.

Right at the outset, I want to register two key points. First, that the use of control with remote sensing this year has been a success and, secondly, that we are in the process of learning a great deal from its deployment in 2013. Part of that learning relates to the subject of the motion, and, despite the critical tone that some have chosen to take, I do not think that we should lose sight of the fact that remote sensing has improved things and that the context of where we are now has greatly improved compared with two years ago.

There are those who are talking about crisis. I do not accept that there is a crisis. I would have thought that a seasoned politician, such as the Member for Fermanagh

and South Tyrone, would have been able to recognise a crisis closer to home, maybe on his own Benches, quicker than he has recognised the crisis in this Department, because there is no crisis.

**Lord Morrow:** Like what?

**Mrs O'Neill:** There is no crisis.

I want to set the context, and I think that it is very important that we do that. There have been massive improvements. Even take 2011: it took until August to complete inspection cases. In 2012, we brought that back to June and, in 2013, we brought that back to April. Those are positive improvements, and we should not forget that things are changing and improving all the time.

Let me, therefore, set the motion in context by listing the benefits so that Members are clear about what has been achieved. First, as I said, we have paid many more farmers more quickly this year than ever before. I can confirm that not only did we have a record payment outcome in December but we have achieved a challenging payment target for overall payments in February. We have paid inspection cases faster this year than ever before, and I can confirm that the target to pay the majority of inspection cases in February has also been met. Hundreds of farmers who have been subject to an inspection and who, in other years, would not have had a payment at this point will have a payment in February. That includes hundreds of traditional inspections and hundreds of remote sensing inspections. I will return to the figures in more detail shortly.

Good communication with farmers is most important, including on the issue of inspections, but I must ensure that Members understand that I am constrained somewhat in that communication by the requirement to have an effective control system in place. So I will turn first to the regulatory context for scheme controls, before turning to the equally important issue of communicating well with farmers.

My Department is obliged to carry out inspections because, under EU regulations, a single farm payment cannot be made to a farm business until verification of eligibility conditions has been finalised. In 2013, my Department received over 37,500 claims for single farm payment. Commission regulations require a minimum of 5% inspections or on-the-spot checks to be carried out, which meant that 2,129 claims were selected for inspection in 2013. The data from those inspections is used by the European Commission to make assessments about the overall control framework. In other words, if significant errors are found in the random inspections in particular, the Commission will come to the conclusion that the same level of error is occurring throughout the entire population of farmers.

As Members will be aware, in 2012 my Department used remote sensing technology in the North for the first time, and 250 claims were selected for inspection. In 2013, as we recognised the benefits of that approach, we significantly increased the number of cases examined in this way and began the process of bedding the process into our systems. This meant that we undertook 1,139 checks using control with remote sensing techniques in 2013, with the remaining 990 cases subject to classic on-farm inspections.

Remote sensing is a tried and tested methodology in the majority of EU member states — I think Members have picked up on that point — and is promoted by the European Commission's joint research council to provide accurate and reliable land eligibility determinations. It involves the careful examination of a satellite image or aerial photograph. That information is compared with the area declared on the single application form. The satellite imagery and aerial photographs were taken in May 2013 and provided an accurate record of the conditions on the ground. In a number of cases, an on-farm rapid field visit may be required if an accurate determination of the eligible area cannot be made.

There are strict regulatory limitations on what the Department can tell farmers about inspection controls in advance and, indeed, the Department is empowered to carry out an on-the-spot land eligibility check, with or without prior notice, at any time. However, provided that the purpose of the control is not jeopardised, an on-the-spot check may be announced in advance, and I would want that to be so. The announcement is strictly limited to the minimum period necessary and, according to EU regulations, shall not exceed 14 days. To avoid the check being compromised, DARD usually advises of an on-farm visit 48 hours in advance. This applies whether the on-farm visit is part of a remote inspection or a traditional inspection.

In 2013, farmers who received either a classical field inspection or a remote sensing rapid field visit, where we had to access the farmer's land, were contacted by an inspector to make arrangements for the visit. Those farmers were, therefore, aware that their claim had been selected for inspection and, as a result, their payment was likely to be made later in the payment window that runs from December to June. The control images for remote sensing were recorded in May 2013, but it would not have been possible to inform farmers of that part of the process in advance without compromising the control. That will remain the case in future years. If the Department were to inform farmers of that aspect of the control at that stage in the year, the Commission would undoubtedly consider the rapid field visits to have been compromised.

Considerable work was needed to build and refine our protocols and IT systems in 2013 to introduce a new mapping system and make sure that other parts of the system connected effectively to the new control. The work is now substantially done, many rapid field visits are completed and payments are flowing to those farmers who were affected.

Although the guidance that accompanied the 2013 single application form advised that farmers would not receive notification of a remote sensing check, my Department considered industry feedback from 2012. In response, we considered that it would be helpful to notify all farmers if their business was selected for a remote sensing check, and letters to that end were issued to them in December.

There has recently been significant criticism of the timing of the letters and assertions that, for example, they should have been issued before the satellite photographs were taken. I share the concerns that were expressed but cannot contemplate such an early communication about an inspection, as that would not be acceptable to the Commission.

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

**Mrs O'Neill:** Let me finish this point. Having reviewed carefully the arrangements that were in place, my view is that, although farmers could not have been told at that point that they were subject to an inspection, we could, with hindsight, have aligned a letter to affected farmers with the timing of the determined areas notifications to other farmers. We are talking about an improvement of possibly 10 days, which would have been the difference.

Although some do not agree, there were advantages for farmers in a late notification. It meant that in a year in which new LPIS data had to be introduced to the claim forms and there was therefore considerable scope for error, farmers had the maximum time to make amendments to their claims without penalty if they encountered an error later on. However, it is clear that the impact on cash flow has been the overriding concern in recent weeks, and I want the Assembly to know that the Department has listened to the concerns expressed and understands them.

There is a related issue to do with the impact of using two zones for remote sensing. The selection process was carried out in accordance with the technical guidelines issued by the Commission. Although the Commission provides the satellite imagery for remote sensing checks, each member state is responsible for identifying the areas for inspection, known as control zones. Using random selection, those were identified: one in the east, mainly in County Antrim; and one in the west, in County Tyrone and the Clogher valley area.

Although it may seem unfair that there is a concentration of remote sensing checks in two geographical areas, and I recognise the impact that that has on rural communities, I reassure Members that the claims inspected by remote sensing were selected strictly according to EU guidelines. Nevertheless, there has been learning on the issue of zones. I am conscious of the significant localised impact that the use of two zones had on the areas affected and am determined to address the issue in 2014. I envisage even faster payment of inspection cases in 2014, so hopefully the cash flow challenge and related communication issue will not arise in the way in which it did this year.

I will now deal with the specifics of the progress that we have made through the use of remote sensing and other work to accelerate payments. I indicated that the use of control with remote sensing has contributed significantly to helping DARD to make faster payments in 2013, a scheme year in which there was major change to systems as a result of the introduction of a new mapping control. In response to the high standard required by the Commission, we used our experience from 2012 to build new, robust systems with increased automation to improve scheme controls. Given the Commission's requirement that payments could not be released until all controls were finalised, the Department would most certainly not have been able to pay so many farmers so quickly had only traditional inspections in the field been used this year. I cannot imagine that a single Member would argue for a return to a slower inspection process.

A key achievement was that 90% of 2013 single farm payments were finalised in December 2013, totalling £232.5 million. That was a massive increase on the

previous year, when approximately 83% of 2012 claims were paid, amounting to £184.1 million. As of today, 96.16% of claims have been finalised, including 400 claims from the remote sensing inspection process, totalling £255.92 million.

So, we have absolutely already exceeded our payment target of 95% for February 2014, with 96.16% of cases being paid.

### 6.30 pm

Payment of inspection cases began substantially in January, a few weeks later than non-inspected cases. The aim was to ensure that remote sensing cases were initiated in January or February at the latest. That has been achieved. Every effort is being made to finalise the remaining claims as early as is practicable, but, as I said, we have already achieved the target to have a majority of inspections paid by the end of February. I remain confident that any remaining cases will be paid by the end of April 2014 at the latest. That is two months ahead of the 2012 payment timeline and four months ahead of the 2011 timeline. From the most recent data, made available to me this morning, I can see that 1,340 inspection cases have been paid, 400 of which used remote sensing.

My priority has been to speed up the processing of the tail of inspection cases that occur every year. That has been substantially achieved. That is very significant in the context of the massive change programme that I have had to introduce in response to disallowance and in the context of the major work that is under way to prepare for CAP reform. It has involved a great deal of hard work on the part of staff across a range of disciplines, including IT, inspection services and general administration, and I am grateful to them for making it possible.

Looking ahead, I can say that we are already putting systems in place for the controls on 2014 claims. Depending on a satisfactory overall delivery of the 2013 programme — as I said, the learning is continuing — I intend to further increase the number of checks that are carried out by remote sensing for 2014 claims.

We have started working on the random selection of zones so that claims for verifiability checks can be selected at the earliest possible opportunity following the closing date for the single application form. That will mean that remote sensing, on-the-spot controls will begin earlier, and, as a result, farm businesses will receive earlier notification of the outcome of the check or of the rapid field visit, if one is required.

With the improvement in IT systems and the planned earlier start in inspections, I do not foresee the same concerns about communications arising in 2014. Farmers who have been subject to an inspection will be made aware of that in advance of their single farm payment. However, that will be done within the regulatory constraints that surround the advance notification of on-the-spot controls.

Although I welcome Members' comments, I think that you have to keep putting this in context. I clearly set it out, so I do not need to rehearse it. However, of 37,500 claims, 96.16% have been paid. Members cannot have it both ways: on the one hand, you are asking for things to be speeded up to get payments out, which I have delivered, but, on the other hand, you are quick to come to the Chamber to criticise. We have to put it in context.

I have always said this, but I absolutely accept the difficulty and stress that there will be if you are in the small percentage of people who are waiting for their claims to be processed. I assure farmers that I am doing everything that I can. I think that there is a proven track record in that: we have improved things year-on-year, and we will continue to do so. Go raibh míle maith agaibh.

**Mr Buchanan:** The single farm payment has been debated on numerous occasions in the House. That the issue is before the House again is an indictment of the Minister.

The single farm payment, as we all know, is a vital part of the income that is associated with many farm businesses. Indeed, last year, 87% of the total farm income came from single farm payments. That is why it is so important that the farming community is kept fully informed of any changes that have the potential to impact on any delays in that payment process.

However, 1,139 farm businesses were subject to remote sensing in 2013 without due notification, which has placed many of them in financial difficulty. In normal circumstances, a farm business is selected for inspection, and the farmer will be aware of that. Rather than receiving his payment in December, he will know that it is likely to be delayed for anything up to six months, giving him the opportunity to make financial preparations with his bank and suppliers for the delay.

The Department's failure to notify all the farm businesses that were subject to remote sensing inspections on their land has placed those businesses in crippling financial circumstances. That happened simply because a number of farm businesses were not notified in due time that they would be part of a remote sensing exercise. Although we are not here today to hammer remote sensing, if it can do anything to speed up the single farm payment inspection process, then the Department must step up to the mark in processing these inspections.

The Minister, in response to a letter to her last year requesting details of when images for the remote sensing were taken, confirmed, as mentioned today, that they were taken between May and August 2013, yet they were not being processed until six months later, in February. When I contacted Orchard House again today regarding constituents who were in contact with my office, I was advised that they received the applications only in the past week. Six months or more have passed since the images were taken and the Department seems to have had real difficulty in assessing the applications. Such delays are totally unacceptable and cause much frustration and anger among the farming community who have been subject to them.

**Mrs O'Neill:** I thank the Member for giving way, and I want to correct a point he made: he said that nothing was happening. I failed to address it in the debate, but I think that the Chairperson of the Committee raised the fact that the aerial photographs were taken and sat on a desk where nobody touched them or did anything with those cases. That is absolutely not the fact. Rapid field visits started immediately after the photographs were completed and that went on, and has done, right through the whole process. Let us be very clear: there were no applications sitting on a desk with nothing happening. Claims were processed continually.

**Mr Buchanan:** Despite that, we are standing here today with £25 million outstanding that has not been paid to the farming community. People are in dire straits; people need that money, and people are waiting for the postman coming every day to see whether the cheque is in the post. They are still waiting. Despite all that the Minister might say has been done and all the targets that have been met, we still have this crisis in the farming industry.

**Mr Frew:** I thank the Member for giving way. The Minister can say that if she likes, but the fact is that one of the reasons why the remote sensing inspections were not able to be completed was because the technology was not in place to process them. DARD had no choice but to let applications pile up and sit there. If the rapid field inspections were completed before December, then why, from 13 February, were only 440 single farm payments given out to the ones who had been the subject of remote sensing inspections?

**Mr Buchanan:** My colleague makes a good point. Again, that is something that the Minister failed to answer in her response.

To turn to issues raised by Members in the debate, the proposer of the motion spoke of remote sensing and how it should speed up farm inspections. He said that, despite that, the Department is not fit for purpose when dealing with these inspections, and rightly so. If the computer system is not in place as it should be, then we have a huge problem where the Department is not up to speed in dealing with the applications. Farmers were only being notified in late December that they had been the subject of an inspection. Again, I ask why it has taken so long to assess the images that were taken between May and August? Of course, it is causing massive financial impact on the farming community and I would like the Minister to take that into account. She may well quote figures and percentages, but let us remember that there is still £25 million outstanding and that is having a massive impact on the farming community.

Ian Milne said that we were moving towards having a perfect system and that more farmers have been paid than ever before. Again, he failed to mention that there is still £25 million outstanding and that there are still farmers struggling to survive until they get their single farm payments.

Joe Byrne spoke of the delays faced by those in farming businesses and said that it was intolerable. When remote sensing was introduced, DARD committed itself to notifying farmers and swiftly assessing applications.

Yet, as we stand here today, we see no evidence that the Department has moved swiftly to bring those assessments to a close.

The Minister must recognise her failure of the farming community in leaving these farmers to suffer financial consequences. That is the message that must go out from the House today. The Minister must recognise the financial consequences that this is having for the farming community. It appears that she is detached from the farming community. In her speech, she said that she does not accept that there is a crisis in the farming community. Listen to all the Members around the Chamber who are in touch with the farming community. Farmers are coming to them and pleading to get the process moved on so that they might get their single farm payment, yet the Minister

seems to think that there is no crisis at all in the farming community. That speaks volumes about how detached the Minister is.

William Irwin highlighted the fact that farmers are continually frustrated, year on year, as complications with the system increase. Farmers are relying heavily on the single farm payment because of other difficulties associated with the industry, yet they are continually let down. Let down by whom? They are being let down by a Department and a Minister who are not able to move the single farm payment forward in time for farmers.

Oliver McMullan quoted figures and percentages of all the single farm payment claims that are being dealt with and paid. What he failed to point out is that a number of farm businesses are being hung out to dry and placed in crippling circumstances because they cannot get their single farm payment. He said that we cannot get it all right in one year. We ask this question: why not? In an age of so much computer technology, why can we not get it right in one year?

Lord Morrow spoke about how regrettable it is that the debate had to take place. He spoke of the Minister's failure to come to the House with a statement to make Members aware of the crisis. He highlighted that £25 million is still outstanding. We have to get the message across to the Minister that £25 million is still outstanding. Those farmers are still waiting for it. The situation is bordering on a crisis. Lord Morrow spoke of farmers in his constituency who are —

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

**Mr Buchanan:** — pleading for payments as they struggle to keep going. I would like to say more, but I trust that the Minister will get the message today that there are farmers out there who are struggling and —

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

**Mr Buchanan:** — waiting for their payment. I trust that she will take action to ensure that those farmers get their payment.

*Question put and agreed to.*

*Resolved:*

*That this Assembly expresses dissatisfaction with the Department of Agriculture and Rural Development for its failure to effectively inform the 1,139 farm businesses that received a remote sensing inspection in 2013; notes that the farmers only received notification days before they were expecting their single farm payment and recognises that this will place many farm businesses under incredible pressure in the coming months; and calls on the Minister of Agriculture and Rural Development to explain how this happened and give assurances that she has put in place measures that will prevent it happening again.*

**Mr Ó hOisín:** On a point of order, Mr Deputy Speaker. Go raibh maith agat, a LeasCheann Comhairle. During the debate, Mr Morrow referred to a figure of £25 million; it is actually more likely to be around £10 million or £11 million. He followed that by saying that he thinks that that is considerable but that Sinn Féin obviously does not think that it is considerable, and we all know:

*“the way in which it operates”.*

Given that Sinn Féin, unlike others, publishes its annual accounts, will you make a ruling on that, a LeasCheann Comhairle?

**Mr Deputy Speaker:** The Member has made his point. We will move on.

*Adjourned at 6.44 pm.*

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# Northern Ireland Assembly

Tuesday 18 February 2014

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

*Members observed two minutes' silence.*

## Ministerial Statements

### North/South Ministerial Council: Trade and Business Development

**Mrs Foster (The Minister of Enterprise, Trade and Investment):** With your permission, Mr Speaker, I wish to make a statement in compliance with section 52 of the Northern Ireland Act 1998 regarding a meeting of the North/South Ministerial Council (NSMC) in trade and business development sectoral format. The meeting was held in the offices of the North/South Ministerial Council in Armagh on Wednesday 22 January 2014.

The Executive were represented by me in my capacity as Minister of Enterprise, Trade and Investment and by John O'Dowd MLA, Minister of Education. The Irish Government were represented by Richard Bruton TD, Minister for Jobs, Enterprise and Innovation. The statement has been agreed with the Minister of Education, and I make it on behalf of us both.

Ministers discussed a number of priorities in their respective sectoral areas and noted that these will be contained in a report to be considered at a future NSMC institutional meeting as part of the ongoing review of sectoral priorities.

The Council welcomed the presentation by officials from the Department of Enterprise, Trade and Investment and the Department of Jobs, Enterprise and Innovation on Horizon 2020; the EU framework programme for research and innovation 2014-2020; and the plans in place to strengthen collaboration between the jurisdictions under the programme to maximise mutual benefit.

The Council received a presentation from Martin Cronin, chairperson, and Thomas Hunter McGowan, chief executive officer, on InterTradelreland's performance and business activities, including information on performance against its 2013 business plan targets and highlights from its trade and innovation programmes and business and economic research activities in 2013.

The Council noted that, during 2013, InterTradelreland had exceeded its targets and delivered an 8:1 return on investment; assisted 56 first-time innovators and 56 first-time exporters; delivered 9% efficiency savings; and delivered a total business value of £56.4 million.

The Council approved InterTradelreland's 2014 business plan and recommended that the 2014 budget provision for InterTradelreland should be £9,126,720. The Council approved InterTradelreland's 2014-2016 corporate plan, which has been prepared in accordance with guidance

issued by the two Finance Departments. The Council noted InterTradelreland's annual report and accounts for 2012 and welcomed that the accounts were certified without qualification by the Comptrollers and Auditors General. Ministers noted that the certified 2012 annual report and accounts have been laid before the Northern Ireland Assembly and the Houses of the Oireachtas.

Ministers welcomed the recent publication of InterTradelreland's report, 'Access to Finance for Growth in SMEs on the Island of Ireland' and the insight offered by it on the financial ecosystem for small and medium-sized enterprises (SMEs) in Northern Ireland and Ireland. The Council noted among the key findings of that report that the demand for finance is now at least as important as the supply of finance for SMEs. The identification of a lack of diversity in the SME financing landscape was noted as was the pressure on working capital posed by late payments and cash flow management. It was also noted that a significant majority of businesses that apply for new credit — 91% for all and 84% for loans only in quarter 4 of 2012 — are successful in whole or in part.

The Council noted that the report focuses on three key areas — information, financial capability and development of venture capital and angel investors — and noted that 13 key recommendations have been proposed to develop a more diverse funding landscape in both jurisdictions. Ministers welcomed the fact that InterTradelreland will take forward recommendations of the report through liaison with relevant Departments and stakeholders.

I commend the statement to the Assembly.

**Mr McGlone (The Chairperson of the Committee for Enterprise, Trade and Investment):** Go raibh maith agat, a Cheann Comhairle. Mo bhuíochas leis an Aire as a ráiteas. I will comment on the approval of InterTradelreland's business plan and the budget provision for InterTradelreland. In the past three years, the budget has been £10,134,000 for 2011; £9,822,000 for 2012; and £9,507,000 for 2013. Against the background of a reducing budget, we heard last Thursday from ETI officials about the significant role that InterTradelreland has played in being the catalyst for the drawdown, potentially, I hope, of Horizon 2020 funding. Can the Minister give us some detail on what representation she has made to or, indeed, what collaboration she has had with the Irish Government in regard to the protection or enhancement of InterTradelreland's budget, with a special view to an increased role in drawdown of EU funding?

**Mrs Foster:** I thank the Chairperson for his question. As he will know, we here in Northern Ireland and the

Government of the Republic of Ireland have monetary pressures on budgets, and he rightly pointed to the fact that we have a decreasing budget over this past period. I am very proud of what has been achieved despite the fact that we have had a decreasing budget. I think that the facts speak for themselves, and I outlined them through the return that we have been able to achieve from the budget.

He will know that a lot of collaborative work is ongoing on the Horizon 2020 programme. I am very pleased that officials were with the Committee just last week about this issue. We will need to set our own target for Northern Ireland, which will be at least double the target for framework programme 7 (FP7). It has not been settled on at present. We will work collaboratively where it makes sense for Northern Ireland, and we will work with other jurisdictions where it makes sense for Northern Ireland. So, it is not just about InterTradelreland's budget. It is about the Department itself taking on the burden of really pushing forward on Horizon 2020, and we in the Department take on that burden very willingly. The Chairperson will know the work that has gone on in getting ready for that programme.

**Mr Dunne:** I thank the Minister, and I welcome her back from her travels. She is welcome back home after her mission and all the commitment that she has shown in selling Northern Ireland business throughout the world. Following your recent tripartite visit to Singapore, what business opportunities can we expect in engineering and aircraft manufacturing for Northern Ireland and the Republic of Ireland?

**Mrs Foster:** I know that the Member takes a particular interest in that sector, and I am very pleased to tell him that we had a very successful trade mission to Singapore. It was the first of its kind, and it worked very well for one simple reason, which was that we complemented each other in the skills and abilities of our workforce, and we brought different things to the party.

In respect of Northern Ireland, our very strong engineering legacy and innovative future played a key role, and I was able to speak very proudly about the supply chain that we have developed here not just for Bombardier but for other major tier 1 and tier 2 companies across the world. There are 50 companies involved in an engineering supply chain. I am very proud of that, and we will continue to work to support those companies as they look for global opportunities.

The Republic of Ireland looked at a different sector. They had a services company out with them, along with a leasing company and Dublin Airport Authority, and they looked more at the maintenance, repair and overhaul sector. So, we complemented each other in what we were doing. It was a very successful trade mission, and we look forward to the contacts that were made and the networking that we engaged in coming to fruition in the coming months.

**Mr Flanagan:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as ucht a ráitis. I thank the Minister for her statement. Given that SMEs across Ireland are particularly reliant on island-wide trade, has NSMC considered, or can NSMC consider, the development of a border economic development zone, as has been proposed by the Centre for Cross Border Studies recently?

**Mrs Foster:** It would be for each of the Ministers to consider whether that would be of help to each of their

jurisdictions. As regards SMEs and the work that we carry out in the North/South Ministerial Council and through InterTradelreland, the Member would be well advised to look at the work that we have been pushing forward through Acumen, for example. It is a trade programme that has been very successful. It was designed to stimulate cross-border businesses for SMEs; probably for most of them, for the first time exporting into a new market. A total of 81 new projects were initiated in 2013. I think that that is a very significant number, and I am sure that he welcomes that and the work that InterTradelreland does.

**Mrs Overend:** I thank the Minister for her statement. Looking forward, it is important that we improve Northern Ireland's ability to draw down European funding for innovation. We saw the Republic of Ireland being particularly successful in that regard with FP7. We are gearing towards Horizon 2020, and I appreciate that the Minister is looking at that. Can the Minister give us a breakdown in regard to the targets that she details for InterTradelreland between the Republic of Ireland and Northern Ireland, and can she expand on the collaboration strengthening plans and how Northern Ireland could benefit from those?

**Mrs Foster:** I do not have the breakdown of figures in front of me, but I am happy to write to the Member afterwards. What I can say about collaboration is that it has been shown that, when both jurisdictions collaborated in relation to FP7, we had a very high rate of success. We should have cognisance of that when we look to Horizon 2020, and that is what we will be doing. For me, it is very important that we let industry and academia know that we are here to facilitate their engagement in Horizon 2020. In particular, the points of contact that have been set up, under the leadership of Simon Grattan from my Department, to take forward Horizon 2020 will be very important, because they are people from industry and from academia who can drive forward applications to Horizon 2020. I think that that is the way to go: to be hands-on with industry and academia and not just expect it to happen, but, instead, to try to be very much involved in pushing forward the applications.

**Mr Lunn:** I am on the same track, Minister. I understand from a recent speech that Colette Fitzgerald gave that the disparity between the amounts drawn down for research and innovation between the North and the South is quite stark. Many millions have been drawn down in the South, but the figure up here is about €25,000, most of which went to Bombardier. Will the Minister comment on that and perhaps expand on her previous answer as to how we are going to promote the scheme more effectively?

**10.45 am**

**Mrs Foster:** I have to say to the Member that it is nowhere near €25,000. I think that we drew down nearly €60 million in respect of FP7 in collaboration with other colleges and what have you, so I do not know where the figure of €25,000 has come from. He will, of course, recognise that the Republic of Ireland is a sovereign state with a population of 5.5 million. We are a region of the United Kingdom with 1.8 million, so I would have expected the Republic of Ireland to have drawn down more from FP7 than Northern Ireland.

**Mr Anderson:** I thank the Minister for her statement today. I see that Tourism Ireland is putting great effort —

**Mrs Foster:** Tourism Ireland?

**Mr Anderson:** Tourism Ireland.

**Mrs Foster:** We are on InterTradelreland.

**Mr Allister:** Wrong question. It is the other bit of paper.

**Mr Anderson:** Sorry, yes. I got my questions mixed up.

In recent weeks, I have met representatives of InterTradelreland, and they indicated to me that there has been some sort of a weakness in the take-up of programmes in certain areas in Northern Ireland. What is the indication of the level of demand for programmes that are run by InterTradelreland?

**Mrs Foster:** I note that it is the case in the Republic of Ireland as well that there are some regions that do not have as high a take-up for programmes as, perhaps, in the border regions. I suppose that it is natural that InterTradelreland has more of an impact on the border region than it does in Cork or Kerry in the Republic of Ireland. I know that we in Northern Ireland would like to see more companies in the northern part of Northern Ireland taking up its programmes. It has in the past had workshops in places such as Ballymena and Coleraine, and I encourage it again, from my perspective, to make sure that all of Northern Ireland knows about the potential and possibility to get involved in InterTradelreland programmes.

**Mr A Maginness:** I thank the Minister for her statement. It was a most interesting statement, and one that highlights the good work being done between North and South. If I may be indulged, Mr Speaker, I congratulate the Minister on her involvement in the Singapore trip with the Irish and British Governments to get investment for these islands. I think that is important and the right way forward.

What I found most interesting in the report were the 13 recommendations for SME funding. Would the Minister like to expand a little bit on that? It seems to me to be an interesting way forward for SMEs.

**Mrs Foster:** I found the access to finance report from InterTradelreland comforting, in many ways, because it chimes with a lot of the work that has been going on in Northern Ireland, particularly the access to finance work that the economic advisory group has been carrying out. A lot of the findings have corroborated each other, so we have seen that all the myths about over-demand and not enough supply are not actually right and that demand is as big a problem as supply in relation to banks. I think that was quite surprising for some people, but, as I said, it is nothing new if you look at the other reports that have come out recently.

I was pleased that the report was able to get some of the information from our banks in Northern Ireland, which, frankly, we have been waiting on for quite some time. The Finance Minister and I have been asking for data from banks in relation to different sectors around Northern Ireland, and they have struggled to provide that information to us through the British Bankers' Association. However, InterTradelreland was able to access some of that information, and that is new. It is interesting to look at the sectors that come out on top again, and for us it is the agri-sector again. There is no surprise there, but it is pleasing to see that the banks are recognising the growth of the agrifood sector and the need to finance it. What we will do

is collate the information that we have from the economic advisory group, the access to finance group and, of course, the joint ministerial task force that has been set up between Westminster and Ministers. Simon Hamilton and I will look at that information. We will also look at ways in which we can influence banks nationally to make a difference here in Northern Ireland. All that reporting and information is useful only if we use it. I think that we will do that in the coming months.

**Mr Douglas:** I thank the Minister for her statement. I certainly concur with the previous questioner in relation to her visit to Singapore, which was very successful. She is certainly aware of the growing social enterprise movement in Northern Ireland. Is there work and a role for her Department in trying to encourage and support social enterprises to develop new markets in the Republic of Ireland?

**Mrs Foster:** Absolutely. I know that the social economy is very important to the Member who asked the question and, indeed, other Members around the House. I think that people are starting to realise the worth of that sector and the fact that it does more than just get people jobs, which in and of itself, of course, is very important, but it brings a social good to the particular areas where it is based and the work that it carries out.

The Department, in and of itself and through Invest Northern Ireland, is engaged in helping social enterprises to develop new markets. Of course, InterTradelreland will be able to assist through some of its programmes. I very much encourage social enterprises that are looking to the Republic for the first time to look at programmes such as Acumen or FUSION — or Elevate for that matter, which, of course, helps microbusinesses to grow more quickly than perhaps they would otherwise. I encourage them to look at those programmes and indeed to work through Invest Northern Ireland.

**Mr Rogers:** I thank the Minister for her statement. I, too, acknowledge the work that she is doing. The key word that she used was "complementary". Work here and in Dublin and London has a complementary nature.

With regard to InterTradelreland, its particular target of increased North/South participation in the EU research and development programme and the drawdown under Horizon 2020, if we compare the South's drawdown, which they hope will be €1.4 billion, with ours, which we hope will be €100 million, does the Minister believe that our targets are ambitious enough?

**Mrs Foster:** Our targets have to be ambitious. I think that they are ambitious enough. I recognise that the targets in the Republic of Ireland are very ambitious. However, we need to have targets that are challenging, but realisable. I think that they are realisable targets. I know that, given the infrastructure that we have put in and around Horizon 2020, we will work very hard to achieve those targets and will do so collaboratively.

**Mr Allister:** I note the reference to venture capital. I would like the Minister to elaborate a little bit. Is it the situation that InterTradelreland sees itself as simply a promoter of the concept of venture capital, or does InterTradelreland, at all, anticipate being a player in venture capital? If it were to be the latter, which might be surprising, would that be on the same basis as has been practised primarily by Invest NI — that of being a subordinated investor with private industry — or would it be on a different basis?

**Mrs Foster:** I thank the Member for his question. Indeed, one of the areas that the access to finance report majored on was the fact that we did not have enough angel investors or venture capital on the island of Ireland as a whole and, of course, particularly in Northern Ireland. Last year, InterTradelreland facilitated a venture capital conference, which really brought together a number of capital funds and angel networks to look at whether there were opportunities for them here. That was held here in Belfast. I do not foresee InterTradelreland setting up its own venture capital or angel investor scheme, frankly, because it does not have the money to do so. It will however facilitate, try to educate on and promote the different types of debt, equity and financing arrangements that are available in the market. I think that it is right that it does that, because one of the report's findings was that financial education is needed not just for institutions but for businesses and small businesses. We recognise that that can be a real challenge for small businesses, because, a lot of the time, they rely on overdrafts for their working capital. We want to try to help with some of that financial education work, and we will take that forward not just through InterTradelreland but in the Department.

### North/South Ministerial Council: Tourism

**Mrs Foster (The Minister of Enterprise, Trade and Investment):** With your permission, Mr Speaker, and in compliance with section 52 of the Northern Ireland Act 1998, I wish to make a statement regarding a meeting of the North/South Ministerial Council (NSMC) in tourism sectoral format. The meeting was held in Armagh on the 22 January 2014.

Minister Carál Ní Chuilín MLA and I represented the Northern Ireland Executive. The Irish Government were represented by Leo Varadkar, Minister for Transport, Tourism and Sport. I chaired the meeting. The statement has been agreed with Minister Ní Chuilín, and I am making it on behalf of us both.

Ministers discussed various priorities for the tourism sector and noted that those will be contained in a report to be considered at a future NSMC institutional meeting as part of the ongoing review of sectoral priorities.

The Council noted that a major review of tourism policy is under way in Ireland, as is a review of the Northern Ireland Tourist Board (NITB) and wider structures. Cooperation on a possible joint 2023 Rugby World Cup bid was welcomed.

Tourism Ireland chairperson, Mr Brian Ambrose, and its chief executive officer, Mr Niall Gibbons, updated Ministers on the work of the Tourism Ireland board, including implementation of the 2013 business plan and the development of the corporate plan 2014-16. They also reviewed the progress made on Tourism Ireland's specific, measurable, achievable, realistic and timely — SMART — objective performance goals for 2013 in the following areas: growing visitor numbers to Ireland and Northern Ireland; maximising tourism benefits from key events in 2013; improving competitive interest ranking in source overseas markets; and improving organisational efficiency.

Ministers were updated on the various board meetings that have taken place since the previous NSMC meeting. The most recent board meeting was held during December at the Crumlin Road Gaol in Belfast. Members of the boards of Tourism Ireland and the Northern Ireland Tourist

Board met senior executives from both organisations on-board the SS Nomadic to discuss matters of interest and areas for collaboration relating to tourism in Northern Ireland. Members of the Tourism Ireland and the Northern Ireland Tourist Board management teams gave a joint presentation on the forthcoming Giro d'Italia.

The Council noted the marketing campaign highlights for 2013, particularly the worldwide campaigns for the UK City of Culture 2013. In 2014, Tourism Ireland will leverage the launch of Giro d'Italia 2014 as new news and will continue to optimise and grow the prominence of Titanic Belfast and the Giant's Causeway as key visitor attractions.

Ministers approved Tourism Ireland's corporate plan for 2014-16 and noted that it aims to continue to deliver on increasing tourism to the island of Ireland and supporting Northern Ireland to realise its tourism potential. In approving Tourism Ireland's business plan 2014, Ministers recommended the budget provision for 2014 of €58.029 million, which is £49.905 million.

Ministers approved the reappointment of Niall Gibbons as the chief executive officer of Tourism Ireland, subject to the new contract being agreed with the Finance Departments.

The Council agreed to meet again in tourism sectoral format in autumn 2014. I commend the statement to the Assembly.

**Mr McGlone (The Chairperson of the Committee for Enterprise, Trade and Investment):** Go raibh maith agat, a Cheann Comhairle. Mo bhuiochas leis an Aire as a ráiteas. I thank the Minister for her statement. The Enterprise, Trade and Investment Committee has been made aware of the review of the Northern Ireland Tourist Board. However, the Minister might wish to provide more detail on the — this is referred to in the statement — major review of tourism policy in Ireland. I ask that she provide us with the detail on what is being reviewed at a strategic level across Ireland. Will the Northern Ireland Tourist Board review form part of a wider review? How does Tourism Ireland fit into it?

**Mrs Foster:** The Irish Government, in the form of Leo Varadkar, wrote to me some time ago indicating that they intended to carry out a policy review of tourism in their jurisdiction.

He wrote to let me know that that was the case. By that stage, we had already indicated that we wanted to review the Northern Ireland Tourist Board. However, the two are not linked; they are each separate reviews taking place at the same time. I suppose that will provide each of us with an impetus to see what the other is doing. However, his is about policy, whereas mine relates to Northern Ireland Tourist Board efficiency and effectiveness and how it delivers, whether there are any synergies with Invest Northern Ireland and whether we could do things better. Given the Northern Ireland Tourist Board's role during the past couple of years and the very good job that it has done, now is a good time to review it. I look forward to receiving the results of that review, I think, by the end of next month, March.

### 11.00 am

**Mr Dunne:** I thank the Minister for her statement. What opportunities for increased flights, which are critical for the development of tourism, exist for Belfast International

Airport and, indeed, George Best Belfast City Airport so that we could see new operators coming in and out of the Province?

**Mrs Foster:** That is a very timely question, because, just yesterday, I had a meeting with Belfast International Airport and one of its carriers. I hope that we will be able to make some announcements in the near future on new routes. Obviously, it is critical, and I have said on record many times that, if we want to see more tourists coming to Northern Ireland, we need to have more direct access.

Canada remains for me very much a key area from where I would like to see direct access come in, and we continue to make progress in that market. Of course, we want to see more connectivity through Belfast, either through the international airport or the city airport, with European destinations.

We will continue to work with the airports, because, at the end of the day, this is a matter for the airports. We can deal with air passenger duty (APD) with our colleagues in Westminster, we can talk with Tourism Ireland about the marketing that can be put around any new routes, and we can be as positive as we possibly can, but, at the end of the day, it is for Belfast International Airport and Belfast City Airport to put their best foot forward. I assure them that, when they do, I will be right beside them to make sure that we can deliver on those routes.

**Mr Flanagan:** Go raibh maith agat, a Cheann Comhairle, agus gabhaim buíochas leis an Aire as ucht a ráitis. I thank the Minister for her statement, which refers to the review of tourism policy in the South and the review of the Tourist Board in the North. Will the Minister enlighten us on the discussions that she has had with her counterpart in the South, Leo Varadkar TD, on the overall organisational structures of the tourism organisations across Ireland that are responsible for the promotion and development of tourism? There is a perception that, for a small island, we have far too many organisations charged with promoting and developing the tourism sector here and that if rationalisation were to take place, greater improvements could be made.

**Mrs Foster:** I hope that the Member is not suggesting that we get rid of Tourism Ireland and just have the Northern Ireland Tourist Board promoting Northern Ireland. Maybe he is. Maybe that is what he would like to see happening. If that is the case, he should write immediately to Mr Varadkar and make his views very clearly known.

As I said, the tourism policy review in the Republic of Ireland is just that: it is a policy review, and they are looking — being a sovereign government, they are entitled to do this — at how they set out their policy for tourism. We, on the other hand, are looking at the Northern Ireland Tourist Board, its structures, its effectiveness, its efficiency and how it can work better with other agencies in Northern Ireland so that we can sell Northern Ireland to the rest of the world and look at it as a plc that we work very closely with.

Just this morning, I was at a business ambassadors' breakfast in the city centre. I was very pleased to be with Visit Belfast, the Northern Ireland Tourist Board and Invest Northern Ireland. They are all working together with a single point of view, which is to sell Northern Ireland as a place to come to, visit and to invest and do business in. That is what I want to see happening.

**Mrs Overend:** I thank the Minister for her statement. I note that a cross-border working group has been set up and will report back to the Governments and will then consider moving forward to submit a formal application to host the Rugby World Cup in 2023. Does the Minister agree that, if we move forward with a joint bid, it is very important that the issue of flags, emblems and anthems for the Ireland rugby team must be sorted out satisfactorily? Was that raised at the meeting?

**Mrs Foster:** No, it was not raised at the meeting because we are just at the very start of a journey that, I think, everybody in both jurisdictions is quite excited about. We believe that if we are successful in bringing the Rugby World Cup to both jurisdictions in 2023, it will make a huge difference in how people view the island and in our tourism potential. Frankly, as a rugby fan, I am very excited about the prospect as well.

The issue of flags and emblems and the Irish Rugby Football Union (IRFU) obviously caused some people in Northern Ireland concern, and we hope that when Ireland is playing in Northern Ireland, Northern Ireland's position in the United Kingdom will be respected; and, of course, when we are playing in the Republic of Ireland, the Republic of Ireland's position will be respected. A bid for the Rugby World Cup is absolutely nothing to do with flags and emblems; it is to do with sport. Therefore, we respect the constitutional position of both countries, but we go ahead and move together to ensure that we can bring the Rugby World Cup here in 2023.

**Mr Lunn:** I see the reference in your statement to the Giro d'Italia, Minister, and congratulations again on obtaining this very prestigious event for Northern Ireland. What is your comment on the current proposal that perhaps we should refrain from displaying election posters, flags, emblems or murals along the route for the duration of the Giro d'Italia, just to sell Northern Ireland even more effectively?

**Mrs Foster:** I have noted the ongoing discussion around this issue. Let me be very clear. As regards election posters, my party colleague, our deputy leader, has already indicated that we would be more than happy for election posters to be taken down across Northern Ireland, because, frankly, we do not need election posters to get the vote out. So, that much is very clear.

However, I have noted the comments of the Alliance Party in relation to flags and murals. Let me say this: does the Member really think that pronouncements from this Chamber will solve the issues around murals and flags in working-class areas across Northern Ireland, or does he think that it would be better to encourage communities to deal with the issues? I commend the work that has been going on in various communities. Indeed, my colleague Mr Douglas, a Member for East Belfast, informs me that an effective programme called The Writing is not on the Wall has been happening in east Belfast, for example, where they have managed to take away some of the paramilitary murals and put up murals to C S Lewis and others. I welcome that, because I hope that the Member is not suggesting that we get rid of murals completely. Because murals are actually —

**Mr Lunn:** No, I did not.

**Mrs Foster:** Well, actually, if he listens back to what he said, he said get rid of murals. Murals are part of a cultural

expression across Belfast and Northern Ireland, and I think that it would be sad if visitors to Northern Ireland could not engage in appreciating the rich cultural heritage that we have here. Paramilitary murals should of course be taken down; they should never have gone up. However, I must say that pronouncements from here will not solve that; working with communities will. I commend those in the House who work with the communities to try to solve those problems.

**Mr Frew:** My question relates to the Wild Atlantic Way, which is being heavily promoted in the Republic of Ireland, and rightly so because it is a beautiful part of the Republic. What can be done to ensure that tourists who travel the Wild Atlantic Way travel on across the border to the gorgeous Causeway coast, the most beautiful part of Europe and maybe even the world? *[Laughter.]*

**Mrs Foster:** Never known to understate his case, Mr Frew brings it forward again. We have, of course, spoken to Tourism Ireland about this issue. The Wild Atlantic Way seems to be the key element of the Republic of Ireland's tourism message to the world over the next 12 months or so. We are keen that people who take the Wild Atlantic Way to Donegal move over into Londonderry and across into Antrim and Down to appreciate what we have to offer here in Northern Ireland. So, yes, we have discussed that issue, and Tourism Ireland is very much aware of it.

**Mr Anderson:** I thank the Minister for her statement. I see that Tourism Ireland is putting great effort into greening a series of buildings throughout the world for St Patrick's Day. I look forward to many of those buildings being turned orange for 12 July. What is Tourism Ireland doing to promote places such as Armagh, Downpatrick and Slemish, which are regions that can be marketed throughout the world as the home of St Patrick?

**Mrs Foster:** As I have said on a couple of occasions this year, we need to get behind what is happening with St Patrick and Christian heritage and start looking for different ways to draw people into Armagh, Slemish and Downpatrick and, indeed, right up into Strangford and Bangor. I noticed today that most of the Irish Cabinet are away for St Patrick's Day on a world tour — I think that that is how it was described in 'The Irish News' — and we have such a good product here with St Patrick that we should invite everybody to come here for St Patrick's Day instead and get involved in walking trips and the pilgrim walking trail. I look forward to talking to Members about the whole area of Christian heritage and to working with them to make the St Patrick story a real and tangible one for Northern Ireland.

**Mr A Maginness:** I thank the Minister for her statement. I note that the Tourism Ireland board met in Crumlin Road Gaol in my constituency of North Belfast. I thoroughly approve of that and commend it as a venue for meetings of other public bodies. The statement mentions growing visitor numbers to Ireland and Northern Ireland. Will the Minister expand on that? Are numbers actually growing, or is there still a problem with a decline in visitors to Ireland, North and South?

**Mrs Foster:** The Northern Ireland figures, for tourists from Great Britain, are continuing to rise, and we are very pleased about that. That has taken a lot of work, and the UK City of Culture, the World Police and Fire Games and the G8 summit last year raised our profile with our colleagues in Great Britain. Overall, visitors

from outside Northern Ireland increased by 7% last year, which we welcome. However, there is always much more to do, and we look forward to working with colleagues in Tourism Ireland and the Northern Ireland Tourist Board to make sure that those figures continue to rise. We have Programme for Government targets to hit, and it is important that we do so.

**Mr Douglas:** I thank the Minister for her statement. Mr Speaker, you hosted a smashing dinner here last night with the New Zealand High Commissioner, Sir Lockwood Smith, at which he talked about the importance of establishing strong economic and tourist links with Northern Ireland. Has the Minister had any assurances that we will host a major rugby match in Northern Ireland during the 2023 Rugby World Cup, particularly involving teams such as New Zealand — the All Blacks — which is one my favourite teams?

**Mrs Foster:** Given the weekend that is in it, you cannot say that. Surely not. My ministerial colleague — to be fair — and I have been saying that we want to ensure that major teams not only play games in Northern Ireland but are also based in Northern Ireland. It is not just about the games that will come here. There have been discussions about the facilities that we have, and will have, by 2023. However, it is also very important that some of the major teams are based up here as well, and that is a key element of our participation in the bid. You would expect me to say that.

**Mr Campbell:** The Minister announced in her statement a budget of almost £50 million for next year. Will she assure the House that progress will continue to be made on specifically marketing Northern Ireland, whether through Tourism Ireland or the NITB, from major marketing programmes at the top end of the scale and right down to the product that is on sale at NITB-supported shops in Northern Ireland?

#### 11.15 am

**Mrs Foster:** I think that I know what point the Member is making, particularly in his latter comments. I assure him that I will continue to stress to Tourism Ireland that we need standout, particularly in the Great Britain market. I think that it is fair to say that things work well when we appeal to our colleagues in the rest of the United Kingdom. It is very important that Tourism Ireland, in its messaging, gives Northern Ireland standout. To be fair, my colleague the Minister in the Republic of Ireland, Leo Varadkar, made that very point about parts of the regions of the Republic of Ireland as well. He said that they were not getting the standout they feel that they should get and that Dublin does get. We will continue to make that point.

It will come as no surprise to the Member that I have no control over airport shops, but I wish that they had a more balanced approach to the merchandise that they sell. There is little point in putting on sale items made in various other parts of the world and none from Northern Ireland.

**Mrs McKevitt:** I thank the Minister for her statement and welcome the efforts to increase routes to Belfast airports, as she mentioned in a previous answer. As the Minister is aware, more than six million visitors arrive in Dublin Airport every year. Given that Ministers have approved Tourism Ireland's corporate plan for 2014-16, how does she aim to increase tourism to the island and attract to the North, particularly south Down, a fraction of the visitors to Dublin?

**Mrs Foster:** It is very important that we work with the tour operators to make sure that Northern Ireland is on the agenda of visitors arriving on the island through Dublin. We have engaged in that in the German, French and other markets. We believe that, if we are able to get on the major tour operators' agendas, we will be able to draw visitors to Northern Ireland when they are on organised tours of the island.

The Member is right to mention south Down. It is important that all of Northern Ireland benefits from visitors to the island.

**Mr Rogers:** I thank the Minister for her answers so far. I also congratulate her on the Giro d'Italia and the meeting that we had about it.

What are the Northern Ireland Tourist Board and Tourism Ireland doing to optimise and grow the prominence of all parts of Northern Ireland? In particular, what are they doing to ensure that the Giro d'Italia becomes a legacy event rather than just a one-off and gets to places such as south Down, which Percy French thought was the nicest part of Ireland?

**Mrs Foster:** As the Member knows, we have had a conversation about the Giro d'Italia and its legacy. An event called the gran fondo takes place after the Giro d'Italia, usually a year later. I am keen that areas that have not benefited directly from the Giro d'Italia — I say "directly" because I am sure that there are businesses around the Province that will benefit indirectly wherever they are located — will benefit from the gran fondo. I look forward to continuing discussions with the Member on that issue.

**Mr Allister:** The Minister suggested that there has been a constant upturn in tourist numbers. Why is it that the statistics published by her Department on 6 February record:

*"a 2% fall in the estimated number of overnight visits by external visitors for holiday purposes in the first 9 months of 2013"?*

Does the Minister see any link between the downturn in visitor numbers and the fact that the Northern Ireland Tourist Board is prohibited from promoting Northern Ireland outside the Province?

**Mrs Foster:** Of course, the Northern Ireland Tourist Board has been prohibited from promoting Northern Ireland outside of the island since 1998. Under the Belfast Agreement, its remit extends to the Republic of Ireland and Northern Ireland. That is where we are. I did not vote for it and neither did he, but we have to deal with the reality that is in front of us.

The Northern Ireland Tourist Board will continue to work collaboratively with Tourism Ireland. I am keen that it does so. As regards external visitors, the number has risen by 7% and associated expenditure by 5% compared with the same period last year. That is due largely to an increase in visitors from Great Britain, which has increased by 14% on the same period last year.

I think that is because I have been clear with Tourism Ireland that we need stand out in the Great Britain market for Northern Ireland. I make no apology for that because it is right, in the United Kingdom, that we are given stand out in that market. It is bearing dividends.

## Executive Committee Business

### Budget Bill: Further Consideration Stage

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

*That the Further Consideration Stage of the Budget Bill [NIA 32/11-15] be agreed.*

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

## **Tobacco Retailers Bill: Final Stage**

**Mr Poots (The Minister of Health, Social Services and Public Safety):** I beg to move

*That the Tobacco Retailers Bill [NIA 19/11-15] do now pass.*

The main purpose of the Bill is to ensure that the minimum-age-of-sale policy for tobacco products is more rigorously applied by retailers. That will be achieved by introducing tougher measures for non-compliance.

It is a well-known fact that the majority of smokers take up smoking before they reach adulthood. Most will have tried their first cigarette and many will have become addicted before they are of legal age to purchase tobacco products. There are many reasons why young people start smoking in spite of being aware of the dangers. There is the smoking behaviour of those who surround them on a daily basis; parents, siblings and friends are major influences. External influences such as the media and promotion by tobacco manufacturers also have an impact.

We are all aware of the statistics related to smoking. However, it is worthwhile to remind ourselves that in Northern Ireland today more than 357,000 adults are smokers. That represents 25% of the population. Over 80% of those smokers took up the habit when still in their teens. The latest research shows that 8% of 11- to 16-year-olds are smokers. Northern Ireland has the highest smoking prevalence in the United Kingdom. Every year, about 2,300 people in Northern Ireland die from smoking-related illnesses. That is about 45 people per week. Each year, there are 17,000 tobacco-related admissions to hospital, and the estimated hospital costs of treating tobacco-related diseases are in the region of £164 million each year.

As is the case with many public health issues, the burden of illness and death associated with tobacco use falls most heavily on those living in areas of social and economic deprivation. However, it is also true that no section of our society is completely immune to the harmful effects of tobacco. Given the widespread damage caused by smoking, it is incumbent on us as legislators to ensure that we do everything in our power to prevent people from becoming addicted to this lethal habit.

As Minister of Health, Social Services and Public Safety, I want to further discourage the unlawful sale of cigarettes to young people as much as possible. Much has already been done to tackle the problem of young people taking up smoking. For example, we banned the sale of tobacco from vending machines, thereby preventing young people from going into business premises and other places to buy cigarettes from unsupervised sources. In 2012, we prohibited displays of tobacco products in large shops, and we will apply that to all shops from April 2015. The aim of that measure is primarily to ensure that children will no longer be exposed to brightly lit gantries that contain glamorous images of tobacco products.

Members will be aware that on Monday 3 February the Assembly passed a legislative consent motion on a tobacco-related amendment that was tabled by the Department of Health to the Children and Families Bill at Westminster. The amendment concerned the retail packaging of tobacco products, more commonly referred to as "standardised packaging". The amendment provided the Secretary of State with regulation-making powers

on a UK-wide basis. Those regulations may impose requirements in relation to the appearance of, and markings on, the external packaging of tobacco products as well as the internal packaging and any wrappers of such products. The aim of that measure is to close off that form of tobacco advertising, thereby helping to further prevent the uptake of smoking by children and young people.

The Assembly's agreement to the legislative consent motion is another important step in protecting our children from exposure to tobacco promotion through branded packaging, and it will also ensure a consistent UK-wide approach to action on the issue. However, whilst a great deal of progress has been made, we need to strengthen our efforts if future generations are to live free from the illness and disability caused by tobacco addiction. That is why the aim of the Tobacco Retailers Bill is to further reduce the number of young people who smoke by restricting the availability of cigarettes to them. It also targets tobacco retailers who break the law by selling cigarettes to those under the age of 18. The inclusion of powers to deal with proxy purchasing also targets unscrupulous adults who buy tobacco products on behalf of children.

I have no doubt that the vast majority of retailers are conscientious and law-abiding. However, the evidence shows that shops continue to be the main source of tobacco for under-18s. The Bill will provide a strong deterrent to retailers on selling tobacco to under-18s and will create an effective enforcement tool for local councils. Most importantly, the Bill will help to reduce the number of young people who take up smoking and, ultimately, help to save lives in Northern Ireland.

**Ms Maeve McLaughlin (The Chairperson of the Committee for Health, Social Services and Public Safety):** Go raibh maith agat, a Cheann Comhairle. On behalf of the Committee, I welcome the Final Stage of the Bill.

The Bill is very welcome and timely. Having looked closely at the Bill and what it has to offer, the Committee is confident that it will take us another step forward in tackling underage smoking and, hence, protect the health of our children and young people. It will do that by introducing stricter sanctions against those retailers who continue to sell tobacco to under-18s, thereby ensuring that the minimum-age-of-sale policy is more rigorously applied by retailers.

The Bill has been significantly improved and strengthened by the amendments that the Health Committee persuaded the Department to make. The Committee's detailed scrutiny led to it recommending that the Department make amendments to a significant number of the 26 clauses in the Bill. Again, I thank the Minister for his cooperative approach and for taking on board the Committee's recommendations.

There are a number of amendments that have been made that deserve particular mention because of their importance to the Bill. An amendment was made to bring forward a new clause 1 to create a registration authority that must maintain a register of persons who are carrying on tobacco businesses.

The original clause 1 proposed that there would be 26 separate registers, one for each council area. The Committee was concerned that the lack of a centralised

registration system could result in information not being shared between councils as efficiently as it could be. In particular, members were concerned that details of people convicted of, or given fixed penalty notices for, tobacco offences and people convicted of illicit tobacco offences would not be routinely shared between the councils. The Committee therefore asked the Department to explore having a central register. The Department agreed to do so, and that amendment significantly strengthens the Bill.

Another important amendment was about who can apply to register as a tobacco retailer. That was a significant issue, which was discussed at length by the Committee. We took the view that, given the responsibility involved in selling tobacco, somebody who has a serious conviction for selling illicit tobacco should be prevented from registering as a tobacco retailer.

### 11.30 am

After consideration, the Department proposed an amendment to clause 4, whereby a person who has been convicted of an illicit tobacco offence resulting in a custodial sentence, whether suspended or not, shall not be allowed to register as a tobacco retailer for a period of five years from the date of the conviction. Again, this is a significant change to the Bill that will tighten up the procedures around who is allowed to register as a tobacco retailer.

Another key set of amendments related to the threshold for a court to be able to impose either a restricted premises order or restricted sales order. The original Bill stated that three offences committed in three years will result in a restricted premises order or restricted sales order. However, given the frequency of test-purchasing exercises, the Committee suggested that three offences in five years would be more realistic for securing a restricted premises order or a restricted sales order and would also act as a better deterrent. The Department concurred with the Committee's thinking on the issue. We welcome the amendments that are reflected in clauses 5 and 6.

I will conclude by saying that the Committee is very pleased to see the Bill come to Final Stage. The protection of children and young people's health is everyone's business. I think that the Assembly can congratulate itself on getting the Bill onto the statute book.

**Mr Wells:** Imagine a situation in which a Minister came before the House and announced a brand new product called tobacco that he or she was going to bring in from the United States. He or she would sell it to the Assembly as follows, "This new product will kill 2,300 people a year in Northern Ireland. It will cost the health service an extra £190 million a year to treat those afflicted by this product called tobacco. It will mean that several hundred people a year will die agonisingly painful and slow deaths from lung cancer. It will greatly increase the incidence of heart disease and chronic obstructive pulmonary disease." Would anyone in the Assembly for one moment support the introduction of that product? Well, that is exactly what we have.

We have an epidemic of smoking in Northern Ireland. We still have 24% of the people of this Province smoking. The figure for manual labourers is 31%. It is proving extremely difficult to get those numbers number down. The sad reality is that, in Northern Ireland, the smoking industry

has to recruit 2,300 people every year simply to replace those who die from their product. In the rest of the United Kingdom, it has to recruit 100,000 new people a year to replace those who have died from tobacco consumption. The reality is that over 80% of those who they recruit are young people who, legally, are not supposed to be smoking tobacco at all. Therefore, I strongly welcome this legislation, which will make it difficult to obtain tobacco either through directly purchasing it in a shop or through getting others to do it on their behalf by proxy purchase.

I congratulate both the Minister and the departmental officials for the way in which they worked with the Committee on this issue. When all parties in the Health Committee decided to make our legislation as strong as possible in the UK context, we were pushing at an open door. What we have today is the best legislation to protect our young people from this awful habit. When we put realistic or at all sensible proposals to the officials, they came back with an attitude of, "The answer is yes. Now, what is the question?" I have to say that I am used to other Committees in the Assembly, where the attitude is, "The answer is no. Now, what is the question?" However, DHSSPS officials were presumably told by the Minister and the permanent secretary to go in and work with the Committee, and they did so. Therefore, the Committee unanimously supports the proposal.

It is very seldom that I congratulate Mr McGimpsey, but he, previous direct rule Ministers and now the present Minister have all introduced a succession of measures to make smoking unattractive to the people of Northern Ireland. To those who say that this is a case of the nanny state and is unacceptable — I wonder why they are not here today — I say that the tide is inexorable. It is very clear that there has been a sea change in society's views on smoking.

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

**Mr Wells:** I certainly will.

**Mr McCallister:** I support the Member's views on smoking and all the measures that have been taken against tobacco. However, I remind him that most of the people who have said that this is a case of the nanny state are his party colleagues.

**Mr Wells:** Yes, and I think they, by their absence this morning, realise that the tide is, indeed, inexorable. They have always made it very clear that their opposition is based not on health issues but on employment issues. They are defending their constituents' jobs. They do not want anyone, for one moment, to be encouraged to smoke, whether they are under 18 or otherwise. They are defending their constituents and economic welfare, particularly that in Ballymena. They realise, and all rational people realise, that the tide is inexorable.

Since the previous debate on the subject, we have had a vote in the House of Commons on the prohibition of smoking in cars with children — it was almost four to one in favour of that measure being introduced. I think that it is absolutely inevitable that we, in Northern Ireland, will go the same way, and rightly so. It is absolutely inexplicable to me that anyone would smoke in a vehicle with young children present, particularly their own children. I cannot understand why anyone would do it. So, the sooner we move towards that situation, the better.

There are, of course, the naysayers, or, as someone called them, the pseudo-Jeremiahs, who say that you cannot enforce that. We could not have enforced the ban on smoking in restaurants and public houses — the public houses, by the way, which I do not go to. We could not have done that. However, when you see loyalist paramilitaries on the Shankill Road, with studs in their ears, tattoos on their arms and scars on their faces, standing out on the Shankill Road smoking because they know that they are not allowed to smoke in the local bar, the Rangers supporters club, it tells you something. It tells you that the community is enforcing this. The community has decided that it is totally unacceptable and is self-policing.

Therefore, we have not had to have police or environmental health officers raiding bars and restaurants in Northern Ireland. That has not happened, because the law set public opinion on this issue and the people, as a community, believe that this is the right thing to do and have self-policed. Therefore, I believe that, with this legislation — with what the Minister is doing and, hopefully, with the ban on smoking in cars with children — people will realise that it is simply wrong. You will get 99% compliance, because people will realise that the law is setting public opinion.

Therefore, this is all going in the right way. I congratulate the Minister on this legislation. It could not come soon enough, and I totally support what he is trying to do.

**Mr P Ramsey:** Let me apologise on behalf of Fearghal McKinney, a member of the Health Committee, who is unable to make the debate due to a family bereavement.

I welcome the opportunity to speak on behalf of the SDLP in the Final Stage of the Tobacco Retailers Bill and to express our support for it. This legislation will no doubt work towards curbing the number of our young people who smoke and will tackle the illegal trade in cigarettes. I am impressed with the Minister's approach to this and, without deviating from the subject, to the misuse and abuse of alcohol on the streets of Northern Ireland, particularly after the Odyssey Arena event. As legislators and civic leaders, I think that we all have a duty to do our utmost to try to curb this unfortunate illness that we have in alcohol abuse.

The Health Committee's work and its detailed scrutiny of the Bill led, as other Members said, to a significant amount of amendments to the Bill's 26 initial clauses. The result of that collaboration between the Committee and the Department is a more robust and effective piece of legislation. It is obvious that the Committee has spent a considerable amount of time deliberating on this and on coming through with a consensus that it is meaningful for us, as legislators, so that we can try to attack the actions of so many of our young people who are smoking and who think that it is OK.

However, we must remember why the Bill and the suite of mechanisms that it provides for are so timely. Other Members referenced the number of deaths in Northern Ireland that are directly related to smoking. Some 2,300 people die every year, as Jim Wells said, from heart disease, asthma and other chronic illnesses that are clearly the result of smoking.

As the Minister outlined, 80% of smokers started smoking in their teenage years. As a former smoker, I can clearly see, thankfully, after a number of years, the benefits to me of getting off cigarettes. I also see the benefits for other

people who have given up cigarettes, who may otherwise have had a recurrence of a chronic illness such as asthma. Over time, you see a gradual benefit.

The Bill is important because peer pressure, particularly among young people and children, is immense across our society. They think that it is grand to have a few cigarettes. Young girls in particular think that it is OK because it will help with dieting. They think it will reduce their weight and help to keep it down.

We have to get the message out. Although this Bill is aimed at the illegal selling of cigarettes, it is important that we have the education, awareness programmes and early intervention in primary and post-primary schools that are so important in having an impact on discouraging young people from what we all know to be an awful habit. If we can put statutory measures in place now, it will reduce the availability of cigarettes to younger people. Clearly, that will lessen the likelihood of people taking up a smoking habit in their teenage years and into their 20s and 30s. That is when they develop chronic illnesses.

To tackle the clear prevalence of smoking-related illness, much of the Committee's scrutiny of the Bill revolved around the creation of registers containing details of tobacco retailers. Originally, 26 registers were intended for implementation; one for each district. Those registers would facilitate transparency. Any individual who was not sure about a distributor could look up the pertaining register and ascertain whether that retailer was registered. The Committee noted inconsistency in that model regarding accessibility. Sometimes, along district borders, it may not be instantly comprehensible which district a certain retailer may be located within. That confusion could be further compounded by the new council model, which would alter the district areas. The Department and the Public Health Agency should certainly examine that.

The issue of duplication was also raised by the Committee. One tobacco retailer may own multiple premises and, at each, the degree of legality to which they sell tobacco products could vary. The Committee was very concerned that there may not be an appropriate level of information between 26 different registers and, as a result, misdemeanours may fall and be lost. To rectify this, the Committee proposed a central register and the creation of a registration authority. With such a system, anyone who is concerned about a retailer can simply log on, type in the relevant details and see for themselves whether an individual is registered. Not only would that Committee proposal be much more effective, but it would be much more cost effective and efficient. Indeed, the Committee heard evidence about how much the creation of registers can cost and agreed that a central register simply made common sense.

There were other issues about the level of detail contained in the register. Some on the Committee wished for a larger amount of detail to be present. However, the risks of such a level of detail were well documented by the Department. Not only would incorrect information potentially affect the business of a retailer but, as has been suggested, if notices of penalties and convictions were published, there may be human rights issues involved. For the above reasons, the Committee was content to follow departmental advice on that issue.

Another area of discussion, which the Chair mentioned, surrounded the viability of amendment No 4. The Committee suggested that it would be plausible to impose a restriction on obtaining a tobacco licence on any individual who had already been convicted of an illicit tobacco sale. The Department raised issues on that amendment as, naturally, there are varying degrees of criminality in that regard. After discussion with the Department, it was concluded that any person who had been convicted of an illicit tobacco offence carrying a custodial sentence will be prohibited from obtaining a tobacco licence for five years. Clearly, the Committee and, I think, the House will be content with that proposal.

This is a fitting example of how successful Statutory Committee and departmental collaboration can make sense, going forward. Hopefully, the Bill will go a long way towards helping to stop young people taking up smoking. The bottom line, from my knowledge of the Committee's work and listening to some of the debates, is that it is important for the next generation and the one after that that we, as legislators, try to make a difference and ensure that we invest now in programmes and legislation that will save the health service serious money in the future because of the number of deaths and the people who will absolutely take chronic illness as a result of smoking. We are delighted to support the Bill.

11.45 am

**Mr Beggs:** First, I declare an interest in that my dad is a local councillor, and he will be required, through his council, to take part in the enactment of some of the regulations that will flow from the Bill.

On behalf of the Ulster Unionist Party, I support the Tobacco Retailers Bill as amended. As others said, the Bill has been greatly improved as a result of detailed scrutiny by the Health Committee, during which a number of gaps in the original draft legislation were filled. I also welcome the fact that the officials and the Minister listened to the force of argument from the Committee, which has greatly improved the Bill.

As others said, some 2,300 people a year die directly as a result of smoking. The majority of those people take up this highly addictive habit in their teenage years. Smoking is extremely addictive, which is why it is important that we try to protect our young people. We are failing our young people and our community if we do not provide increased protection. A considerable number of people under the age of 18 smoke, so it is right that we introduce this legislation to put tougher regulations around tobacco retailers.

Like Mr Ramsey, I believe that it is important that we do not create a situation whereby illegal tobacco sales take off. A range of agencies will be required to ensure that illegal business does not undermine legitimate business that operates under the law and under the new legislation. That is an important aspect that must be taken on board by relevant government agencies.

On selling or handling illegal tobacco, officials initially told the Committee that the Bill did not differentiate between categories of tobacco — for example, whether tax had been paid on it or it was counterfeit. Originally, the Bill did not contain proposals to take account of the sale or handling of illegal tobacco and whether someone should have a sales order imposed or should be considered for a

tobacco retailing licence. It would be ridiculous if councils were forced to grant tobacco retailing licences to people who had been convicted of selling illegal tobacco and perhaps even convicted of handling millions of pounds of illegal cigarettes. I raised that at Committee Stage, and I am pleased that I convinced the Committee to pursue the Department on the issue. Initially, we were told that, legally, the issue could not be taken into consideration because it involved reserved matters. However, the Committee pursued the issue, and I am pleased that the Minister and the Department changed their mind. That allowed a significant change to occur, which I think greatly enhances the Bill and puts a very strong message out there that anyone who handles illegal tobacco sales — such as, according to recent media reports, illegal tobacco sales in the Ballymena area — puts in jeopardy, if convicted, their ability to sell tobacco at all. It is important that the issue of illegal tobacco sales is included in the Bill because it sends a very strong message to those who have been handling illegal tobacco.

Why is that important? If people are prepared to sell illegal tobacco, they are, in the first instance, breaking the law, and I know from my involvement with the Northern Ireland Audit Office that, if people are prepared to break the law in one area, they are more likely to break the law in others. So I would argue that, with those who are prepared to sell illegal tobacco, there is an increased risk that they would be willing to sell tobacco to underage people for personal profit. Young people's health is at risk from the greed of individuals who want to profit by selling illegal tobacco through retail outlets. If we can ban the sale of tobacco from retail outlets to those who are under 18 years of age, it will become increasingly difficult to access tobacco, and fewer young people will, therefore, take up this highly addictive habit. In clause 4, which was mentioned, convictions for selling illegal tobacco can be taken into consideration when deciding whether to grant a licence at all. That is a very powerful message.

The Committee also heard that a limited number of test purchases occur each year. Test purchasing is normally an exercise undertaken as part of a concentrated effort over a period in each council area, but very few people have ever been caught on a number of occasions. Given the number of test purchases, to catch someone three times in three years meant that there had to be 100% failure each year because there was probably only one test purchase.

Consequently, when I asked an environmental health officer whether the ability to gain convictions would be improved were there to be three tests in five rather than three years, I was pleased when he acknowledged in evidence to the Committee that it would. The Committee supported that view, as, ultimately, did the Minister, and a significant change was made to the Bill, which will make it easier for local councils to gain convictions. That will increase the pressure on tobacco retailers to take particular cognisance of the issue and ensure that their staff do not put at risk the ability to sell tobacco. It is a positive message that everyone will have to take greater care when selling tobacco.

Originally, the fine for obstructing an authorised officer was to be £1,000. I disagreed with that because taking a £1,000 fine might mean that a tobacco retailer could profit by a much greater amount through avoiding losing his licence. It was important to increase the fine for

obstructing an officer trying to gain access to evidence that could lead to a conviction. I am pleased that, following lobbying by the Committee, the Minister agreed to increase the fine to a much more substantial £5,000. Hopefully, in future, authorised officers will be able to gain access and find the necessary evidence to do their job.

Like others, I agree that education is important as we go forward. We must ensure that, through our school curriculum and in our health service, preventative work is given increased importance. Information about the dangers to individuals' health should also be made available through our colleges and universities. It is not just about the number of deaths occurring in Northern Ireland; it is about the number of people whose quality of life is greatly reduced because they have been smokers or because they continue to smoke. It is important that everyone becomes fully aware of the dangers to their health and how smoking could adversely affect them in the future.

The positive message is, of course, that, if someone stops smoking sooner, significant improvements can occur. We need to promote an ongoing educational message, and we need this new legislation. As others and I mentioned, we also need further scrutiny of those who are prepared to profit from selling illegal tobacco in Northern Ireland. Illegal tobacco is frequently sold to young people as well as adults, and those prepared to sell it are simply interested in profit, not health.

I continue to support the Bill. I am very pleased about the significant changes made to it, and I hope that it will help to save lives.

**Mr McCarthy:** I support the Minister, the Chairperson and Deputy Chairperson of the Health Committee and other members of the Committee, and I welcome the Final Stage. As I see it, there is no need to recite the reasons why the legislation is important and worthy of support or to re-examine the worthy amendments made to it. I want, however, to place on record my thanks for and recognition of the work of Health Department officials and our Committee members and staff for the constructive manner in which the Bill was advanced and strengthened. Also, I pay tribute to other interested parties who came to our Committee, including retailers, councils, anti-smoking groups, our Assembly research people, of course, and, indeed, others.

I want to take this opportunity to place this Bill, which will shortly become law, in a wider context; that is, our efforts to combat the scourge of smoking in our society. As others said, we are all very aware of the impact that smoking has on the health of individuals in Northern Ireland. Some 2,300 deaths take place because of smoking, which, in turn, creates untold suffering for families and leads to collateral damage on others, including vulnerable people such as our children. The consequences of lives cut short or problems of ill health have wider repercussions on public spending, including pressures on our already overstretched health service. There are also consequences for our economy through lost production and productivity across the whole of our economy.

We can address the problems of smoking through a range of measures, and this legislation will surely play its part. We can educate people on the effects of tobacco through strong public health messages. I also pay tribute to the

Public Health Agency for its work, and I pay tribute to other groups, such as the one that uses the cancer bus, which made a visit to Stormont a couple of weeks ago, and others who travel to communities across Northern Ireland to spread the message. We can influence the price of tobacco through taxes and other levies, and I believe that that can help smokers to quit the habit. Pat Ramsey said that he used to be a smoker, and I was, too. I can remember that, when the price of fags went up, I used to say, "I am not paying that". Unfortunately, I did until I caught myself on later on. Thankfully, after 30 years' smoke free, I am fine and healthy and all the rest of it.

We can regulate the sale of tobacco. This includes measures such as the Tobacco Retailers Bill. This builds on work to regulate tobacco displays in shops and the recent LCM regarding plain packaging. We have regulated the ability to smoke in public places, including many buildings, workplaces and pubs, and who could deny that these measures have created a much more pleasant environment for everyone in our society? There is now an active debate on whether parents or others should be allowed to smoke in cars when a child is present, and I pay tribute to the dedication of our Deputy Chair in his contribution this morning on this. I hope that we can, in a very short time, follow the actions from across the water and implement this. The answer to the question of smoking in cars where a child or children are present is obvious, and I support any measures that keep our young people safe and in a clean environment. So it is important that we seek to build on this Bill and regard it as part of a much wider package of reforms.

I do, however, get concerned about an issue that the Deputy Chair mentioned. There are people who seek to cast doubt on the wisdom of these measures or who cite concerns that, somehow, some unscrupulous people will find a way around these measures to engage in illicit tobacco sales. Those are not legitimate reasons for not proceeding with tighter regulation, and, if people break the law and engage in organised criminality, it should fall to the police and the criminal justice system to take the necessary action.

In conclusion, the Assembly is continuing to play a major part in creating a more healthy population in Northern Ireland, and I am proud to be part of the Health Committee that is going in that direction. I sincerely hope that everyone will continue to play their part in convincing our young people to ignore tobacco products in the first place. On behalf of the Alliance Party, I support this Final Stage of the Bill this morning.

**Mr Dunne:** I, too, as a member of the Health Committee, welcome this legislation on tobacco retailers.

#### 12.00 noon

The main benefit is that the legislation will mean tougher sanctions against retailers that sell tobacco to under-18s. That is a positive development. The enforcement of that has lacked real teeth and is something that councils will need to monitor. It is vital that councils get the necessary resources to carry out the additional work involved. The 11 councils will have to maintain a register and then feed that centrally into the Public Health Agency, which the Committee recognised as the best body to carry out such a responsibility. That will eliminate a lot of duplication and

additional work for councils. We welcome that; it is a very positive move.

The new councils will have to take on the responsibility and, as I have said, will need the necessary resources to carry it out and implement the resulting changes. As a former councillor, I know the workload that environmental health officers in councils have. This will give them even more responsibility. It is important that they are given the additional resources to carry out their duties. A lot of the surveillance that will be carried out on premises will take time and effort. It will be risk-based. Where they feel that there is real risk, they will carry out surveillance and visits. So, it is important that we recognise that councils need to give the necessary support to the environmental health officers to carry out that necessary work.

Another important fact that we welcome is that proxy purchasers, people who willingly buy tobacco for under-18s, will now be subject to the risk of prosecution. That is a welcome development and something that we all think will be positive.

In conclusion, I welcome the legislation. If it does anything to assist in reducing the 2,300 deaths in Northern Ireland, it will be a positive move. I commend the work of the Committee. It has been interesting legislation to work on. We certainly commend the support of the Minister.

**Mr McCallister:** Listening to the debate, I am reminded of one of the best reasons why the Assembly should only ever grant accelerated passage in exceptional circumstances. Look at the work that the Committee did and the engagement it had with the Department; a Department that was, to be fair, receptive to how to improve the legislation. Mr Beggs talked about the amendments that he felt particularly strongly about. The legislation is better for that work. When we debate accelerated passage, we should remember that that is why we should do it only in the most limited circumstances. This legislation is better for having gone through the processes of the Assembly.

The statistics speak volumes about why we have to continue the fight against the scourge of tobacco and smoking. The unnecessary deaths from smoking, the lives ruined and the health ruined is why we have to keep up the fight and — I say this to the Minister — keep on looking at other ways in which we can improve things and tackle this scourge.

Mr Wells rightly pointed out that Michael McGimpsey, when Minister of Health, did excellent work on this. Minister Poots, I am glad to say, has continued that work. We need to keep doing that until we eventually make Northern Ireland a smoke-free place to live and work. That is something that we should always be striving for: to rid ourselves totally of the scourge of tobacco.

My views on the wider issue of smoking in cars, especially with children, are well known. I pushed the Minister on that before, back in autumn 2011. I know that the rest of the DUP who are not just as enthusiastic about the measures have, seemingly, been frightened off by Mr Wells. Those are areas that we should look at and make progress on, and it is important to do that. Mr Wells was right when he talked about the difference that banning smoking in pubs and restaurants has made. I know that he is not a regular visitor to pubs, but it makes a huge difference to people's health. I am not quite sure how he ended up outside a pub on the Shankill Road. One can only assume that his

satnav sent him to the wrong location and that he was really looking for Killeel harbour. *[Laughter.]* All those measures have made, and will make, a difference. That is why I am pleased that the Committee, the Minister and the Assembly are pushing hard to rid Northern Ireland of the scourge of tobacco and the serious illnesses and death that it brings to our people.

**Mr Poots (The Minister of Health, Social Services and Public Safety):** I thank the Members who contributed to the debate; I also thank them for their positive remarks and support for the Bill. What is clear from today's debate is that no one wishes to see young people taking up smoking. The burden that tobacco use inflicts on our society is felt by everyone, and although much progress has been made, we need to make further inroads against smoking.

I will turn to some of the specific issues raised during the debate. A number of Members referred to the work of the Committee. Let me be very clear: I want to work with Committees when it comes to legislating because we in the Department do not believe that we have all the good ideas. We will bring forward legislation based on the information that we have available and the consultations and so forth that we do, but, very often, Members working on the ground will introduce a different aspect or a new idea, and we will want to work with Members if that enhances legislation. I hope that this is a model for future health legislation and that we can continue to work closely with the Committee for the benefit of all the people of Northern Ireland.

A number of Members raised issues. Mr Beggs raised an issue about test purchasing over the three-year period. One thousand four hundred and eight premises have been visited, with 15% caught selling to under-18s. There have been 78 written warnings, 83 formal cautions and 79 prosecutions. The latest fines are about £500 per retailer. That is between 2010 and 2013, so considerable work has been done.

Gordon Dunne was looking for extra funding for councils. I thought that he had retired from the council, but he is still fighting the good fight for local authorities. The Department will provide funding for the establishment of the central register. For the maintenance of the register, officials have been in regular discussions with the tobacco task group, which represents councils' environmental health officers. They do not anticipate that additional funding will be required to enforce the Tobacco Retailers Bill. That is due to bedding down on smoke-free legislation, which means that funding allocated for its enforcement can now be directed towards the enforcement of the Tobacco Retailers Bill.

Ms McLaughlin and Mr Ramsey raised the issue of the central register rather than the original council register. It makes absolute common sense that we go down the centralised registration system, which will be accessible to all via a public-facing website. In addition to offering a more practical solution to the public, a centralised system will allow district council staff to verify easily whether multiple retailers are operating premises in other council areas. That function will be beneficial for the sharing of information on relevant offences that could lead to applications for banning orders.

Mr Wells and Mr McCallister raised the issue of banning smoking in cars, and indeed Mr McCallister raised a

debate on that issue in 2011. I have written to Executive colleagues — it has been there for some time — on a range of options regarding smoking in private vehicles, which would include legislation after public consultation and plans to address the issue in the near future. I will focus on progressing this Bill through the Assembly, but I am also monitoring the situation at Westminster closely.

When it comes to banning smoking in cars, I do not see where the nanny state comes in. If there are children in a car, who has the right to blow smoke into that car and allow smoke to stay in that car, which has the potential to damage children's health? We will make interventions on behalf of children when people do not behave appropriately in a whole range of circumstances, and I do not see how this can be any different.

Any adult who smokes in a car with a child in it is behaving irresponsibly. People will say, "Where does it stop? Will you stop smoking in people's dwellings where there are children?" I do not think we can enforce that, but, again, it is wholly inappropriate for adults to smoke in premises with young people there, be it in their own homes, in their cars or elsewhere.

Mr Wells and Mr McCallister will be pleased to know that I was investing in their constituency in the recent past and was in a restaurant having a nice meal with my wife. We and another couple with us were commenting on the fact that the air was so clean because there was no smoke in the restaurant. I can remember going to restaurants where we were sitting with our children and, between courses, the person beside them was blowing smoke over us and our children, which I did not want, but could do nothing about. That has been a major benefit. I should say that Mr Wells will probably not frequent the premises because they have the word "steakhouse" on them somewhere — *[Laughter.]* — but Mr McCallister will be very pleased to know that it is somewhere near Rathfriland. A good steak will not do you any harm, Jim.

The restriction of illicit tobacco is primarily a matter for HMRC. I am concerned about the availability of contraband tobacco, which provides an accessible source of tobacco for young people and for many others. In fact, there are all sorts of figures bandied about, but we believe that anything between 20% and 30% of tobacco in Northern Ireland is illicit tobacco. I have a major issue with that, because it is something that we in the Assembly do not have that much power to deal with. I think that the Westminster Government need to invest very heavily in supporting HMRC to clamp down on the illicit tobacco trade here in Northern Ireland. If we are to challenge that figure of 25% who smoke and we have 20% to 30% of people using illicit tobacco, which is as cheap as £2 per packet, the taxation that is applied as a disincentive to people to smoke does not apply to that group of people, because they can get it for a price that is affordable.

We need to clamp down on that. We need to drive out of business the criminals who are selling illicit tobacco and who are very often ploughing the money that they make from that illicit tobacco into other criminal and, indeed, terrorist activities, and ensure that we can take a stronger stance on tobacco. HMRC really needs to step up to the mark on that issue and demonstrate that it is going to take on the criminal empires that are supplying tobacco right across the community in Northern Ireland, particularly in

our deprived areas where health inequalities are much greater.

I will conclude by taking the opportunity to thank the Health Committee for its keen interest in and support for the Bill. It is important to acknowledge that work. I would also like to say that many volunteer charity workers have willingly given up their time to engage in work to raise issues about tobacco and the potential damage that it causes. We should acknowledge the charitable organisations as well.

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

**Mr Poots:** Yes, certainly.

**Mr Wells:** The Member is quite rightly thanking those from the NGOs who gave evidence. May I place on record the gratitude of the Committee to his staff, who were so flexible in how they dealt with it? I have been around this Building for far too many years and, I must say, I frequently encounter negative officials from various Departments who are there to block and put up as many obstacles as possible in front of a Committee. What I appreciated about this legislation was not only that, when the Committee suggested something sensible, your staff were very quick to support us, but, secondly, that when something that we were proposing was not practical, they were also very swift to come back to us and explain exactly why those suggestions could not be included in legislation.

We all found that a very pleasant experience. We hope that we have set a precedent not only for us in dealing with the Minister's Department, but for other Committees.

**12.15 pm**

**Mr Poots:** I welcome and appreciate Mr Wells's comments. I know that staff will appreciate them. I will ensure that they are passed on. I am pleased that the Committee found the staff so responsive and helpful in dealing with the issue.

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

**Mr Poots:** Yes.

**Mr Allister:** Could I take the Minister back to the point that he has just made about illegal imports of tobacco? Is he at all concerned that, for example, Trading Standards Service, which does not come under his Department, but DETI, has no authority in that regard? Is there a lacuna in the system as to who in fact has statutory responsibility to investigate apart from HMRC? Is there not a need for local oversight in that regard? Is Trading Standards Service not the body that should investigate that?

**Mr Poots:** The Member has certainly raised a valid point. I would be very happy to raise the issue with the Department of Enterprise, Trade and Investment as to whether Trading Standards Service could operate in that field and could assist us in that or whether it is purely a matter that is dealt with by our colleagues at Westminster. I will raise that issue on the Member's behalf.

I would like to think that, as a result of the legislation, lives will be saved in Northern Ireland. Young people who would otherwise have been tempted to buy illicit tobacco, or those who would be tempted to buy it on their behalf, will be deterred. Once again, I am grateful to all who have contributed to moving this piece of important legislation forward.

Question put and agreed to.

Resolved:

*That the Tobacco Retailers Bill [NIA 19/11-15] do now pass.*

## Private Members' Business

### School Pupils: Adequate Nourishment

**Mr Speaker:** Order, Members. The next item on the Order Paper is a motion on nourishment in schools. The Business Committee has agreed to allow up to one hour and 30 minutes for the debate. The proposer will have 10 minutes to propose the motion and 10 minutes to make a winding-up speech. One amendment has been accepted and is selected 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 speak will have five minutes.

**Ms Maeve McLaughlin:** I beg to move

*That this Assembly recognises that research clearly shows that proper nourishment benefits a child's ability to learn; and calls upon the Minister of Education to explore, via a pilot programme if necessary, what steps can be taken to ensure that children coming into schools in the mornings are adequately prepared to benefit from the lessons they will receive.*

Go raibh maith agat, a Cheann Comhairle. I support and propose the motion on a critical issue. As I move the motion, we reflect on the severe reality of our relationship with food and its impact on physical and mental health. Today, we have heard played out in the local media the awful tragedies of the untimely deaths of a number of young people from particular eating disorders. I want to take the opportunity to send our condolences to the families of Laurence Nugent, Danielle O'Neill and indeed to the families of others in our communities and society who have lost their lives as a result of those particular illnesses.

It is not acceptable to hear family members on the local airwaves today indicating that there is a lack of services and knowledge to signpost assistance and help for their young people. It is simply not acceptable. I appeal to the Health Minister in particular to work in cooperation with the Department of Education to ensure that those situations and horrific incidents do not happen again.

With regard to the motion, it is clear that, from September 2013, schools must adopt a whole-school approach to the provision of food to pupils and to the teaching of healthy eating. Since the launch of the food in schools policy, which I commend and which is a joint document from the Department of Education and the Department of Health, we have seen the Public Health Agency's 'Fitter Future for All' document, spanning 2012-2022.

From 2005-06 to 2011-12, the percentage of those in year 8 who are overweight or obese has increased from 27% to 31%. That is quite a stark figure by anybody's reading. The research demonstrates that children who are obese are more at risk of being obese as adults and of developing a range of related health problems.

Some 166,000 children here eat school meals every day. Over 325,000 children and young people are enrolled in our schools, and they receive up to six hours' schooling a day for 190 days of the year. Health and education agencies have funded a number of breakfast clubs, which is very much welcome. In 2011-12, almost 200 breakfast clubs were supported in the extended schools programme. The Department of Education will, rightly, extend the criteria for free school meals by September

2014, adding 15,000 children to that eligibility. In 2012-13, the Department of Education allocated funding of over £3 million to support the implementation of the statements that are required to ensure that pupils are presented with healthy options and encouraged — this is important — to eat healthily.

In October 2012, the 'Belfast Telegraph' ran a story on the rising number of children who go to school hungry because there is a lack of money and, sometimes, a lack of parental interest. That is a damning indictment on our society. Some 79% of teachers claimed that their pupils turned up to lessons hungry, and 55% said that those numbers here had increased in the past year.

In the North, one in five boys and one in four girls in primary 1 is overweight or obese. It is calculated that treating obesity-related illnesses will cost the Department of Health £90 million over the next two decades. Obesity-related deaths will have a total lifetime economic cost of £340 million.

The food in schools policy, which is welcome and which I referred to, sets out how schools can work with key partners to continually improve the quality of food that is provided in a school setting. The Department of Education and the Department of Health here have worked closely with schools, key partners, organisations and agencies over several years to try to improve the nutritional standard of the food that is provided in our schools. It is vital, therefore, that our children and young people develop the knowledge and skills to allow them to eat healthily and to make healthy choices not just in school but outside it. The primary and post-primary curriculum now provides opportunities for young people to gain the necessary skills for that.

A healthier breakfast club provides an opportunity for pupils and staff to eat breakfast in a stimulating environment. That has a positive impact on pupils' concentration and, indeed, on their performance throughout the day. Research carried out by the then Health Promotion Agency for its 'Eating for Health?' survey showed that almost one third of 12- to 17-year-old girls did not eat breakfast during the school week. It is important, therefore, that we do all in our power, within and external to, our gift, whether by way of a pilot programme, a pilot scheme or whatever means necessary, to ensure that nourishment in schools is very firmly on our political agenda.

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

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

*"welcomes the initiatives taken to date on the issue through the introduction of breakfast clubs and the work of the education catering services of the education and library boards; and calls upon the Minister of Education to explore what further action can be taken to ensure that children come to school ready to benefit from the lessons they receive."*

At the outset, I apologise for the Chair of the Committee's unavoidable absence this afternoon.

As my party's amendment highlights, we accept the research that shows that proper nourishment benefits a child's ability to learn. Indeed, the need for a school meals service, which has been an integral part of the education

landscape for many years, came about in the first instance as a result of schools and educationalists seeing at first hand the negative impact on children's learning of poor and necessitous children coming to school. It is also clear from research that children who have breakfast before coming to school are more receptive to learning than those who do not.

In the light of that research, over the years the school meals service has developed a range of responses to the changing needs. From talking to those who have worked in the service for many years, I know that those developments have taken place at times against policy backgrounds that saw no value in having the service at all. During the days of direct rule, the Department was keen to see that a school meals service was not an integral part of the educational service and tried on a number of occasions to abandon it. Thankfully, that is no longer the policy, and I commend the Minister and his counterpart in the Department of Health, Social Services and Public Safety for producing a coordinated approach to the whole issue of nutrition. It is now clear and accepted that the service plays a vital role in improving educational outcomes for children.

The debate offers me an opportunity to pay tribute to the staff who work in the service. School dinner ladies and, in more recent times, the men are an important part of the school landscape. For many children, those staff contribute not only to the healthy eating agenda but are an important part of the pastoral care aspect of the school community. As Members, we do not recognise often enough the importance of such ancillary staff to education. From my experience as a parent and a school governor, I know how important those staff are. Many staff have given a lifetime of service to their community. I also commend the Northern Ireland School Caterers Association (NISCA) founded in 2002 with the aim of promoting the service, improving the quality of school meals and celebrating the achievement of those schools that are at the forefront of providing a high-quality service for children. Indeed, NISCA has been instrumental in assisting the Department to develop its current approach to nutrition. Members should take time to look at the association's website to see examples of some of the initiatives that are under way for International School Meals Day on 6 March. It is evident that the service sees itself as a key partner in the battle to improve educational outcomes for children.

The education catering services of the education and library boards are the largest food providers in these islands. The service provides 300,000 meals daily to children in all types of schools. Although many are cooked on the premises, the boards operate one of the largest operations for the transport of cooked food anywhere on these islands. Furthermore, the quality and choice of the food that is now available in many kitchens is greatly improved since my time at school, and the service attracts many well-qualified and talented staff. The annual budget for the service is in excess of £30 million.

Most of the current initiatives for food and nutrition have emanated from within the service, and it is evident that most of the ideas for any future change lie within the expertise of the staff who work in the service. One of the most important recent initiatives has been the establishment of breakfast clubs in many schools. One of the facts in our education system is that, once something

is in school, parents take it for granted that it has always been part of the school system. Breakfast clubs are a good example of that. They are a relatively recent addition to the education scene and have tended to be funded on an ad hoc basis from earmarked funds. Many principals tell me that they now see them as an important and integral part of the educational landscape of a good school, yet not all schools have them. Research about them has been very positive. We know that they make a difference, but, as yet, they are not part of the way that the Department does things. What is even more startling is that the Minister's Department is unable to tell us how many breakfast clubs are in operation in schools in Northern Ireland. It does not hold those figures, yet, according to the motion, we are now to look at what more we can do and institute another pilot. That is so typical of how the Department approaches change and improvement that I sometimes think that it suffers from a collective short attention span. No sooner has it come up with one idea and instituted a pilot than it casts it aside for the next fad. The floors of Rathgael are littered with half-baked, half-thought-out and half-implemented policies. So before we go trying for the next big idea, we should fund existing strategies that we know work and make them available in all schools. That would be a simple, cost-effective way to make change.

#### 12.30 pm

Let us ask the experts on nutrition — the education catering staff — what we need to do. Let us fully implement initiatives such as breakfast clubs that we know make a difference. Let us develop the beginnings of a coordinated approach on the issue and work closely with our partners in health to implement a properly coordinated early years approach rather than play pass the parcel around 0-6 services. Let us join the integrated services approach to need rather than leaving health to do all the heavy lifting. If we put into action, in a systematic manner, a whole-school approach to nutrition, it will make a difference to educational outcomes for our children, particularly those from our most disadvantaged communities.

**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. When the House returns, the first item of business will be Question Time.

*The debate stood suspended.*

*The sitting was suspended at 12.32 pm.*

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

2.00 pm

## Oral Answers to Questions

### Justice

#### Haass Proposals: Costs

1. **Mr Nesbitt** asked the Minister of Justice what estimates have been made regarding the potential cost to his Department of implementing the Haass proposals. (AQO 5570/11-15)

**Mr Ford (The Minister of Justice):** As I explained to him at the last Question Time, my Department has not done an assessment of the cost implications because we do not have full worked-out arrangements agreed by the five parties to know what it is possible to implement. It is fairly safe to say that there will be additional costs involved in establishing a body such as the historical investigations unit (HIU) and a subsequent need for additional resources. It is also very clear that, at present, significant costs for dealing with the past fall on the Department of Justice and create a very significant pressure on the institutions in the justice system that deal with the needs of the present day. That is why it is vital that we deal with the past on economic as well as moral grounds.

**Mr Nesbitt:** I thank the Minister for his answer. Leaving aside the proposals that came out of the failed Haass process, does the Minister accept that the status quo is not tenable, and, if so, what ideas does he have to deal with the pressures? I am thinking particularly of legacy Coroners' Courts and article 2 compliance under the European Convention on Human Rights. What additional resources and timeline does he envisage for putting that right?

**Mr Ford:** I appreciate the Member's questions. I am not sure that I agree with the premise that the Haass process failed, given that some of us have been spending several hours a week this year trying to make the process tie together. It is absolutely clear that, if we do not have the historical investigations unit, the Department of Justice will need to do significant work, which is already under way in preparatory form, to deal with issues around the fact that coroners' inquests have been held to be not article 2 compliant in a number of recent judicial reviews (JRs). So there are fundamental issues that the Executive will have to address in a joined-up way to deal with some of those points, and it is absolutely clear that anything we do in that area, whether under the Haass process or something separate, will require considerable investment.

**Mr Lyttle:** Does the Minister agree that there will be significant financial and human costs in not addressing the issues of flags, parades and the past and that the British and Irish Governments must take their responsibility in resourcing and showing leadership in addressing those issues?

**Mr Ford:** Yes. I am grateful for that question. It is absolutely clear that there will be very significant human

costs if we fail to find a system that works properly to deal with the past. Problems have been occurring in the Historical Enquiries Team (HET), the Office of the Police Ombudsman and with legacy inquests. A new way of joining up those processes, as was suggested could happen through the HIU as part of the Haass process, would give us major opportunities to move forward. It is also incumbent on the British Government and the Irish Government to recognise the role that they played in the past and their responsibilities to assist financially as we seek a comprehensive process to deal with those problems.

**Mr Allister:** Has the Minister given any thought to the cost to innocent victims' quest for justice arising from the foolish Haass proposal that, as an alternative, they could have a self-serving Provo version of the truth about why their relatives were murdered? As Justice Minister, should he not be at the forefront of making paramount the attainment of justice, such as that obtained recently by the Proctor family, even after 30 years?

**Mr Ford:** I am not sure that I entirely recognise the description that Mr Allister gives, in his usual eloquent way, of the outcome of the Haass process. The way I read those discussions, and I was part of those discussions, was that what we were looking at was the opportunity to get justice where that is possible. However, in some cases, families that will not be able to get justice after many years will want information. If that provides some measure of comfort to those bereaved in the Troubles — if they can get information where they cannot get justice — I will certainly not deprive them of that opportunity.

**Mr Principal Deputy Speaker:** Dr Alasdair McDonnell is not in his place.

## Youth Justice Review

3. **Mr McCartney** asked the Minister of Justice, in light of the recent publication of the Criminal Justice Inspection report into the youth justice review, what steps has his Department taken to ensure that the targets set by the Programme for Government 2011-15 are met. (AQO 5572/11-15)

**Mr Ford:** The publication of the youth justice review in 2011 provided me with the opportunity to refine and improve the way that we deal with children and young people who come into contact with the criminal justice system in Northern Ireland. The importance that I placed on seeing through the changes was reflected by the fact that we set a target for implementation in the Programme for Government.

The first step that I took was to ensure transparency and accountability of the process through the publication of an implementation plan in October 2012. That set out how that work would be taken forward and provided an undertaking to provide regular updates to the Justice Committee and other stakeholders. The most recent update was published on 29 January. It showed that the great majority of recommendations have been implemented, substantially implemented or advanced as far as possible pending legislative changes.

Progress has been significant but the process of reform continues, not simply in order to meet our Programme for Government target but because we want a youth justice

system that is fit for purpose and that delivers the best possible outcomes for children and young people, their families and the victims it deals with. By rightly focusing on outcomes in his report, the chief inspector of criminal justice recognised that the process will take time. I am committed to ensuring that it succeeds.

**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, and I thank the Minister for his answer. Is the Minister satisfied that the implementation plan is robust enough? Will he perhaps outline the timescale for the legislative changes?

**Mr Ford:** I certainly believe that the plans that we have are robust enough. Mr McCartney and the other members of the Justice Committee will have seen the detail of those plans and that good progress has been made. The reality is that a number of issues are involved in the Department's legislative programme and, as vice-Chair of the Committee, the Member will be well aware of the legislative burden that sits before the Committee. I certainly believe that, as we look towards things like statutory time limits in the youth court, we will see significant progress during this Assembly mandate.

**Mr Kinahan:** Will the Minister outline in detail some of the steps that have been taken to initiate work on the 12% of sub-recommendations that the Criminal Justice Inspection (CJI) has reported there has been no progress on to date and maybe highlight those that will be more difficult to achieve?

**Mr Ford:** I am not sure that I should thank Mr Kinahan for a question that asks me to outline the difficulties rather than the successes. As I said in my main answer, part of it relates to the issue of where legislative change is required and where we cannot implement those particular aspects purely by administrative processes.

Very significant work has been done to speed up the youth court, for example, which remains to be underpinned by legislation in the future. To some extent, that is where we have not seen change. Similarly, we have administratively removed all under-18s from Hydebank Wood prison but have not yet legislated to make that fundamental. That is an area in which there is still a lot of work to be done to underpin the good work that is in progress.

**Mr Dickson:** Minister, will you give the House some examples of where the changes and the implementation of the review have made a real difference to young people?

**Mr Ford:** I would not like to suggest that I have a complete authoritative list, pleasant though it would be to go through it, but a lot of different work has been done by a number of different agencies. For example, the rolling out of police discretion has created greater opportunities to dispose of matters quickly. There is also the wider issue of the youth engagement clinics that have led to part of the speeding up justice programme and learning the lessons, both good and bad, from Hull, where a group of people visited. Of course, part of this also fits into the wider Delivering Social Change programme that affects the whole of the Executive, and the Public Prosecution Service (PPS) has also done good work in improving how it communicates with children and young people. In all those examples, a number of different agencies have stepped forward and made major changes on their own behalf.

## Legal Aid: Constable Reynolds Case

4. **Mr Elliott** asked the Minister of Justice whether both defendants in the court case regarding the death of Constable Reynolds received legal aid. (AQO 5573/11-15)

**Mr Ford:** It is a fundamental principle within the criminal justice system that those without the means to pay for legal representation shall be afforded it by the state. That ensures that the state complies with its obligations under the Human Rights Act. I can confirm that both defendants in the case were granted legal aid.

**Mr Elliott:** I appreciate the brevity of the Minister's response, but could he outline how much legal aid was offered to those representing the defendants? Also, is it appropriate that, in cases such as this, representation of senior counsel would be available where, effectively, there is no full criminal trial?

**Mr Ford:** The problem is that nobody is entirely sure whether there will be a full criminal trial or a plea of guilt at the point when decisions are made about awarding legal aid. Figures are made available where legal aid is incurred in criminal cases. The amount paid, to date, in the Magistrates' Court was approximately £5,400, with, so far, only £2,000 paid towards the Crown Court costs. That will increase significantly when the final bills come in. It is one of those issues where, unless you know for certain how a case will be disposed of, it is not possible to say that legal aid is not required to that extent.

**Mr Principal Deputy Speaker:** Before calling for supplementaries, I point out that the original question from Mr Elliott makes a specific reference to the death of a police officer and supplementaries have to address it in that context only. Will Members indicate if they still wish to be called? OK.

## Legal Aid: Job Losses

5. **Mr Lynch** asked the Minister of Justice for his assessment of the extent of the job losses and redundancies resulting from the proposed cuts to legal aid. (AQO 5574/11-15)

6. **Mr A Maginness** asked the Minister of Justice to outline any impact assessment made of the future viability of solicitors' firms arising out of the implementation of options for change under the review of the Legal Aid for Crown Court Proceedings (Costs) Rules (Northern Ireland) 2005. (AQO 5575/11-15)

**Mr Ford:** Mr Principal Deputy Speaker, with permission, I will take questions 5 and 6 together.

In advance of publishing any consultation relating to legal aid reform, including that on Crown Court fees, my Department assesses the potential impacts of the proposals. The assessment in this case concluded that there was no evidence to suggest that there would be any adverse impact on legal firms.

On the basis of the information currently available, there is no evidence that my proposed reforms to legal aid will result in job losses or redundancies. However, as part of the consultation process, I have invited stakeholders to submit their views on the proposals and, where consultees may be aware of additional data on the subject, to submit any additional evidence regarding their impact.

I acknowledge that these reforms may require practitioners to consider more efficient business models and to adapt. However, the nature of legal aid reform is such that there is a long lead-in time for reductions to take effect, allowing firms to adjust their practices.

**Mr Lynch:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire. I thank the Minister for his answer. During the consultation, I met a number of solicitors, particularly those who practice family law, and they are very concerned that the most recent proposals will affect the most vulnerable. As the Minister is aware, the Department commissioned a report by Queen's University on the legal needs of children and young people. Should he not wait for the findings of that report before implementing these cuts?

**Mr Ford:** The difficulty is that, faced with the financial position we are in, with significant expenditure on legal aid beyond budget — this year something in excess of £100 million against a budget of £75 million — it is simply not possible to wait for the outcome of all the evidence before it is necessary to make those financial changes.

Like Mr Lynch, I met a group of family lawyers. There is certainly an issue that has to be addressed that perhaps the fullest possible account was not taken of when formulating the original proposals. The evidence that they put to my officials and me is being reconsidered. Clearly, significant issues are dealt with in family law matters, but the fundamental issue is that legal aid reform is necessary and the costs continue to significantly exceed the budget despite the cuts made over recent years.

**Mr A Maginness:** I thank the Minister for his answer, but I just wonder whether he is living in the real world in suggesting that there would be no or little impact on firms of solicitors. The cuts in 2011 amounted to at least 30%, if not more, and now the Department is proposing cuts in the region of 30% to 40%. I agree with the Minister that there need to be reductions in legal aid, but how can he seriously suggest that there would be virtually no impact upon the profession?

## 2.15 pm

**Mr Ford:** The unfortunate issue that I address back to Mr Maginness's legal colleagues is that few of them have been able to give us the detailed figures on what the impact would be. In a recent article in 'The Irish News' by a solicitor, it was estimated that some 60% of solicitors receive less than £20,000 per annum from legal aid. That is a relatively small proportion of the income of the average practice, and there is a small number of solicitors' firms that gain significant income from criminal defence work. However, they are the people who have the most opportunity to adjust their business models to ensure that they take the changes into account.

The simple reality is that, even excluding the very high-cost cases, the average cost of a Crown Court case in Northern Ireland is still double the cost of one in England or Wales. That is unsustainable.

It is also the case that the Law Society, in seeking to encourage inward investment, has publicised the fact that it believes that back-office costs are significantly cheaper in Northern Ireland than they are elsewhere. They cannot, on that basis, justify having higher remuneration.

**Mr Beggs:** Why is the review of the reduction in legal aid not part of a wider review of the justice system, looking at delays and inefficiencies in our courts involving the PPS and the police?

**Mr Ford:** Looking at the cost of legal aid is a specific area with specific responsibilities. However, it sits alongside the wider work of reform, which is speeding up cases, reducing the backlog of cases that are waiting in court and having better joining up between the police, the PPS, the Court Service and the judiciary with better case management all the way through. Those issues of efficiency are being addressed, but that does not alter the fundamental fact that legal aid in Northern Ireland is significantly more expensive than it is elsewhere.

**Mr F McCann:** Go raibh maith agat, a Príomh-LeasCheann Comhairle. I thank the Minister for his answers thus far. Does he accept the need for an independent examination of the impact of proposed changes to civil legal aid?

**Mr Ford:** It would be easier to have an independent examination if those who are making the case that there is an impact were prepared to give the Department of Justice the necessary figures on which to make such an assessment. So far, despite many requests, those figures have not been forthcoming.

**Ms McCorley:** Go raibh maith agat, a Príomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a fhreagraí go dtí seo. Does the Minister agree that the principles of innocent until proven guilty and the right to a fair trial are cornerstones of the justice system and that any more slashing of legal aid budgets will ultimately reduce the time that defence lawyers can spend on cases and will inevitably lead to increases in miscarriages of justice?

**Mr Ford:** The answer is yes and no. On the principle of innocence until proven guilty, the answer is an absolute yes. However, suggesting that what is being done to trim the cost of legal aid in Northern Ireland to a point at which it will still be more expensive than comparable jurisdictions is not something that I recognise as fundamentally undermining that right.

## Modern Slavery Bill

7. **Ms McGahan** asked the Minister of Justice what implications the Modern Slavery Bill will have for the Human Trafficking and Exploitation (Further Provision and Support for Victims) Bill. (AQO 5576/11-15)

**Mr Ford:** The Home Secretary's Modern Slavery Bill sets out a number of legislative proposals that are intended to strengthen the response to slavery and human trafficking.

The provisions in the Bill currently extend only to England and Wales. However, officials in my Department have worked with their counterparts in the Home Office on the content of the Bill and have produced a consultation document for Northern Ireland that takes account of the Home Secretary's Bill.

I am consulting on a range of proposals to strengthen our response to human trafficking and slavery. My proposals would simplify existing legislation in Northern Ireland, enhance the sentencing regime, introduce new civil orders, improve data capture and extend the scope of the anti-

slavery commissioner proposed in the Modern Slavery Bill to Northern Ireland.

Subject to consultation, my strong preference is to bring forward any new provisions through Northern Ireland legislation where that is possible. Lord Morrow and I have discussed my proposals and agree that they broadly complement and reinforce measures in the Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill. We also agreed in principle that, subject to the outcome of consultation and timing, there may be scope for certain provisions to be incorporated into his Bill. There may also be a need for some subsequent amendments to his Bill.

**Ms McGahan:** Go raibh maith agat. I thank the Minister for his response. Can the Minister give a timeline for the passage of both Bills?

**Mr Ford:** I appreciate Ms McGahan's point. She might be better to look to her colleagues or other members of the Justice Committee to determine that. The reality is that, if we are to ensure that Northern Ireland legislation ties in with what is proposed by the Home Office, where, we understand, legislation will only be making progress through Westminster shortly before the summer recess, it may be necessary that, although the Committee will potentially have completed its work shortly after Easter, we defer Consideration Stage in this place to ensure that we get amendments that tie in.

That is the kind of point that I discussed with Lord Morrow. I believe that, if we did that, we would see legislation in Northern Ireland in place as fast as in the other two jurisdictions in the UK. However, it is clearly a matter of ensuring that we get the best possible fight against human trafficking and slavery. If a few weeks' delay are required to get that done properly, I believe that that will be beneficial.

**Mr Givan:** Is the Minister now prepared, or in a position, to come on board with Lord Morrow, in particular around clause 6, which criminalises those who buy sexual services? We could lead in the United Kingdom, and that clause could be replicated in the Modern Slavery Bill that is going through the Westminster Parliament. We could join the Nordic countries, the French socialists and the Dáil, which, led by Pádraig Mac Lochlainn, Sinn Féin's TD for Donegal, is unanimously supporting this clause. We could make a powerful statement, leading on behalf of the United Kingdom.

**Mr Ford:** It has come to something when we get a Sinn Féin TD praised by the Chair of the Justice Committee, but I suppose that there is always a first.

It will come as no surprise to the Chair of the Committee or any other Member that I am not in a position to agree to clause 6. I think that it is a matter of public record — but I will happily repeat it — that there has been a significant meeting of minds between Lord Morrow and myself around many other aspects of his Bill. We are looking together at how we can join up the fight against human trafficking and slavery alongside what is being done elsewhere on these islands. However, I am afraid that I am yet to be persuaded of the merits of clause 6 as proposed.

**Mr Principal Deputy Speaker:** I call Mrs Sandra Overend.

**Mrs Overend:** No.

**Mr Principal Deputy Speaker:** I will move on and call Kieran McCarthy.

**Mr McCarthy:** You are very generous, Mr Deputy Speaker. Thank you very much indeed. In his answer to the original question, the Minister referred to potential changes to the sentencing regime. Can the Minister provide a bit more detail of what is in his mind and what he is proposing?

**Mr Ford:** I am beginning to wish that you had not let him in, Deputy Speaker.

**Some Members:** So are we.

**Mr Ford:** It is good that there is a meeting of minds between me and some Back-Bench DUP Members, anyway.

In previous legislation, we made, for example, human trafficking offences triable on indictment only and, recognising the seriousness of them, provided that they could no longer be tried in the Magistrates' Court. In looking at issues that go beyond the minimum requirements of the European mandate, we need to ensure that we look at how that best fits in, for example, with enhanced sentencing for repeat offenders. I know that the Home Secretary is planning to have mandatory life sentences for repeat offenders on trafficking issues. I am not sure that that fits well with the current legislative arrangements in Northern Ireland. However, we clearly need to ensure that we treat all these offences seriously. That is an issue to be looked at as the consultation goes ahead both in England and Wales and here.

**Mr Principal Deputy Speaker:** I notify Members that question 10 has been withdrawn. Ms Maeve McLaughlin is not in her place, so I call Mr David McIlveen.

## Farmwatch

9. **Mr D McIlveen** asked the Minister of Justice for his assessment of the Farmwatch scheme recently launched in Ballymena. (AQO 5578/11-15)

**Mr Ford:** I was pleased to attend the launch of the Farmwatch scheme in Ballymena, which is a joint initiative between Ballymena Policing and Community Safety Partnership (PCSP) and the Police Service of Northern Ireland. As the scheme was launched only on 31 January, it is too early to allow any meaningful assessment of it to be undertaken at this stage.

**Mr D McIlveen:** I thank the Minister for his answer, and I appreciate that we are quite new into the scheme. However, the Minister will be aware that these parasites who have been wreaking havoc on our farming community by stealing farm equipment that is worth huge sums operate largely under the shroud of darkness. Therefore, farmers who have signed up for the scheme may not always pick up or receive a text message in the middle of the night saying that thefts may be going on in their area. In the light of that, will the Minister assure the House and the farming community of Northern Ireland that, if a farmer discharges a legally held firearm in an act of reasonable force, they will be immune from prosecution?

**Mr Ford:** Mr McIlveen outlined the legal situation, of course, although the circumstances that he outlined would not, I suspect, fit into the precise position. The use of potentially lethal force is justified where there is a serious concern that life is at risk. It is not justified to prevent the theft of machinery. The important issue is that we use the

mechanisms that we have. I appreciate the Member's point that people may not be reading their text messages at 2.00 am, although some MLAs appear to be tweeting and sending text messages at that time. We will have to see how those issues can best be joined up. It is absolutely clear that we have seen Farmwatch in a number of areas in Northern Ireland having positive benefits. We need to see that we learn the lessons and apply them from one area to another.

**Mr Rogers:** I know, Minister, that it is a bit early for a complete evaluation, but in England the results of the Farmwatch scheme show that farmers who are part of it are less likely to be victims of crime than those who are not. Even from your initial observations of the Farmwatch scheme, do you have any plans to develop it across the North?

**Mr Ford:** I appreciate Mr Rogers's point. In fact, Mr McIlveen asked specifically about the Ballymena scheme, which was launched only a few weeks ago. I was at an event in Fintona, which was run by Omagh PCSP, about Farmwatch last year. Benefits have certainly been seen from that.

I think that we must also look at how the rural crime unit operates. Remember that that was established only at the Balmoral show last year. It brings together work that my Department, the police and NFU Mutual are doing. It looks at crime analysis and has a target to reduce rural crime by 3% in its first year. Given that we have not even seen the first year, we will have to look at that. However, there is a good indication of strong work being done in amassing the data. We now need to ensure that we get the data to show a downward trend. Unfortunately, we see spikes at times, because we are talking about a relatively rare crime. We also see a geographical variation across Northern Ireland. No doubt, there are more problems, particularly with machinery thefts, in police E and F districts than elsewhere. Those are the issues, and we must learn the lessons and apply them from one district to another.

## Chief Constable: Appointment Process

11. **Mr Douglas** asked the Minister of Justice for an update on the appointment process for the Chief Constable. (AQO 5580/11-15)

**Mr Ford:** The process for appointing the Chief Constable of the Police Service of Northern Ireland falls to the Policing Board to establish and manage. I understand that the board members met to discuss the forthcoming process on 6 February and that at their March board meeting they plan to approve the specification for the post, including any skills or experience that are required above the minimum criteria that the Minister Department of Justice sets.

**Mr Principal Deputy Speaker:** I am sorry; we are at the end of the period for listed questions. We will move on to topical questions.

## Crime: Farming Community

1. **Ms McGahan** asked the Minister of Justice whether he acknowledges the very real concerns that crime levels are causing in the farming community, given that, in the past two years, almost 300 cattle have been stolen in Clogher valley in her constituency, without one arrest up to December 2013. (AQT 741/11-15)

**Mr Ford:** I certainly accept Ms McGahan's point; we just covered the issue in Mr McIlveen's question. I highlighted that there are particular problems in police E and F districts, which include her constituency. It is an issue on which work is ongoing by the police but on which further work is required on prevention. Any work that can assist, such as Farmwatch, which is the kind of work that is being done on fighting crime and encouraging vigilance by PCSPs, is to be welcomed.

**Ms McGahan:** Go raibh maith agat. I thank the Minister for his response, and I welcome PSNI initiatives to prevent crime in rural areas. However, as I stated, 300 cattle have been stolen, and there has not been one arrest. Does the Minister have any concerns about the PSNI's effectiveness in dealing with rural crime?

### 2.30 pm

**Mr Ford:** The reality, as we all know, is that crime cannot be dealt with solely by the police. A joined-up approach is required to fight crime, which includes ensuring that information is passed to the police, that people maintain vigilance and keep their eyes open, and that people work through bodies such as PCSPs to set up appropriate mechanisms. Clearly, we do not want any rural crime. Apart from anything else, it may cause animal welfare and health issues. Unfortunately, however, it is a reality. All that we can do is ensure that the police are provided with all the assistance that they can get from the wider community.

### Chief Constable: Appointment Criteria

2. **Mr Boylan** asked the Minister of Justice whether he accepts that he made an error of judgement in the way that he handled the change of criteria for the appointment of the Chief Constable. (AQT 742/11-15)

**Mr Ford:** No. I carried out my functions entirely in accordance with the legislation, leaving the Policing Board to carry out its functions. I have done nothing wrong. I acted precisely as I should have.

**Mr Boylan:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as ucht a fhreagra. I thank the Minister for his answer. Does he not accept that it was a mistake not to consult or talk to the Policing Board in the first instance? Does he now accept that it is for the Policing Board to make the determination?

**Mr Ford:** I would really love to know how it is that I did not consult the Policing Board. This matter has been discussed between the DOJ and the board since May of last year.

### Prisoners: Literacy and Numeracy

3. **Mr Dallat** asked the Minister of Justice whether he is aware that, once again, the vexed question of illiteracy and poor numeracy has raised its head in our society, and given that nowhere are there more people with problems with literacy and numeracy than in our prisons, whether he can shine a beacon of light into a corner of society that has failed up to 80% of people. (AQT 743/11-15)

**Mr Ford:** I am very happy to discuss that serious issue. Mr Dallat highlights a key issue in the reform of offenders. We all know that, if people leave prison with an education, family contacts, a house to go to and the opportunity of a job or further engagement in education, they are much

less likely to reoffend than if they leave prison without any of those.

I am pleased to say that, following up on the prison review team's recommendation, we have been able to recognise that the Prison Service is not best placed to provide education. Short-term contracts have been in play since the beginning of the year to outsource education and skills provision. Clearly, further education colleges have the ability to provide education courses, enhance skills and look towards referral to the opportunity for jobs that result from that. I am very pleased that we have seen good work between my Department and the Department for Employment and Learning, resulting in a number of providers being in place. We will see how those contracts work as we seek to expand them in future.

**Mr Dallat:** I welcome that good news. Will the Minister assure us that the pioneering work in literacy and numeracy that has been developed at Magilligan prison will continue and that, with the short-term contracts that he mentioned, he will ensure a long-term strategy of giving hope to people who were failed by the education system in a previous life so that they will emerge from prison with the capability of applying for and getting jobs?

**Mr Ford:** I suppose that I should not be surprised that an MLA for that constituency would highlight positive things about Magilligan prison. However, it is true, because staff from the North West Regional College have been involved at Magilligan over a significant period. We have certainly seen significant work developed around the general skills and education agenda.

Yesterday, I had the pleasure of going to Maghaberry — I am sorry that it was not Magilligan — to see the Braille unit and the work that is being done to provide children's books in Braille for a project in Malawi in East Africa. That is a very positive example of giving prisoners something constructive to do through learning new skills and providing something of real, tangible benefit to some of the poorest children in the world. I hope that there will be a further extension of that kind of work across all three establishments.

### Pearse Jordan: Coronial System

4. **Mr Hazzard** asked the Minister of Justice to outline what steps his Department has taken in the aftermath of the recent Pearse Jordan inquest to ensure that the coronial system is article 2 compliant. (AQT 744/11-15)

**Mr Ford:** The answer to that is almost the same as the one that I gave to Mr Nesbitt. Significant work is being done to look at the lessons learned from the Jordan decision and, indeed, other court decisions, to ensure that we get our system functioning as best it can. I believe that the best way to do that would be through the historical inquiries unit proposed in the Haass report. However, should that not happen, work is under way in the Department of Justice to report to the Council of Ministers on how we should seek to address some of those issues. That work involves my staff and members of the judiciary under the leadership of the Lord Chief Justice.

**Mr Hazzard:** I thank the Minister for his answer. I understand that evidence must be provided to the European Court of Human Rights before April. What will

the Minister do in the next eight weeks to meet those legal obligations?

**Mr Ford:** I appreciate Mr Hazzard's question, but I would rather not spell out the detail at this stage, save to say that informal liaison is under way between my staff and Council of Ministers staff to ensure that we have a formal response to present to the Ministry of Justice in London well within the required timescale. Knowing exactly where the five parties stand on the implementation of the Haass report would certainly aid the work being done by my staff.

### Parading: 11/1 Form

5. **Mr A Maginness** asked the Minister of Justice whether he is concerned by the editorial in today's 'Irish News' in which reference is made to a loyalist protest group's failure to sign an 11/1 form, with the matter referred to the PSNI, which took no further action, and, if he is concerned, what does he propose to do to remedy the problem. (AQT 745/11-15)

**Mr Ford:** I appreciate Mr Maginness's question. As he is well aware, the specific issues of parading are, at the moment, not devolved matters. Therefore, if we cannot agree on the devolution of parading matters to here, a legal remedy might be required from the Northern Ireland Office. I am not the least bit surprised that Mr Maginness is concerned that, if the form is not correctly filled in, somehow there is not a problem. There have been discussions with the Northern Ireland Office about ensuring that the legislation is brought up to the mark in an ideal way, because the Assembly accepts responsibility for it.

**Mr A Maginness:** I thank the Minister for his reply. It seems to me that he indicates some concern about the matter. Does he propose to consult the NIO or, indeed, the Secretary of State about filling in the gap in the law that is apparent from the PSNI's decision not to proceed with any sort of criminal investigation?

**Mr Ford:** I take Mr Maginness's point, and I would much prefer that the Assembly took responsibility for parading and got the legislation right in this place. However, if the Assembly is not in a position to do so, I would certainly wish to discuss some of the practical outworkings of the difficulties of the legislation with the Northern Ireland Office to see what it and the Secretary of State are prepared to do to deal with the issue.

### Car Crime

6. **Mr F McCann** asked the Minister of Justice for an update on the work of the interagency project for disengaged youth in the lower Falls who might be engaged in car crime. (AQT 746/11-15)

**Mr Ford:** I am afraid that I cannot give Mr McCann a detailed report on the project. I am well aware that there have been a number of meetings since the incidents highlighted during the Christmas holidays. However, it is largely, at one end, an operational issue for the police to deal with the crime as it happens. At the other end, it is about the kind of preventative work being done by the Youth Justice Agency, the policing and community safety partnership and the west Belfast district policing and community safety partnership to look at those kinds of issues. If the Member has specific concerns, I will happily try to address them.

**Mr F McCann:** I thank the Member for his answer thus far. He probably knows that I was responsible for calling the multi-agency meetings after Christmas, and it was because of a failure of the police to be able to deal with increased death-driving in and around that community. There is a need for wider agency meetings to discuss the serious problems that exist in that area and to help people to get over the difficulties that they face in that community.

**Mr Ford:** I entirely agree with Mr McCann. He knows, as every Member does, about the issue of partnership, which I frequently talk about. In the same way that, for example, the recent problems at the Odyssey were discussed at a multi-agency meeting that was convened by DHSSPS yesterday, if there are wider issues specifically affecting the lower Falls, I am quite content that DOJ will play its part in any wider agency meetings.

### Legal Aid: Criminal Reductions

7. **Mr McKay** asked the Minister of Justice whether he agrees that the criminal legal aid bill has been sufficiently reduced and whether further reductions would result in a loss in access to justice for those in society who are most in need. (AQT 747/11-15)

**Mr Ford:** The unfortunate reality is that, as I said earlier, we have not reduced the legal aid bill, criminal and civil together, to get it within the appropriate budget, but I believe that the changes that are proposed have still done nothing to remove issues from scope other than where there is a suitable alternative. Therefore, I do not accept that we are reducing the opportunities for access to justice.

**Mr McKay:** Go raibh maith agat. Further to that, given the importance of preserving the integrity of justice, does the Minister not agree that the criminal legal aid budget does, in fact, represent good value for money? If he does not agree with that, why does he not agree with that?

**Mr Ford:** Principal Deputy Speaker, it is a bit difficult when we have Question Time and then we have topical questions that rehearse the same issues. As I said earlier, when the cost of a Crown Court case in England and Wales is less than half the cost of a Crown Court case in Northern Ireland at the same time as when lawyers are talking about their cheaper back office costs in Northern Ireland, it is difficult to regard that as value for money.

### Street Angels, Omagh

8. **Mr McElduff** asked the Minister of Justice whether he appreciates and recognises the contribution made by volunteers in Street Angels in Omagh, which is making a good contribution to the reduction of antisocial behaviour and crime through making our streets safer at weekends. (AQT 748/11-15)

**Mr Ford:** I fear, Principal Deputy Speaker, that Mr McElduff has not read the 'Ulster Herald' or the 'Tyrone Constitution' this week yet, in which he would have seen that I visited Street Angels on one of its training sessions last week and, indeed, met some of his political colleagues in the district. So, yes, I am well aware of the good work being done by that particular group in the wake of two tragedies, which led to the engagement in Omagh around the night-time economy. It is particularly surprising at one level and not surprising at another to see that members of the two families involved are part of the Street Angels group,

playing their part in helping to keep other people safe even though they have suffered severe loss themselves. I think that we should recognise the contributions of volunteers in general but those who have suffered and who still contribute most particularly.

**Mr McElduff:** Go raibh maith agat. Never ask a question that you do not know the answer to. Does the Minister's Department make a financial contribution to such voluntary efforts?

**Mr Ford:** By and large, contributions towards such efforts are funnelled through PCSPs. In some cases, and certainly in the case of Omagh Street Angels, contribution is made from the assets recovery scheme, where we are able to put additional funding in for small items of equipment. I am fairly sure that that particular training course that I attended was funded from criminal assets, and it is always a pleasure to see assets that have been taken off criminals being turned to good use.

## Regional Development

### Car Parking: Portrush

1. **Mr Campbell** asked the Minister for Regional Development whether he will review car parking provision in the Portrush district, particularly during the summer season, when special events are located in this area. (AQO 5582/11-15)

**Mr Kennedy (The Minister for Regional Development):** My Department provides 681 free car parking spaces in three car parks in Portrush. I am aware that Coleraine Borough Council provides 929 free car parking spaces in the town. In addition, there are grass areas at Dunluce Avenue and Metropole green, which are used as overflow parking areas during special events.

2.45 pm

Generally, the promoters of large events, including the North West 200 and the air show, make their own arrangements to provide additional temporary parking as part of their event plans. That arrangement has worked well in the past. Officials from my Department work closely with promoters and other stakeholders, such as the PSNI and Coleraine Borough Council, to agree traffic management plans for those large events. When it is considered appropriate, assistance in the form of parking enforcement services can be made available for such events. The work of traffic attendants, along with the PSNI, is an integral and necessary part of the management of such large events and aims to protect sterile and ambulance routes and other main routes, keeping them open and available for emergency services. Officials from Roads Service are working, along with their counterparts in other Departments, on the Portrush regeneration strategy, which will include the preparation of a transport model. The work will cover all aspects, impacts and modes of transport within Portrush, including parking.

**Mr Campbell:** I thank the Minister for that detailed response. He is right; there are good working relationships between his DRD staff, local councils and others. However, will he ensure that, for big events — for example, the Irish Open, the air show or the North West 200 — that relationship is built upon at a very early stage to ensure

that some of the problems of recent years are avoided on future occasions?

**Mr Kennedy:** I am grateful to the Member for his supplementary question. I accept the point that he makes. I well recall, particularly in respect of the Irish Open, that significant preparation work was put in place by senior officials from my Department. Of course, as those events come forward, we will continue to assist, not only in Portrush but throughout Northern Ireland, with particular reference at the moment to the Giro d'Italia.

**Mr Ó hOisín:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire. Is the Minister aware of the extent of overnight parking and multi-space parking, which are part of the issue, particularly in the Portrush area?

**Mr Kennedy:** I am grateful to the Member for his supplementary question. Indeed, I am aware of that. I have had a series of meetings with and briefings from officials on that very issue. Some progress is being made, particularly on the proposals for an upgraded car park in the Lansdowne area. I can confirm that directional signage to the recently upgraded off-street car park in the Lansdowne area has been replaced with new signage indicating that the car park is now free. I propose to amend the Off-Street Parking (Northern Ireland) Order 2000 to increase the 12-hours maximum stay to 24 hours. In addition, the hours of operation of the on-street waiting restriction, which limits waiting to one hour along the lower Lansdowne road and Bath Terrace, will be amended to operate from midnight until 9.00 am. It currently operates between 9.00 pm and 9.00 am. That may address some confusion that existed as to whether the restrictions apply during the day or night, as the word "midnight" will now appear on the screen. That is due to come into force on 3 March.

In respect of the other issues that the Member raised, we continue to work positively with all the interested parties.

**Mr Dallat:** I thank the Minister for his answer. Indeed, I was glad to see him in the area last Thursday, adding to the parking problems.

The Minister mentioned the enforcement agencies. At the air show last year, I noticed the red coats — that is probably not the right name, but everyone knows what I mean — making great use of their cameras. I assure you, Principal Deputy Speaker, they were not photographing the planes up in the air; they were photographing cars that might have been in places they should not have been. Will the Minister encourage a little flexibility to ensure that people who go to the air show or the North West 200, who are not getting in the way of ambulances and where safety is not compromised, do not get parking tickets?

**Mr Kennedy:** I thank the Member for his supplementary question. I am not sure that I accept his premise that I in some way contributed to traffic difficulties in the area on my recent visit. Nevertheless, it should be remembered that parking attendants carry out important and, sometimes unpopular work. I noted with concern an incident at the end of last week involving injury to a parking attendant. That incident will be pursued in other places, and I am sure that the whole House will wish that individual a speedy recovery. That is not the way to treat a parking attendant who is carrying out an important role.

I understand the point that the Member made. It is one that is commonly made as I meet not only Members but chambers of commerce in various towns. As in all these things, the best approach is to use common sense. That is what I look to when I am fulfilling my responsibilities, and it is what I expect of others.

**Mr Principal Deputy Speaker:** Before I call on other Members who may have supplementary questions, I remind Members that this is a constituency-specific question. If Members wish, I will take another supplementary. I call Mike Nesbitt. Take a chance. *[Laughter.]*

**Mr Nesbitt:** Given the Minister's track record of imaginative and successful initiatives, not least the five hours for a pound Christmas promotion in the Portrush area, does he have any other business-friendly ideas in mind?

**Mr Kennedy:** I am grateful to the Member for his supplementary question. He raises an important point. The Executive, the Assembly generally, and I, as Minister for transport, want to help local economies in towns across Northern Ireland and in our great cities, too. So, as he indicated, I have taken a number of measures. We had the five hours for a pound initiative operating in almost 100 car parks across Northern Ireland. We are looking at the analysis of that to see how successful it was and whether there are ways that we can further implement it. He will know that I did not implement the on-street car parking charges that were advocated by my predecessor. We successfully argued and won a moratorium on car parking charges. He will know also of the downward trend of car parking fines and our attempts to link in with councils to sponsor free parking days. All those measures are still in the melting pot, and that is what we want to do to improve the economy for so many in our town centres, particularly those that are struggling at this time.

## Cycling Unit

2. **Mr Brady** asked the Minister for Regional Development for an update on the work of the cycling unit. (AQO 5583/11-15)

**Mr Kennedy:** With your permission, Mr Principal Deputy Speaker, at the outset of my reply to this question on cycling, I would like to pay tribute to Tom McClelland, who died last week and whose funeral takes place this afternoon. Mr McClelland was a gentleman and a passionate and knowledgeable advocate for cycling. He made a significant contribution to the promotion of cycling and active travel generally. His enthusiastic presence will be greatly missed across the cycling community in Northern Ireland. On behalf of the entire House, I extend my sympathy to his wife and family circle.

In a similar vein, I am aware that some Members will know of the passing of Mr Eric McKinley, former chief executive of Craigavon Borough Council and distinguished local government servant. I also extend my sympathy to his wife and family.

I set up the cycling unit in order to give increased focus and priority to the needs of cyclists and to encourage greater participation in this healthy and sustainable form of transport. I know that the cycling unit recently met the Regional Development Committee and there was a

positive outcome. The unit is also identifying the budget required to take forward its work programme. I hope to secure the support of other stakeholders for that and will explore, with colleagues who have a role in the provision of cycling, the opportunities to seek funding from other sources.

The unit has started work on a cycling strategy for Northern Ireland and is undertaking a number of meetings with stakeholders and other interested parties. It is also working with other Departments to realise the legacy benefits of the Giro d'Italia, which will be of particular interest to the Member.

**Mr Brady:** I thank the Minister for his answer. You have probably answered some of my supplementary question. Is the cycling unit adequately resourced and working with the other Departments, councils and agencies to achieve its aims? Go raibh maith agat.

**Mr Kennedy:** I thank the Member, through you, Mr Principal Deputy Speaker, for his supplementary question and his positive approach. The cycling unit has caught imaginations, not only among the cycling fraternity but within my Department. I am very pleased that the team that we have assembled so far has enthusiasm and dedication and is actively going to pursue ways in which we can improve not only the infrastructure but the planning and work through greater coordination with other agencies and Departments as we move forward. I think the time for cycling is now.

**Mr Spratt:** With your permission, Mr Principal Deputy Speaker, I, too, join the tribute to Mr Tom McClelland, who was a regular visitor to the Regional Development Committee. He was a gentleman, and one who was very passionate about everything that he did. On behalf of the Committee, I express our sympathy to the family at this time.

I thank the Minister. The Committee received a briefing from the cycling unit just last week, which was very worthwhile. Given that it is a cross-cutting issue involving health and the economy, will the Minister tell the House whether he has had any discussions yet with other Departments in relation to the unit and the great possibilities that are presented?

**Mr Kennedy:** I am grateful to the Member for his supplementary question and for adding to the tributes to the late Mr McClelland. The point he makes is an important and worthwhile one on the importance of coordinating, not only within my Department through the work of Roads Service, Translink and other agencies, but in other Departments, including Health and Education. I can confirm that my Department, along with the Public Health Agency, is funding a three-year programme of engagement with schools to encourage more walking and cycling. That will be supplemented by capital funding for infrastructure. That coordinated, inclusive approach will see considerable benefits in the future for cycling and for healthier lifestyles. Not only will it give us benefits in health and education, but there will be sustainable benefits to the environment.

**Mr Lyttle:** On behalf of the Alliance Party, I add our tribute and respect to Tom McClelland. He was indeed a big-hearted gentleman, an enthusiastic and determined campaigner for the national cycling charity, CTC, here in Northern Ireland. He was certainly central in encouraging the formation of an all-party group on cycling here at the Assembly and in inspiring a recent decision by the

Committee for Regional Development to undertake an inquiry into cycling. His effect on cycling has been felt. Does the Minister agree that the most fitting tribute that we could pay to Tom is to ensure that the Department, the Committee, the all-party group and the entire Assembly put a legacy of enhanced and improved cycling in place across Northern Ireland?

**3.00 pm**

**Mr Kennedy:** I am grateful to the Member for his comments. I think that they reflect very well indeed the legacy that Tom McClelland has passed on. He has passed on the baton in many ways, to use a cycling analogy. I think that it is important that we carry that work forward for all the benefits to which he and others were and are so committed. I hope that, with the cooperation of the all-party group on cycling and, indeed, the Committee for Regional Development, Members and Executive colleagues, we can do true justice to that legacy.

### Roads: Weather Damage

3. **Mr Cree** asked the Minister for Regional Development for his assessment of the level of road damage caused by the recent tidal events and storms. (AQO 5584/11-15)

**Mr Kennedy:** As the Member will be aware, a number of roads in Northern Ireland have suffered damage as a result of recent tidal events and storms. Today, I placed in the Assembly Library a comprehensive list of those locations where roads have been subject to either sea wall damage or to undermining as a result of storm damage since the turn of the year.

During last week's severe weather, a short section of road on the A2 between Rostrevor and Warrenpoint collapsed. Officials are assessing the situation with a view to completing repairs as soon as possible.

My Department has carried out remedial works at a number of locations. Additional preparatory work is under way in advance of the commencement of works at other locations. However, it may be some time before the full impact is known, necessary repairs are implemented and the full cost is realised. The estimated cost is currently £1.2 million; however, that figure could increase significantly once detailed inspections of sea defences are completed.

Officials are continuing to assess the extent of the damage that has been caused. Although my Department received additional funding from January monitoring, specific bids for further funding may be required. They will hopefully be considered sympathetically at a later date if repairs cannot be funded from existing budgets.

**Mr Cree:** I thank the Minister for his response. Have any specific plans been prepared in cooperation with the Agriculture Minister for major repairs to be carried out to the north Down coast and coastal roads following the recent storm?

**Mr Kennedy:** I am grateful to the Member for his supplementary question. I have to say that, to date, my priority has been to ensure that repairs to coastal roads are completed as quickly as possible to minimise the current inconvenience to the travelling public. Despite ongoing periods of adverse weather, I am pleased to say that the road repairs at Ballyhalbert and most of the smaller remedial works resulting from the initial tidal surge

have already been completed. Repairs to the main area of damage near Ballywalter have been affected by further storm damage. However, they are still due to be completed by the end of March as originally proposed. As I indicated, repairs to the damage to the Warrenpoint to Rostrevor road that was caused last week are also under way.

I can tell the Member that I have noted the military's actions on inspection of coastal defences in other parts of the UK. I feel that a similar approach would be helpful in Northern Ireland. I plan to raise the issue with the Agriculture Minister in the near future.

**Mr Lynch:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle, agus gabhaim buíochas leis an Aire. Is the Minister satisfied with the emergency services' response? Are there any lessons to be learnt?

**Mr Kennedy:** I am grateful to the Member for his supplementary question. I must say that I am satisfied with the work so far that the emergency services and all the agencies working together have provided through this very difficult and challenging winter to date. Although we have fortunately not faced the challenges that other parts of the kingdom have experienced, which we are thankful for, we have nevertheless not been complacent either. There will always be lessons to be learned. We will continue to apply those lessons in a robust and professional manner.

**Mrs McKeivitt:** No one knows as much about getting battered by severe weather as those who live in south Down, particularly around the Warrenpoint and Rostrevor area. I take this opportunity to thank all the workers, staff and Departments that kept south Down moving in what were very serious circumstances last week. I particularly thank you, Minister, for leaving your phone line open for information, as required, when that serious incident happened.

Given that diversions needed to be put in place around Warrenpoint, Rostrevor and Hilltown and that there were other roadworks at the time, the official diversion route was given a good beating up, in particular, the rural roads around Warrenpoint, Rostrevor and Hilltown. When the Minister is looking for additional moneys, will he include in his plans a bid for moneys to get the surfaces of the rural roads that were badly affected back to a condition that is acceptable to drive on?

**Mr Kennedy:** I am grateful to the Member for her supplementary question and, indeed, for her comments about the work of staff from all the agencies involved. I particularly thank staff under my direction, who performed very well indeed, and also the contractors. I know that the A2 at Warrenpoint was closed on Wednesday 12 February and reopened to single-file traffic, ahead of schedule, on Friday 14 February. The contractor worked through the night to undertake temporary repairs to allow the road to be opened. The work will most likely continue until the end of April, when it should be completed. Of course, that very much depends on weather conditions.

I am aware of the Member's point about the weaker infrastructure on that considerable network of side roads, along which a necessary diversion will take anyone using those routes. There are challenges to maintain the entire network and, of course, to improve those roads, which we will seek to do as much as possible. We will continue to work at that. I understand her point.

**Mr Principal Deputy Speaker:** Before calling the next Member for a question, I encourage Members to come to their question as quickly as possible out of fairness to other Members who indicate that they wish to be called for a supplementary question. I have had to pass over Members on a number of occasions, because we are simply taking too much time to get to the point.

## A5: EU Habitats Directive

4. **Ms McGahan** asked the Minister for Regional Development for an update on the assessment of the EU habitats directive, in relation to the A5. (AQO 5585/11-15)

**Mr Kennedy:** Four reports are being developed to inform the habitats regulations assessments of the potential impacts on the various designated sites arising out of the A5 project. Work is almost complete on three reports, which will inform appropriate assessments for the water-based special areas of conservation, including the River Foyle and its tributaries and the River Finn special areas of conservation, as well as the special protection areas and the Ramsar sites.

My Department remains on schedule to commence public consultation on those reports in April 2014. The public consultation on the remaining report associated with the appropriate assessment for the Tully Bog special areas of conservation is scheduled to commence in September 2014.

**Ms McGahan:** Go raibh maith agat. I thank the Minister for his response. As you indicated, OFMDFM stated last week that a public consultation will commence in April. Minister, when will you be in a position to provide a more detailed programme on the way forward?

**Mr Kennedy:** I am grateful to the Member for her supplementary question. She will know that we have been working very hard and consistently to deal with the remedies outlined by Mr Justice Stephens. That means that it is virtually impossible, if not at least unwise, to make predictions about the timescale. If we make predictions in any way about the public consultation, the need for an inquiry or other technical assessment issues, those could be construed as having been predetermined, which could give us further legal difficulties. So I am not in a position to give a definitive timescale, except to say that the Department continues to work professionally through the issues and the challenges that we face.

**Mr Elliott:** Does the Minister share my surprise that Sinn Féin raised the assessment of the habitats directive when it was actually its Minister who was in charge when that assessment was made in January 2011?

**Mr Kennedy:** I am very grateful to the Member for his supplementary and his timely reminder. It does slightly surprise me that some people, particularly those who seem to be genuinely pressing for progress, fail to recall earlier decisions that impacted so significantly on the scheme. However, when it comes to Sinn Féin, very little surprises me.

**Mr Byrne:** Will the Minister confirm to the House that the Department for Regional Development still has a dedicated team working on the A5 project and that all the stops are being pulled out to make sure that there are no other likely handicaps further down the road?

**Mr Kennedy:** As I said in my reply, it is my view that the staff in Roads Service and associated agencies are working progressively to deal with the issues presented as a result of the judgement delivered by Mr Justice Stephens. That work will continue, and other work, including the payment by my Department of reinstatement, use and occupation claims proceeds unabated.

## Southern Relief Road, Newry

5. **Mr D Bradley** asked the Minister for Regional Development for an update on the southern relief road in Newry. (AQO 5586/11-15)

**Mr Kennedy:** The Newry southern relief road, which has been the subject of a feasibility study, would provide a link between the A1 Belfast dual carriageway and the A2 Warrenpoint dual carriageway. My Department is continuing to investigate environmental issues associated with the tree ring/sconce features on the slopes of Fathom Mountain that are likely to be affected and the impact of the proposal on the Newry canal, an important heritage feature.

I understand, being a local representative, that a southern relief road would bring significant benefits to the local economy, Warrenpoint port and the traffic conditions in Newry city. I take this opportunity to confirm my support for the proposal. As the scheme has the potential to include a link between the Warrenpoint dual carriageway and the Omeath Road and onward into County Louth, it would also meet many of the objectives of the Narrow Water bridge proposal. Therefore, I have asked officials to move the scheme forward and proceed with the various environmental and technical investigations that will assist in identifying a preferred corridor for the Newry southern relief road.

**Mr D Bradley:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as ucht a fhreagra. Has there been any consultation on his suggestion that the project might combine two bridges, the southern relief road and the Narrow Water bridge?

**Mr Kennedy:** Until the various technical studies and environmental impact studies have been completed, it is too early for consultation. I talked about the impact on Fathom Mountain and whether the impact on the Newry canal will require some form of bridging or spanning. However, there are possibilities. We can, I think, meet the objective of a great many people seeking a bridge link into County Louth. We can make progress through creative imagination and by using the best, the most sensible and the most popular southern relief road project given its importance to the economy, not only in south Down but parts of south Armagh, and the benefits that would accrue from it. With creativity, I think that we could make some progress.

## 3.15 pm

**Mr Principal Deputy Speaker:** That ends questions for oral answer, and we now move to topical questions.

## Roads: Weather Damage

1. **Ms Ruane** asked the Minister for Regional Development, following a journey she made on Friday and Saturday last around the roads in Warrenpoint and Rostrevor, where the detour signs were disgraceful — in some cases, there were none — for an update on what work, if any, his

Department has done given the dreadful state of the roads due to the weather and to poor investment by his Department. (AQT 751/11-15)

I have to say that it is a bit disappointing that, in his previous answer, the Minister displayed his prejudice against Sinn Féin, but we will take that as a compliment.

**Mr Kennedy:** I am grateful to the Member — I think that I am grateful to the Member — for her backhanded compliments. Unfortunately, I find that the Member's contributions are invariably negative. She seems to enjoy being particularly negative on all aspects of the Department's approach to her constituency, and that is not the case. I clearly outlined the sterling work that my officials and other agencies carried out in restoring the network of roads and making travel easier in the south Down area because of the adverse weather conditions.

I indicated in an earlier answer — I am not sure whether she was present, but if she was, she certainly was not listening — that the contractor involved worked tirelessly through the night to reopen that important stretch of road. I understand the point that was made earlier by her constituency colleague Karen McKeivitt about the need for the infrastructure of the huge network of roads in south Down to be supported. I will continue to look at that and, in spite of her negativity, we will make progress and provide as much structural and maintenance support as possible to improve the overall infrastructure.

**Ms Ruane:** Go raibh maith agat. Gabhaim buíochas leis an Aire as na freagraí sin. I thank the Minister for his answer, and I will be very positive once we get the Narrow Water bridge. I, like many people in south Down, very much look forward to getting that bridge, North and South.

My supplementary question is about the sea walls. We had to do major round trips because of breaks in the sea walls in Rostrevor and Warrenpoint. Will the Minister update us on the assessments of those? I know that ongoing work is being carried out, but, given the recent weather, what work now needs to be done?

**Mr Kennedy:** I am grateful to the Member for her supplementary question. I again refer her to the answer that I gave earlier about particular work that is ongoing. In the Warrenpoint and Rostrevor areas, there is the section at Drumsesk and the section at Rostrevor. As I indicated, I have placed in the Assembly Library more detailed estimates of the work and the potential costs. Those costs will have to be faced by my Department. If necessary, we will have to approach DFP for additional resources, but there is no reluctance on my part to have those repairs carried out as quickly as possible. We will do that, and we will work constructively.

## Roads: Structural Maintenance

2. **Mr Nesbitt** asked the Minister for Regional Development to outline his success in bidding for additional resources, given the importance of structural maintenance to the roads network. (AQT 752/11-15)

**Mr Kennedy:** I am grateful to the Member for his question. My Department has had a very successful year in its in-house bids and, as a result, by the end of this financial year, we will have spent a record £124 million on structural maintenance, which I think is a considerable achievement. It is not without its challenges, and a huge amount of work

will be carried out in the coming weeks. I have no doubt that that will lead to some inconvenience and perhaps even some complaints. My answer to that is that, perhaps with better planning of the budgets that I get from DFP and in the Executive, it would be possible to plan out those works in a more strategic and cohesive way. However, given the circumstances that we find ourselves in, the structural and maintenance improvements to many of our roads throughout the network across Northern Ireland will be broadly welcomed, and people will understand that, on some occasions, you cannot make omelettes without breaking eggs.

**Mr Nesbitt:** I thank the chef for his answer. I congratulate him on his success. Let us not deny that the Minister is the most successful Minister at drawing down competitive EU funding in the Executive. On the question of structural maintenance, how does Strangford, as a constituency, fare in the league table?

**Mr Kennedy:** I am grateful to the Member for his compliments and comments. All politics is local, and he will be interested to know that, in Strangford, local section offices have taken at least an extra £750,000 since the end of December to improve roads in the area. I know that he and, indeed, other representatives will welcome that and see it as progress and an achievement of the Department.

I pay tribute to all my officials for the sterling work that they do when confronted with making bids. At times of the year when other people were thinking of Christmas or putting their feet up, my officials were busy trying to attain additional income for the Department so that it could be properly spent to maintain the network as best we can. It is never enough, and, as I go round the country and speak to people, people will identify roads and carriageways that need further attention. However, I am up for getting as much money drawn down into my Department as possible so that it can be spent in a positive manner.

## Giro d'Italia: Election Posters

3. **Mr Dickson** asked the Minister for Regional Development for his view on restricting election posters along the route of the Giro d'Italia, given that he is responsible for lamp posts and road signs. (AQT 753/11-15)

**Mr Kennedy:** I am grateful to the Member for his topical question. In many ways, it is more topical than topical. He will know that my party was out of the blocks very early, and my party colleague Robin Swann was the first to advocate that the political parties, in the run-up to the European election, should avail themselves of the opportunity to promote the area positively and, therefore, not show the election posters until after the event. I agree with those sentiments, and I hope that other parties, in that spirit, will agree with that suggestion.

**Mr Allister:** What about the terrorist shrines at the side of the road?

**Mr Principal Deputy Speaker:** Order.

**Mr Dickson:** I thank the Minister for his answer, and I wholeheartedly agree with him that it is important that the political parties cooperate on the issue of posters. Given the glowing support that the Minister has given, will he agree with me that it is important that we extend the removal of election posters to flags that have turned to

rags, paramilitary paraphernalia, murals and other things along the route of the Giro d'Italia?

**Mr Kennedy:** I am grateful to the Member for his supplementary question. I draw an important distinction between cultural murals and illegal memorials. Frankly, I do not like to see the flag of the United Kingdom run to a rag on any lamp post or pole. I appeal that, if there are any such instances and they can be dealt with appropriately, we do so. However, there is a significant difference between cultural murals that many visitors and tourists will like and expect to see and illegal memorials or monuments to paramilitary organisations.

### **Translink: Bicycle Transportation**

4. **Mr McKay** asked the Minister for Regional Development whether he would be willing to accommodate a company to introduce a trial on Metro and Ulsterbus vehicles for the more convenient transport of bicycles, given that, recently, Translink has been reluctant, to say the least, to facilitate proper cycle transportation on buses, particularly Metro and Ulsterbus services, and given that Wrightbus in north Antrim has said that it has rear vehicle and internal solutions for bicycle transport on buses that can be attached to existing stock, meaning that there is no reason why this issue cannot be progressed. (AQT 754/11-15)

**Mr Kennedy:** I thank the Member for his question, for his interest in cycling and how we can advance it. I understand the point that he has made. I thought that he was going to show me a photograph as though I did not understand what he was talking about. I do have a sense of it.

One of the issues that we are constrained by is the available room for bicycles on trains, brought about by Translink's success. I know that Translink has a particular policy on that at the moment. I am happy to explore opportunities through the private sector or via Translink as to how that can be improved or worked on.

**Mr McKay:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I thank the Minister for his commitment to explore that further. While we are on the issue of buses, the near misses between a number of cyclists, buses and other vehicles on the Albert bridge in east Belfast have been of recent concern. Does the Minister have any plans to look at the bridge and at that particular route to see how we can make it safer? It is only a matter of time before somebody is killed or seriously injured at that junction.

**Mr Kennedy:** Grateful as I am to the Member for his supplementary question, I do not want to get involved in any particular incident or make any particular comment. The Member may know that Translink has, if you like, a better education campaign that involves cyclists, Translink and bus drivers particularly. In fact, I was involved at its launch. I want to encourage that through all routes, and I hope that, by working together, a greater understanding and tolerance can be provided for all those who use the roads. The important thing has to be the safety of everyone who travels on our roads in whatever mode.

### **EU Water Framework Directive**

5. **Mr McCallister** asked the Minister for Regional Development what discussions he has had with Northern Ireland Water on the EU water framework directive. (AQT 755/11-15)

**Mr Kennedy:** I am grateful to the Member for his topical question. Those are issues that my officials and I continually explore with senior executives of Northern Ireland Water. We will continue to carry that out.

**Mr McCallister:** I am grateful to the Minister. Will he tell us what the potential cost of implementing the directive could be? Who will cover those costs? Will it be Northern Ireland Water, its customers or the taxpayer?

**Mr Kennedy:** I am grateful to the Member for his supplementary question. He will know that the finances and governance of Northern Ireland Water are rightly being considered by the Executive's review subcommittee. I hope that all possibilities and outcomes will be looked at and explored there in a mature manner. I think that that will better inform the overall debate on the way forward, including how we will finance the regulations from Europe and our responsibilities under them.

3.30 pm

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

## Private Members' Business

### School Pupils: Adequate Nourishment

*Debate resumed on amendment to motion:*

*That this Assembly recognises that research clearly shows that proper nourishment benefits a child's ability to learn; and calls upon the Minister of Education to explore, via a pilot programme if necessary, what steps can be taken to ensure that children coming into schools in the mornings are adequately prepared to benefit from the lessons they will receive. —*

*[Ms Maeve McLaughlin.]*

*Which amendment was:*

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

*"welcomes the initiatives taken to date on the issue through the introduction of breakfast clubs and the work of the education catering services of the education and library boards; and calls upon the Minister of Education to explore what further action can be taken to ensure that children come to school ready to benefit from the lessons they receive." — [Mr Moutray.]*

**Mr Rogers:** I welcome the opportunity to contribute to the debate and I lend my full support to a three-way pilot programme, which would pave the way to improved nutrition in schools, a closer link between healthy eating and exercise and a more proactive role for parents.

The food in schools policy introduced by the Departments of Health and Education has been intrinsic to changing attitudes to nutrition in schools. However, there is still a long way to go if we are to transform the eating habits of young people. Many children are ill-prepared for the school day. The motion and the amendment highlight the importance of children coming to school adequately prepared. A proper nutritional breakfast is an essential part of that preparation.

Having spent over 30 years in the classroom, I cannot stress enough the important role of the parent or carer in all aspects of a young person's development. Parenting is an important role, whether your child is one, 11 or 21, but with roles come responsibilities. It is important that parents educate their children in health eating. That is why I passionately believe that a parenting programme should be an integral part of all early years education programmes.

Poor diet can hamper educational development. A healthy, balanced diet is crucial to children's growth and development and their long-term health and well-being. From 2005 to 2011, the percentage of children in year 8 who were overweight or obese increased from 27% to 31%. That is a worrying trend that must be reversed. The Departments of Education and Health must continue to work closely with schools, key partner organisations and agencies to adopt a collaborative approach to improving the nutritional standard of food provided in schools.

The provision of healthy, nutritious meals in schools has enormous health benefits for children. A good diet can

help to improve concentration, aid learning and lead to improved educational outcomes. With over 166,000 children here eating school meals every day, schools play a vital role in ensuring that children receive nutritious food. The meal provided at school is often the main meal that children get in the day.

Offering children nutritious and healthy food also helps to set in motion healthy food habits that will last into adult life and, hopefully, reduce incidences of obesity and related health problems. The food in schools policy has the potential to support and complement the obesity prevention framework. The Departments of Education and Health have worked with schools, key partner organisations and agencies over the years to improve the nutritional standard of food, but more still needs to be done.

There is a close link between health and exercise. It is no secret that physical activity is necessary to a person's well-being. With children continuously developing physically and emotionally, they are especially affected by the benefits of activity and, inversely, the negative effects of inactivity. Educators can control the amount of exercise that children get at home no more than they can control their eating habits or family situation. According to numerous studies, many children are neither active nor indulge in healthy eating at home or in school.

Good habits in diet and exercise begin in the home. Education in diet and exercise must be available to parents through parenting programmes. It is well known that, if schools do not have parents on their side, progress is difficult. Schools must be unrelenting in establishing a culture of exercise and healthy eating. School leaders and caterers must work together and in consultation with parents to ensure that consistent messages about healthy eating and exercise are being given to children and young people in their homes and schools.

A whole-school approach to the provision of nutritional food for pupils must be implemented to ensure good educational outcomes, but it will have the desired effect only with the support of parents.

**Mr Kinahan:** I will first, if I may, make a few comments as Deputy Chairperson of the Committee for Education. As the House will recall, we debated a motion on the related topic of free school meals earlier in the session. It was indicated then that the Committee had noted the evidence put forward by the Department on the benefits of free school meals. The Department's view could be summarised as follows: better nutrition provided by free school meals has educational and health benefits. The Department referred to improved pupil concentration and alertness and even indicated possible improvements in attainment. It also contended that free school meals went some way towards improving access and reducing barriers to participation in education.

The House will be aware that the Department of Education and the Department of Health, Social Services and Public Safety issued the food in schools policy, which came into effect in September 2013. The policy's principal aim is to ensure that the food available in schools represents good health and makes a significant contribution to childhood nutrition. The policy also requires schools to contribute to the development of the knowledge and skills necessary for making healthy food choices. In addition, the policy aims to ensure that early years settings provide adequate

opportunities for good nutrition and embed good habits of healthy eating.

The signatories to the motion and the amendment are referring to a more imaginative use of school meals, including things such as breakfast clubs. The Education Committee would probably have no problem with such a suggestion. The only caveat is that the Committee would want to ensure that, in line with the food in schools policy, the food served was always compliant with nutritional standards.

The Department does not have the legal power to enforce nutritional standards in food other than in school meals in voluntary grammars and grant-maintained integrated schools. Perhaps the Minister will confirm in his response whether food served at breakfast clubs, as is being suggested, would be covered by his Department's legal vires. It would also be of interest to the Committee if the Minister were to confirm whether the pilot programme suggested in the motion would benefit from the efficiencies in the PEDU stage 2 report on school catering, published in January 2012.

If I may, I will now say a few words as an Ulster Unionist MLA. I very much welcome the opportunity to speak in the debate. I have a slight sense of déjà vu, as we debated the issue five months ago. I assume that there will be a good-news announcement today.

The Ulster Unionist Party has no major difficulties with either the motion or the amendment, and it will support both. That said, it should be stated that the primary purpose of a school is to educate, not to provide a catering or child-minding service. The primary responsibility for ensuring that children arrive at school with a good breakfast in their stomach and ready to learn lies with the parents. Given recent complaints from some MLAs about the intrusiveness of the nanny state, I am slightly surprised that the point about parental responsibility has not been made more widely today.

Nevertheless, the efforts of schools to help parents are very welcome. Those efforts include an extension of breakfast clubs and the setting of rules about what cannot be brought in as a snack or a packed lunch. That is commendable. Nowadays, even primary-school pupils know the value of a healthy diet and are not slow to tell their parents and grandparents to cut down on the chocolate, crisps and fizzy drinks. If only they had said that to me. Those positive healthy-eating messages are being learned in the classroom, and they need to be reinforced in the home.

I hope that whatever we put in place today does not add too much more pressure on principals, because we must remember how much we throw at them. We must work with communities and all that is available within them.

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

**Mr Kinahan:** The Ulster Unionist Party supports the motion and the amendment.

**Mr G Robinson:** At times, many issues regarding education occur. However, if there is one thing that we can all agree on, it is that a well-nourished pupil can take the best advantage of education opportunities. This debate is about the many great initiatives that have already been tried. The amendment refers to breakfast clubs, which

would not only ensure that a pupil has a good breakfast but help parents who have an early start time at work. It is a win-win situation for children and parents that could help them to put moneys towards holidays etc.

In 2010, a briefing note to the Committee for Employment and Learning noted that there is a large area of overlap between nutrition, health, education and socio-economic factors. The same briefing note also noted the negative impact of a lack of nutrition, which leads to vitamin deficiency and low blood sugar levels, both of which can affect pupils' ability to understand the information in front of them and their overall behaviour. The latter may impact on teachers and disrupt a class for all other pupils. There is evidence that a lack of nutrition impacts not only on individual pupils but on entire classrooms.

Our future skills and educational base is the bedrock of attracting investment and employers. Therefore, it is essential to recognise the magnificent and sterling work done by dinner ladies and staff in school canteens to ensure that all our children are well catered for. It is in this way that we will help our young people to attain the skills and education that they need to stay in Northern Ireland. That will benefit the economy that taught or trained them and help to build a prosperous future for Northern Ireland. I support the amendment.

**Mr Sheehan:** Go raibh maith agat, a LeasCheann Comhairle.

*"The relationship between poor health, nutrition and low school achievement is well-documented"*

Those are not my words. Those are the words of the Minister of Education, John O'Dowd, and the Minister of Health, Edwin Poots, in the foreword to 'Food in Schools Policy'. When you make a statement as stark as that, you have to act on it. The fact is that many of our children go into school without proper nourishment. We see them all walking along the streets, perhaps eating unhealthy food such as bags of crisps or sausage rolls.

There are negative impacts associated with poor nutrition. In research commissioned by the Smith Institute, it was discovered that there is a clear association between early life B12 deficiency and adolescents getting reduced scores in cognitive tests. Poor nutrition can lead to decreased immunity against diseases, which leads to greater absenteeism from school. A lack of vitamin B appears to have a causal relationship with aggressive behaviours in adolescents.

This should be a joint enterprise for the Minister of Education and the Minister of Health. Education is affected through underachievement, but the health service will also be affected by the obesity explosion that is waiting to happen. We have heard that up to 20% of children are already obese by the time that they leave primary school. What can we do? There are positive steps that we can take. We need to educate children on healthy eating and healthy food. We need to help pupils to make healthier choices about their own diets. It may be that their parents do not have knowledge about what constitutes a healthy diet. Therefore, in educating our children, we can help to educate parents.

### 3.45 pm

Danny Kinahan said that the primary responsibility of schools is to educate, and I do not disagree with that.

However, we must extend that to educating children about their health and the food that they eat. Food education must become an important part of the school curriculum, and that should include teaching children how to prepare and cook food. Where possible, that should also include teaching children how, for example, to grow vegetables and to enjoy eating them when they are ready.

One of the difficulties is that we think that this is an issue associated with children on free school meals. That is not always the case. In many instances, it is relevant to children who are just beyond the threshold for qualifying for free school meals and who go to school with a packed lunch that is not nutritious. There is also anecdotal evidence. I was speaking earlier to my colleague Michaela Boyle from Strabane, where there is a food bank. Research done there discovered that parents go to the food bank to ensure that their children get food when going out in the morning because, although the parents might be able to provide a dinner for the children when they come home in the evening, they cannot also afford another meal during the day.

So I think it incumbent upon the Minister of Education, and the Minister of Health, to look at possible pilot projects to resolve the issue of the undernourishment of children in schools. I ask everyone in the House to support the motion. I have no difficulty with the amendment, though I am not sure that it adds anything. Sin a bhfuil agam.

**Mr Newton:** This whole initiative is about food, its quality and getting pupils to enjoy eating good food. It is about a preference for growing, cooking and eating good food. Essentially, underpinning all that, it is about health. I agree with the Member who spoke previously: this is not only an education issue; it is about the health and well-being of pupils and Northern Ireland as a whole.

Some personal experiences are relevant. I remember when the debate about the quality of food in schools started. Jamie Oliver, a nationally known chef, started to look at a piece of food — at least, that is what it was supposed to be — called a Turkey Twizzler. He raised his concerns and, indeed, those of the nation about what was being fed to children in schools. That applied more to England than to here.

I remember when my daughter was doing her A levels. One of the exercises that she had to do for what is now known as home economics was to decide, determine, find out and research the composition of a fast-food chip. I questioned her about it and said to her that it was obviously potato. She said, "Don't be stupid. Don't be silly. It is not potato."

Today, when I was in the Basement for lunch, a nutritionist was giving out advice to MLAs. I wonder how many of the MLAs accepted that advice. I have to say that, when I was walking away with my chips and chicken pie, I felt a bit guilty. However, when I told her that we were having this debate, she made the point that this is all about parental guidance and that, if children do not get guidance from their parents, whatever is done in schools will, by and large, be lost.

I suppose that I accept that there is value in the motion. I hope that we will not divide the House and that the amendment will be accepted. However, there is a need for us to make sure that, when educating children, it is not just about the provision of good food in school canteens and

dining rooms; it is about educating children to appreciate that, for their long-term health and academic success, teachers need to provide a building block on which to apply their skills. Good nutrition is part of that. It cannot just happen inside the school; it has to happen in the home as well.

It is widely accepted in all the studies that a balanced diet is absolutely essential for children's physical growth, mental well-being, physical development and their overall long-term health and well-being. All the professional studies confirm that. That is not just at primary school. As children move into their teenage years and finish their education, at least at school, it is essential that, as they become parents, the buildings blocks and knowledge that have been fed to them since primary school are carried into later life.

**Mr O'Dowd (The Minister of Education):** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis na moltóirí as an cheist thábhachtach seo a thógáil i ndíospóireacht an lae inniu. I thank the proposer for raising this important issue in today's debate. Mar Aire Oideachais, tá de thosaíocht agam a chinntiú go mbíonn an deis ag daltaí scoile anseo leas a bhaint as córas slán oideachais, agus an bhearna i gnóthachtáil oideachasúil na bpáistí sna pobail is lú agus is mó buntáiste a dhruidim.

As Minister of Education, my priorities are to ensure that all children who attend school here have the opportunity to benefit from a sound education and to close the gap in educational attainment between pupils from the least and most disadvantaged communities. I fully recognise, therefore, that, if children are to learn effectively, their wider physical, mental and emotional needs must be nurtured and addressed alongside their educational development.

As many Members mentioned, research clearly demonstrates the critical influence that nutrition has on cognitive development and academic performance in children and adolescents. We know that, in addition to its wider health impacts, a poor diet is detrimental to children's learning, concentration and behaviour, and that it can affect attendance at and participation in school. We also know also that children from low-income households and those living in poverty are at greater risk of poor nutrition and are more likely to have unhealthy or insufficient amounts of food. They are, therefore, at greater risk of coming to school hungry and being hungry throughout the school day. Research demonstrates that hunger impairs thinking and that behavioural, emotional and academic problems are more prevalent among hungry children. This creates a very real and significant barrier for these children. A child who is hungry will find it much more difficult to participate in school life, concentrate, learn and achieve.

I draw to Members' attention the words of Dr J Brown, formerly of the Harvard School of Public Health and an internationally recognised expert on hunger and deprivation and its effect on school-aged children. He noted:

*"There exists no 'safe' level of inadequate nutrition for healthy, growing children. Even nutritional deficiencies of a relatively short duration — a missed breakfast, an inadequate lunch — impair children's ability to function and learn."*

It is for those reasons that my Department has in place a number of programmes and initiatives that specifically seek to address those barriers and ensure that children are adequately equipped and supported to learn. This includes, for example, funding of over £12 million this year for the extended schools programme, through which schools can choose to provide breakfast clubs to meet local needs; some £40 million in annual funding provided by my Department for healthy free school meals; and a further £4 million per annum to improve the nutritional content of school food. In addition, I have allocated £420,000 this year and a further £490,000 next year for nurture units in 10 primary schools. This funding will enable children who face particular barriers to learning to have breakfast together each morning.

I am pleased to advise, therefore, that in the 2012-13 financial year, through my Department's funding, almost 80,000 pupils here were entitled to receive a free school meal. In addition, 40% of schools that benefit from the extended schools programme offer a breakfast club, while many schools outside the programme also provide breakfasts. Schools that choose to provide breakfast can avail themselves of the education and library boards' school catering service or make alternative arrangements and can choose whether to provide free or subsidised breakfasts.

However, I recognise that, in the current difficult economic climate, many families face significant challenges as they seek to provide for and meet their children's material needs. I note that the percentage of primary-school pupils who are eligible for free school meals continues to rise and now stands at 31% for the 2013-14 academic year compared with around 17% in 2008-09, which is a reflection of the economic downturn and the broadening of the criteria for entitlement to free school meals. One in three of our primary-school children are entitled to free school meals.

Recognising the challenges faced by low-income households, I announced that I will extend eligibility for free school meals so that, from September 2014, the same eligibility criteria for pupils at primary level and at post-primary level will apply. An estimated additional 15,000 pupils here and their families will benefit as a direct result of this extension, and those children will also benefit from the school uniform grant. I encourage all those who are eligible to receive free school meals, therefore, to submit their applications and ensure their children can receive this important benefit.

I will take this opportunity, as other Members have done, to recognise the hard work of the school catering service and of local schools who seek to ensure that all food provided at schools, including breakfasts and school meals, is compliant with my Department's nutritional standards for school food. I extend my thanks also for their continued efforts to promote the uptake of school meals and, where provided, of breakfasts. This will ensure that many pupils can benefit directly from healthy, nutritious school food.

Mr Kinahan mentioned the legislation that covers schools, and he outlined it correctly. I had proposed, in the ESA legislation, to bring forward legislation that would cover all schools, although the extent to which we require legislation in this area is open to debate. The vast majority of schools, if not all, act responsibly in relation to food and nutrition. However, I suppose, it would be useful to have the

legislation on the books. I will be speaking at a conference later this month when I will reinforce the message about the need for schools to serve nutritious meals.

A number of Members, including Mr Kinahan, mentioned parental responsibility. It is correct to say that there is parental responsibility in this area, but unfortunately on too many occasions, where the family unit has broken down or is not operating properly, parental influence is not what it should be. If we can influence young people's eating habits in schools through nutritional breaks, it is only right and proper that we do that. As Mr Sheehan pointed out, many of our schools have horticulture programmes etc, which ensure that young people understand how and when food grows and where it comes from; that it is not from the local supermarket and that they can produce very healthy, nutritious vegetables from a relatively small patch of soil. Those programmes are offered in many of our schools, and they should be encouraged.

No one could disagree that children coming to school should be adequately prepared to benefit from the education that is provided throughout the school day. The interventions that I have outlined clearly play a key role in that regard. However, schools cannot do this alone. If we are to ensure that children, when in school, can benefit from the lessons that they receive, this requires close and ongoing engagement among parents, principals, teachers, pupils and, on occasion, with input from a wider range of health and education professionals and local communities. It is only through this collaborative approach that schools can respond effectively to and meet the specific needs of their pupils. However, it is also important that we, in the Executive, do everything that we can to address child poverty, particularly at a time when the numbers of children in poverty are rising and when low-income families continue to struggle with significant financial pressures.

#### 4.00 pm

As research demonstrates, breakfast is an important meal and the provision of breakfast at school has particular benefits for pupils who cannot avail themselves of a breakfast at home. However, nutritional experts consider that all children need three regular healthy meals a day: breakfast, lunch and an evening meal. That is because well-balanced meals contribute to a child's nutrition and health and also affect behaviour, concentration and cognitive development.

I often reflect that, when I was a member of the Education Committee, a group of educationalists told us of their experiences in the classroom. One was a nursery school teacher who told how one of her pupils was "stealing food out of other children's lunch boxes". The child was doing that because the child was starving. It is hard to believe that in, a 21st-century modern western society, we have children who are forced to go into school and hoke out food from other children's lunch boxes. Unfortunately, that is the harsh reality for too many of our children, and that is why discussions and debates such as today's are vital. We are talking about the impact on real people's lives.

I have no difficulty with the motion or the amendment. I take on board Mr Moutray's comments about the floors of Rathgael being littered with failed pilots, but Rathgael is a very tidy place. It is not much of a building, but it is tidy. I agree with his point about not having pilots for pilots'

sake. I believe that the best way forward may well be to conduct research into the schools that are already running breakfast clubs and to see whether there is continued evidence of the nutritional and educational well-being of the children in the schools and learn from that and move forward.

We are working in very constrained budgetary times in relation to rolling out breakfast clubs across all our schools, but let us do the research and see what the evidence brings us back and then let us make the decisions on where and how and if we should secure finance for those projects. There is good collaborative work among the Executive in relation to the Delivering Social Change programme, and this may be one area where, in the future, we may want to secure funding for the development of further breakfast clubs if the research shows that they are the best way forward.

I think that the best way forward in my Department in responding to the motion and the amendment is to research the existing breakfast clubs and then move from there.

**Mr Craig:** I commend the amendment. I commend all the good effort that goes on in our schools and education system around the provision of nutritional food. Since the days when I went to school, that has dramatically changed. I am sure that I am not the only parent here who gets lectures from their sons and daughters on the good foods that we should be cooking in our houses. That there has been a remarkable change in how we educate our children about nutritional food and how that is presented to them in the school educational system is all good news and is to be welcomed.

There has been a remarkable change in what is provided in schools because a lot of the education boards did research into this and completely changed the menus in schools and changed how food is presented to children. A massive loophole was left a few years ago in that all of this healthy food was being provided in our canteens when, at the same time, a lot of schools had vending machines that were providing less than nutritious foods. Again, that has dramatically changed with the health agenda in schools to the point where the vending machines are now almost as healthy as what is provided in the canteens. All that is welcome news and has massively moved from where we were a number of years ago.

As an interesting sideline, and something I would ask the Minister to look into, I recently dealt with a family whose son had a severe nut allergy. They were concerned about what was on the menus in our canteen system. They were also concerned with what was in the vending machines, because the child could have been badly affected. The fascinating thing I discovered was that, in the school we were in, the nut allergy situation had been dealt with as part of the nutritional issue, and everything there was nut free. I found it remarkable that even that issue had been taken into account. However, I am not so sure that that is done on a widespread basis. I ask the Minister to look into that issue.

I welcome the expansion of the free school meals criteria and all that the Minister is doing there. Like the Minister, I am cautious at the thought of introducing new legislation around this. I am not so sure of the need for it. I certainly had a bit of a lecture from my wife this morning around the issue; she studied food science and is, therefore, a

much greater expert in the field than me. We have the Contaminants in Food Regulations (Northern Ireland) 2013. We recently introduced new EU directive 1169/2011. All those drive forward nutritional values and proper nutritional indications for all types of food. So, a lot of assistance is going into the food sector around whether the foods used in our canteen system are good, bad or indifferent. The idea that we need additional assistance well beyond what has been rolled out Europe-wide is debatable.

One thing I will commend is what needs to be done in our education system. Food education is important. It is great to see our children coming home and lecturing parents like me on what should and should not be eaten. However, it is one area in our education system that needs to expand. There is a shortage of teachers in that field. I plead with the Minister to —

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

**Mr Craig:** — draw that to the attention of teachers out there who cannot get jobs.

**Mr Hazzard:** Go raibh maith agat, a LeasCheann Comhairle. I thank my colleague for bringing forward this very important debate and support the motion in his name. As has been already said, I have no problem supporting the amendment. Although I do not think that it adds greatly to the motion, I see nothing in it to oppose.

Today, I met a number of history teachers from the History Teachers' Association of Ireland. They were what I can only describe as jealous at some of the support in place for pupils in the North, be it education maintenance allowance, free school meal entitlement or free school books. It is important to put on record at the start that we offer a lot for our pupils, and we should commend not just the Minister but the teachers, catering staff and everybody else in that system. Indeed, many ingredients are needed to raise standards in educational outcomes throughout our system, be it good teaching, good resources or the learning environment in the classroom.

Increasingly, there is a realisation that improved outcomes, especially for children from socially deprived areas, are largely dependent on a range of socio-economic factors. When we consider that only 9% of learning between the ages of four and 18 takes place in the classroom, it reinforces that, and is indeed all the more reason that we tackle educational barriers alongside societal anti-poverty schemes and welfare issues.

Given the social importance of education, it is impossible to separate educational opportunity from the wider need for social justice, including the urgent need to address the legacy and enduring nature of poverty in our system. With that in mind, it is encouraging that measures designed to mitigate the effects of social disadvantage throughout our system are working, as we continue to observe an increase in educational outcomes. That culminated, perhaps, most emphatically last year with our primary-school pupils being ranked among the very best in the world in literacy and numeracy.

Undoubtedly, our pupils' growing success is multi-causal, but there can be no doubt that anti-poverty welfare measures, such as free school meal entitlement, are having a huge impact on educational and health prospects

for a growing number of our young people. However, we must not be blind to the huge gulf in outcomes that still exists for many of our pupils, especially those pupils from the socially deprived areas that I talked about. Indeed, as has been outlined many times in the House, the fact that, after 12 years of compulsory education, children from poor backgrounds are 50% less likely to achieve should make us all want to target social need in this way.

Bearing that in mind, I am encouraged by the recent expansion of free school meal entitlement and school nutrition to post-primary and independent schools. The £40 million investment will entitle some 80,000 pupils to receive free school meals. That represents an impressive increase of 45% in the past five years.

Free school meals provide substantial support for low-income families. It is vital support, and it therefore helps children to access all the educational opportunities that may be open to them. Indeed, to acknowledge the benefits of school meals and nutrition, we need only read the comments of experts and nutritionists in this field who quite literally marvel at some of the results of past school meal pilots.

Following the recent Eat Well Do Well pilot in Britain, 80% of teachers wanted free school meals and school nutrition rolled out immediately to all pupils. They reported that a hot meal improved exponentially the child's ability to learn. Improved behaviour, concentration and ability to settle and to listen in all children were characteristics that were picked up. Children were said to be less irritable and to have always appeared less lethargic and suffered less illness and obesity. Importantly, all teachers welcomed a rise in standard across the board. When we consider that, in the past five years, we have seen a 10% improvement in GCSE attainment in our local pupils who are entitled to free school meals, it obviously signals that something is working.

I want to finish today by highlighting some of the important messages that Members picked up. My colleague Maeve McLaughlin asked for the full cooperation from the Department of Health and said that its extension was very important so far. She revealed a statistic that I think will probably sit uncomfortably with most of us evening. She said that 79% of teachers say that pupils are entering their class hungry. That is a stark reminder to us that we still have some road to travel in tackling the issue.

Stephen Moutray commended the Minister for developing a coordinated approach to school nutrition. However, he warned against the plethora of pilots that lay on the floor at Rathgael and asked us to instead listen to the experts. I am tempted to ask Mr Moutray to listen to the experts about the Dickson plan and any other issues that come before the House, but we will leave that for a different day.

Mr Rogers wholeheartedly supported the motion and wants to see a proactive pilot, including a parental programme. Danny Kinahan called for an imaginative initiative and thinks that that would be welcomed. He also said that schools are not meant to be child-minding services and that parental responsibility is very important. Various Members said today that that is all very well in theory, but too many of our parents and families perhaps do not have the capabilities or resources for that.

George Robinson said that a well-nourished pupil is a good pupil. I do not think that many in the House will disagree with that. My colleague Pat Sheehan said that we need to help pupils to choose the right options going forward and that the trickle-down effect will be very beneficial.

The most alarming comment came from Robin Newton, who informed us that our chips are not made from potatoes. We need to go home and check the packets tonight to see what we are eating. He reminded the House that this is all about our pupils' health and well-being. If our pupils are to succeed, their health and well-being must be at their absolute optimum.

I commend the motion to the House, and, as I said, I have no problems supporting the amendment. Go raibh maith agat.

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

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

*Resolved:*

*That this Assembly recognises that research clearly shows that proper nourishment benefits a child's ability to learn; welcomes the initiatives taken to date on the issue through the introduction of breakfast clubs and the work of the education catering services of the education and library boards; and calls upon the Minister of Education to explore what further action can be taken to ensure that children come to school ready to benefit from the lessons they receive.*

4.15 pm

*Motion made:*

*That the Assembly do now adjourn. —  
[Mr Deputy Speaker.]*

## Adjournment

### Moyle: Leisure Facilities

**Mr Deputy Speaker:** The proposer of the topic will have 15 minutes, and all other Members who wish to speak will have five minutes.

**Mr McKay:** Go raibh maith agat, a LeasCheann Comhairle. I see that a number of local MLAs have perhaps been caught out by the early starting time of the Adjournment debate today. Hopefully, they and the Minister will join us shortly.

I bring this matter to the Assembly today because it is a huge issue in Moyle, in Ballycastle and Bushmills, which are in my constituency, and in the glens, which are in East Antrim. I thank all the MLAs who have shown an interest and have turned up today to listen to and participate in the debate.

We have a great sporting tradition in Moyle, with many well-known clubs participating in rugby, Gaelic games and soccer. Indeed, there are now cycling clubs across north Antrim. Perhaps it would be appropriate for me to mention the passing of James McNaughton from the Moyle district, who was one of our proudest assets, having been on the 1989 Antrim hurling team that participated in the all-Ireland final. He sadly passed away in recent days, and I am sure that other Members will join me in sending condolences to his family.

The 2009 'Active Places' report showed that Moyle was clearly top of the league in many ways — the wrong ways. It compared the shortfall by unmet visits with population percentage in a number of areas. It showed that Moyle was well out in front, at 3·11%, with a lack of sports hall provision, and also well out in front, at 4·18%, with a lack of swimming pool provision. That report was published five years ago, but, unfortunately, little has changed.

Moyle has the highest unmet demand for swimming pools and sports halls of any of the 26 local councils across the North. It is the only council district without a publicly accessible swimming pool. Of course, Moyle is a small council — the smallest in the North. Some people have said that Moyle should not have been created for such a small population area because it creates difficulties in public service provision. People living there have had to face the consequences of that over the past number of decades. It has a population of 18,000 and is a largely rural constituency. In many ways, given its location in the very north-east corner of Ulster and Ireland, it is disconnected. Leisure provision has always been near the top of the agenda for members of the public and local representatives. Indeed, it topped the agenda at a recent engagement hosted by the chair of the council, Cara McShane, and the Human Rights Commission.

Come the summertime, that small population in Moyle grows significantly because of the tourist season. The caravan parks, the B&Bs, the hotels and the guest houses in the towns are all booked out. Young and old come from

across Ireland, across Europe and further afield to spend time in Moyle, Ballycastle, Bushmills, the glens and other parts of the district. Like anybody here who takes their family on holiday, you like to have the option of leisure facilities and a swimming pool. The lack of a swimming pool is just as big an issue for the tourists who come into the district as it is for those who live there all year round.

Until three years ago, schools, older people's groups, mothers, toddlers and many others used the small, modest swimming pool at the Marine Hotel. Unfortunately, it has now closed, and there are no immediate plans to renovate. I remember well the time that the hotel closed. Fortunately, the hotel is now up and running again and is making a great success of things since its opening a number of months ago.

Unfortunately, the town's swimming pool lies derelict, which is a great concern to people. It troubles them greatly that the very small facility that they had for older people's groups, young people, single parents and so on has been taken away and that there is no similar facility in the area.

There is a clear unmet demand for indoor leisure facilities in the district of Moyle. Of course, proximity, as I said, is a huge issue. Moyle is rural and isolated, and that needs to be taken into account. Indeed, in reference to that, Sport NI's strategy for sport from 2009 to 2019 states that we should:

*“ensure that 90% of the population have quality accredited, multi-sports facilities, that have the capacity to meet demand, within 20 minutes travel time”.*

That is certainly not the case for those who live in Moyle. According to AA and RAC travel times, the nearest pool for them is between 27 and 49 minutes away. So Moyle district would fail the Sport NI measure because about 80% of its population does not live within the 20 minutes' travel time.

Of course, we should also put this in the context of the growing awareness and debate about public health among the general populace. The further away a swimming pool or indoor facility, the less likely people who live in places such as Ballycastle are to use it. Old and young participate in sport and leisure. It is critical to mental health, physical health and well-being that those facilities are in place.

According to statistics, swimming is the most frequently participated in sport in the North. Unfortunately, for those who live in Moyle, the cost of fuel for a round trip to their nearest swimming pool — for example, from Ballycastle to Ballymoney — is £6·23. Therefore, you spend more than it costs to get a family into the swimming pool before you even get through the door. That is a big ask for a lot of families and those on low incomes. The travel time is also a big ask, because we all know the time pressures that modern families are already under.

To date, Moyle council, to its credit, has used limited resources to fund a leisure services strategy. That includes options on how to move forward positively on the provision of a state-of-the-art leisure facility. Ultimately, that is what is needed to resolve the situation. In my view and that of the report, it should be located in the district town and centre of population, Ballycastle.

I welcome the Environment Minister to the debate. I ask him to assist in whatever way he can to work alongside the local government authority in Moyle, the new Causeway Coast and Glens District Council, as it will be introduced in coming months, to help to realise the project of the first indoor leisure facility for the residents of the district, who have been marginalised for so long when it comes to public service provision, particularly leisure provision. That inequality really needs to be addressed.

Very shortly, Moyle council will no longer exist. We are moving into a new dawn with the review of public administration and the creation of the Causeway Coast and Glens District Council. That means that there is a big opportunity now. Moyle has always had to grapple with the fact that it has a low rate base and population, even in comparison with Ballymoney Borough Council, which is the second smallest council in the North. It has never had the capacity to deliver the swimming pool or leisure facility that the district clearly needed. There is an opportunity now for the Minister to work with Moyle council and the incoming council to deliver that much-needed facility.

It needs to be an absolute priority not only for him but for the Causeway Coast and Glens District Council to ensure that, from Claudy and Feeny right across to the glens, there is equal service provision for leisure and equal access for rural dwellers to swimming and leisure facilities.

**Mr Allister:** I do not think that there could be any dispute about the great beauty of the Moyle area. On many occasions, there might be a quibble about the weather, but there can be no doubt about the beauty of the area. That, of course, means that, in the summertime, it has a vast influx of visitors. Therein is, I think, one of the practical difficulties in making recreational provision. Of course you want to optimise provision for the summer season and to have all that a visiting tourist would want. Very often, the problem is in sustaining that, with its overheads, throughout the rest of the year.

We have had many examples, even in areas with a much larger population such as the city of Belfast etc, of the difficulties in sustaining, year on year, large leisure centres. There is a proposition before Moyle council that Moyle should have an all-singing, all-dancing leisure centre. That is a very attractive proposition, given what it would do for the area and visitors. However, I think that there is a responsibility to consider the feasibility of such a proposition and to establish what is sustainable in the long term. I think that that really is the key. Yes, there undoubtedly is under-provision at this moment, and there needs to be a better standard of provision, but the real question is about what is ultimately sustainable, not least for ratepayers. Of course, one of the problems to date is that, being a very small council, Moyle has had no opportunity really to make some of the provisions that it would like to make, because the ratepayer base is so small that it just could not hope to sustain that. I suspect that some have an ambition that, with the enlarged council, including Coleraine, Ballymoney, Moyle and stretching through to Limavady, they will be able to spread the burden considerably in that regard. That may well be a consideration, but at the bottom of all that is this question: is what is being proposed sustainable? That, I think, has to be a touchstone for what is proposed and obtained for the area.

Other things need to be done. Moyle council has, for financial decisions, recently embarked on a feasibility study for 3G pitches in the glens and Ballycastle, and I am glad to see that Bushmills was added to the proposition. In Bushmills, there is an undoubted need for a 3G pitch to complement the football facility, because the current pitch is such that, if the team play on it once a week, that is all that it can sustain in winter weather, and they have to go to train at the pitches in Ballymoney. So there undoubtedly is a need for a 3G pitch in Bushmills. I am very supportive of that proposition, and I am sure that, equally, there is a need elsewhere.

Given that those are relatively modest capital spends in the first instance and relatively modest overhead continuing spends into the future, they are very sustainable types of propositions that can bring a lot of benefit to the community. Certainly, I am not opposed to a swimming pool and a leisure centre in Ballycastle if that can be sustained, but the last thing that we want to do is embark on a course that, in three, four or five years' time, gives rise to a controversy about how we sustain it. Therefore, it is a question of scale of what is doable and sustainable, and that will be the secret to cracking what is needed for Ballycastle and Moyle.

#### 4.30 pm

**Mr D McIlveen:** I welcome the opportunity to speak on the issue. I congratulate the Member for North Antrim on securing the Adjournment debate. All of us who know the area could not deny the fact that, regrettably, the towns and villages of Moyle have become more of a transit area than a destination area. Certainly, Dervock, Bushmills, Ballycastle and other small villages regularly see large coaches and tour buses go through their villages but, unfortunately, do not benefit very much from seeing them stop. Of course, they are on their way to the Giant's Causeway and to other spectacular sites that we have along the north Antrim coast, which I am sure that we have all enjoyed.

I know the current leisure facility in Ballycastle, because I run regular constituency surgeries in it. I cannot deny that it could do with a considerable upgrade. It is very clear, as you walk around the leisure centre in Ballycastle, that it has been some time since it has seen any improvement or upgrade. Therefore, we would welcome any proposal that would ensure that those leisure facilities are upgraded and enhanced.

However, the bigger picture is the fact that, regrettably, with regard to the villages and highways of north Antrim — certainly its byways rather than its highways — the investment in its byways is somewhat lacking at times. Of course, we welcome the announcement about the A26. When we look around at where some of the money has been allocated, we see that, for example, of £8 million of minor improvement money set aside for DRD, only £200,000 of that is going to Mosside in north Antrim. Therefore, other Ministers will also need to step up to the mark.

I take on board Mr Allister's point about the growing population that happens during the summer months and the caravan season. What he said is very true: we cannot develop an unsustainable facility around a peak in population at a particular time of the year. However, turning that argument on its head, we have to make sure

that the facilities that do exist recognise the fact that there are considerable peaks in the population; for example, the summer visitors and around the time of the North West 200. To bring another Minister into the mix, and this one is a little closer to home for me, the opening hours of the accident and emergency department at the Causeway Hospital really must be taken into consideration.

Quite a bit of investment has already gone into the seafront at Ballycastle, and that has to be welcomed. However, if people come to take the ferry from Ballycastle to Rathlin Island — I am glad to see that we have a keen ornithologist in our midst who, I know, knows every inch of the island very well — we want to make sure that we encourage those people to go into the town of Ballycastle and avail themselves of its facilities. That point goes back to where I started.

With this I will close, Mr Speaker. The facilities are definitely in need of an upgrade. However, I pay tribute to the work that the Ballycastle Chamber of Commerce and the private sector organisations in Ballycastle do to make it the town that it is. I particularly pay tribute to organisations such as Greenlight Gateway, which is an excellent social enterprise that provides much-needed work for people with learning disabilities. I know of people who come from all sides of Northern Ireland to see and enjoy its facilities. I pay tribute to such groups. They are doing their bit to make sure that buses going through Ballycastle on their way to the Giant's Causeway have a reason to stop. However, if an improved leisure facility and swimming pool can encourage people just that little bit more to stop in the town, certainly —

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

**Mr D McIlveen:** — that is to be welcomed. Therefore, I encourage the Minister to take this request on board.

**Mr Swann:** I, too, thank the Member for North Antrim for securing this important Adjournment debate. I listened to him and to the two Members who spoke before me, but one person is glaringly absent from this debate on leisure services and facilities. The mover of the debate mentioned Sport NI's leisure services strategy a number of times. I am sorry for the Minister of the Environment, but where is the Culture, Arts and Leisure Minister? Everything that the Sinn Féin Member for North Antrim mentioned and every call that he made about supplying leisure facilities is the responsibility of the Department of Culture, Arts and Leisure. The only reason that I can think of for the Environment Minister to be landed here is the previous reference to the fact that the only way that we can provide those facilities is by putting them on the rates, and we have somehow brought in the Environment Minister because he would end up paying for them.

**Mr Allister:** A decoy Minister.

**Mr Swann:** A decoy or a substitute; one of the two.

That is where my biggest frustration lies. I fully appreciate the sentiment of the debate and its target and focus. David strayed into the responsibilities of the Department for Regional Development for harbours and all the rest of it, but the debate was to focus on leisure facilities in Moyle, not just Ballycastle. It is a glaring omission that the Culture, Arts and Leisure Minister is not here, but I am sure that the Environment Minister will take that back to him.

**Mr Durkan:** To her.

**Mr Swann:** Back to her, sorry. I apologise.

Reference was made that the only way that those facilities could be provided would be by putting them on the rates, and I think that the point that there is a small rates base there has been well argued. However, it could also have been done over the years, because I think that there are seven years there. Although it is a laudable achievement, the party of the mover of the debate stood over that council's 0% rate increase. To do that is very good for ratepayers. However, the mover of the debate then says, "We need leisure facilities; somebody should have invested in them". There is also a wee bit of responsibility there for the council to look for that rate base and for matched funding that is available, should that be from Europe, the Culture, Arts and Leisure Minister or other avenues, because that ability is there.

A lot has been said about the number of people who come into the Moyle area over the summer. They go there for a reason. They go for the tourist attractions and for the outstanding natural beauty, including the glens. I am not aware of many who would not go to the Moyle, Ballycastle, Bushmills or the entire north coast because there is not a leisure facility there.

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

**Mr Swann:** I will.

**Mr Wells:** The Member may be surprised and wonder why I would contribute to a debate on the Moyle. I have visited Moyle probably more times than any other Member in the House, with the exception of Mr McKay and Mr McMullan. I run a series of boat trips every year around Rathlin Island, and I certainly invite any Members to come on those because it is an absolutely outstanding resource. However, very few people whom I deal with would go to Moyle for its leisure facilities; they go there for the scenic beauty, the wildlife and the walking. Therefore, whatever facility that you may have will depend on local people using it rather than tourists.

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

**Mr Swann:** Thank you very much. I think that the Member proves my point. I know that I am straying from the topic, but one of my concerns is that among the major attractions for people coming into Moyle and particularly those making the crossing to Rathlin is the bird sanctuary run by the RSPB. That sanctuary will close over the summer for major refurbishments, so the number of additional visitors or tourists who would be drawn there specifically for the bird sanctuary will decrease. That attraction will not be replaced by a leisure facility. That might be something that the Environment Minister could take action on because one of my party's local councillors Joan Baird has been vociferous on the point that the RSPB should be looking at some sort of temporary measure to ensure that there is a bird-watching facility there for those who want to go to north Antrim at that stage.

Reference has also been made to the lack of swimming pool provision, more so in Ballycastle than the entire Moyle area. In an Adjournment debate some time ago, there was a reference to the lack of hotel provision in the same area. The Marine Hotel has a swimming pool, and I think that one of the caravan parks also has a swimming pool. We should be looking at this creatively. Rather than go out of

our way to build a new swimming pool and new facilities, why does Moyle council or the new Causeway Coast and Glens not look into partnership with the Marine Hotel and the caravan park and do something there, whether it be co-ownership, sponsoring it, supporting it or whatever means possible? Let us make use of the physical facilities that we already have there. By increasing the number of people coming through the door of the Marine Hotel or any other provider up there, we could increase the footfall through there.

Jim Allister mentioned the lack of provision in Bushmills, and 2011 saw the opening of a fantastic changing facility there. My party colleague Sandra Hunter was vice chairman of the council when it was opened. It makes sense to support that fantastic changing facility with a 3G pitch. The feasibility study was put through Moyle council last week to ensure that there is provision across the whole area. The point has been made that Moyle is a large rural constituency —

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

**Mr Swann:** — that needs additional and sustained provision and something that we can stand over.

**Mr McMullan:** Go raibh maith agat, a LeasCheann Comhairle. I thank my party colleague for bringing the debate today, and I support all of what he said about the late James McNaughton. James was an iconic figure for young people coming through Cushendall in the GAA, and he will be sorely and sadly missed.

I will start by saying that I will be pitching for the glens here. I want to get started very quickly, for I only have five minutes. Some of the things that you raised about going in partnership with the hotel are not feasible because of changes that have happened. I would be quite willing to point them out to the Member, but I do not have time at the minute.

**Mr Allister:** That is very informative.

**Mr McMullan:** The comedian in the corner is laughing, so maybe I can educate him. I was a member of Moyle council for 23 years and was chairman of it. We tried and tried to get a facility there, but it was beaten. We tried one time to go in partnership with one of the owners of the hotel and it did not work. It just did not work. So, those things have all been tried.

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

**Mr McMullan:** Go ahead.

**Mr Swann:** I appreciate that it has been tried. Has the current Moyle council tried with the new owners?

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

**Mr McMullan:** I do not know, but I can find out for the Member.

The glens is the only area that does not have a community centre. Bushmills, Mosside and Ballycastle do, and they have football pitches in Mosside and Ballycastle that have been funded and maintained by the ratepayer. The glens does not have anything like that at all. At the present time, our name is in the hat for the possibility of a 3G pitch. Everything that we do is centred around the GAA, because that is the only area that we have to support. In the past year, we held an all-Ireland archery competition on the

GAA ground, and it attracted hundreds of people. We hope to do that again this year as a weekend event. We have sailing, soccer and all the sports that are there.

There has been talk that people do not come for a facility like that, and there is the question of a wet weather facility. What do we do when people are there, we have inclement weather and there is nowhere for the children to go? Those facilities are vital and are referred to as wet weather facilities. I ask Members to bear that in mind, because it was one of the things when the feasibility study was done before. Those results are within the council.

In the glens, we have athletes from the Special Olympics. They have to travel away as far as Antrim Forum to practise. Those are children with special needs. That is far too far. Going to Antrim and back is nearly a round trip of 70 or 80 miles. They go there and practise, and several of them have returned as all-Ireland champions in their respective sports. We need the facility because, for example, the soccer club in Cushendall plays its home matches in Larne. They sometimes have to go further to play a home match than they do to play an away match. They play at the Cliff pitches in Larne.

#### 4.45 pm

Facilities such as the 3G pitch could be supported. As the Member for North Antrim knows, we have done a study with the Young Farmers' Clubs on how we can come together on sport and things like that. So, we need the all-weather pitch.

The Minister is here, and it is nice to see him. I will say to him that we have the facility in the glens, so it does not have to be bought or anything else. We have it in the grounds of the Glens Youth Club, which has become one of the biggest youth clubs that we have. So many people use it that it is open from 6.00 am to 10.00 pm or 11.00 pm. Putting the facility there would be absolutely tremendous, because everybody could then use it.

Another Member for North Antrim mentioned the Greenlight Gateway, and he was quite right in what he said about that group. We have a thriving disability group in the glens called the Friends Group, which has nowhere to go outside. Those children need somewhere to go so that they will be protected if they fall. Those type of pitches are vital for them so that they can play outdoor games, such as push hockey etc. You can also play games such as bocce on an all-weather pitch that you cannot play on a grass pitch.

So, those are the facilities that we need. We feel that the glens, which does not have a community centre, a sports hall or any council pitches — the only pitches are GAA pitches — needs that 3G pitch. That is because it would add to what we have. On a weekly basis and through volunteers, we work with 300 to 400 children aged from five to six right up to 12 or 14 years of age. We take them away on trips and whatnot, and we have nowhere for them.

I want to quickly mention Ballycastle and the facility there that the Member brought up. At the start, I said that there are no wet-weather facilities in Ballycastle. There are caravan parks, and users of the parks have nowhere to bring their children when the weather is inclement. You cannot bring them —

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

**Mr McMullan:** — to the beach on a wet day. I ask Members to bear that in mind. I invite the Minister down to the glens to see for himself, and I would welcome him there.

**Mr Storey:** I apologise for not being present for the start of other Members' contributions. I was attending other meetings in the centre of Belfast.

When you look at any motion in the House, whether it is an Adjournment debate or a Private Member's motion, you always have to ask the question "why?" I do not think that you need to be that bright to work out the reason why the Member on the opposite Benches tabled the motion. I suspect that a bit of politicking is involved and that he is trying to put the Minister, who we are glad is with us, in a position whereby the responsibility and the blame for something not being provided will be landed at his door.

The Member who spoke previously let the cat out of the bag. He said that they had tried. Moyle District Council tried, and what did it do? It spent its money on facilities other than what it is now asking others to provide for it.

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

**Mr Storey:** I am quite happy to give way.

**Mr McMullan:** I can tell you that Moyle council set aside £200,000 to look at drawing up plans and putting them in for planning for a possible new facility on the Quay Road. So, to say that the council put its money elsewhere is wrong. That idea was raised in the council during the past few years. That was done.

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

**Mr Storey:** I am thankful for the extra minute, but the Member's contribution did not add much to the quality of the debate, for the simple reason that —

**Mr D McIlveen:** I thank the Member for giving way. Can I suggest that one way for Moyle council to have saved some money would perhaps have been not to have entered into a twinning project with Gaza?

**Mr Storey:** I think that that was certainly another PR disaster for the council. The other thing is that it has to take responsibility for how it spent its money. It built facilities at the harbour, at the Quay Road complex, at the Shesksburn Recreation Centre and created AstroTurf pitches, yet there is a lack of facilities in places such as Bushmills and Armoy in the Moyle district. That bears testament to the fact that Moyle council has to step up to the plate and take responsibility for the way that it did not spend its money.

Let us extrapolate that a wee bit further. This is not the first feasibility study that Moyle council has embarked on. It did one in 2006. Where are we with the outcome of that feasibility study?

I would be supportive. I was born and brought up in the Moyle council area. I lived in Armoy until I was 15. I am proud of where I come from, but the one thing that was glaringly obvious in my upbringing was that, if I was going to depend on Moyle council to provide facilities for me, my family and my community in the village of Armoy, it failed miserably. Why? It failed because its priority was the GAA and other sports.

I pay tribute to it in this regard: the tennis provision in Ballycastle is second to none, and we should be proud of

that. We know about the tournaments that are held there and all that is done.

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

**Mr Storey:** Yes.

**Mr McKay:** How much money has Ballymoney Borough Council given to the GAA for facilities in its area in Rasharkin, Dunloy and Loughguile?

**Mr Storey:** The Member knows — he is a former member of the council — that there are facilities in Rasharkin and Dunloy. Any community can come and say, "They have not spent money". How much was spent in Dunloy not that long ago on new changing facilities in the village? How much is it proposed to spend in Rasharkin on community provision?

It is unfair to try to make the comparison, but I will do so a wee bit further. Ballymoney made choices. The Joey Dunlop centre is a credit to the council in how it provides for its constituents right across the piece, irrespective of class, colour or creed.

**Mr Deputy Speaker:** May I draw Members back to the motion on Moyle?

**Mr Storey:** Moyle should take a leaf out of Ballymoney's book because they are the two smallest councils in Northern Ireland. I urge the Minister to work with colleagues across the Executive to see what can be done.

It is disappointing that the Member says, "We have tried that and cannot do anything" about the provision at the Marine Hotel. We pay tribute to the new owners of the hotel, who have done an excellent job in refurbishing, refitting and putting out into the public space that invaluable asset at the seafront. Every help needs to be given to that company and organisation. To speak as though there is nothing that we can do and that we have tried that before, there is a facility at the Marine Hotel that should be enhanced and open to the public in a way that benefits tourism and the local community in Ballycastle. In my opinion, in many regards, Moyle council has failed miserably to do that.

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

**Mr Storey:** Yes.

**Mr McMullan:** The Ballycastle High School and Cross and Passion College got together and worked with facilities for sport. The high school got the accreditation to get that funding —

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

**Mr McMullan:** That is why the high school now plays hockey in Ballycastle because it cost them so much to travel outside. That is one of the things —

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

**Mr McMullan:** — that the council helps to support in Moyle.

**Mr Deputy Speaker:** The Member's time is up. One needs to be very careful when one gives way near the end of one's time.

**Mr Durkan (The Minister of the Environment):** I have listened with great interest to Members' points. I am grateful that Mr McKay and the Members who contributed have drawn my attention to an important issue that is

painfully evident: namely, the dearth of leisure facilities in the Moyle area.

I should make it clear at the outset — others have already done so — that my Department is not responsible for policy on leisure provision, and nor am I able to assess the extent to which councils have met their obligation to provide facilities. In fact, I share Mr Swann's confusion as to how I ended up here today. *[Laughter.]* Article 10 of the Recreation and Youth Service (Northern Ireland) Order 1986 requires councils to provide:

*“adequate facilities for recreational, social, physical and cultural activities”.*

Responsibility for that legislation was transferred from the old Department of Education to the Department of Culture, Arts and Leisure by schedule 3 of the Departments (Transfer and Assignment of Functions) Order (Northern Ireland) 1999. However, the debate does raise important issues about oversight of local government by central government, the overarching policy responsibilities of Departments and the way in which the relationship between councils and Departments will need to develop if we are to address questions such as this.

Although I am not responsible for assessing the provision of leisure facilities by councils, I am very much responsible for a number of significant local government functions. I am responsible for the administrative, financial and audit framework for local government and for local government reform. I also remain responsible for policy oversight for those DOE functions that councils have been tasked with the delivery of, such as waste management and entertainment licences.

As part of my work on reforming local government, I intend to take steps to ensure that the new councils work in partnership with Departments to deliver the very best outcomes for citizens. I will equip councils and Departments with the tools that they need to achieve that.

Councils are already an important delivery partner for central government. For example, they take forward actions to discharge DARD's animal welfare policies, carry out building control functions within the framework set out by DFP and take forward local tourism initiatives in line with DETI's tourism strategy. Those delivery relationships will become all the more critical as councils assume further functions in 2015.

Part 12 of the Local Government Bill, which I will shortly be presenting to the Assembly for consideration, outlines the oversight powers that the Department will have of a function that it has conferred on local government. Part 14 contains provisions that will give powers of direction to any Department to obtain information, conduct inquiries and, if necessary, intervene in cases of default by councils.

I do not, however, wish to give the impression that local government is merely a delivery agent of central government. If we are to realise the greatest benefits from local government reform, we must create a strong partnership between central government and local government, as working together will achieve better outcomes for our citizens. I felt it prudent therefore to make provision in the Local Government Bill for a statutory partnership panel to be put in place to provide a formal mechanism for liaising between Executive Departments

and local government at a political level on strategic matters of mutual interest and concern.

The panel will comprise Ministers and members of the new councils. It is my intention that the partnership panel will provide a forum for elected local government representatives to give advice to Ministers here on matters affecting the exercise of any of their functions and make representations to Ministers about any matters affecting, or of concern to, those involved in local government.

Within that remit, the partnership panel will provide a forum for collaboration between the two tiers of government for promoting major cross-cutting themes. Plans for forming the partnership panel are still at an early stage, and I am conscious that the Bill's provisions may change during its passage through the Assembly.

You will be aware of my plans to introduce a new system of council-led community planning. That process will be extremely helpful in tackling the sorts of issues that Mr McKay raised. Councils will focus on desired outcomes that will promote the well-being of an area and improve the quality of life of its citizens. They will work with statutory bodies, agencies and their community to develop and implement a shared vision, with objectives based on a robust evidence base that underpins decisions on key tasks.

A council will set up a community planning partnership to provide leadership to the process. There will be a list of statutory partners that must participate in community planning, and councils will be able to add to that depending on the issues and circumstances in their particular area. In addition, all Departments will have a duty to promote and encourage community planning and to have regard for community plans in exercising their functions. Leisure is the responsibility of the Department of Culture, Arts and Leisure, so it will have to take community plans into consideration in the further development of leisure policy and in supporting any future play and leisure projects.

The introduction of community planning next April, along with the transferring of functions such as planning, regeneration, economic development etc will enable councils to set out the strategic directions for their area. It will provide them with a broader range of powers that will enable them to better align and plan their services to meet the long-term objectives and vision set out in their community plans. They will have the chance to exploit and maximise the opportunities that exist in their areas, including those around the provision of leisure facilities. A high-level legislative framework contained in the Local Government Bill will be underpinned by guidance and allow appropriate flexibility for individual councils to be able to draw up community plans that meet local circumstances and needs.

#### 5.00 pm

Although I have set out my plans for the future and the wider framework that will assist in addressing the issues raised today, I do not wish to ignore the specific issue of current provision in Moyle. Moyle District Council, as the smallest council in Northern Ireland with the lowest rate base, considers that it does not have the ability to raise the capital finance to build an indoor leisure facility, nor the ability to fund the ongoing running costs of such a facility.

However, the council has put money into the rates budget for the 2014-15 financial year to complete an economic

appraisal for an indoor leisure facility in the Moyle area. It is envisaged that the new Causeway Coast and Glens Council will have a greater ability to provide such a facility. The decision to proceed would be down to the outcome of the economic appraisal and will be for the new council to take.

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

**Mr Durkan:** I will not get an extra minute; sorry, Mervyn.

I am also aware that the council passed a proposal to complete a feasibility study into the provision of a multi-sports outdoor 3G pitch that would accommodate a wide range of sports, with £350,000 set aside to start construction next year. This appears to be an encouraging start. However, I intend to contact Minister Ni Chuilín to discuss her views on the provision of recreational and sports facilities by councils. I encourage other Members to do the same.

I will address some of the points raised today. Mr McKay sought assurance from me that I will work with Moyle council to address the issue. I give him the assurance that I will work with Moyle, its successor council and all councils to optimise provision for their populations. As I outlined, the provision of leisure facilities is the responsibility of DCAL and not the DOE. I hope that any press release that goes out after this debate will reflect that fact.

Mr Wells and Mr Swann raised the issue of tourists who go to Rathlin to see the birds there. Of course, Mr Wells is well-renowned for his interest in ornithology. The other Member, whose name is Robin Swann, could not fail to be interested in birds. *[Laughter.]* My Department is committed to working with the RSPB on the issue they raised.

Mr Storey suggested that politicking could be the motivation behind the debate. I am sure that that is not the case.

In conclusion, I must use this opportunity to reinforce the point that, while councils discharge certain Executive functions, overarching policy rests with central government, not from a distance but through joint working. In the run down to the review of public administration, relationships between councils and Departments are critical and need to develop locally and regionally. All Departments, including DCAL, need to step up to the mark and take responsibility. Recognition that councils are an important delivery partner is essential in going forward.

**Mr Allister:** On a point of order, Mr Deputy Speaker. Is it in order to raise a concern about the dearth of mints in north Belfast? The Member for North Belfast Mr Humphrey entered the Chamber during the debate for the sole purpose of loading up with mints from your Desk and then left the Chamber. I have heard of pick and go, but this brings a new dimension to it. *[Laughter.]*

**Mr Deputy Speaker:** That is clearly not a point of order, but the Member has put it on the record.

**Mr McMullan:** On a point of order, Mr Deputy Speaker. The Member for North Antrim said that we should not have joined with Gaza. That had nothing to do with sport. I remind him that Ballymena council is the gateway to the glens. I thought that he would have been a bit more positive about the glens rather than coming out with a remark like that.

**Mr Deputy Speaker:** That is clearly not a point of order.

*Adjourned at 5.05 pm.*

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# Northern Ireland Assembly

Monday 24 February 2014

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

*Members observed two minutes' silence.*

## Executive Committee Business

### Financial Provisions Bill: Further Consideration Stage

**Mr Speaker:** We come to the Further Consideration Stage of the Financial Provisions Bill. I call the Minister of Finance and Personnel, Simon Hamilton, to move the Bill.

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

**Mr Speaker:** One amendment has been tabled. Members will have received a copy of the Marshalled List of amendments, which provides details of the amendment and the grouping list. The single debate will be on amendment No 1, which requires the Department to conduct a review of regulations under article 31C of the Rates (Northern Ireland) Order 1977, and to lay a report before the Assembly by 31 October 2014.

#### **New Clause**

**Mr Speaker:** We now come to the single amendment for debate.

**Mr McKay:** I beg to move the following amendment: After clause 7 insert

**“Review of regulations under Article 31C of the Rates (Northern Ireland) Order 1977**

**7A.** *The Department shall by the 31st October 2014 review and lay a report before the Assembly on the application of regulations under Article 31C of the Rates (Northern Ireland) Order 1977.*— [Mr McKay.]

Go raibh maith agat, a Cheann Comhairle. The amendment that we move this afternoon is pretty straightforward. It is pretty much an open amendment, and, hopefully, we will get the agreement of the House to adopt it later today. The amendment is in relation to a review of regulations relating to the small business rate relief scheme, and we are seeking a commitment from the Department to hold the review and to lay a report before the Assembly by 31 October of this year.

The small business rate relief scheme commenced in April 2010 and has been in operation for some four years. There have been some changes to it in that time — for example, the extension to properties with a net annual value (NAV) of up to £15,000. It has been welcomed by small and medium-sized enterprises (SMEs) in particular and by many shops in our town centres, and around 25,000 properties currently benefit from it. Its purpose was to support growth and sustainability, and that is especially

important given the economic context that businesses have faced and continue to face today.

Town centres and the businesses in them that are now dealing with a changed market are close to the hearts of many public representatives. They are dealing with consumers whose needs have changed and what they want in terms of service. There are new types of competition, the Internet being an obvious one. So, retail has had to face a completely different, utterly changed landscape in town centres.

The Department said that, in 2014, it would look at town centre rejuvenation, and that should be one of the review's priorities. It is important that the right balance is struck with town centre rating as businesses will, of course, have new bills in just over 13 months' time, based on the revaluation of all commercial property. The Assembly debated town centres in October last year. The Alliance Party and Mrs Cochrane, a Member for East Belfast, tabled a motion on the pressures that retail businesses in town centres are under. There continues to be a debate about the future of town centres. That future depends on the policies that we adopt, especially in areas such as rating.

DFP officials indicated to the Finance Committee that, in 2014, the Department will be able to marry the assessment of the impact of revaluation to the continuation of the scheme. There is no doubt that the small business rate relief scheme has been a success for the many businesses that benefited from it. However, a small number of businesses have large premises and low turnover, and, to some of those, it seems unfair. A recent and obvious example of that is indoor go-karting facilities, to which my party colleague will refer later. Those businesses need facilities with a large square footage, but their turnover is small by comparison with many similar-sized properties, particularly large retail stores. Such facilities are dotted throughout many constituencies. I know of one in North Antrim, and there are facilities in East Antrim, Bangor, Derry and Newry. Many of the businesses face large rate bills because of the size of their property, but their turnover is much smaller compared with businesses that have a similar square footage.

The amendment proposes a review. We have deliberately kept the wording of the amendment open, simple and straight to the point in order to get the support of the House. We suggest that the review urgently looks at anomalies such as those I mentioned, as some of those businesses will struggle to sustain themselves, even over the next number of months, never mind into 2015.

As I said, the amendment is quite simple and straight to the point. The issue is urgent for the many businesses that do not qualify for the small business rate relief scheme at present. We are open-minded as to how the review should be taken forward, and many difficult decisions will have to be made. Obviously, we cannot keep all businesses happy all the time, but I feel that now is the time for a review. There is commitment for a review to be carried out in 2014. We believe that it should be carried out and a report laid before the Assembly by 31 October this year. A Cheann Comhairle, I look forward to the debate.

**Mr Girvan:** I will speak against the amendment. I am not against trying to help small businesses, and I am not trying to create a problem for them. Far be it from us to try to stop our town centres from regenerating.

I appreciate that reductions have been made since 2010, when property with a rateable value of £5,000 could avail itself of a 20% reduction. That was increased to a £10,000 rateable valuation, and lately it has gone up to £15,000. As a consequence, up to 25,000 small businesses have been able to avail themselves of that 20% reduction.

There is flexibility in the Bill to allow the Minister to change the percentage to an amount that could be allocated to specific businesses, and there is a commitment in the Programme for Government to look at this issue. The Minister has already given a commitment to conduct a review of the policy and its operation. As such, I do not see the need for legislative control.

Our town centres seem to have been taken over to a large degree by charity shops, which have availed themselves of many key retail sites and do not pay any rates on any of those properties. We need to look at how we can encourage retail back into town centres and stop them being taken over by charity shops and the like. We need to look at those issues as a way forward and as part of the review that the Minister has already said will happen.

I also have concerns about big businesses that have large land takes but do not necessarily have the turnover. That should and will be considered, but I wonder exactly where Sinn Féin was coming from on this and whether it had identified a specific sector on which it wanted to focus. I am happy enough for that to be answered in the winding-up speech.

People involved in karting were mentioned. I have more than a side interest in motor sport and understand that businesses of that kind cannot always make a lot of money. Other flexibilities can be taken into account in the review, such as the flexibility of the Minister, which was included in the Bill at Consideration Stage, to allow an amount to be allocated to such businesses.

The Bill, as it is, meets those requirements, and I speak against the amendment. We have the bones of a review already in place, and I ask the Minister to expedite that.

**Mr D Bradley:** Go raibh míle maith agat, a Cheann Comhairle. Éirím le tacaíocht a thabhairt don leasú. I support the amendment, which requires a review of the Order and a report to be laid before the Assembly by 31 October 2014. I do not consider the amendment controversial in any way, largely because we already had an undertaking from the previous Finance Minister that there would be a review. That has been echoed by the present Minister. We are all in agreement that there needs

to be a review, and, for that reason, I cannot see why anyone would object to the amendment.

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

**Mr D Bradley:** Yes.

**Mr Wilson:** The Member and the proposer of the amendment have accepted that a review has already been agreed by me and the current Minister. Why, then, is an amendment necessary? Is it because the Member does not believe that such a review will take place? Does he doubt the sincerity of the Minister, or was it simply a case of tabling an amendment of some sort?

**12.15 pm**

**Mr D Bradley:** I thank the Member for the intervention. He should know by now that I take every word that comes out of his mouth as truth and would not dare, under any circumstances, to contradict him. However, it is always reassuring to have what is said underlined, and underlined in legislation. To have such an amendment included would add to the accountability that we have in the House. I think that we all realise that a number of anomalies have arisen from the Order. One is that there are businesses that have large premises but relatively small turnovers. Those are not captured by the scheme.

The Committee Chairman referred to the leisure business of karting. Mr Brady and I have such a facility in our constituency, in Greenbank in Newry. At a time of recession, there is less money in circulation for the leisure activities provided by such businesses. They feel the pinch and could benefit from the type of rate relief that the scheme affords. Under those circumstances, it is appropriate to support the amendment. My party certainly does, and I commend it to the House.

**Mr Cree:** I am also surprised that the amendment was tabled at Further Consideration Stage. Members have referred to the fact that we have a guarantee from the Minister, which, I am sure, is 100% guaranteed.

The other thing that leaves me with some confusion is why the amendment gives a tight time frame. Perhaps its proposer will deal with that when he comes to make his winding-up speech. Why is there a short time frame, when perhaps all the information may not be available by then?

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

**Mr Cree:** Yes, certainly.

**Mr Wilson:** The Member makes a very important point, especially because it has been suggested that one of the reasons for the review is that some businesses have a low turnover to large space ratio. There is an issue with how you accurately measure that turnover and how you distinguish between one type of business that is rated on the rateable value and one that is rated on the turnover. All those things cannot be easily worked out. Does the Member accept that to set down a timetable, which the Minister may or may not be capable of meeting, and put it in the Bill is simply ludicrous?

**Mr Cree:** I thank the Member for his intervention and his wisdom. Obviously, we are of the same mind, but we need to know that. I am sure that —

**Mr McKay:** I thank the Member for giving way. To go back to what the former Minister said, businesses have been

waiting for years to get a review, so I presume that a lot of the work will have been done by now.

On the matter of the tight time frame, as it was referred to, I spoke to staff in the Department, who said that having until 31 October is quite a reasonable time frame for it to carry out the work. It is now February, and I am quite confident that the Department is capable of carrying out a review between now and October and getting a report before the Assembly before many more businesses go to the wall.

**Mr Cree:** I thank the Chair for that, but I remain unconvinced that we would have all the information collected in the time frame. It is important to do it right, and I am sure that the Member agrees. At this point, I will keep my powder dry, listen to the debate and decide at the end.

**Mr Mitchel McLaughlin:** The different perspectives that people are developing on this issue are interesting. Perhaps there is a danger that we could talk ourselves into unnecessary conflict. That was illustrated perfectly by Paul Girvan's contribution. That is because, in many ways, his argument was not against the amendment, and nor should it have been. Whoever the incumbent Minister is — we are talking about Simon Hamilton, in whose judgement and pragmatism I, at least, have a lot of faith — this reinforces that there will be anomalies. Those were described, and we have possibly not fully described them.

I think that there is a need for our Minister of Finance to have the ability to respond to those circumstances, because not only are there anomalies in the business structure of individual projects but variants can occur with economic downturns and upturns in the economy. So, different decisions might need to be made in different circumstances. However, if this Minister or any future Minister were dealing with an issue such as that which has been presented for consideration here today, it seems only right that they should have the tools in the toolbox to respond and to come back to the Assembly at a particular point to set out the reasons for their decision. So, if the Minister decides against it or decides to take action, in either circumstance, it would be included in his report back. It seems to me that that is a common-sense approach, and I hope that Leslie's party will reflect on that. We are not asking the Minister to do anything ultra vires, and we are certainly not looking to spend the entire Assembly Budget; we are talking about trying to help businesses that are under genuine pressure. If the business structure, for instance, is a large space with a small turnover and is particularly vulnerable, why would we not try to respond to help that business and that service to continue?

**Mr Wilson:** I thank the Member for giving way. There are two issues here. What he has been discussing, or what he has been alluding to, is the outcome of the review. However, this amendment is about the timing of the review. If his colleague accepts that assurances have been given that this can be done by October, and the Minister has given an assurance that all additional resources that we put are to having the review completed, why is there a necessity for the amendment, other than that, despite the sweet words about the Minister, he does not actually believe the assurance that has been given?

**Mr Mitchel McLaughlin:** I will repeat those words, and I am quite happy to. I think that we are dealing with a

Minister who listens and responds, and I have worked with him long enough to know that that is the case. I do not really need to labour that particular point, because the track record is there, but I am indicating that there are circumstances in which the Minister might wish to respond before October. There may be circumstances in which he is not bound by a review that will be comprehensive and that will look at the profile of our economy and the businesses that already exist. That is because some of those businesses may not be there in October. I think that our amendment allows the Minister to go with the assurance and the authority to act in our name in the interim, if those circumstances require it. I am not even making the case that that is a dire and essential requirement here, but it is a possibility, and who could deny it?

The particular circumstances that have been described by the presenter of the proposal in Newry and that were referred to again and explained by Dominic were brought to my attention as well in a more localised context. They had not occurred to me, but if our Minister had the ability to do something about it, am I going to say, "We will wait until October"? That is because the business may not be there to avail itself of it, so I ask —

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

**Mr Mitchel McLaughlin:** If you want in before I sit down, I will give way.

**Mr Wilson:** I asked the Member to give way again, because I am finding it hard to follow the logic of what he is saying. All that the amendment is saying is not that the Minister will take action but that he will lay a report before the Assembly by 31 October 2014. So, if the logic behind this is to allow the Minister to act more quickly to resolve businesses' problems, the amendment will not do that.

All the Minister can do is bring a report, which will then have to be acted on and, presumably, put into legislation by the Assembly later on.

**Mr Mitchel McLaughlin:** I will respond directly to that in my closing comment.

The Minister could act now, but, if we have a scheduled period for review and reporting to the Assembly, each decision can be examined in its context, along with the rationale for it, and it can be criticised or supported. We are arguing that we have already developed a fairly comprehensive, and, in some case, very creative and inventive, support for local business. This is another one. There is no dark cloud suggesting that this could do untold damage and would set precedents all over the place. That is not the case. We have specific circumstances and we can respond with support or by saying, "I have looked at it and have decided not to intervene"; and then we can move on. That will then be discussed at the appropriate time.

People should relax and think about this in the context of whether there is something, in addition to what we are doing already, that would support, particularly the survival of, existing enterprises in our economy. We should give that careful consideration.

**Mr Hamilton:** So far, the debate has been livelier than I expected and livelier than it perhaps should have been. I oppose the amendment, and I do so, potentially harming the reputation I have developed for being open and listening. It is gone now. Maybe that is no bad thing. I want

to explain as carefully as I can and pick up some of the points raised by Members.

At the outset, and fundamental in responding from a position of opposition to the amendment, I want to make it absolutely clear that an evaluation of the small business rate relief scheme will be undertaken by my Department later this year. That intention has been made clear for some time. It has been made clear by my predecessor and by me in the House and elsewhere. The very clear stated position of two successive Ministers of Finance and Personnel representing the Department has been that an evaluation will be carried out because one needs to be carried out at that stage in the life of the small business rate relief scheme.

I accept the comments made by various Members that it has been an incredibly successful scheme. It has been extended on two occasions, to the point where over half of all businesses in Northern Ireland are getting at least 20% off their rates bill. We all agree that it has been successful, but it has a predetermined shelf life. Even though it was expanded to take in other ratepayers, it was always due to run out at the end of the next financial rating year. That was because it was introduced as a recessionary measure and the hope was, and the reality now is, that the recession would be over by that time. However, we wanted to evaluate and examine the effectiveness of the policy, as anybody would understandably and rightly do with a policy that had a short-term existence, to see whether there was a need for it to continue or to be tweaked.

Members should also be aware that, as Mr Girvan pointed out, the commitment has already been established as a milestone target in the Executive's Programme for Government. I therefore have no difficulty in making the commitment that Members seek, which is to review the small business rate relief scheme. However, I oppose the legislative changes laid out in the proposed amendment to the Financial Provisions Bill. I see them as unnecessary additions to the statute book, and I think we should not, as a point of principle, legislate unnecessarily. I would see the difference if I, as Finance Minister, were opposed to the review. Then, maybe a timetabled review locked down in legislation would be absolutely necessary; but given that I have reiterated today that I want, and need, a review to take place, there is clearly no opposition from me as Finance Minister.

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

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

**Mr Wilson:** Does he accept that the real constraint on him is that, since the budgetary commitment to the scheme runs out at the end of the next financial year, if he is going to extend it, modify it or put it forward in some form or other for the next Budget period, he has to have some evidential base on which to make that submission to the Executive? Therefore, whether it is in the Bill or not, there is an actual requirement on him if he wishes to continue that in any form at all.

**12.30 pm**

**Mr Hamilton:** Absolutely. Without wishing to prejudice the outcome of a review that has not happened yet — the Member will appreciate this from conversations that he and I have had in the past — I am incredibly sympathetic to the principle of supporting businesses when they are suffering.

Over the next number of years, as we move into economic recovery, one of the difficult balances for us as a House and an Executive will be that there are still businesses that will struggle and need support and assistance from government in order to get through what will be, for them, a very long tail of recession and downturn while others do a lot better and perhaps do not need the same degree of support. He is absolutely right that, going into the 2015-16 Budget, if I am going to make a recommendation for a scheme that is similar to the small business rate relief scheme, at whatever quantum or extent that will be, I will have to be able to persuade Executive colleagues on the basis of evidence that the previous scheme worked and what a new or adapted scheme might look like. He is absolutely right. This is not an evaluation of it at the end of its life; it is to see genuinely whether there is a need for the scheme to continue to exist in some way or another beyond the end of the next financial year.

Members might wish to note that I have been in touch with the newly established Northern Ireland Centre for Economic Policy to ascertain how best to assess the small business rate relief scheme's effectiveness and consider the need for longer-term support measures. The reason why that work cannot be undertaken earlier is because we need to know what the impact of revaluation will be on small businesses. We will not know that for another few months yet. That said, I will have to complete the evaluation by October at the latest, which, again, is in line with the desires of those who have proposed the amendment. I will have to do that by October at the latest in order to ensure that we have the regulations in place for whatever replaces the current scheme. So, I have no difficulty with the timescale that is laid out in the amendment.

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

Before I conclude, I want to turn to some comments that were raised during the debate because there were a few that are worth picking up. One was the reference to the specific example of indoor go-karting as a business that has a large square footage but small turnover. Having researched those various businesses, the locations of some of which were mentioned during the debate, and having looked at the outstanding rates balances of those businesses, I see that, certainly for the ones that I looked at, a total of over £600,000 of outstanding rates debt can be attributed to them. Even though Members mentioned certain businesses, I cannot go into the individual details of each one. However, it strikes me that, even if I had the power and vires right now to extend the small business rate relief scheme to those businesses, the 20% relief that they would receive would not be sufficient to eliminate the outstanding rate balances that they have on their accounts. It strikes me that many — not all, but many — of those businesses have issues beyond not being eligible for the small business rate relief scheme.

The review that I am committed to will look at the success or otherwise of the small business rate relief scheme and its future. Many of the issues that were raised, certainly by Mr McLaughlin and Mr McKay, were more about the totality of non-domestic rating rather than specifically the small business rate relief scheme. I want to put on record again my commitment to reviewing the whole business rates system post-revaluation. When the revaluation is out of the way, it will be close to 10 years since any review of

non-domestic rates in Northern Ireland has taken place. It will be timely that, around nine or 10 years after the last review, we once again look at the totality of the system.

Mr McKay mentioned that he wanted to see something done before many businesses go to the wall. To reiterate Mr Wilson's points: a report will not do anything to stop any business from going to the wall. Certainly, if I was to bring forward a report in the next week, it would not make any difference. If I brought it forward by 31 October, it would not make any difference. What could make a difference to a business is the recommendations that any report would contain, not the report itself, but the recommendations that it makes. Even if those recommendations were in place by October, as the amendment requires — as I said, I have no intention to try to meet that as a deadline — I would probably still need legislation to be in place to make a new scheme or extended scheme work. That will not be in place for a whole host of reasons, principally practical reasons, by the next rating year. So we are talking about it being 13 months from now before any measures included in any report could be put into action.

Mr Bradley again talked about businesses that have a large square footage or square metreage but a small turnover. I think that that is one of the problems that arises. It is not that I do not accept that there are issues. That is one of the issues that arises when you have a property-based tax, which is what rates are. To move away from — I appreciate that he did not argue for this — basing it on property size and move towards basing it on turnover is a fundamental change, the like of which would, I think, be incredibly difficult. I will not close my mind to any change at all, but I would want to look at the evidence. Problems such as the fluctuations that come from a local tax-based system based on turnover would be incredibly difficult to address. I ask the question that others asked about what constitutes small turnover. One business might be eligible for relief on the basis of small turnover this year, but what happens if its turnover rises next year? Do we continue the relief? If we did, there would need to be all sorts of manual interventions in the system, which can complicate things quite extensively.

Mr McLaughlin was very effusive in his praise for me. I much appreciate that. It is a very rare thing, so I will take it from whichever quarter it comes. I would like to think that I am responding to circumstances. In fact, the small business rate relief scheme, although not my responsibility, has responded, on at least two occasions, by its extensions to include, as I say, over half of all business properties in Northern Ireland. The Member talked about having the tools in place to make a change and a difference. However, I point out to him respectfully that the amendment before us does not offer any tools. It offers a timetabled review, which I am already committed to doing without the need to legislate. I again wish to point out that the wider non-domestic rating review might be more relevant by providing better, more up-to-date and more tailored tools to address some of the problems that he talked about.

In conclusion, I oppose the amendment to the Bill. I see it as being unnecessary and inappropriate in the context of the Bill. A commitment to review is already provided for in the Programme for Government. I assure Members that my Department will meet the terms of the amendment without it having to be set out in statute. I hope that the

assurances that I have given today will be sufficient to see the House reject the amendment. Thank you.

**Mr Brady:** Go raibh maith agat, a LeasCheann Comhairle. I support the amendment. Far be it from me to impugn the integrity of the current Minister or, indeed, his predecessor; I am sure that he will endeavour to do what he says that he will do. My colleagues laid out clearly the reasons why the amendment was put forward. The idea is to give the Minister some flexibility by making something available to him in legislative terms. I think that it was Mitchel McLaughlin who mentioned explicitly having the tools in his toolbox. I think that that is a reasonable argument for putting forward the amendment.

Paul Girvan had some sympathy for the type of business that we are talking about. I will be very parochial and give a specific example of a situation that exists in my constituency in Newry. I think that the example puts into context the difficulty that some businesses have with being rated based on size rather than turnover.

The Minister seems to oppose the amendment in principle. He seems to be not in favour of legislative change for the sake of legislative change. I think that the argument in this case is that the amendment has been put forward for very good reasons. Mr Cree may well be convinced. He is keeping his powder dry, and I hope that it stays that way. I will try not to dampen it in the process of my winding-up speech.

There are good reasons for putting forward the amendment. It does not seem unreasonable to have a particular date in mind for a review to happen and a report to be laid.

I will give the example from my constituency. The Minister talked about £600,000 in rates being owed. As I said, this puts the issue into context. A go-kart business in Newry has a turnover of approximately £350,000 net VAT, and its rates are £39,281. Another business that is not that far away has an annual turnover of over £46 million, and its rates are £42,941. We are talking about a difference of maybe £2,500 to £3,000 maximum, and yet the turnover is just as incomparable in those terms, so that puts it into perspective. My colleagues and Mr Bradley mentioned that particular situation. It may well be that that business will go to the wall because of the amount of rates that it has to pay. The business employs people and creates opportunities for young people coming off schemes, etc, and it has won awards. Nevertheless, the amount of rates that it has to pay makes it almost impossible for it to carry on. That was one of the reasons for the amendment.

The Minister has admitted that the scheme works very well, and over 50% of business have benefited in the North as a result. However, some businesses are not benefiting from it and that is one stark example, although other businesses along the same lines are having the same problems. I have not heard anybody really putting forward a strong argument against the amendment. It seems, as you said, Minister, a matter of principle, and that you do not want to introduce legislative change for the sake of it. However, if it is good legislative change, I do not see why it should be opposed.

**Mr Mitchel McLaughlin:** Will the Member give way?

**Mr Brady:** Surely.

**Mr Mitchel McLaughlin:** I want to pick up on something that the Minister addressed, which was the accumulation

of rates arrears over time, and that is a significant issue for the Assembly when you take it right across the board. With regard to the examples before us, the point is that the current system, good as it is, has not helped those people. In fact, the accumulation of rates arrears was an indicator that those businesses were in distress, but there was no response from the system. By the time the review is over, it is quite possible that some of those business will have disappeared, not necessarily because they are facing this year's rates bill, but because of the accumulation of arrears that will be subject to court action at some stage. The Minister also has in his toolbox the ability to deal with write-offs, and we get a report each year on that. What we were attempting to put forward was that the system, good as it is, could still be tweaked and refined. The pressure that those businesses are under is a demonstration of that need.

**Mr Brady:** I thank the Member for his intervention. Mr McLaughlin made a very valid point, because it is an accumulative problem for many businesses. While not being too sweet about the Minister, I accept that he is open to innovation and innovative change where it can do something specific and concrete to help businesses in this situation. I do not want to be too flowery with my language, but it is an opportunity for the Minister to be innovative and look at these things in an innovative way. I do not see any reason why he should be afraid of good legislation. This is not all about a point of principle; this is about trying to save jobs and save businesses that may well go to the wall. On that note, I will finish.

*Question put, That the amendment be made.*

*The Assembly divided:*

*Ayes 38; Noes 54.*

#### **AYES**

*Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mr Durkan, 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, Mrs McKeivitt, Mr McKinney, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr A Maginness, Mr Maskey, Mr Milne, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr P Ramsey, Mr Rogers, Mr Sheehan.*

*Tellers for the Ayes: Mr Brady and Mr McKay.*

#### **NOES**

*Mr Agnew, Mr Allister, Mr Anderson, Mr Beggs, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Campbell, Mr Clarke, Mrs Cochrane, Mr Craig, Mr Cree, Mr Dickson, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Dr Farry, Mr Ford, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr Kennedy, Mr Kinahan, Mr Lunn, Mr Lyttle, Mr McCallister, Mr McCarthy, Mr McCausland, Mr I McCrea, Mr D McIlveen, Mr McNarry, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Spratt, Mr Swann, Mr Weir, Mr Wells, Mr Wilson.*

*Tellers for the Noes: Mr McQuillan and Mr G Robinson.*

*Question accordingly negatived.*

**Mr Deputy Speaker:** That concludes the Further Consideration Stage of the Financial Provisions Bill. The Bill stands referred to the Speaker.

## Budget Bill: Final Stage

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

*That the Budget Bill [NIA 32/11-15] do now pass.*

As Members will be aware, the Final Stage of the Budget Bill draws to a close the legislative process for the 2013-14 financial year. The House has engaged in robust and, at times, spirited debate on the Bill and the Supply resolutions over the past few weeks, and I do not intend to rehearse the arguments here. The past few weeks' debate has been informative, and I welcome the opportunity for Members to have their say on this important legislative process.

The Budget Bill covers the 2013-14 financial year and provides the legal authority to spend in the first few months of 2014-15. Looking at the management of public expenditure in 2013-14, we began the year with an overcommitment that we sought to manage through the monitoring rounds and the in-year monitoring process. Through the three monitoring rounds, we were able to manage down successfully that overcommitment, as well as reallocate surplus funding to key areas to support our economy and our public services. However, the process by no means draws a line under the 2013-14 financial year, and it would be remiss of me as Finance Minister if I were to give that impression to Members. Five weeks remain of the financial year, and Ministers and Committees must continue their vital work to ensure that departmental budgets are maximised using sound financial management principles, thereby ensuring that we minimise underspend and the risk of having to return unspent funding to Treasury.

### 1.00 pm

Ministers and Committees should also now turn their attention to 2014-15. Departments are, undoubtedly, in the latter stages of planning for the next financial year, the first few months of which this Budget Bill covers. That planning will be further complicated if we continue to delay progress on welfare reform. Should that delay run into 2014-15, we face significant reductions in our block grant from the Treasury, which will have an impact on all departmental budgets.

I want to spend a moment or two reflecting on 2013-14. This year was yet another important one for our tourism industry. Northern Ireland hosted the UK City of Culture, the World Police and Fire Games and the G8, which brought much-needed publicity and tourism to our shores. The Titanic building received its millionth visitor in July, exceeding all expectations for that wonderful attraction.

Our local economy has begun to show determined signs of recovery, with unemployment falling, activity in various business sectors increasing, and, despite what the governor of the Bank of England may think, house prices are now rising. The Executive allocated £430 million for public expenditure in 2013-14 in the three monitoring rounds of this year. Nearly one third of the available capital departmental expenditure limits (DEL) funding was allocated to the Department for Regional Development, recognising that investing in our road and transport infrastructure is a key economic driver. Almost one third of our available resource DEL was reallocated to the Department of Health to respond to pressures in our health system.

The Executive also issued £40.9 million of financial transactions capital loans in 2013-14. That was loan funding that went directly to our private sector to deliver housing schemes and to support the University of Ulster in taking forward its relocation project. I could go on, but I hope that these things give a flavour of the different ways that the Assembly has delivered for our citizens, not to mention the delivery of ongoing routine public services on a day-to-day basis.

Moving on to 2014-15, the Assembly must ensure that public services continue to be delivered, which is what this Vote on Account legislation intends to facilitate. I look forward to hearing from Members on this important legislation.

**Mr McKay (The Chairperson of the Committee for Finance and Personnel):** Go raibh maith agat, a LeasCheann Comhairle. As the Minister said, the robust and spirited debate on the Budget Bill has already happened. I am sure that most Members are saving themselves for the climate change debate this evening.

By this stage in its passage, Members will be well aware of the purpose and scope of the Budget Bill. Its aim is to provide the statutory authority for expenditure in 2013-14 as specified in the spring Supplementary Estimates, which encompasses the year's monitoring rounds. The Bill also includes the Vote on Account, which allows public expenditure to continue in the early part of the next financial year, until the Assembly votes on the Main Estimates for 2014-15 in early June.

I do not intend to rehearse the Committee's contribution to the debate on the Supply resolutions. As the Finance Committee recognised, the legislative stages of the Budget and financial process are cumbersome and need to be streamlined. The Committee and the Minister are concurrently considering a proposed memorandum of understanding between the Assembly and the Executive on the Budget process, which, if operated effectively, would support future streamlining of the legislative stages of the Budget and financial process, thereby expediting Assembly approval of the Executive's annual Estimates and Budget Bills.

This proposed memorandum of understanding would aim not to reduce Assembly input to the Budget but would enable it to be front-loaded to enable Committees and Members to undertake effective scrutiny and provide advice at a formative stage in the Budget-setting process and, critically, before the Executive have agreed the draft Budget. Although Budget Bills would still require Assembly approval, the proposed improvements would maximise the opportunity for the Assembly to provide constructive input, add value and influence decisions. I recently briefed the Chairpersons' liaison group on progress on the memorandum of understanding. Hopefully, the wider Assembly will have the opportunity to debate the proposal in plenary in the coming months.

As I outlined, the Committee took evidence from DFP officials on the Bill on 5 February. That marked the culmination of a scrutiny process of the 2013-14 in-year monitoring rounds at a strategic and departmental level. On the basis of that process of engagement, the Committee determined that it was content to grant accelerated passage under Standing Order 42(2). In that regard, the Committee welcomes the engagement

with DFP during the quarterly monitoring rounds and on the Estimates and the Bill. It was particularly helpful for members to receive clarification on the details of the in-year technical changes to resource and capital allocations to Departments, some of which were quite significant.

The Committee raised the issue of whether to increase transparency. A final out-turn report could be laid in the Assembly in a similar format to the provisional out-turn report that the Minister provides in June or July each year. I acknowledge the Department's responsiveness to that request and welcome its willingness to provide that data to the Assembly.

Regarding the residual issues to be addressed in the weeks ahead, the Committee reiterates the importance of Departments minimising any year-end underspend to ensure that the Executive keep within the limits of the Budget exchange scheme agreed with the British Treasury. In that regard, I recommend that all statutory Committees closely monitor the forecasting and expenditure of their respective Departments during the remainder of this financial year and over the course of the next financial year.

Full and timely engagement by Departments with their respective Committees will be crucial in ensuring that all statutory Committees can fulfil their important advisory and scrutiny functions in that area. In turn, the Committee functions are exercised most effectively when they provide constructive input that adds value to the Budget considerations.

On behalf of the Committee, I support the motion.

**Mr Girvan:** I support the Bill's passage. The Minister alluded to some of the positives we achieved in the last year, including the City of Culture, the World Police and Fire Games, jobs and inward investment. Those have been great to see. We also had investment in our infrastructure, and some moneys have been set aside to improve it, which encourages inward investment. Also, help has been given to small businesses through the continuation and extension of the small business rate relief scheme.

We are dealing with £16.6 billion of spend, and one area causing major concern is the possibility that we will not be able to spend all of that money on the delivery of services. Some of it might well have to go back to pay for the delays that the House has put on welfare reform. Potentially, we could end up with some of our block grant disappearing as a consequence. We have already heard that it is £5 million a month, and once the computer system has to be changed there could be a very big expense. That will focus our minds in the near future on ensuring that we do not lose part of our block grant. We heard the figure of up to £1 billion over the next few years, so we have to be mindful of how that could impact on what we have to deal with.

We came into this Assembly mandate with a Budget reduction of £4 billion. A Budget was set in 2011, which included that £4 billion reduction over the next number of years up to 2016. As a consequence of those reductions, a number of Departments have done very well.

It has been noted that, although Committees seem to be dealing with the business, some of them are not that interested in dealing with the budgets associated with their Departments. As a consequence, this is something that there needs to be more focus on to ensure that we get the correct and proper spend of that money and, as the man

says, more bang for our buck. I want to ensure that we do not have to waste money. What has been good is not having to hand money back; that is important.

The monitoring rounds have been a very helpful and worthwhile exercise. There have been lessons learnt. Gone are the days when we were handing tens, if not hundreds, of millions of pounds back to the Exchequer. That is to the benefit of Northern Ireland, and it is good to be able to do it. It is down to good management, and it is something that we have to encourage. I appreciate that the Vote on Account is to allow us to go ahead and make some of the spend up until the Budget is approved in June. We have progressed quite well on that. Ensuring that we do not have any moneys to hand back is important.

I support the Bill's progression at Final Stage.

**Mr D Bradley:** Go raibh míle maith agat, a LeasCheann Comhairle. Tá mé buíoch díot as an deis cainte ar an Chéim Dheiridh de Bhille an Bhuiséid. Thank you very much, Mr Deputy Speaker, for the opportunity to participate in the debate at the Budget Bill's Final Stage.

At this time, the Assembly is not held in particularly high esteem among the general public. That is partly due to the fact that, to date, there has been a failure to reach agreement on the various issues involved in the Haass talks. That failure to reach agreement does have an impact. It has an impact on our ability to attract foreign direct investment. The failure to agree on important key legislation in the House also impacts on public spending.

At earlier stages of the budgetary process and in the various debates that go with it, I mentioned, for example, that the education and library boards and other education sectoral bodies are reporting that the reduction in their staffing levels and the moratorium on recruitment is preventing them from being able to process various capital projects that they would like to bring forward. I said that I believe that the £180 million capital programme for education is in danger because the staffing complements in those bodies are reduced to such an extent that they cannot process the various projects that they would like to bring forward. I mentioned that earlier and do not recall the Minister responding to it.

Sometimes, when we fail to agree on important legislation in the House, we think that it is something that affects only those within the parameters of the House. However, the fact of the matter is that it has far-reaching implications outside the House. It affects the public services that we deliver and how we deliver them. It also has an impact on jobs and the economy. I would be interested to hear what the Minister has to say about the Education and Skills Authority Bill.

Previously, when we have had issues with Whitehall about such things as air passenger duty, we were able to muster a very strong team, including the First Minister, the deputy First Minister, the Finance Minister and others to enter into negotiation with the Treasury to get a good deal on the issue. I think that we probably did get a good deal on that issue.

### 1.15 pm

The same applied to the Presbyterian Mutual Society. We had top-level ministerial involvement, DETI involvement and the involvement of the Minister of Finance, and we managed to get a good deal on that issue. But when

it comes to welfare reform, that is left to one Minister: the Minister for Social Development. It is potentially the biggest issue, far bigger than air passenger duty and far bigger than the Presbyterian Mutual Society, yet we leave it to one Minister to negotiate the terms with the Treasury. Why do we not have that high-powered delegation? Why do we not have the First Minister and deputy First Minister, the Minister of Finance and the Minister for Social Development? Why do we not have that high-powered ministerial delegation over, hammering out the best possible bargain for us here? There is still time. I think that such a powerful delegation should meet again with Lord Freud and the others to look at the bargain that we have and to get the best possible bargain. I do not believe that we have that at the moment.

One of the major impacting events last year was the announcement of the financial pact, yet there has been no mention of it throughout this budgetary process. As we all know, a pact is an agreement involving two or more parties; in this case, two: the Executive here and the Westminster Government. We never learned exactly what the terms of that pact are. They were never revealed to us. It would be interesting to know what they are. One of the elements of the investment plan was that:

*“we are on course to deliver the commitment to £18 billion of capital funding over the period 2005-2017”.*

We all agree that we have had a commitment to the £18 billion in capital funding, and we have had it for many years, but can we now move on to delivery? Can the Minister say whether anything has changed to give him the confidence to believe that we will get that £18 billion? I have heard no reference to it to date.

Can the Executive, in conjunction with the Westminster Government, devise any specific legislative plans to unlock the financial benefits of Belfast port? As I remember, that was one of the elements of the financial pact. We need to be sure that there is something in that pact for Northern Ireland and that it is not merely sleight of hand to create the illusion of action on the economy when, in fact, nothing may have changed. I am interested to hear from the Minister how he sees that financial pact having impacted on this Budget, hopefully, in a positive way.

During the course of these debates, several Members referred to the reform of the financial process. We remember that a report was published some years ago by the Association of Chartered Certified Accountants on parliamentary financial scrutiny in times of austerity.

That report compared the levels and quality of financial scrutiny across different countries and jurisdictions. The report noted:

*“The outdated ‘estimates supply votes’ process that exists in Westminster-style systems is a key barrier to effective parliamentary scrutiny of the budget and financial reports. In countries using the Westminster model of government, parliaments cannot realistically amend spending proposals, and many are barred from substituting a budget of their own. Instead, they are confined to assenting to spending proposals that are put to them ... The focus of financial scrutiny needs to be re-aligned with the budget, spending plans and resource accounts, but this will require significant structural and cultural reform.”*

In one of my earlier speeches, I outlined the proposals that arose from the Committee’s inquiry into the financial process. Mr Deputy Speaker, you will be pleased to hear that I am not going to reiterate those today. However, I asked the Minister how much of it he can go ahead with, in light of the fact that the Education Minister is not cooperating with his plans to reform the financial process. Will he continue to press on to introduce as many of those reforms as possible?

In various speeches during this budgetary process, I have outlined the SDLP’s position on a number of matters. Colleagues will make a contribution later in the debate. Ach don bhomaite tá mo sháith ráite agam, a Leas-Cheann Comhairle, agus fágfaidh mé aige sin é. Thank you very much, Mr Deputy Speaker. I will leave it at that.

**Mr Cree:** I support the Final Stage of the Budget Bill. As has been highlighted, it provides a statutory authority for expenditure in 2013-14. Two weeks ago, we approved the spring Supplementary Estimates, which covered the monitoring rounds, and the Vote on Account, which permits public expenditure in the early part of the next financial year. The Main Estimates for 2014-15 will be considered and decided by the Assembly in June. We will then be entering the final year of the four-year mandate. As I have said before, it is crucial that the Executive ensure that all Departments engage fully with their respective Committees by providing adequate information in time for scrutiny.

Mr Bradley referred briefly to the review of the financial process. I make no apology for raising it again. It was intended to provide clarity to make such engagement meaningful. I ask the Minister, again, whether he expects the Executive to agree and implement the improvements in time for the Main Estimates. The current system is ineffective and does not show transparency or direct read-across. Moreover, Ministers must make every effort to ensure that departmental budgets are adhered to and that underspend is capped to an absolute minimum. We have to avoid the risk of having to return any unspent funding to the Treasury. The Minister said that such an occurrence would be extremely difficult to explain to the taxpayers as we work through one of the tightest Budgets in recent years. It remains so.

Another concern that I have is that the Departments may well have failed to make the efficiency savings that they announced. The Minister is well aware of the Audit Office report, and I would appreciate any comments that he is able to make on the situation and how it will have a direct effect on the Budget figures. We need to up our game and illustrate delivery during the incoming year. The Estimates in June will be a critical time in defining the success or otherwise of this government. We will be judged on that. We need to illustrate the achievements against the Programme for Government, and it is crucial that all the financial targets be achieved and all savings be made. We also need clarity on all spending in all Departments and on credit balances, which have yet to be applied. In the hope that this will happen, I will support the Final Stage of the Bill on behalf of the Ulster Unionist Party.

**Ms Boyle:** Go raibh maith agat, a LeasCheann Comhairle. I welcome the opportunity to speak on the Final Stage of the Budget Bill. As we heard from other Members, the Budget Bill provides statutory authority for expenditure as set out in the spring Supplementary Estimates 2013-14.

The discussions that we had during earlier consideration of the Bill have covered all the ground required in the debate. The systems that we have developed and implemented together are working quite effectively, and are being worked effectively. In the earlier stages of the Bill, I referred to the fact that a number of significant allocations and easements have been made over the three monitoring rounds. I drew particular attention to the hardship scheme and the funding that has been directed to assist farmers through DARD, which shows how we can target resources effectively and efficiently. That said, we can always focus on further enhancement and learn from improved practice to date.

The A5 remains a challenge, and, on moving forward, we must consider how we can progress this much-needed infrastructure. This significant project, which will strengthen our economy, must come to fruition. We must pay particular attention to building the infrastructure that supports our local economy and enhances our ability to channel the potential of the island economy, which generates £2.3 billion for the island and provides a larger return to our local economy.

We must also ensure that we get the maximum return for our budgets within the provisions of the financial system that we are operating in. Our challenge is not only to manage our budgets effectively but to ensure that we are accessing all available resources. That means ensuring that we effectively channel the return from the Barnett consequentials. We need to scrutinise British public expenditure plans and maintain a close watch on the British Budget announcement in March. We must do all in our power to protect our budgets.

We should identify exactly how much finance should be directed to our budgets as a result of the British policy on free school meals, and with respect to British Rail upgrade projects that will be coming on line. We must be vigilant with the March statement to identify how British expenditure will affect our budgets, and we must ensure that we use our ability to target the Barnett consequentials effectively.

We should also be mindful that the announcement in March could trigger further consequentials, which will benefit us all. We must also have our eye to the future and take the opportunities to grow our economy in a just, fair and equitable manner to the benefit of all our citizens. To do this means exploring all potential tools and levers for economic growth.

I support the Final Stage of the Bill.

**Mr Attwood:** I acknowledge the work of the Committee, the Department and the Minister on the Budget Bill. However, if I may, I will return to a number of themes from earlier debates, in particular, comments by the Finance Minister at Consideration Stage and Further Consideration Stage. He made a comment about the economy in Northern Ireland, about where it is and where he thought that it would go. On both occasions, he commented on welfare reform and the situation that faces Northern Ireland given the threat from the Treasury through the monthly penalty clause that will arise from the failure to take forward welfare reform legislation.

### 1.30 pm

The first issue that I will deal with is the Northern Ireland economy, because that theme was touched on by the

Minister. The House will recall that, on that occasion, the Finance Minister chose to use the word “booming” when describing the economy generally and said that, by the end of this year, that word, as I think he understood it, could apply to the North. When challenged on that, he commented on what the anticipated growth in the Northern Ireland economy might be between now and the end of the financial year.

Of course, only a matter of days later, his big boss in London, the Chancellor of the Exchequer, began putting down some caveats. He said that people needed to show a bit of caution as to whether the recovery was “stable” and “sustainable”. I understand that those were the words that he used on that occasion. Although I would not rely very much on the words emanating from the Chancellor — that might be a part of the rebuttal, if there is one, from the Minister of Finance — I thought it curious that people in London were beginning to urge some caution about the recovery: was it stable or sustainable? The word “selective” could be added to that question, because any recovery in Britain is selective in that it is concentrated in the southern part of England. Given that comment, the Minister may want to reflect upon his use of the word “booming” and how it might apply here.

In any case, he may also want to reflect on research produced by the Resolution Foundation since Further Consideration Stage. It found that, between 2008 and 2013, income per head in Northern Ireland fell by 10%, from £17,910 to £16,130 — the highest fall in Britain and Northern Ireland. The average reduction across Britain and Northern Ireland was 5.8%; in the south-east of England, it was 3.3%; in Northern Ireland, it was 10%. That suggests that the recession had a deeper and longer lasting impact here than elsewhere. The foundation indicated that that was influenced by the particularly severe crash in the property market. I put it to the Minister that he should be somewhat cautious about using the word “booming”, given that the Chancellor is more cautious than that; the recovery is selective; and the recovery from recession is, in this part of these islands, a more exaggerated process than elsewhere.

The second major political issue in the Budget, which the Minister relied on at Consideration Stage and Further Consideration Stage, was welfare reform, which my colleague Mr Bradley touched on. I will echo some of his comments and then try to add to them.

During an earlier debate, I said that, in my view — I think that I have some evidence to confirm it — the Department for Work and Pensions (DWP) had the measure of DSD when it came to welfare reform. To that, I now add that DWP has the measure of DFP. On the last occasion, there was nothing in the Minister’s reply to indicate that he was beginning to think outside the box or, to borrow that phrase again, acting more like Swinney than like Sammy when it comes to how to scope out, grapple with, resolve, interrogate and move forward the issue of welfare reform that he, very significantly, touched on. Any media commentary on the Budget was on the Minister of Finance and Personnel’s comments about welfare and the penalty from the Treasury rather than any of the other arguments being made at the Bill’s various stages.

I want to put the SDLP’s point of view on the record. If a penalty of £5 million a month is imposed by the Treasury arising from the failure to bring the Welfare Reform Bill

back to the Chamber, that is a price that should be paid. It is a price that is being paid by tens of thousands of people and thousands of families already in this part of the world, because welfare is measured in multiples of £5 million. Let us be very clear about this: if, at this time, the British Government are imposing a £5 million penalty a month on the Budget of Northern Ireland, we say that that is a price that should be paid, because the price of welfare and the quality of experience of thousands of families in this part of these islands is so much greater than the £5 million that the Minister says London now intends to impose.

In September 2013, NICVA published research undertaken by Sheffield Hallam University that stated that the impact of welfare to date and welfare change to come was going to take £750 million out of the Northern Ireland economy. Work it out yourselves: £5 million into £750 million results in a figure that is many multiples of £5 million. The £750 million that will be taken out of the Northern Ireland economy will take £650 per annum away from every adult of working age in Northern Ireland. By comparison, the impact of welfare change on each working adult in Britain is £470 per annum. The impact on citizens of working age in Belfast is £840 per annum.

My question to the Minister is this: is the withdrawal of up to £750 million from the Northern Ireland economy, which would have an impact on the working-age citizens of Belfast of £840 per annum, not something that should be waved in the faces of Ministers in DWP, the Treasury and Downing Street before they casually and idly wave in our faces the threat of the withdrawal of £5 million a month from the Budget?

What is the strategy to deal with the threat to the Northern Ireland Budget that the Minister outlined? My colleague Mr Bradley outlined it earlier, and it is to recognise that DWP has the measure of DSD and that the negotiation with London on welfare should be escalated beyond DSD in order to maximise the impact that it has on the people in DWP, the Treasury and Downing Street. That was the model of choice that was deployed in the case of the PMS, is being deployed for corporation tax and was deployed when it came to the very moderate economic pact of May 2013.

If that was the model of choice to maximise outcomes for all those issues, it should be the model of choice when it comes to negotiations on welfare reform and the threat from London. That negotiation should involve all parties from the Executive and should represent all of government in Northern Ireland to drive home the point that the Minister for Social Development has failed to drive home. That point is that, for all the reasons that I will rehearse yet again and will add to, the impact of all this on the people of this part of the world will be so disproportionate that it is intolerable that a Minister of Finance and Personnel should come to this House and warn it about £5 million without, at the same time, saying that he will join in the effort to interrogate the London position to get results that are more favourable to the people of Northern Ireland.

Why should he do that, Mr Deputy Speaker? I will ask the Minister a question. I must point out that I do so not to score a point but to ask a question that I think that he and his officials, as well as other Ministers in government, should answer in such a powerful way that responds positively to the strategy that we are pointing out. OFMDFM, on a rolling basis, commissions research on

child poverty and working-age poverty in Northern Ireland. The most recent research that it published, which was commissioned from the Institute for Fiscal Studies (IFS), was published just last month. I do not deny that I have not read it all, but, if I have read anything that is a manifesto for the argument on welfare that the Northern Ireland Executive should be putting to the Treasury and DWP, this is the manifesto. This document explains, as does Save the Children, the reality of child poverty in Northern Ireland and how it will all be compounded by what is happening with welfare reform.

So, what is the argument that the Minister and his colleagues should be deploying to London? It is that the figures, not mine or those of the SDLP but those produced by government, show that, by 2020, in six short years, child poverty levels in Northern Ireland will be 38%. That is when there had been an ambition — pre-recession, I give you — to get it down to 10%. So, at the time when we are meant to have the relevant figures down to 10%, they will be nearly 400% higher than what we as a government intended to achieve pre-recession. I put it to the Minister that, if that is the scale of what is now predicted for child poverty in Northern Ireland and if those figures are the worst in any part of Britain and Northern Ireland, that is an argument that needs to be more fully deployed with Treasury, Downing Street and DWP. The Institute for Fiscal Studies forecasts that child poverty will increase across the UK, with the sharpest increase in income poverty among children in Northern Ireland. IFS warns that relative child poverty will increase to 30.9% and that absolute child poverty will increase to 38.5% in Northern Ireland by 2020-21. I give you that that is not just because of welfare reform but is a cumulative impact of that, recession, rising costs and other austerity measures.

This part of this world, the children in this part of this world and the families in poverty in this part of this world suffer disproportionately more because of all those factors, including welfare. Yet, we do not bring that argument to London.

I ask the Minister to join in taking that argument to London.

#### 1.45 pm

When it comes to my constituency, and when they were analysed at ward level, the figures revealed that 43% of children in West Belfast are living in poverty, which is the second highest level in the UK. My argument to the Minister before he makes the argument again about the threat of Treasury is this: have you made that argument? Have the First and deputy First Minister made that argument? Has the Minister for Social Development made that argument explicitly and on the basis of evidence to London, relying on the very report that the IFS produced, which was commissioned by the First Minister and deputy First Minister and published on the OFMDFM website a matter of days ago? I wait to hear that argument.

I also suggest to the Minister, and it is relevant to this debate, that we came out of Haass/O'Sullivan attempting to deal with the past on a more comprehensive and ethical basis. To be fair to all parties, there seems to be more unanimity around Haass/O'Sullivan when it comes to dealing with the past than when it comes to one or two other issues. At the heart of dealing with the past is a recognition that there needs to be support to the victims of the years of state violence and terror. There is a recognition that they need to be supported. If you

look at the words of Haass/O'Sullivan, they very much acknowledged the work undertaken by the Victims' Commissioner in respect of the review of the Victims and Survivors Service (VSS). That begins to open up the potential for further conversations about how there should be support.

Just last Friday, the First Minister and deputy First Minister rightly came out and completely endorsed the recommendations of the Victims' Commissioner and her team when it came to the review of the VSS in order to ensure that support, financial and otherwise, that goes to our victims and survivors is done in a way that is empathetic, sensitive, well managed and done properly and not bureaucratically. Given that the London Government, to some degree, has begun to talk about their support for Haass/O'Sullivan, and given that, at the heart of this, is the need for support for victims and survivors who have suffered because of the years of violence, how is the argument being made to London that that needs to include a recognition that our incapacity levels are, in part, of such a scale because of the legacy of conflict?

If we are going to really measure up to the Haass/O'Sullivan ambition when it comes to dealing with the past, then we should do what the Victims' Commissioner and her team did on Friday, which was to make recommendations that support individuals in need and families who are still in pain. That argument needs to be deployed with London because we cannot, on the one hand, say that we want to deal with the past, hopefully, in a comprehensive and ethical way, and, on the other hand, not take the argument to London that part of the scale of incapacity in the North is a direct legacy of the conflict, and that, as such, the British Government have a responsibility to recognise that and financially assist in addressing that issue. It is a matter that should be done ethically, but it is a matter that is, in my view, a political consequence of Haass/O'Sullivan.

Thirdly, with respect to the bedroom tax, the Housing Executive explained that it has more than 26,000 tenancies with the potential to underoccupy either one or two bedrooms, and, as a consequence of universal credit, the tenants who live in those properties will have to pay between £7 and £15 per week extra to stay in those properties.

I have not heard any dispute around the House, and there is consensus that Northern Ireland does not have suitable alternative accommodation, given what is being proposed under the bedroom tax, which is part of welfare reform, which is part of what the Treasury is threatening Northern Ireland with in respect of the £5 million, which the Minister referred to in Consideration Stage and Further Consideration Stage. All that — the particular profile of housing in the North and those 26,000 tenants who might be impacted on by the proposed bedroom tax — is compounded by the segregated nature of our housing, which, whatever their circumstances, makes it very difficult for people to move. I do not believe that that argument has been deployed fully and faithfully in the negotiation with DWP.

It may be that, in the current conversation that is going on on the Back Benches between the previous Finance Minister and the current Finance Minister, I may be rebutted and contradicted. I will give way to the Member if he wants me to.

**Mr Hamilton:** Do not flatter yourself.

**Mr Attwood:** They might have been talking football. I hope it was not football; I hope it was welfare.

**Mr D Bradley:** Sunday football.

**Mr Attwood:** Yes, Sunday football. Given that that is what the Housing Executive says, the point is about whether the Social Development Minister has fully deployed the argument about the 26,000 tenants to DWP in London. Has the argument about the segregated nature of housing in Belfast and beyond been fully deployed? I am not convinced that it has. If you are not convinced that it has and if the negotiation has been silent for close to a year, how can a Minister come to the House and tell us to swallow welfare reform because of a £5 million penalty?

**Mr Wilson:** Will he give way on that?

**Mr Attwood:** Yes.

**Mr Wilson:** I cannot understand the argument that the Member is making. It is as if he had never had any knowledge of all the negotiations around it. He knows full well that the straw man of the spare room subsidy, the bedroom tax or whatever he wants to call it is only a straw man. That issue has been resolved. It will not apply to existing tenants. Furthermore, the Executive have made a decision to allocate £17 million a year to ensure that it does not apply. If that is his excuse for handing £5 million a month over to the Exchequer, it is a fairly flimsy one.

**Mr Attwood:** It is curious that the first time that the former Finance Minister found his voice was not to try to address the issue of incapacity and the particular issue of people who have physical and emotional needs arising from the years of terror and conflict. It is interesting that he did not rise to his feet when the argument was being made, informed and compounded by the publication of the IFS report on OFMDFM about the impact of welfare on children and families in poverty. I find it curious that, having made those points and made them at some length, the former Minister of Finance and Personnel has nothing to say on them.

**Mr Wilson:** Will he give way?

**Mr Attwood:** I will give way in a second. In any case, even if some money has been found and some potential decisions might be taken by the Northern Ireland Executive to deal with the bedroom tax, it is a domestic response to what should be a national obligation. The national obligation, for want of a better term, on London is to recognise what the Housing Executive says about the tenancies that would be impacted and to recognise the full consequences of our segregated housing and how limited people's opportunities to move to alternative housing might be.

**Mr Deputy Speaker:** Order, please. I encourage the Member to please return to the Budget Bill. The same advice applies to those who ask to make interventions.

**Mr Attwood:** The London Government, if they say that they govern this part in part, subject to the constraints of devolution, should recognise the objective different circumstances when it comes to housing, the 26,000 tenancies and segregation. London should recognise it, not just Belfast; otherwise, we are sending a message to London that, when it comes to the next 50% of austerity cuts and the further £12 billion of welfare cuts, we will swallow the medicine. Whatever arguments we have, which are deep in evidence and compelling regarding

the lived experience of our citizens and communities, we are now sending to London the message that, whatever else you want to impose when it comes to welfare change and welfare cuts, we will swallow it. It is not simply an argument and a response of the Northern Ireland Executive to deal with these issues: it is the responsibility and the response of the London Executive to deal with them. For all the success that Sammy may well claim that there might have been around the Executive table in respect of these matters, that misses the point, because of the responsibility and political obligation that London has to recognise what everybody in this room and others recognise about the different circumstances that our people face.

**Mr Wilson:** I think that the point that the Member has got to now in his speech well illustrates the tactic that people use when their argument is weak, which is to start shouting. That is where his argument is weak. He knows full well that he and his party cannot justify, in a time of austerity, handing over £5 million a month — and rising — to the Exchequer in London. Of course, the reason why he now points the finger at London and says that it must recognise that is to try to divert attention away from the argument.

Let me just take up the point that the Member made about people who are claiming disability living allowance and what the Executive have done to recognise that. The Executive have done a lot to recognise that in so far as they have put £6 million aside so that those people can get independent doctors' reports done to help their cases when it comes to having their independent assessments done. Therefore, the Executive have —

**Mr Deputy Speaker:** Order, please. The Member has not taken my advice. We are discussing the Final Stage of the Budget Bill.

I will use the intervention to remind the speaker that Question Time begins at 2.00 pm. He may wish to conclude his remarks by then. Otherwise, he will be called after Question Time.

**Mr Attwood:** I always want to be very attentive to the words of the Chair. However, maybe, on this occasion, I will not be able to comply with them.

I will deal with the question. Sometimes, you do have to raise your voice in order for an argument to be heard. The last time these sorts of arguments were outlined to the Finance Minister in this Chamber and the point was made to the Benches opposite, for all the talk about the imposition of the £5 million, there was very little talk in that debate at Further Consideration Stage about the impact of welfare reform and cuts on the citizens of Northern Ireland. Given that that argument was made and deployed, sometimes, you have to turn up the volume to hope that it might be heard more fully.

That is true for other issues as well. Previously, in this House, I have referred to what I saw as the defeatism around the Executive table when it came to trying to save Driver and Vehicle Agency jobs up in Coleraine. Here we are, a couple of years later, when it may yet be the case that some or all of those jobs might be saved. We will know soon. At least the arguments were deployed and defeatism did not prevail. If that required my raising my voice, which I have done quite a few times, including with transport

Ministers in London in respect of that particular issue, I will not apologise or seek forgiveness.

The point that Sammy misses is that, although money has been found in the Northern Ireland Budget to ease some of the welfare burden, I remember that, in the 2011 Budget negotiations — Sammy, as the former Minister of Finance and Personnel, will remember — that I made an argument for a welfare hardship fund.

**Mr Deputy Speaker:** Order, please. The run down memory lane will have to continue after Question Time because it begins at 2.00 pm. I suggest that the House takes its ease until then. The debate will continue after Question Time, when the honourable Member will have an opportunity to conclude his remarks.

*The debate stood suspended.*

(*Mr Speaker in the Chair*)

2.00 pm

**Mr Speaker:** I ask Members to please take their seats as we move to Question Time.

## Oral Answers to Questions

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

#### E-safety

1. **Mrs Overend** asked the First Minister and deputy First Minister what actions they have taken in response to the recommendations in the Safeguarding Board for Northern Ireland publication 'An exploration of e-safety messages to young people, parents and practitioners in Northern Ireland' prepared by the National Children's Bureau Northern Ireland. (AQO 5597/11-15)

**Mr M McGuinness (The deputy First Minister):** With your permission, Mr Speaker, I will ask junior Minister McCann to answer this question.

**Ms J McCann (Junior Minister, Office of the First Minister and deputy First Minister):** We very much welcome the report that the Safeguarding Board recently produced on e-safety messages. Indeed, junior Minister Bell and I were present at the launch to provide our support. We believe that the report's findings represent a major step forward in addressing how e-safety messages should be relayed in today's fast-moving online community. We support the recommendations in the report; in particular, the need for the Executive to develop an overarching strategic and coordinated approach to e-safety.

We believe that we must act now to ensure that our children are protected in all aspects of their lives and that our approach should be consistent with the best child protection principles. That is why junior Minister Bell and I have written to the Minister of Health asking him to take forward the development of a policy framework on e-safety as part of his responsibility for child protection. We have also advised the Minister that we believe that Delivering Social Change governance structures provide the mechanism through which that framework can be developed. We have undertaken to provide whatever support we can to assist him in his role.

We also note and support the report's recommendation for the establishment of an e-safety forum, which is being taken forward by the Safeguarding Board. We believe that the report's findings on the quality, accessibility and impact of current e-safety messages will provide a critical contribution to the work of that forum. Our officials will meet the Safeguarding Board shortly to discuss OFMDFM participation in the forum.

In addition, since the publication of the report, we have helped to promote Safer Internet Day on 11 February, through ministerial visits to schools and through the issue of press releases, locally and in conjunction with the UK Safer Internet Centre, on internet safety.

**Mr Speaker:** Questions 7 and 8 have been withdrawn.

**Mrs Overend:** I thank the junior Minister for her response. I am sure that she knows only too well that good advice is available. However, there is a failure in getting the right message and the same message across to all Northern Ireland's children. It is government's responsibility to ensure that all Departments work together to enable that to happen. I refer primarily to the development of a policy framework.

**Mr Speaker:** I encourage the Member to come to her question.

**Mrs Overend:** Can the junior Minister confirm that the Health Minister has agreed to take on the formation of the strategy? Has she any further information on the time frame in which that strategy will be drawn up?

**Ms J McCann:** I thank the Member for her question. She will be aware that we all attended the launch of the report. We have written to the Health Minister, although we have not yet received a reply, because he has overall responsibility for child protection policy. We are willing to work with him, using the Delivering Social Change governance structures, because we realise that this is a cross-departmental, cross-cutting issue. The Member will be aware, from meetings that we attended with her, that we are fully supportive of the recommendations in the report. We will play our role in the e-safety forum as well.

**Mr Rogers:** Minister, many of the young people who are cyberbullied are reluctant to tell a teacher, a parent or even a trusted friend. What are the Executive doing to ensure that the message is put out and that the stigma is stamped out?

**Ms J McCann:** We in the Department are taking particular measures. During Safer Internet Day, we visited two schools: St Ita's Primary School and Wellington College.

We discussed the issue with local children and young people, asked how they felt and whether they had encountered such issues. We also asked them about the best way forward. When raising awareness, we feel that it is necessary to make sure that children and young people come up with ideas. We also commissioned research to gain a better sense of how P7 children use the Internet, because we realise that younger children are using the digital world. There was a review of activity on Internet safety across Departments. My Department has also engaged with the UK Safer Internet Centre, so we are doing a number of things. However, it is about raising awareness and working with parents, teachers and children about the best way forward.

#### Investment Trip: USA

2. **Mr McKay** asked the First Minister and deputy First Minister for details of their forthcoming trip to the USA. (AQO 5598/11-15)

**Mr M McGuinness:** The First Minister and I will travel to the United States in early March to promote inward investment opportunities on the west coast. We will also travel to Washington, DC, to attend a number of high-profile political events connected with the annual St Patrick's Day celebrations. On Monday 10 March, we will meet HBO's president of production and six other top executives. We met HBO for the first time in Los Angeles in 2009 when we persuaded them to take a leap of faith to locate the production of the 'Game of Thrones' series here.

We will also support the Cinemagic charity at an evening event in Los Angeles, which will include young people from disadvantaged backgrounds from here and LA. We will then travel to San Jose to meet Seagate's senior management team. As you know, Seagate Technology is one of our most prestigious high-tech companies, whose facility in Derry employs over 1,300 people. The company makes a major contribution to the economy of the north-west, and this is our first opportunity to meet Seagate's senior management team at its US headquarters, and we look forward to it.

We will host an investment luncheon for over 120 Silicon Valley business executives to discuss the merits of doing business here. Later that day, we will travel to San Francisco to officiate at the official opening of Invest NI's new office on the west coast. The remainder of our time in the United States will be spent in Washington, DC, where we will participate in a range of other engagements connected with the St Patrick's Day celebrations.

**Mr McKay:** Go raibh maith agat, a Cheann Comhairle. Clearly, job creation and inward investment need to continue be a top priority for OFMDFM and the Executive, especially given the recent job losses at KPL in Dungiven. Will the deputy First Minister outline the importance of foreign direct investment from the United States to the local economy and how the Executive will position themselves to increase such investment?

**Mr M McGuinness:** I absolutely agree with the Member; the loss of 200 jobs through KPL's difficulties in Dungiven is very disappointing. However, in recent years, we have become increasingly successful in attracting foreign direct investment, particularly from a number of key United States-owned multinational companies such as Citi, Seagate Technology, Allstate, Caterpillar and Liberty Mutual. The companies have sought to capitalise and build on the success of those investments, and many have already reinvested or are preparing to invest more.

Attracting and retaining foreign direct investment (FDI) is an important means of promoting economic growth in a region such as ours. Foreign-owned firms are associated with higher levels of productivity, wealth creation through exports and the introduction of new skills and technologies. The United States is one of our largest target markets for FDI and as such plays a major role in the development of the economy. Within the past week, the First Minister and I attended a very important engagement hosted by the Japanese ambassador to London, where we met a large group of Japanese businesspeople and senior executives. The evidence of success is very clear, given that we have had three important job announcements for Derry, Carrickfergus and Larne from three Japanese companies during the past couple of months.

So foreign direct investment is very important, but we also understand the huge importance of our indigenous businesses and their massive contribution to employment. That is why we are so disappointed at the collapse of the company in Dungiven, which has left 200 people on the dole. We hope that every effort will be made to ensure that they get support to find further employment.

**Mr Wilson:** Does he anticipate that his trip to Washington and America will produce sufficient jobs to replace the 1,600 potential job losses that will result from the way in

which his party and the SDLP have dragged their feet on welfare reform?

**Mr M McGuinness:** It is important to emphasise that we have been told that the cost to the local economy of welfare cuts — I note that the Member chose to use the word "reform" — was estimated, in NICVA's contribution to the debate, at £750 million a year, which many thought was widely exaggerated. That was then downgraded by other experts, who told us that it would represent a loss of not £750 million to the economy but something like £450 million. This is big stuff. There is a huge responsibility on all of us to do everything in our power to ensure that whatever outcome we reach protects the most marginalised and disadvantaged. My party has been involved, even in the past week, in further discussions with representatives of the British Government, with further discussions to take place in the time ahead.

**Mr Dallat:** I am sure that the deputy First Minister would agree with me that a satisfactory outcome of the Haass process would greatly influence potential inward investment from America. Will he discuss the Haass process with political representatives, which I know might depend on getting an invitation to the White House?

**Mr M McGuinness:** I do not think that there is any possibility of our travelling to the United States and not having a conversation about the Haass process, given that Richard Haass and Meghan O'Sullivan are two highly respected diplomats and well known in Capitol Hill. So there can be no doubt whatsoever that the United States of America remains very engaged in this work. After all, the Vice-President of the United States, Joe Biden, took a very personal interest and I know that President Obama has done similarly.

We can be sure that the report from Richard Haass to the State Department and the White House will have been very accurate on how we found ourselves in a scenario that meant that we could not go forward with agreement from the five parties. I am certainly honoured that my party was prepared to sign up to the Haass proposals. The big challenge ahead is to continue to explore how we can conclude an agreement that will mean us all moving forward on the important issues of the past, parades, flags, symbols and emblems.

## Social Investment Fund

3. **Mr Nesbitt** asked the First Minister and deputy First Minister for an update on the social investment fund. (AQO 5599/11-15)

**Mr M McGuinness:** With your permission, Mr Speaker, I will ask junior Minister McCann to answer this question.

**Ms J McCann:** On 10 February, the First Minister and deputy First Minister announced that £33 million would be invested in the 23 projects of the first tranche to be delivered through this important programme. The 12 capital projects and 11 revenue projects are aimed at tackling poverty and deprivation through improved community-based services and facilities. They represent the beginning of an exciting period of innovation, community-led cooperation and, most importantly, delivery against the most important objectives that the Executive are required to meet.

The projects range across all nine social investment zones and demonstrate that, despite the challenge of addressing the most durable issues in the most difficult of circumstances, the Executive remain committed to Delivering Social Change through significant investment and working with communities in areas of greatest need. These first 23 projects were identified as priorities by local steering groups in each zone. Letters of offer will issue to the successful projects following completion of the verification and governance checks that are taking place.

The release of funding to each project is subject to all the necessary approvals, but we have made significant progress in cutting through the red tape requirements of managing public funds to accelerate delivery to address local needs.

#### 2.15 pm

**Mr Nesbitt:** Perhaps you will indulge me, Mr Speaker. The deputy First Minister said that Dr Haass was reporting to the White House and the State Department. Not with my authority he was.

I thank the junior Minister for her answer. Given that her colleague the deputy First Minister, the First Minister, the Executive and, indeed, the Assembly all agree that the economy is at the front and centre of our work, particularly in the Programme for Government, can she explain why the businesspeople who were supposed to sit on the zonal advisory panels have not been appointed after all this time despite the support and offer of encouragement and help from organisations such as Business in the Community?

**Ms J McCann:** The Member will be fully aware that the steering groups that were set up were decided on by people in local communities. It was always a community-up approach. As you say, steering group membership includes people from the voluntary and community sector and political members. When the steering groups were first set up, the idea was that they would invite other people on to them as soon as the projects were identified. That was the right way to do it, because there was no point in bringing in someone from a group that had no impact on the projects being decided on in communities. It is very important to remember that the projects have been brought forward by the community — the people who live and work in the area and know what the area needs. Through the nominations, a Broad Church has been brought on board. However, the community and voluntary sector had the primary role to play in the first stages.

**Mr Campbell:** Looking to the next stage of the social investment fund, I ask whether the junior Minister agrees that there is a need for all the communities, particularly those in the social investment zones, to ensure that agreement is reached on the essential and necessary projects that can deliver real change for them for the next round.

**Ms J McCann:** I certainly agree with the Member. To reiterate what I said, it is a community-led process. The community was very much involved in setting up the steering groups by deciding who went forward for nominations. There was a lot of consultation, and the community and voluntary representatives on the groups are going back into local communities to ask stakeholders what the area needs. That dovetails with other area plans

in the local communities. Therefore, yes, I agree that it is very important that those needs be met.

**Ms McGahan:** Go raibh maith agat, a Cheann Comhairle. What will happen if some projects fail their economic appraisal?

**Ms J McCann:** I am not sure whether the Member has any specific project in mind, but the projects that are undergoing economic appraisal are those that each zone has already prioritised. In the light of that, it is very important that we work with steering groups and project promoters, because, when some projects do not make the economic appraisal stage, we need to give people feedback on why they are not meeting the requirements. We need to make sure that consultation, dialogue and engagement is continuing with our officials and the steering groups on the ground.

#### Winter Weather: Emergency Funding

4. **Mr Gardiner** asked the First Minister and deputy First Minister, under their civil contingencies remit, what steps they have taken to improve emergency funding and planning in the face of worsening and extreme weather patterns. (AQO 5600/11-15)

**Mr M McGuinness:** We will continue to improve our preparedness for severe weather and other emergencies through the work of the civil contingencies group (CCG) and other groups of key responders. The civil contingencies group is the principal strategic-emergency-preparedness body for the public sector, comprising representatives from Departments and agencies, the emergency services and councils. Just over a year ago, OFMDFM, which chairs the multi-agency group, put in place new and enhanced arrangements to ensure effective delivery of the civil contingencies group's functions. Members identify, agree and oversee the delivery of priority work to enhance our collective capability to prepare for a range of emergencies. Severe weather emergencies and their damaging impacts are a key element of that work programme, which continues to be developed in response to identified need. For example, in line with good practice, following the spring blizzard of 2013, civil contingencies group members participated in a multi-agency debrief to capture learning from the emergency. That has since been incorporated into actions that the civil contingencies group is delivering. In a similar way, learning from a recent coastal flooding test exercise and the emergency at the start of this year will be used to inform the further development of that work programme.

As a member of the civil contingencies group, the Met Office plays an active part in progressing the civil contingency agenda here by advising on weather issues. A meeting of the Met Office's public weather service customer group was held in October 2013 and proved very useful in developing a further understanding of the services that the Met Office offers to assist emergency planners.

OFMDFM does not provide a central funding stream for the civil contingencies function; rather, individual Departments fund emergency preparedness in their organisations and sectors.

**Mr Gardiner:** I thank the deputy First Minister for his response in length. Will he join me in congratulating the

Police Service of Northern Ireland for the exemplary role that it played in preparing for the recent threatened flooding event in Sydenham in Belfast? In the event of serious flooding in Northern Ireland, will he outline what fast-track arrangements are in place to deploy the troops that are locally stationed?

**Mr M McGuinness:** I absolutely and wholeheartedly congratulate and pay tribute to the PSNI for the lead role that it played in working with all Departments and groups that are involved in civil contingency situations. I think that it did a tremendous job.

When you consider what has happened in the south-east of England and, indeed, in the South of Ireland in places such as Cork, Limerick and Kilkenny, you can see that we have been very lucky to escape the worst effects of flooding on this occasion. I certainly hope that we can come through what has been a very difficult winter in a way that ensures that our farmers and homes, particularly homes in the most vulnerable areas, will escape the very high levels of rainfall that are affecting us at the moment.

There are no plans whatsoever for the involvement of troops. I think that we will always deal with those situations by working closely through the civil contingencies group and with the advice of the PSNI.

**Mr Douglas:** Does the deputy First Minister agree with me that the Executive should be working with local groups that are involved in contingency work such as the Connswater Community Greenway? It recently received tremendous support to alleviate the floods in east Belfast.

**Mr M McGuinness:** That is obviously a hugely important project. I absolutely agree with the Member that we all have to work in a very joined-up way to ensure that communities, the civil contingencies group, Departments and the PSNI, all working together, can alleviate the challenges that we face with extreme weather.

I know that there are one or two sceptics about global warming and all the rest of it in the House. One of them is now looking up at me with a big smile on his face. I think that the rest of us believe the scientists when they tell us that the planet is facing enormous change.

**Mr Wilson:** Which ones do you believe?

**Mr M McGuinness:** We believe the ones that we want to believe, not the ones that you want us to believe.

More seriously, it is an important subject; of that there is no doubt. I think that we have all come to the conclusion that something very dramatic is happening to our weather. In turn, that can have a massive impact on people's lives. So, yes, the community, the civil contingencies group and the police have to work together to ensure that we head off dangerous situations at the pass.

**Mr Sheehan:** Go raibh maith agat, a Cheann Comhairle, agus gabhaim buíochas leis an Aire as ucht a fhreagra. Will the Minister give us an idea of the central response to the recent weather emergencies?

**Mr M McGuinness:** As I said, it is important that we deal with each issue on its merits with respect to the different challenges the weather throws at us. We have to take account of each situation as it arises, and that is what we are doing. The important thing is that we have a high level of preparedness. That has stood by us and ensured that, for the most part, people have been protected.

When serious incidents arise, the relevant Minister has the opportunity to raise the issue of funding, for example at the Executive and with the Finance Minister, to seek additional support if they feel it is required. As I said, we look at each situation on its merits and base our decisions on that.

**Mrs McKeivitt:** Given that the adverse weather caused a lot of damage along coastal roads, and a crisis in the fishing community, particularly at Ardglass, Kilkeel and Portavogie, would the Minister agree that more help is needed, including financial help, for those?

**Mr M McGuinness:** I certainly have a lot of sympathy for what the Member said. Undoubtedly, it has been a difficult time for the fishing community with the poor weather over the past few months. It has meant that they have not been able to put to sea as much as they would like and that has undoubtedly caused hardship.

The main fishing season runs from April to October, so we are hoping that things will improve. The DARD Minister, Michelle O'Neill, has agreed to meet representatives of the fishing industry. I think that that meeting is tomorrow, and she will agree with them what assistance may be available. Michelle was able to support the industry last year by paying for landing fees and satellite equipment to the value of £400,000 to offset overheads. I know that she is dedicated to seeing that the industry is sustainable.

## Maze/Long Kesh Development Corporation

5. **Mr Cree** asked the First Minister and deputy First Minister for an update on the Maze/Long Kesh Development Corporation. (AQO 5601/11-15)

**Mr M McGuinness:** There is no current agreement on Maze/Long Kesh. We continue to discuss a way forward with this important project. The development corporation continues to ensure that the site is secure and maintained and is progressing plans to facilitate the Royal Ulster Agricultural Society (RUAS) show on the site in May 2014.

**Mr Cree:** I thank the deputy First Minister for his crisp reply. What are the continuing costs of the corporation? You mentioned some of the work that it is undertaking. Is there anything of a strategic nature in that work?

**Mr M McGuinness:** We will write to the Member about the specific costs of the corporation. I do not have that information to hand except to say that it is an important body with an important function, and my hope is that, at some stage, we can see the difficulties that afflict us in relation to the further development of the site resolved in a way that will progress the employment prospects of many thousands of people who are looking for jobs.

At the minute, the corporation's work is to ensure that the Royal Ulster Agricultural Society show goes ahead and that its project on that site is developed. I am a big fan of the RUAS. Its courageous move from Balmoral to the site was a tremendous vote of confidence in the site. The fact that it had such a massive increase in attendance at its show last year, and will probably do so again this year, shows that there is huge community support for the development of the site. I look forward to the difficulties that are before us being resolved in a way that will see us develop the site consistent with the original vision, which is really about providing employment for our people.

**Mr A Maginness:** I listened carefully to the deputy First Minister and I share his sense of loss regarding the vision of developing the site, the loss of the stadium and the loss, at least temporarily, of a peace and reconciliation centre. Have the deputy First Minister and the First Minister entered into any discussions with the European Commission on any of the lost funding?

**Mr M McGuinness:** The Member will know as much as anybody else in this room that it is the Special EU Programmes Body that takes up the challenge of how that funding is effectively distributed against the backdrop of the non-development of the peace building and conflict resolution centre. It is important to stress that the project caught the imagination of the international community. For example, it caught the imagination of President Obama, the White House and the US State Department. It also caught the imagination of the European Union, with President Barroso being very much involved in and excited by it. I have not given up hope.

### 2.30 pm

**Mr Speaker:** That concludes listed questions to the deputy First Minister. We move to topical questions.

## Racist, Sectarian and Sexist Abuse

1. **Mr Flanagan** asked the First Minister and deputy First Minister, given the deputy First Minister's recent rightful condemnation of the disgraceful racial abuse directed at our Assembly colleague Anna Lo, whether they will take this opportunity to join with me in condemning all online racist, sectarian and sexist abuse directed at public representatives. (AQT 761/11-15)

**Mr M McGuinness:** First, I was appalled and absolutely disgusted that a Member of this House, Anna Lo, who is hugely respected as an elected representative and is hugely respected in the community, could be subjected to such vile treatment. Anna Lo stands head and shoulders — head and shoulders — above all those bigots and racist criminals who clearly attempted to target her through the social networks over the past number of days.

There is not a lot that we can do. On sites such as Twitter, there are all sorts of headbangers. There are all sorts of people out there who are very racist and who use every opportunity to try to influence situations for their own benefit. However, there is one thing that we can and must do as elected representatives, which is to be seen to be standing together. That must be done without any equivocation. We must unreservedly condemn the activities of those people.

I stand by Anna Lo, and I am sure that the vast majority of people in our community stand with her also. However, we have to raise our voices, get angry about this and make it absolutely clear to everybody in society that not one Member of this House is prepared to tolerate the sectarian or racist abuse not just of a Member of this House but of anyone in society.

**Mr Flanagan:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Chomh-Chéad-Aire as an fhreagra shoiléir sin. I thank the deputy First Minister for his clear and concise answer. Does he agree that, in circumstances in which a public representative is abused, whether it is online or elsewhere, it is incumbent

on all political representatives and all political parties to condemn such threats and abuse plainly and unequivocally?

**Mr M McGuinness:** I absolutely agree that, where people are inflicting sectarian or racist abuse on any elected representatives, it is very important that all of us speak out and do so very loudly so that everybody in society knows where we, as the political leaders of our society, are coming from. It is hugely important that we show solidarity. It is hugely important that we make it absolutely clear that that is unacceptable behaviour. It is also incumbent on all of us to do that at a time when racism and sectarianism are clearly out there in society. We must defend, not just elected representatives, but anybody who has been affected by racist abuse.

We have seen over the past couple of weeks people from different ethnic groups having their cars and homes targeted in absolutely disgusting behaviour. We have to stand by all those people, not just elected representatives. We have to stand by everybody in society because we should know that being subjected to that type of abuse makes this a very lonely place for people who come here and contribute to our society. We have to let them hear where we stand, and we have to stand with them.

## Fair Employment

2. **Mrs Cochrane** asked the First Minister and deputy First Minister to clarify how much weight public authorities should give to Equality Commission advice on fair employment practices. (AQT 762/11-15)

**Mr M McGuinness:** It is very important that, where there is Equality Commission advice, that is taken into very serious consideration by all groups. It is also very important that we recognise the huge challenges that there are in society. Where there is a clear perception of inequality, organisations such as the Equality Commission have to be taken very seriously in the promulgation of their views.

**Mrs Cochrane:** I thank the deputy First Minister. Does he think then that the Executive or the Policing Board should disregard the concerns of the Equality Commission that the current criteria for appointing a Chief Constable may be discriminatory towards women, those with dependants or those with disabilities?

**Mr P Robinson (The First Minister):** Or when they comment on the —

**Mr Speaker:** Order.

**Mr M McGuinness:** I am sure that the Policing Board and everybody else, including the Executive, will take what the Equality Commission says into very serious consideration. There has been discussion on this particular subject at the Executive and outside the Executive. Further discussions will happen over the next very short period.

## Shared Education

3. **Mr Kinahan** asked the First Minister and deputy First Minister what action their Department has agreed with the Education Minister on shared education and its funding. (AQT 763/11-15)

**Mr M McGuinness:** The First Minister and I take very seriously the whole issue of shared education and how we continue to promote and encourage it. The evidence

of that is the way in which the Education Minister has gone into the community during the consultation process to encourage people to bring forward further ideas and suggestions for the further development of shared education in our society. Of course, the iconic scheme in Omagh, where six schools will come together on a former military site at Lisanelly, is a very clear indicator of where we want to go on this matter. It is hugely important that we continue to provide opportunities for our young people to come together and to do so in meaningful ways, as opposed to what, in the past, some people might have thought were symbolic ways. This new approach is likely to gain huge support in our society.

**Mr Kinahan:** Thank you very much. I welcome any move forward on shared education. However, in last week's debate, the DUP amendment took out all reference to sharing in education other than shared campuses and the signature projects. The dFM's party supported that — *[Interruption.]*

**Mr Speaker:** Order.

**Mr Kinahan:** — by abstaining. Does the deputy First Minister actually believe in trying to achieve the long-term goal of a single, shared education system?

**Mr M McGuinness:** There can be no doubt whatsoever that the Executive's commitment to shared education is absolute. We all understand the importance of our children, from different religious denominations, coming together in meaningful ways. The projects that we are encouraging through the Department of Education are a very clear evidence base of where we want to go.

The First Minister and I are on the public record as saying, for example, that, if we were starting with a clean sheet of paper and without the baggage of history, we would both absolutely favour a single education system. However, we have to deal with the realpolitik of where education is at and the fact that people out there want and believe in choice. We certainly believe that people should have the opportunity to choose. We must present all the individual sectors in education with the opportunity to answer the big question of whether or not they accept — I think that the vast majority of people do — that we need to progress and accelerate a process of bringing our young people together in shared education campuses. The other shared education projects that DE is involved in are also very clear testimony of our commitment to sharing in the education of our young people.

### Social Investment Fund: Northern Zone

4. **Mr McQuillan** asked the First Minister and deputy First Minister to confirm that social investment fund northern zone funding is ring-fenced. (AQT 764/11-15)

**Mr M McGuinness:** I will ask junior Minister Jennifer McCann to answer that question.

**Ms J McCann:** As I said earlier, the allocations in the social fund have been set out. When the fund is ring-fenced, it is not in the baseline of the Office of the First Minister and deputy First Minister; it is in DFP because it is a central fund and an Executive fund. However, the money will be ring-fenced for the entirety of the social investment fund.

**Mr McQuillan:** With only £500,000 announced and confirmed so far, when does the junior Minister believe

that her Department will be in a position to announce other projects in the northern zone?

**Ms J McCann:** The northern zone is like any other zone. If there are projects there that have already been approved, and I am aware that there are, when the next tranche of projects meet the criteria in the economic appraisals, they will go forward. The difficulty at the moment is that there are some projects across all zones, not just the northern zone, that are not yet at that stage. Our officials are engaging and consulting with steering groups to bring them up to the stage that they need to be at and to tell them why they are not yet at that stage. That engagement is ongoing, and if the Member wants more information on who is dealing with the steering group in the northern zone, I can provide him with it.

### Maze Site: US Investor

5. **Mr Lunn** asked the First Minister and deputy First Minister what advice they would give a potential investor if, in the course of their forthcoming trip to the USA, they receive a serious business enquiry about a potential investment at the Maze site. (AQT 765/11-15)

**Mr M McGuinness:** I have no doubt that the Maze/Long Kesh site is of huge national and international importance, and I have no doubt whatsoever that quite a number of businesses are very interested in seeing it developed. However, it is important to point out that, of the initial assessments that were done, even by people with an international reputation in development, all pointed out the huge importance of the peace-building and conflict resolution centre in the development of the site.

**Mr McNarry:** Give up.

**Mr Speaker:** Order, Members.

**Mr M McGuinness:** It was made clear to me, and to the Rev Ian Paisley when he was First Minister at the very early stages of this project, that those people saw the peace-building and conflict resolution centre as the jewel in the crown of Maze/Long Kesh.

**Mr Lunn:** I thank the deputy First Minister for his answer. Unlike the people behind me, I support the concept of a conflict resolution centre, but does the deputy First Minister think that it is reasonable to allow a political disagreement in his office to impede potential economic progress on the site?

**Mr M McGuinness:** I have always described myself, and have been characterised throughout my involvement in the peace process over 20 years, as being a problem-solver and a solution-seeker, and I am still in that mode. I think that we need to try to overcome the difficulties that we face.

I am also very conscious that there are people associated with victims' groups who feel strongly about this project not going ahead. I have every sympathy with them, even though I have a different point of view. The peace centre was designed to be just that: a centre for peace and reconciliation. The only shrine at that centre would be a shrine to peace and reconciliation. However, I am also conscious that there are other, politically motivated, people on the extremes of loyalism who have attempted to use the situation and, indeed, on occasions, use victims against this project.

It is time for a big debate within unionism and loyalism about how we should move forward in our society. Does the construction of a peace-building and conflict resolution centre on that site contribute to our providing a normal society that is coming to terms with the challenges of the past but is prepared to move forward in unity in the future? I think that, clearly, it does.

2.45 pm

## Social Development

### Housing Need: North Belfast

1. **Mr McCartney** asked the Minister for Social Development to outline the analysis used to reach a determination of equal unionist and nationalist housing need in North Belfast. (AQO 5612/11-15)

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

I have stated a number of times now that the need for social housing in both communities in the North Belfast constituency is roughly the same. That is not my view or interpretation of the figures; it is a case of the facts speaking for themselves. The figures are the Housing Executive's own figures, and they are based on housing waiting list figures for the North Belfast Assembly and parliamentary constituency. They are the Housing Executive's totals for the number of applicants for social housing who self-identified as "Protestant" or "Roman Catholic" within each common landlord area in the constituency. The latest figures that I have received from the Housing Executive, which are from the end of December 2013, again speak for themselves, with 1,994 Protestants and 1,988 Roman Catholics on the waiting list in the North Belfast constituency. The figures are very clear that the need in North Belfast, according to the waiting list, is roughly the same in the Protestant and Roman Catholic constituencies. That is very different, of course, from the impression that has often been given in the past that there is a huge differential. Those are the executive's own figures, which they have produced and provided to me.

**Mr McCartney:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as ucht a fhreagra. I thank the Minister for his answer. You have provided us with statistics, but you have not given us the basis on which the analysis was carried out. Will you provide us with that? What was the process of analysis that led you to that conclusion?

**Mr McCausland:** Everyone who registers for social housing self-identifies as "Protestant" or "Roman Catholic" and there are other categories that can be grouped together as "Other" for people who do not designate as one or the other. The Housing Executive has detailed figures for every common landlord area across Northern Ireland. It has simply taken the figures for the common landlord areas in North Belfast and totalled those figures for those who self-identified as "Protestant" or "Roman Catholic". The figures that it came up with are, as I said, 1,994 people who self-identified as "Protestant" and 1,988 who self-identified as "Roman Catholic". There is, of course, the issue of people who do not identify as one or the other. You can go through a process of trying to put those people into one category or the other, which is

contrary to what they want, but, even if you do that and assume that, if a person puts down Ardoyne, for example, they are probably from the Roman Catholic community and, if they put down Woodvale, they are probably from the Protestant community, it does not change the balance between them. The figures still work out roughly the same. Those are the figures for those who have self-identified. All you would do by designating people in a way that they have not done is increase the figures, but it would not change the balance.

There is a suggestion — I read it again in 'The Irish News' this morning, coming from someone in the SDLP — that there is discrimination and a differential. The figures speak for themselves: 1,994 people from the Protestant community and 1,988 from the Roman Catholic community. That is a difference of six.

**Ms P Bradley:** I thank the Minister yet again for pointing out the figures for housing need in North Belfast. In the Minister's opinion, how has the obvious lack of focus on dereliction and decay in certain housing stock over the years led to the breakdown of our communities?

**Mr McCausland:** The Member makes a very important point: the role of the Department for Social Development does not include only housing; it also includes regeneration. We have areas with high levels of dereliction and decay, with empty houses boarded up, and they drag communities down. They become magnets for antisocial behaviour and dumping. They blight the lives of the residents, creating despair, and they are a lost opportunity. In the past, the solution to these problems was to bulldoze the empty properties, clear the site and walk away, but, as I have said before, a bulldozer and a packet of grass seed do not solve the problem.

Building Successful Communities is therefore a new initiative that is part of the Facing the Future housing strategy for Northern Ireland. It aims to use housing intervention as one of the main catalysts for local regeneration. The six pilot areas selected to take forward this new initiative meet the criteria for selection, as detailed in the housing strategy. All are already designated areas of deprivation but, critically, have good potential for recovery, with available land or properties that can be refurbished. I am pleased that, for example, in lower Oldpark, all of the first group of refurbished houses have been allocated and are fully occupied.

**Mr A Maginness:** At first, I thought that the Minister was simply spinning, but now I believe that the Minister is also self-delusional — *[Interruption.]*

**Mr Speaker:** Order.

**Mr A Maginness:** — in relation to housing in North Belfast. Irrespective of whatever spin or self-delusion he indulges in, there is a basic need for housing in North Belfast.

**Mr Speaker:** I urge the Member to come to his question.

**Mr A Maginness:** Will the Minister properly address that need and urgently?

**Mr McCausland:** First, I will deal with the Member's point that I am self-delusional. The figures that I quoted — *[Interruption.]*

**Mr Speaker:** Order.

**Mr McCausland:** The figures that I quoted were in fact produced by the Housing Executive. They are not my figures; I did not create or write them. They were given to me this morning by the Housing Executive. If the Member thinks that the Housing Executive is delusional, that is his opinion. He is entitled to that, but he cannot get round the fact that these are the figures. They may not be the figures that he wants to hear or the figures that he heard in the past, but they are the facts. The reason behind them is very simple. The North Belfast constituency embraces all or part of four housing areas: Shankill, north Belfast, Newtownabbey 1 and Newtownabbey 2. In the past, certain people who were trying to manufacture figures took the part of the constituency that is predominantly Catholic and nationalist and ignored the figures for the other parts of the constituency, which are predominantly unionist and Protestant. The Housing Executive has taken the figures for the entire constituency, treating everybody equally and fairly, and including people from both communities equally and fairly. Not being partisan, partial or biased in any way, but taking the entire constituency, these are the figures. The figures previously quoted excluded people who lived in Rathcoole, Woodvale, Rushpark, Rathfern or Queens Park. Those communities are as entitled to have their housing needs met as any other. I believe in fairness, equality and equity for everyone.

### Housing Executive: Overcharging

2. **Mr Allister** asked the Minister for Social Development for an update on the negotiations between the Northern Ireland Housing Executive and their contractors relating to the £18m overcharging alleged by the Minister. (AQO 5613/11-15)

**Mr McCausland:** The Member is well aware, I am sure, that negotiations in the matter are ongoing. We must ensure that the Housing Executive's ability to conclude the negotiations successfully is not compromised in any way, particularly by talking openly about them here in the Chamber. The details of the negotiations remain commercially sensitive, and it would not be appropriate to comment further until these are concluded. The Housing Executive has advised me that it continues to explore the issues with the contractors, and its assessment is that a settlement is possible. The Housing Executive's board has assured me that it wants this resolved as soon as possible and that it will continue to strive towards that outcome.

**Mr Allister:** From what the Minister now knows, does he accept that his enthusiastic announcement of £18 million of overcharging was a gross exaggeration and did gross damage to contractors and their credit standing?

**Mr McCausland:** A similar question was asked last time, and I will give the answer that I give on each occasion: I did not invent the figure of £18 million of estimated overpayments to contractors. I was advised of the figure by the chairman of the Housing Executive board, following a report to the board in May 2013. The Campbell Tickell report estimated that the sum of overcharging was in the region of £9 million to £13 million, and I have already stated that, although that remains a substantial amount of taxpayers' money, I was somewhat relieved that the level had slightly reduced. However, I have already stated clearly this afternoon that we must all await the outcome of the current negotiations, and I am hopeful that we are coming to the point at which those negotiations will

be concluded and a settlement between the Housing Executive and the contractors reached. Until that point, we must leave the matter with the Housing Executive.

**Mr Clarke:** I appreciate the Minister's steer on confidentiality about where the negotiations are currently. However, there were two Campbell Tickell reports — a draft report and the main one — so let us talk about the main report, because it is in the public domain. Will the Minister outline some of the other findings that were in that report?

**Mr McCausland:** I thank the Member for his question, which is an important one. The key thing in all of this is to learn lessons that will ensure that never again do we have the problems that the Housing Executive has had with its contracts and the management of those contracts over a period. The report found that shortcomings in management and governance in the Housing Executive had led to a situation in which there were substantial overpayments to contractors on planned maintenance contracts. Secondly, it found that a lack of understanding and implementation of a new form of partnering contracts was the root cause of the failings. Thirdly, it found that the current situation appeared to have improved but was still not fully satisfactory. The report found no evidence of fraud or corruption and, in order to remedy the situation, stated that a wide-ranging programme of change and transformation was required. I am pleased to say that, under the leadership of the chairman of the Housing Executive, we now see that action plan put in place and implemented to ensure that the mismanagement of contracts, which existed over quite a number of years but which I recognised when I came into the Department, is now being addressed to make sure that it does not happen again.

**Mr Dallat:** The Minister refuses to confirm that there was not significant overcharging. Does he agree with the House that there was, in fact, significant undercharging? At this stage, will the Minister consider parking the ministerial car and perhaps giving the briefcase to someone else? *[Interruption.]*

**Mr Speaker:** Order.

**Mr McCausland:** I do not know whether the Member concerned has a problem with hearing answers or with understanding them. Clearly, he did not get the point that I made a short time ago. It would be utterly irresponsible of people in the House, from whatever side of the Chamber, to interfere in this in a way that would compromise what, I have already stated, are delicate negotiations to reach a settlement between the Housing Executive and the contractors. Until we get to the point at which the matter is concluded, the less that is said, the better. It is important that we get the best outcome for the public purse and ensure that the matter is resolved satisfactorily all round.

I simply say to the Member that there is a need for a little patience. This matter is with the Housing Executive. It is dealing with it and negotiating, and we should leave it to get on with that in commercial confidence.

**Mr Speaker:** We still have Members who, for whatever reason, seem to have a difficulty rising in their place.

**Mr F McCann:** Go raibh míle maith agat, a Cheann Comhairle. I have to say that I had stood up that often that I was getting dizzy.

Can the Minister confirm whether all the contractors that he referred to have been or are about to be allocated new contracts?

**3.00 pm**

**Mr McCausland:** The planned maintenance contracts have not yet been awarded because, as is well known, the matter is tied in with getting a resolution with the contractors. That is one of the difficulties that we and the Housing Executive have faced, because where contracts have not been awarded any work that was in the system has, more or less, been used up and a situation is created where there is an underspend. However, it is important that we get this matter resolved satisfactorily. I encourage people to be patient until we get a resolution.

As regards companies being given other contracts that were not planned maintenance contracts, there is no technical or legal way in which people can be barred from being given contracts. Whatever questions might remain, there is no legal basis for that. This applies, for example, to the double-glazing contracts. That is something that has to happen; it does not help to sort out what happened in the past which, let us be honest, was a mess. Over a number of years, the handling of contracts by the Housing Executive was unacceptable.

**Mr Clarke:** Who was the Minister then?

**Mr McCausland:** The Member may indeed ask who the Minister was then. That is a question that people might well ask, but it is important anyway. *[Interruption.]*

**Mr Speaker:** Order.

**Mr Clarke:** Did he give up his ministerial car?

**Mr McCausland:** He does not have a car to give up. *[Laughter.]*

### Housing: Fitness Standard

**3. Ms Fearon** asked the Minister for Social Development when he will launch a consultation on the introduction of an enhanced statutory minimum fitness standard for housing across all tenures. (AQO 5614/11-15)

**Mr McCausland:** The statutory minimum fitness standard requires all dwellings to be structurally stable and free from serious disrepair and that there should be adequate provision for lighting, heating, bathing and the preparation of food. My officials are examining options to identify how the current minimum standard for housing across all tenures can be most effectively enhanced. Work is progressing in line with the housing strategy action plan and, that being the case, I expect to launch a consultation on the introduction of an enhanced standard in the coming year. The consultation will provide an opportunity for all stakeholders to formally submit their views on the future of the standard. Any enhanced statutory fitness standard will apply across all housing tenures, including the private rented sector.

**Ms Fearon:** Go raibh maith agat, a Cheann Comhairle. I thank the Minister for his answer. A few years ago, the Savills report said that Housing Executive houses were of a very high standard. Does the Minister agree that that standard needs to be maintained and that investment is required for it?

**Mr McCausland:** I welcome that question. I feel passionately that we need to maintain the standard of our social housing stock. In fact, there has been very substantial underinvestment in our social housing stock in recent years. I am not going to ask people to get briefcases or ministerial cars on their way out; I will simply point out that the evidence is clearly there that there has not been the investment by the Housing Executive that there should have been. That is why there are thousands of properties with no cavity wall insulation. That was identified as a major issue, and we are making real progress on it at the moment by getting the right technical approach to dealing with it.

That is why, when I came into the Department, we had to initiate the double-glazing programme. Initially, the executive said that it would take 10 years, but I said, "No, that is unacceptable. We will have that done within the term of this Assembly". It will be done by May 2015. In just over a year, that whole piece of work will be completed.

Those are the issues surrounding double glazing and insulation. The executive is also looking at the energy efficiency of all its stock. There is a substantial amount of work to be done, and it is important that it is kept up. I regret that a significant number of tenants were left for a long time in properties that, because of the lack of insulation in particular, were not of a standard that we would expect today.

**Mr McQuillan:** How do the fitness standards of urban and rural properties compare?

**Mr McCausland:** The Member makes an interesting point. The house condition survey indicates that 60% of unfit dwellings are located in rural areas. This is largely attributable to the higher vacancy rates among these properties. My Department recognises the importance of rural areas as places to live and work, and it aims to create a living countryside with strong, vibrant communities. To that end, last May, I launched the Housing Executive's latest rural housing action plan. That plan is designed to ensure that rural areas get their fair share of available resources and will help to reduce unfit rates outside our urban areas. Overall, across Northern Ireland, the unfit level of the housing stock stands at 4.6%; however, when vacant dwellings are removed from consideration, that figure drops to 1%, which is the lowest figure to date. There is a higher number of vacant properties in rural areas, and, therefore, the figure appears to be higher.

**Mr Dickson:** Minister, given any minimum standard for fitness of property, how will you ensure that the private rented sector is adequately dealt with in this matter as the largest growing sector, particularly with regard to fitness of property, heating and other aspects? Sometimes, properties in the private rented sector are among the worst.

**Mr McCausland:** As I pointed out in my initial answer, any enhanced statutory fitness standard will apply across all housing tenures, including the private rented sector. It is important that we look on the private rented sector as a significant provider of accommodation. The tenancy deposit scheme was brought in to make it a more attractive option, and landlord registration is now under way because of that. All those things are small steps. The area was maybe neglected in the past by others. I want to make sure that we make the right interventions, and I think that those are starts. The point about landlord registration is, of

course, that, if we have direct payments to landlords, it will be in the interests of landlords to be on the register.

### Social Deprivation: Portadown

**4. Mr Anderson** asked the Minister for Social Development, in light of his recent visit to the Corcrair and Redmanville estates in Portadown, what opportunities exist to tackle social deprivation in these estates. (AQO 5615/11-15)

**Mr McCausland:** Having visited both estates, I have witnessed at first hand the issues of concern. My Department is already to the fore in taking forward work to endeavour to address the issues, and both estates have benefited from a number of opportunities to tackle social deprivation. On both estates, the Housing Executive has undertaken a very comprehensive multi-element improvement programme, and a working group has been established with the PSNI, Craigavon Borough Council and the policing and community safety partnership to help to tackle antisocial behaviour.

In addition, the Corcrair Redmanville Community Partnership received community support programme funding totalling some £2 million, sorry £2,689, which was awarded in 2013-14. I think that it was going to do better than it thought for a moment. The CSP is a unique and collaborative initiative involving DSD, the 26 district councils, local community and voluntary groups and local advice organisations and aims to strengthen local communities, increase community participation and promote social inclusion through the stimulation and support of community groups, community activity and advice services.

My Department's SPOD scheme, which aims to drive physical, economic, social and community renewal and improve living conditions at a small scale, is in its final year and provides the potential to further direct regeneration funding. I will be considering whether there is any scope to consider a bid from the Corcrair and Redmanville estates. The Northern Ireland Executive have agreed to transfer a range of powers to the 11 new councils from April 2015, enabling councils to take responsibility for community development and regeneration, including tackling social deprivation. In the meantime, I intend to meet David Simpson, the MP for the area, to explore further opportunities to tackle social deprivation in these estates in the period up to April 2015. I look forward to that meeting.

**Mr Anderson:** I thank the Minister for that detailed response. I appreciate some of the comments that have come forward today. I also thank him for taking the time to visit the Corcrair and Redmanville estates in Portadown. Minister, as you are aware, those two estates fall outside the neighbourhood renewal area —

**Mr Speaker:** I encourage the Member to come to his question.

**Mr Anderson:** I will, indeed. They find it very difficult to attract funding. What investment has the Department already made in those areas?

**Mr McCausland:** The Member is absolutely correct in saying that they fall outside the boundary of the neighbourhood renewal areas. However, the Housing Executive has invested £2.6 million in improving its

housing stock in the two estates of Corcrair and Redmanville. Gas heating was installed in 2011, at a cost of £1.1 million, and an ECM scheme took place in 2011, at a cost of £266,000. Some properties in Redmanville received new kitchens last year at a cost of £266,000, and uPVC windows were installed in both estates in 2012, at a total cost of £968,000.

Three blocks of flats — approximately 30 in total — were passed to the South Ulster Housing Association in the 1990s and are currently included in that association's 2014-15 ECM programme for the spring/summer of this year. I was also pleased to note that a play park at Corcrair Road was provided and is being maintained by Craigavon Borough Council. The Housing Executive is aware of ongoing discussions between residents and the council about the future of the park and a potential upgrade scheme.

I refer back to the initial answer: my Department's SPOD scheme has some potential, and we will consider very soon whether there is any scope to consider a bid from Corcrair and Redmanville estates to the SPOD scheme.

**Mr D Kelly:** I welcome any investment in areas of deprivation. As the Minister stated, those areas fall outside the neighbourhood renewal areas. How are you ensuring equity across all areas in relation to investment and tackling social deprivation?

**Mr McCausland:** The schemes that I inherited from my predecessors, who were from the Member's party, were based around neighbourhood renewal, areas at risk and SPOD. The resources that have been put out through neighbourhood renewal during the time that I have been in the Department are very much the same overall as they were under predecessor Ministers. So, if there is any criticism of what I have done in that regard, it is criticism that would rebound on certain other predecessors. However, it is important that we keep these issues under review. That is why we brought in some guidance on how a neighbourhood renewal partnership should function. We have also tried to see what is good practice, so that it is not simply the amount of money that you put in; it is the value that you get out of it as well. There are lessons that some neighbourhood renewal areas could learn from others, hence the guidance.

Moving forward into the future, in the longer term, councils locally may decide to abandon neighbourhood renewal and go in a different line. Focusing on the top 10% creates a difficulty in that, over the years, areas that were in stayed in, and areas that were out were left out. The result was that some areas have fallen significantly. They might have been just outside it before, and now they are within the 10%, but, because the boundaries were set previously, they have not been included. That is something that also needs to be reviewed. So, there is quite a bit of work to be done to get a system that is really fit for purpose.

**Mr Gardiner:** What progress is being made on narrowing the gap outside — the outcome indicators in neighbourhood renewal between Corcrair and Redmanville and the rest of Northern Ireland?

**Mr McCausland:** I think that that question is "What are the figures for that area compared with other areas?". I do not have those detailed figures to hand, but we can get some figures for that estate. I hope that the small pockets of deprivation will make a difference. I think that the question

was about narrowing the gap between that area and other areas in Northern Ireland. The core point here is that a neighbourhood renewal area is in the top 10%, and the areas at risk are below that. We need to check back on where particular estates sit at the moment, but I am happy to do that and come back to the Member.

3.15 pm

**Mr Speaker:** Order. That concludes oral questions to the Minister. We now move on to topical questions to the Minister.

### Welfare Reform: Church Statements

1. **Mr I McCrea** asked the Minister for Social Development to share his views on the recent statements from Church leaders in Great Britain on the implementation of welfare reform. (AQT 771/11-15)

**Mr McCausland:** Recently, a number of statements were made in regard to welfare reform from Great Britain. The Roman Catholic Archbishop of Westminster — and, I understand, incoming cardinal — commented on welfare reform in an interview with the 'Daily Telegraph' on 14 February, and we also had an open letter sent to the Prime Minister on 19 February from 26 Church of England bishops in relation to changes in welfare reform. Actually, many of the points that they made were points that I would not really disagree with. Interestingly enough, I even noticed a Conservative MP on a television panel programme the other night saying that there were many things that he agreed with as well.

First, I think that it is valuable that civic and religious leaders engage on important social and economic issues such as welfare reform, and we should listen carefully to what is being said. Many of the points that they made have some validity. It is also important to say that we are not necessarily doing things or intending to do things in Northern Ireland in exactly the same way as in Great Britain. We are actually doing things better in Northern Ireland than across the water.

What they were talking about, I think, was the fact that the welfare system should be there as a safety net for those who are particularly vulnerable or who find it impossible to secure work because of a disability or illness or because they are in an area where there is not work available. We all agree with that. It is important that there is a safety net for some of the most vulnerable people, and I hope that, as we move forward in Northern Ireland, that will also be the case here. It should be the priority of all of us.

I met a number of groups from the faith sector in Northern Ireland, including the four main Church leaders, to talk about those things. That is something that we will want to continue with.

**Mr I McCrea:** In light of the Minister's answer and, indeed, the statements made by the Church leaders, will the Minister outline how he sees Northern Ireland implementing those changes? Can he see it being any different from what has been said?

**Mr McCausland:** There are two things that I will pick out in particular in answer to that question. For many years the social fund has been the social security benefit of last resort for the most vulnerable people in our society, ensuring that they are not left in a position of hunger or destitution. I recognise the need to put in place a new

discretionary support scheme to replace the current social fund, which will be available across Northern Ireland, so I have secured funding for the scheme from the Treasury and plan to extend it so that it is available not only to people in receipt of benefits but to low-paid working families, who have often lost out in the past. That extension to low-paid working families is something of real value.

The new discretionary support scheme is only one example of where we can see the devolution of social security working for the people of Northern Ireland by enabling us to do things differently from other parts of the United Kingdom. I also believe that the package of measures that I have developed to shape how welfare reform might be implemented in Northern Ireland addresses many of the concerns raised by the Church leaders.

The other thing that we have done with great commitment here in Northern Ireland is maximise income from benefits. The benefit uptake campaign has been particularly successful. In fact, over the past few years we have trebled the amount of money; it went up from about £1.4 million or £1.5 million to about £5 million. We are now up to around £15 million, and there will be further progress on that. Those are things that we are doing differently in Northern Ireland, and I think that that is important.

**Mr Speaker:** Question 2 has been withdrawn.

### Councils: Transfer of Powers

3. **Mr Easton** asked the Minister for Social Development for his assessment of the progress of the new council transition committees in transferring urban regeneration and neighbourhood renewal from his Department. (AQT 773/11-15)

**Mr McCausland:** I thank the Member for the question. I was assured by my officials that the transfer and conferring of powers on local government authorities would be smooth and seamless. It is hugely important that it is smooth and seamless and that, first of all, in neighbourhood renewal and tackling deprivation, we do not find a cliff edge where difficulties arise at the transfer.

Secondly, there was the issue of public realm schemes and big urban regeneration schemes, which not only benefit town centres but are hugely important to the construction industry at a time when it has been under significant pressure. It was important, therefore, that those were smooth and seamless. You do not want to be in a position in which a scheme starts and then falls into difficulty because of power being conferred on councils. We conducted a gateway review from the Department's side to see how DSD was geared up for the changes.

There is also the other side: the councils. We are moving into a period of real change. We will have new councils and significant numbers of new councillors. Many councils will have new staff at senior levels to deal with those issues. Councils are taking on new and enhanced additional responsibilities. It is not surprising, therefore, that concerns have been expressed about changes with neighbourhood renewal and urban regeneration and the fear that that will not be smooth and seamless. For that reason, I have been keeping a close watch. I have written to the chairs of the transition committees about meeting

them to hear their views on where we are, and on the basis of those meetings and the gateway review, we will have a better idea of where this is going.

**Mr Easton:** Does the Minister accept that those functions are key to the survival of town centres and to tackling deprivation and economic inactivity in communities throughout Northern Ireland?

**Mr McCausland:** I agree entirely with that. As I said in answer to an earlier question, regeneration is one of the main thrusts of the Department. If we look at the two issues of areas of disadvantage and deprivation and town centres, we see that it is hugely important that that work proceeds smoothly, seamlessly and effectively. We do not want it to be disrupted in any way.

Town centres, which are providers of employment as well as having great social value, are under real pressure for a whole range of reasons: economic climate, out-of-town shopping, online shopping, and so on. Public realm schemes and town centre master plans have made a significant difference to many of those towns. They make them much more attractive for people to shop and to socialise. From the point of view of town centres, we need to keep that work moving smoothly.

One focus of the work to tackle deprivation through neighbourhood renewal, and so on, has to be on increasing employability and making people ready for employment, perhaps by supporting a social enterprise that creates employment. All those things are ways in which we help to address unemployment levels and increase levels of employability. Therefore, with town centres and neighbourhood renewal work, those are hugely important aspects of what we do.

## Welfare Reform: Outcomes

4. **Mr McCartney** asked the Minister for Social Development, given that, if we do not do things differently, we cannot expect the outcomes to be different, to outline what measures we can put in place to ensure that the outcomes are different, albeit that I am greatly heartened by his earlier answer to Ian McCrea in which he stated that he shares the concern of Church leaders about welfare reform. (AQT 774/11-15)

**Mr McCausland:** This is an area in which certain things are in the public domain officially, and others seem to be in it unofficially. Certain things seem to be bogged down because of the inability of some people from one side of the Chamber to face up to the challenge that we need to do things differently and move on doing them differently.

Over a year ago, I indicated that we negotiated flexibilities for Northern Ireland for direct payments to landlords, split payments when those were necessary and fortnightly instead of monthly payments. Those things were identified at a very early stage when I was negotiating directly with the Department for Work and Pensions (DWP) in London.

As the Member will be aware, since then, my Department has been doing ongoing work on and looking carefully at what other things need to be done differently. There were conversations not just with London but with the First Minister and the deputy First Minister. By June last year, I had a package of measures that, I think, goes a very long way to making the situation in Northern Ireland much better than it is across the water. Those things have been

tabled in the Executive on a number of occasions but have not quite managed to get through to discussion, so it is difficult for me to spell out all the detail.

I continue to have meetings in the hope that people will recognise that, if we do not move on the issue, we face a £1 billion penalty or levy from Westminster. I do not want to be in a situation in which we have to explain to people why, because of some people's intransigence, we are taking £1 billion out of the budget for health, education or whatever over a period of years. One billion pounds is an awful lot of money to have taken out.

Some people have suggested that we could do it differently and commission our own IT system, the cost of which would be £1.62 billion. That is on top of the £1 billion. In anybody's finances, £2.62 billion is an awful lot of money to take from health, education, farming, deprivation — all the areas that we are trying to work on. I do not know where that will come from.

**Mr Speaker:** I remind the Minister of the two-minute rule. I understand that Ministers sometimes need more time because of the nature of the question.

**Mr McCartney:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as an fhreagra sin. I thank the Minister for his detailed answer, which is appreciated. If we are going to do things differently, which the Minister now accepts, they have to be seen to be different. The way that they will be seen to be different is in the lives of the vulnerable people whom we all represent. Given the caution of senior Church leaders following the experience in England, how can we satisfy ourselves that we are not signing up to something that will have a devastating effect on people?

**Mr McCausland:** It is because of those concerns and because I believe that we have a responsibility to show compassion to vulnerable people that I developed a package of measures, flexibilities and interventions.

Also, it is important to bear in mind the cost impact, not just of the penalties, levies and development of an IT system but of not moving forward. Over the course of 2016, various groups in Northern Ireland entitled to certain benefits will no longer be able to receive them because the Northern Ireland Assembly will have failed to move ahead fast enough. It will be the end of 2015 before we can get the legislation and the regulations through the Assembly. That is very close to the point at which the changes in IT would be such that people ceased to receive certain benefits. HMRC benefits, for example, would no longer be paid.

Having to say to families in Northern Ireland, "You could've had that benefit, but you can't have it because we have fuffed around, wasted so much time, talked so much and procrastinated for so long", would be the most appalling position to be in. I do not know how the Member opposite or others from his party could possibly explain that away to the vulnerable people who would suffer directly from that procrastination.

## Giro d'Italia: Paramilitary Murals

5. **Mr Dickson** asked the Minister for Social Development what action his Department will take on paramilitary murals on the route of the Giro d'Italia, given his reference to its work on public realm activities. (AQT 775/11-15)

**Mr McCausland:** I do not have direct responsibility for the route or for what is or is not on it. I have to confess that I have not pursued with a map the full detail of the route. There are all sorts of paraphernalia — murals and other things — in all sorts of places that I am sure Members would prefer not to see there. On the other hand, there are murals that I find very pleasing, as they are cultural and historical and enrich our society.

**3.30 pm**

I was lobbied some time ago about the restoration of one particular piece of graffiti in east Belfast. There are some very attractive murals in east Belfast that tell its football and the shipbuilding history and other aspects. Whether it is those on the route, the situation that you have in Castlederg, where there is a paramilitary IRA memorial on public property or some of the paramilitary memorials of a republican nature at the side of roads, the problem has been around for quite some time. I want to see a position adopted in Northern Ireland where we celebrate our culture and our heritage. There is a long tradition of murals in Northern Ireland. I think that the first ones appeared around 1912. They were very fine and reflected the unionist perspective at the time. I think that King William featured extensively on a number of them.

However, on the issue of offensive things, this is not a one-sided thing, yet sometimes people seem to think that it is. There are challenges, and it is an issue for both communities. I hope that the situation can be addressed over time. We have done a lot of work with reimagining. I have seen quite a number of paramilitary murals in different areas being replaced by much more acceptable ones.

**Mr Speaker:** Time has gone. That concludes Question Time. Before we move on to the question for urgent oral answer, I invite Members to take their ease as we change the top Table.

*(Mr Principal Deputy Speaker  
[Mr Mitchel McLaughlin] in the Chair)*

## Question for Urgent Oral Answer

### Enterprise, Trade and Investment

#### KPL Job Losses

**Mr Principal Deputy Speaker:** Mr Cathal Ó hOisín has given notice of a question for urgent oral answer to the Minister of Enterprise, Trade and Investment. 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 question.

**Mr Ó hOisín** asked the Minister of Enterprise, Trade and Investment to outline the steps InvestNI can take to offset the negative impact of KPL contracts going into administration.

**Mrs Foster (The Minister of Enterprise, Trade and Investment):** In partnership with the local jobs and benefit office, a redundancy clinic has been organised for 2.00 pm on Wednesday 26 February at the Elk inn in Toomebridge. Advice will be provided not only on benefit entitlements but on business start-up support for those who may be considering self-employment as an option.

Invest NI will continue to work proactively with the other stakeholders in the area, including the council, the chamber of commerce and the local enterprise agency, to promote the wide breadth of support available for those businesses in the area looking to grow in order to stimulate and encourage employment opportunities in the locality.

**Mr Ó hOisín:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as ucht an fhreagra sin. I thank the Minister for her answer and for coming to the House to answer the question.

I do not necessarily share her assessment of Invest NI, as my constituency of East Derry is one of the lowest recipients of funding from it. It is sometimes referred to in the vernacular as “Invest NO”. However, the Minister will be aware that 202 direct employees have lost their jobs and probably the same number again in employees of unpaid subcontractors and attendant businesses. In a town of fewer than 3,000, that is more than a devastating blow.

Will she recognise the enterprise, experience, skills, workforce and equipment that there is on the ground in Dungiven, that these jobs need to be done, and that the contracts need to be honoured? Should any rescue package come forward, and I am led to believe that one is being worked on as we speak, will the Minister give her full support to that and ensure the delivery of any such package?

**Mrs Foster:** I thank the Member for his point. I do not think that his preamble added anything to what he had to say about the 202 workers in KPL, which, of course, is what we are here to voice our concern about. I agree that there is a skills base in the area that, in and of itself, will be a catalyst, I hope, for someone else to have a look at the skills available.

There are a number of contracts that KPL are involved with. Some are with Roads Service and others are with private institutions such as BT and NIE. We have made contact with all those individual organisations. They are expressing a willingness to work, but they have to do so within a legal framework. In many cases, the next tender will take over the jobs in which KPL have been involved. I hope that, particularly for the subcontractors, they will be able to work with whatever organisation takes over the work that is available.

I recall standing here talking about Mivan a short time ago. I said that the skills would, hopefully, provide a base from which we would be able to work. I am glad to say that that has been the case in respect of Mivan, and I very much hope that it can be the case for KPL as well.

**Mr Campbell:** The news broke on Friday, and I spoke to the administrator at lunchtime on Friday and again today. It appears that there is a considerable volume of work there with large employing bases, which the Minister has outlined, such as the DRD Roads Service, NIE and BT. Will the Minister endeavour to have discussions, particularly with her Executive colleague and others, to ensure that former KPL employees in the skilled work base that is there are offered employment by companies that will carry out the required work that still needs to be done?

**Mrs Foster:** If companies are looking for workers, they will find them with skills in abundance in relation to KPL. We will assist any companies that want to come forward to us in looking for help in relation to job fund applications and what have you.

I have already had a brief opportunity to speak to my colleague the Regional Development Minister in relation to the matters, and he is looking into this, as you would expect him to, in terms of the agencies involved with KPL. I am sure that that is the case for the private companies as well, which have assured us that they have contingencies in place in relation to their customers. Of course, that is not the question that we are talking about here today. The question that we are talking about relates to those who have found out that they no longer have a job. We will do all that we can to support them, of course, and assist them in finding a job or starting their own business, and we will do that through Invest NI.

**Mrs Overend:** The news that 202 people have been made redundant by KPL has come as a blow to the economy in east Londonderry, and our thoughts are with those who now seek alternative employment. Will the Minister confirm that the main reason for the company going into administration is connected to its property development side and not its previous core business of maintenance work for utility companies across Northern Ireland?

**Mrs Foster:** I am sorry, I cannot confirm that. I have only speculation in that respect, just like the lady has. So, unfortunately, I cannot confirm that that is the case, but I know that KPL had a good contract base, so one can only conjecture from that.

**Mr Dallat:** I have listened carefully to the Minister, and I am pleased that the Minister for Regional Development is present. I, along with Patsy McGlone, look forward to meeting them after this. Does the Minister agree that this is a time when there has to be absolute unity across the Chamber to address the needs and the plight of people? In the past, Minister, you have shown a warmth towards

a special economic task force to address the particular needs of east Derry. Are you still of that mind? Will you help us establish such a task force to identify the problems and to promote the advantages of east Derry?

**Mrs Foster:** I very much welcome the Member's plea for unity on the issue. This is not a time for political point scoring around the Chamber in respect of agencies. This is a time when we have to look to those people who have been made redundant and, indeed, the subcontractors, who I know are very concerned about their future as well. We need to find a way to address those concerns.

As I said, there will be a jobs and benefits clinic on Wednesday of this week. We are open to anyone who wants to come to us to look at starting a business or employing the people who have been made redundant to see whether there is any way that we can help in that respect. We stand ready to meet Members from east Londonderry or elsewhere, and the Chairman of the Enterprise Committee spoke to me today about the issue. We, as Executive members, will do all that we can. All I ask is that everyone works together.

**Mr Kinahan:** It is good to hear that so much has been done for those who have been made redundant. In the Ballyclare area, everyone was looking forward to the Ballyclare West bypass and the meadows, particularly to take away the congestion in all the surrounding area. Will the Minister work with other colleagues and maybe with Treasury to try to find ways, whether through public-private finance or other ways, to make sure that we get that project finished as soon possible?

**Mrs Foster:** I imagine that there will be contingency plans in place for the different projects that KPL was involved with. I am sure that the Member will take the matter up with the appropriate Minister to make sure that that is the case.

## Executive Committee Business

### Budget Bill: Final Stage

*Debate resumed on motion:*

*That the Budget Bill [NIA 32/11-15] do now pass. —  
[Mr Hamilton (The Minister of Finance and Personnel).]*

**Mr Principal Deputy Speaker:** I call Mr Alex Attwood, who I understand was interrupted in full flow.

**Mr Attwood:** The full flow will conclude shortly.

As I was saying, the report produced and published by the First Minister and the deputy First Minister confirms the continued rise between 2011-12 and 2020-21 of child poverty levels in Northern Ireland, both relative poverty and absolute poverty. Child poverty figures have increased relentlessly year-on-year in those 10 years. There are a number of factors around that but, in the earlier period of that decade, the impact of the welfare changes and welfare cuts has a material and real impact upon those figures. The figures confirm that, as we speak, relative poverty for children is 23%. It will be near 31% in seven or eight years. Absolute poverty is up from 28% by 10 points to 38%-plus, and so on and so forth. My argument with the Minister is this: does that give him and the Executive more of an argument to deploy regarding the welfare proposal?

I will make a final point before my concluding remarks. The entire thesis of universal credit and welfare reform, as engineered by Lord Freud, Iain Duncan Smith and Treasury, is to make work pay, and universal credit is predicated on making work pay by having in place suitable childcare provision to enable access to work and training. That is at the heart of the thesis. Make it pay and make it pay because there is affordable and accessible childcare. While there have been some interventions, including through Bright Start in Northern Ireland, we do not have in place the legislation, the architecture or the appropriate and reasonable costings to ensure that people who may wish to go into work have in place accessible and affordable childcare.

We do not have a premium piece of legislation like the Childcare Act 2006 that they have in England. In the North, provision is limited and costs are high. The Employers For Childcare organisation has said that the costs of childcare here are some of the highest in Europe, and Save the Children has said that evidence is emerging from 2012 that mothers in low-paid work are thinking about leaving work because of the costs associated with childcare.

#### 3.45 pm

All those circumstances — be it the profile on incapacity, that of affordable and accessible childcare, or that of our housing and its segregated nature — are arguments that, if fully deployed, may get a fuller response from London. It is my view — I have made it clear before — that my sense — in some instances, it may be more than a sense of things — is that those arguments have not been fully deployed. If they have been deployed at all, they have not been deployed as robustly as they should.

Taking all those factors together, it seems to me that the Minister should consider doing a number of things. First, I would encourage him to quickly meet the children's alliance, made up of 70 different organisations

and stretching from Save the Children across welfare organisations and so on and so forth, in order to hear from the horse's mouth the true character of child poverty in the North, the true impact of welfare changes to date and the impact of those that are coming down the road. The scale of those changes is still uncertain. According to the Chancellor, we are halfway down the austerity road, as he might put it. If the Minister of Finance is to define his tenure in office, maybe somewhat differently from that of his predecessor, he might be well-advised to listen to the argument about the profile of childcare in the North from those advocates and those children.

Secondly, the Minister should consider whether, to get the argument over the line, the negotiations with DWP now need to be escalated beyond the limitations — I use that word advisedly — of DSD, as other negotiations with London have been. He should make his own assessment, as a Minister, of whether he believes that all the arguments about housing and incapacity have been deployed and, if so, whether they have been deployed fully. That is separate from the growing narrative in Britain about the failures of the universal credit IT system, the evidence that it is the poorest who are hit hardest, and the fact that even the Treasury and DWP have had to recognise that they have to slow down the implementation of universal credit until the far side of the next election. All that was touched on, if not fully elaborated on, in the letter that was sent by 26 Church of England bishops, 11 Methodist chairs, a group of Quakers and members of the United Reformed Church and that was published in the papers last week.

It was curious that, in response to a question earlier about the appalling treatment of Anna Lo as a citizen and a public representative, the deputy First Minister, Mr Speaker, sorry, Mr Deputy Speaker — you could maybe be Mr Speaker yet, but maybe not depending on how things work out — said that it was time to “get angry” — those were his words — and to “raise our voices”. On that issue, I completely agree. I wonder whether the deputy First Minister agrees that it is also time to “get angry” and to “raise our voices” on the issue on welfare and the withering impact that it will have on so many of our people now and in the future. Would he agree that we should raise the collective voice of the Executive, to collectively go to DWP, Treasury and the British Prime Minister, to collectively make the argument on behalf of the citizens and communities of the North and to deploy all the arguments that should have been deployed robustly but that, in my view, have failed to be deployed robustly by DSD? The Church of England ministers and others were echoing the comment of Archbishop Nichols, who has just been elevated to the post of cardinal in Rome. What did all those churchmen say? Half a million people have visited food banks in the UK since last Easter; one in five mothers reports regularly skipping meals to better feed their children; tens of thousands of older people must choose between heating or eating; wages have stayed flat while food prices have gone up by 30% in just five years; and more than half the people using food banks have been put in that situation by cutbacks to and failures in the benefits system.

There was an acute moral imperative to act, the churchmen wrote, concluding:

*“We call on government to do its part: acting to investigate food markets that are failing, to make sure*

*that work pays, and to ensure that the welfare system provides a robust last line of defence against hunger.”*

If that is the narrative of Church leaders in England and Wales, the narrative is worse in Northern Ireland because of the factors that were outlined during this and other debates.

What was the response of the British Prime Minister? In a rather high-handed, dismissive way, he declared that welfare reforms were morally right, stating:

*“For me the moral case for welfare reform is every bit as important as making the numbers add up”.*

It was Mr Maginness, who has now left us, I think, who in the last debate referred to bean counters. It seems to me, and I trust that this does not apply to anybody in this Chamber, that the British Prime Minister was indicating that he was a bean counter who did not recognise how the beans were falling for all those in welfare need.

**Mr Wilson:** I had not intended to speak but, having heard the thrust of the last speech, I thought that it was important that we got balance in the discussion. The Budget Bill is about more than welfare reform, but the job of the Finance Minister is made much more difficult by the kind of attitude that we have seen towards welfare reform and the response of the Assembly and Executive to welfare reform.

There will, as was pointed out, be demands on the Budget next year, and the Minister has to make provision for those demands as a result of the way in which the Assembly and Executive have dragged their feet on welfare reform. He has had to make — and this is in the public domain — unexpected provision in this year’s Budget of £5 million per month, and that will escalate as a result of the fact that we have not introduced the changes that are required here and which are being introduced in the rest of the United Kingdom.

It is significant that the SDLP feels so vulnerable on this issue that its Member who spoke on the Budget Bill felt that he had to major on a justification for the way in which it has led Sinn Féin by the nose on welfare reform. It has created the situation where the second major party in the Assembly is now almost afraid to move on an issue that it knows it has to move on. It knows that it cannot forever ignore the changes that are required to the welfare system.

At the beginning of this process, we recognised that there were things that would create difficulties and things that we believed the Government were wrong in. As a result, we sought concessions, and Nelson McCausland took the lead on that. In his speech, Mr Attwood suggested that the arguments for change had not been fully employed. He was the Minister for Social Development when we started to make the arguments, so if they were not fully employed, instead of pointing his finger all around the place at everybody else, he ought to consider whether he fully made the case for changes. I suspect that he knows the answer to that, and the answer —

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

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

I suspect that he knows the answer to that. He knows that the case was made, was made robustly and was made with some success, but that there is not a chance that

we will get any further change from the Government at Westminster on welfare reform.

It was significant that, during his speech — I have listened to the Chairman of the Social Development Committee on this issue on a number of occasions — he made the argument that we have not fully pursued all the issues, yet I still do not know what changes he wants the Social Development Minister, the Finance Minister and the First Minister and deputy First Minister to pursue.

**Mrs D Kelly:** I thank the Member for giving way. I am sure that the Member will understand my confusion. He voted against the Welfare Reform Bill at Westminster, so I wonder what set of principles he is adhering to this afternoon.

**Mr Wilson:** Of course, we voted against some of the provisions in the Welfare Reform Bill at Westminster. In Northern Ireland, we have succeeded in changing some of the things that went through at Westminster.

It is very easy for us in Northern Ireland to get parochial and think that all the problems that we suffer are not suffered elsewhere. We can get dead inward-looking. I assure the Member that there is very little sympathy at Westminster for special concessions for Northern Ireland. At Westminster, Ministers have said to me, “We do not have any votes in Northern Ireland. We are getting it in the neck for welfare reform here in England. What justification can we give our constituents for making special provisions for people in Northern Ireland but not for them?” If people thought about the arguments that they put forward in the House, they would realise how ridiculous they are. They are asking Ministers and politicians in England, whose constituents face the same issues that we do, to make concessions for us.

Already, some measures that we asked to be changed because we believed that they would place a difficulty on the public purse are coming to pass in England. Those measures will not come to pass here because we got special concessions. We have already secured significant changes. We have secured a change — even this does not seem to satisfy the Member for West Belfast — on the spare room subsidy — the bedroom tax, as he wishes to call it. I do not care what it is called. We believed that it would lead to disruption for existing tenants, would be difficult to implement because we did not have sufficient housing stock to move people into and would lead to rent arrears. That is already happening in other parts of the United Kingdom, but it will not happen here because existing tenants will be exempt.

We will have to pay for that, of course. The Member says that not only should we have been given that concession but we should be beating down the door of the Treasury and saying, “We do not want to pay for it either”. He talked about it being time to get angry, but I think that it is time to get real. What kind of world does he live in? He has never had to talk to Treasury Ministers about some of these things. They already think that they subsidise Northern Ireland too much. That is an important concession. It is one that Nelson McCausland secured and the Executive have agreed to finance.

**4.00 pm**

Another issue that caused great concern was the direct payment of rent to tenants. It may well be OK for Duncan Smith and some of the other Cabinet Ministers who

earn substantial sums to think, "Well, you can budget." However, we recognise that it is difficult for people who are on low incomes. If they are given the rent in their hand and are then hit by a crisis in the house, they may well spend that rent money on something else and get into arrears. Of course, that would eventually fall on the public purse. We secured direct payment to landlords rather than tenants.

It is the same with the monthly payment of benefit. Monthly payments may be OK if you are on a large income. However, if you are on a very small income and get a big lump of money at the beginning of the month, by the time that four weeks have passed, you may be in difficulties because you have spent it too early. Again, the theory was, "Well, it will teach people to budget." I do not think that Ministers who thought that have dealt with too many constituents who live on a low income and find that difficult. If people have a whole pile of money handed to them at the beginning of the month and then some emergency comes up, it may be spent early, leaving them with nothing at the end of the month. We have secured a default position whereby people can have money paid to them every two weeks.

It is the same when it comes to split payments. Again, we were able to obtain certain concessions so that people have options. The Executive have even committed to not changing the current arrangements for the payment of housing benefit for rates. That will cost £30 million in the first year, but there is a commitment to do that so that people on low income will not be adversely affected.

So we have obtained all these concessions, and I know, having spoken on this in the House of Commons, that English MPs, Welsh MPs and Scottish MPs are jealous of our position in Northern Ireland. Yet there is a belief among the Members opposite that, somehow or other, we can go and knock on the door and say, "It is not enough. We want more." That kind of *Oliver Twist* politics will not work.

**Mr D Bradley:** You are shouting.

**Mr Wilson:** I am not shouting; I am just emphasising my point.

It will not work. The problem is this: with one hand, we are holding out the bowl for more; with the other hand, we are handing £5 million a month back to the Exchequer. That will rise to £105 million a year and eventually to over £200 million a year.

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

**Mr Wilson:** Yes, I will give way.

**Mr Attwood:** Many of the comments made by Mr Wilson prove that he has become too much the Westminster man. After all, it was he who proposed at the Executive that pensions be dealt with by a legislative consent motion. He has spent most of his contribution to this debate relying on the arguments used by English MPs and English Ministers. The Member comes into the Chamber and uses the analogy of *Oliver Twist* holding out the begging bowl in reference to the plight being suffered by thousands of people in Northern Ireland. How dare he use that language in our context?

**Mr Wilson:** The analogy has probably escaped him. I was trying to paint the ironic picture that we hold out one hand and say, "We want more" — his own words were that we have not got enough and we want more — while we hold out the other hand and say, "By the way, here is £5 million

a month. Take that £5 million a month, and take more." If the irony is lost on the Member, I may have to spell it out for him.

I will come to his point on child poverty in a moment. The public will find it incomprehensible that, on the one hand, we say that we cannot afford to go down this route. On the other hand, however, we will quite happily give away money willy-nilly. That is one of the problems that the Finance Minister faces with this Budget. He is being hampered by an unwillingness on the other side of the Chamber to understand the reality of the situation. It is difficult to defend the position of giving money back to the Treasury monthly, and one of the reasons why I feel that we have had so much discussion on that from the Member for West Belfast is that he has to hide his party's embarrassment on the issue.

He went on to say that we will have an increase in child poverty and need to do more to deal with it. I agree with him on the issue of childcare. I had a meeting this morning with the people who administer childcare vouchers in Northern Ireland, and they indicated to me that the cost of childcare here is now around £158 a week. The Member is quite right: that places many people in a situation in which they have to choose between going out to work and paying almost all the money that they get from that on childcare or staying at home and remaining economically inactive. That is something that the Executive should address. It becomes much more difficult, of course, if, at the same time, the very resources that might be used to address that are given away by the Executive to Westminster because of our unwillingness to do something that we know that, at the end of the day — although we might do so kicking and screaming — we are going to do, because we cannot afford the other consequences.

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

**Mr Wilson:** It is not simply the financial consequences; there are other consequences. Before I move on to those, however, I will give way.

**Mrs D Kelly:** I thank the Member for giving way yet again. He has been most generous. Will he concede at least that, over the past seven years, the Executive led by Sinn Féin and the DUP have singularly failed to agree a childcare strategy? Will he therefore accept that some of the blame lies with a lack of political leadership?

**Mr Principal Deputy Speaker:** Before you resume, I will make two points. First, I think that we should recall just what it is that we are discussing here today. Secondly, Assembly Broadcasting has indicated that you are speaking between two microphones, Sammy. I am sure that you would not want it to sound as though you are speaking from a spare bedroom. *[Laughter.]*

**Mr Frew:** You need to shout, Sammy.

**Mr Wilson:** I thought that I did not need a microphone. According to Members opposite, there was no requirement for a microphone.

The whole issue of the childcare strategy and child poverty in Northern Ireland has been dealt with. I know that the Member is fixated on the childcare strategy of the Office of First Minister and deputy First Minister, but child poverty will really be addressed by the actions of the Minister of Enterprise, Trade and Investment, because there is no surer way of taking children and families out of poverty

than by putting people into work. We have a Minister who has been more successful in doing that by attracting more inward investment to this region than any other region outside the south-east of England, even during the middle of a recession, and more than any other Minister during the life of the Assembly since 2000. That, of course, has helped to take a lot of children out of child poverty and a lot of families out of poverty.

However, there is one worrying thing, which Members opposite, who are dragging their feet on the issue, have to answer and which will create even more difficulties for the Finance Minister in the Budget. As a result of our becoming out of sync with the rest of the United Kingdom on this issue, the 1,600 jobs in the Social Security Agency that are currently administering benefits for other parts of the United Kingdom are being put in jeopardy. They are being put in jeopardy because, if our system is different from that in the rest of the United Kingdom, we will not have the expertise, the ability or even the computer systems to administer the benefits that we currently administer. There are 1,600 people who, potentially, will lose their jobs. As a result, their families, and the children in those families, are likely to find themselves in poorer conditions than they would have been in had we gone along with what we know is inevitable as far as welfare reform is concerned.

I do not know how soon the Minister is going to have to make his mind up on this, but the other thing for which provision will have to be made in the Budget as a result of this foot-dragging exercise is what we do as computer systems get turned off and universal credit is gradually introduced in the rest of the United Kingdom. As jobseeker's allowance, income support, employment and support allowance and housing benefit systems get turned off, will we have to purchase them? Will we have to maintain them, because we will be keeping the old benefit system going? What will that cost? What implications will that have for the Budget over the next year and the year after that?

I suspect that that is why the parties opposite have engaged in the kind of rhetoric they have engaged in over this part of the Budget. They know that we are storing up consequences over the next year and the year after that: the ability to administer the benefits to people who are currently on the system and the ability to keep the jobs of those who currently administer them. Do not forget this: some of these jobs are located on the edges of some areas of highest unemployment in north and west Belfast. When it comes to those people losing their jobs, I would like to see the SDLP and Sinn Féin explaining, "We did it for the best of reasons". I do not think that that will wear too well with those impacted by it. Billions of pounds are being spent on other things in the Budget, which, of course, we could and should be debating, but this is crucial because it will have the impact I described.

In his intervention, the Member said that I had taken the stance on pension reform that we should simply put it through by legislative consent motion. He is quite right; I did. I happily admit that I did. It was borne out of the experience we had with welfare reform. We could have run into exactly the same position with pension reform. I suspect that the SDLP and Sinn Féin learnt their lesson and did not get themselves on the same hook with pension reform as they did with welfare reform. They kicked up

and shouted about pension reform, but, when the Finance Minister brought the Bill to the House, they had the option to use the blocking mechanism if they were so concerned about the impact it was going to have on tens of thousands of people across Northern Ireland. They did not use it; they did not use the petition of concern. They huffed and they puffed and they put amendments down, but, at the end of the day, they allowed it to go through.

One of the reasons why I was keen that we should not go through the same with pension reform was that it would have landed us with another £250 million bill. Thankfully, we did not have to do it. If the parties opposite learnt their lesson on pension reform from welfare reform, then —

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

**Mr Wilson:** Yes, I will give way in a minute.

If they learnt that lesson, I hope that, during this session of the Assembly, they will do with welfare reform what they did with pension reform — bite the bullet and do what they know they have to do. Otherwise, the Finance Minister will have a much more difficult time with the Budget that he has to take through.

#### 4.15 pm

**Mr Attwood:** I thank the Member for giving way. First, I will borrow his phrase, though it would not be the phrase I would normally use: have you learnt your lesson on pensions legislation? If the Executive had listened to the advice that you gave, we would not have come to the Floor, and we would not have had the opportunity to build into the legislation some opportunities for some workers now, and some opportunities for other categories of worker in the future after review, on pension provision. Do you not regret your argument, which you were quite rigorous about, of denying to this place the opportunity to look after the interests of our working people in the way that that legislation at least did? I will come back later on other things.

**Mr Wilson:** At the danger of being ruled out of order as we wander further and further away from the issue, I will take that particular question. No, I do not regret it, and I believe that one of the things that has happened is as a result perhaps of the experience that the parties opposite have found with the welfare reform issue and the tangle that they have got themselves into. We have learnt to deal with some of this legislation a bit more responsibly.

It has always been my view that, if something is devolved, of course it should be decided on by the devolved Administration. I have explained my position that, having seen the tangle that we got into with welfare reform, it was always my view that there was not the maturity to deal with some of these issues, and that people would simply engage in a knee-jerk reaction that would be very expensive and could cost us a lot of money in the longer run. As I said, I am glad that people, having got into one tangle, did not allow themselves to get into another tangle.

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

**Mr Wilson:** I will give way, yes.

**Mr Principal Deputy Speaker:** Order. I have no intention of stifling debate, but the debate is on the Budget Bill. I have allowed latitude because there are issues that have direct implications for the spending programme going forward, but I am coming close to the end of my patience

on that, because we now have started debating the whole welfare issue. Welfare reform will be debated on a separate occasion; I just remind people of that.

Did you give way to Mr Allister?

**Mr Wilson:** I did; I gave way.

**Mr Allister:** Given that the knock-on effect of welfare reform has very severe budgetary impacts, as the Member has been outlining, if that logjam and belligerence continues, does the Member think there comes a point where the conclusion might be reached that it would be better if welfare policy was not devolved, and that we might be better to petition for the return of it to a pure parity basis with Westminster?

**Mr Wilson:** I hope that that situation will not arise, but I have to say that the Member has hit on the last point that I wanted to make, and that is the long-term consequences. All I can say is that, if we continue down this road, it will become much more difficult for the Finance Minister in future, when there are particular considerations for which we do need support, to say to the Government at Westminster, "We need support for this", because of the attitude — I spoke to Ministers in England and, indeed, Ministers expressed their view publicly on the issue here — that we are so flush with money that Westminster does not really need to help us out in special situations.

That is the long-term consequence, and if that were to be the case, maybe it would be better, if we find ourselves in that logjam, to allow these things to be decided at Westminster. However, given the changes that have been made, I think it is important that we persevere and try to keep this issue with the Northern Ireland Assembly but deal with it in a rational and reasonable way. The longer-term consequences of that kind of irresponsible — and I mean irresponsible — behaviour will come back to bite us, and unfortunately will make the Minister's job far, far harder in the future as he tangles with the Treasury over issues such as corporation tax and others. They will want to hold on to every penny, and they will employ the argument, "We believe that Northern Ireland can finance these things itself, because Northern Ireland seems to take the luxury, even when it has been given changes through certain legislation, of still wanting to hold back, and is prepared to pay penalties for it". That is the real, worrying, long-term consequence, as well as the immediate payments, the job losses, the inability to make payments available to those on benefits as computer systems go offline and the longer-term costs of having to purchase those computer systems.

**Dr McDonnell:** I welcome the opportunity to speak briefly, and I will try to stick to the item, which is the Budget. I have listened attentively to many of the speeches delivered, not just today but over the course of the debates on the Budget Bill. It is clear that there have been two distinct types of contribution. The first group is those who appear satisfied with the status quo, and the second has some more ambition.

In my opinion, we need a lot more ambition if we are to fulfil the expectations that people have placed on us. Perhaps, unsurprisingly, the first group I referred to includes many of the Minister's party colleagues who, during the debate, did much to support him and his Budget. Surprisingly for me, however, that group also contains members of Sinn Féin and the Alliance Party. I imagine that many of those individuals have little faith in

the Budget, for reasons that I will outline in a moment, but, sadly, they still try to defend it for the sole reason that they were trapped with it some 35 months or three years ago.

We need to get a grip of ourselves and develop some meaningful vision, hope and ambition. We need to use our public expenditure to maximise economic benefit. Let me draw attention to the Scottish Government. We need to take a leaf out of their book. They did not run scared. They stood on their own feet and stood their ground. They have sought and obtained authority to issue bonds in their own right, and, I understand, subject to correction, that they will be able to raise up to £2.2 billion or £2.3 billion for urgent developments. Why can we not find a mechanism of doing that? Why not issue an education bond, to use for the badly-needed building of new schools? Why not a health bond to improve and replace health facilities that are not fit for purpose? Perhaps we could even call it an "Ulster Health Bond".

In his speech at the Second Stage of the Bill, my colleague Pat Ramsey explained that one of the reasons why the SDLP voted against the Budget in the first place was that it failed to provide clarity on student finance. Many of the students of today, who are leaving university or graduating and beginning their careers in the coming months, were still at school when we first talked about this Budget. Yet we are still stuck with this same Budget.

My colleague Alban Maginness, who added a bit of colour to proceedings, spoke about the dreariness of these debates. His assessment of the limp dialogue, and the reason for it, was very accurate. There is little or no ambition here; little or no effort is made to maximise the full benefits that could flow from a proper budgetary process. There is little to add to our economic recovery. And I have serious concerns that this Budget process is not a real Budget at all but little more than a financial management process.

In Westminster, Dublin and Edinburgh, when they discuss a Budget, they have a meaningful, robust — sometimes very robust and tough — annual process that generates wide participation and healthy debate, good ideas, improvements and the best possible outcomes. It aids discussion and airs imaginative proposals that help towards the development of initiatives that grow the economy, create wealth and spend it in ways that best support the community. Sadly, in my opinion, we have failed to do so here.

Every time the SDLP proposed a new idea or suggested a bit of ambition on behalf of our community, Members who originally voted for this Budget shouted us down. I suggest that Members, individually and collectively, should reflect further on the whole point of devolution. To me, it means that we have the option of doing our own thing and being flexible for the benefit of the population of Northern Ireland. It means that we have the benefit of being able to think outside the box, act innovatively, be creative and maximise value for money.

When this Budget was published originally, the SDLP outlined seven key reasons why it was necessary for us to be more ambitious and to be prepared to do our own thing. All seven issues are a lot more pressing now, three years later, than they were in 2011. There was no Programme for Government at that time, the cart was placed before the horse and, consequently, the first problem was that there

was no coherent, sustainable, strategic thinking. We are now seeing the legacy of that process, particularly in our health planning, where we must think and act strategically in all that we do.

The second point was that, clearly, the Budget did not provide sufficient money for health. That was illustrated recently by the need for an extra £30 million to deal with hospital admissions following the much-publicised problems in the Royal Victoria Hospital's accident and emergency department.

My third point is that in the middle of a global economic crisis, the Budget gave little priority to job creation. Today, well over one in five of our young people are still out of work. I agree with the former Finance Minister that it is useful to get people back into work if you have work for them. However, our biggest difficulty here is that we have not created the jobs for them. A large number of our young people — we all know who they are because we all have neighbours and relatives — have been forced to leave these shores, many of them ending up in Australia, just to find work. We are risking the development across our community of a lost generation.

My fourth point is that the Budget gave insufficient resources to education. Subsequently, we have seen that the common funding formula has created all sorts of complications and the proposed closure of many rural schools.

My fifth point is that the purpose and distribution of the social investment fund was another serious concern when this Budget was published. Until recently, the money went unspent and has now been allocated to a number of projects, some of them questionable. We remain totally unconvinced that this fund is anywhere near the best way to support the vulnerable in our society.

The Budget failed to recognise that public expenditure is and can be a major economic lever. To better stimulate the economy, we have proposed a number of options, including increased capital expenditure, particularly for social housing. Sadly, that has been resisted by the party on the opposite Benches, which seems uninterested in helping close to 10,000 — the last number that I had was 9,878 — households that were accepted as statutory homeless by the Housing Executive.

Our final reason for being unhappy about this Budget in 2011 was its absolute failure to identify any new revenue streams. As I have said, the detailed SDLP revenue proposals that we put forward prior to the publication of the 2011 Budget were shouted down, in my opinion, because of a lack of ambition.

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

**Dr McDonnell:** Yes, in two seconds.

We received a promise from the previous Finance Minister that additional revenue-raising proposals to the tune of £900 million would be incorporated into the Budget between 2011 and 2015. When I give way, he might update us on what has happened there.

#### 4.30 pm

**Mr Wilson:** Does the Member accept that it was very difficult to take seriously the revenue streams that the SDLP suggested when it included the sale of the

Speaker's house, the sale of an airport that the Executive did not own and £80 million of developers' contributions from the construction industry at a time when that industry was going bust? Will he accept that no great ideas were coming from his party?

**Dr McDonnell:** I accept that it is difficult to take money from someone who goes bust, but I do not accept that there was not a pile of ideas that were well thought out. The former Finance Minister has chosen not to answer the question that I put to him and to ignore 90% of the SDLP proposals. I still ask him where the £900 million that he intended to raise went to. During the Bill's Second Stage debate, my colleague Dominic Bradley put that question to the current Minister, and maybe he will be more forthcoming than the previous one.

For all the critical reasons that I outlined, I again appeal to the Minister and to the House to look much more imaginatively at things in the future. The SDLP has been criticised throughout the debate for daring to say that we can do things differently, and we will not shirk from that. We will hold our ambitions for the public good. We will strive to do better. We have never claimed to be perfect, but it is worth thinking outside the box occasionally. There is room for thinking outside the box, and I make the point again that the Scottish Government have done that again and again. Somehow or other, we seem to be unable to take a leaf out of their book. I am not saying that to be politically controversial or to annoy the Minister or any of his colleagues. I am saying it because there are ways and means.

We are small, with a population of fewer than two million people, and we are very mobile and can do things and be innovative in a way that a larger community, nation or group cannot. We will strive to do our best. I am sorry if that upsets people, but we believe that our people deserve better.

It is imperative that we properly assess any possible alternative proposals, whether those are from the SDLP, the wider economic community, particularly economists, or from wider society. It is imperative that we challenge orthodoxy and stagnation, because stagnation brings only a dead hand to everything that it touches. It is imperative that we assess, through the establishment of a Scottish-style commission, the options to extend and to deepen devolution and the opportunities to take control of additional fiscal levers.

I emphasise that, as I said, because of our small size, we can be nimble, innovative and flexible in a global market and provide our workers with the skills that are required to meet rapidly evolving business needs. Finally, if we are bold, brave and ambitious and take risks for the benefits of industry, business and wider society, the public will thank us and appreciate it. They will not thank us for stagnation.

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

I thank the Members who contributed — I think that I am thanking them — to the Final Stage of the Budget Bill. I believe that, in their own inimitable style, Members have sought to add to the debate. They have probably gone beyond the subject matter, but they have certainly added to the debate, and I welcome the fact that Members raised relevant issues. I am not trying to avert my gaze from anyone in particular in respect of relevance.

There will always be one or two who seek to use Budget Bill debates as a platform for issues that are tenuous to the legislation, but I welcome all input in these debates. I emphasise that it is important for Members to have the opportunity to debate this financial legislation and to air their views and represent their constituents. I will do my best to respond to the points raised as fully as possible.

However, before I do that, I once again thank the Committee for Finance and Personnel and its Chairman, Mr McKay, for their assistance in the accelerated passage of the Bill through the Assembly. The support of the Committee will enable the Bill to receive Royal Assent by 31 March and allow a smooth continuation of public services into the new financial year.

I will now turn to some of the issues raised, and I begin with Mr McKay. In his capacity as Chair of the Committee, he talked about the review of the financial process. In particular, he mentioned the ongoing discussions between the Department of Finance and Personnel and the Committee for Finance and Personnel on developing a memorandum of understanding for the Budget process. As I understand it, the discussions are going well, and I encourage them. I hope that they are fruitful, but he will know — it is an issue habitually raised by Mr Cree on occasions such as this — that it is my view that our whole Budget process needs to be overhauled. We need better oversight and a bit less debate, but no less scrutiny.

The current process owes its origins to the direct rule era. I think that dispensing with an old, out-of-date and archaic direct rule process is a good thing. I welcome and encourage the discussions on a memorandum of understanding, but I think that moving forward with the review is a far better way to deal with the issues that the Member and the Committee have raised in the past.

Mr Girvan raised a couple of issues, in particular about infrastructure. He emphasised its importance not just in improving public service delivery and giving a short-term boost to the construction sector but in bringing in foreign direct investment. The Budget before us includes several major investments in infrastructure across Northern Ireland. I am particularly pleased that it includes a loan of £25 million in this financial year to the University of Ulster for its redevelopment in the centre of Belfast and the relocation of its Jordanstown campus to the centre of Belfast. Significant road projects include early investment in the Magherafelt bypass project.

Mr Girvan also mentioned financial management, and he was right to do so. Sometimes, on occasions such as this, we forget the utterly disastrous financial management that we inherited when devolution was re-established some seven years ago and the huge habitual underspends right across Departments that resulted in money being lost and returned to Treasury. It is worth noting that since the inception of the Budget exchange scheme a number of years ago, a scheme that my predecessor and Finance Ministers from other devolved regions successfully negotiated, we have lost no money back to Treasury. That is despite the scheme's fairly tight constraints on what we can carry forward each year: £10 million in capital and roughly £50 million in current expenditure. We do not always highlight enough how much better the financial management is now in all Departments compared with a number of years ago.

Mr Bradley started by expressing his view that the Assembly was not held in the highest esteem. I sincerely hope that no one else is watching today — the debate will not have improved anyone's view on whether the Assembly should be held in high esteem. He raised a number of issues, and I want to deal with a couple of them now before trying to deal with welfare reform, if you permit me, Mr Deputy Speaker, towards the end of the debate.

The Member mentioned the non-movement so far on the reform of education — specifically the «Education and Skills Authority Bill», for want of a better name — and the pressures that that puts on education and library boards. I accept that and that the pressure frequently manifests itself in staffing issues. He expressed some concern about the impact on delivery of capital projects, and he is right to be concerned. We should all be concerned to ensure that the money for all the capital projects that we want, particularly building new schools and repairing existing ones, is being spent where it should be.

However, I want to point out to the Member that, although there may be some validity in his being worried, that concern has not manifested itself in reality. This year, the £2.7 million in capital surrendered by the Department of Education was as a result of greater than anticipated capital receipts. So, in short, the money that should have been spent is being spent and that is out of the Department of Education's capital budget of around £109 million. So I can understand where the Member's concerns are coming from, but I do not think that they are borne out by the reality, which is that only a small amount is being surrendered by the Department of Education, and that is as a result of better than anticipated capital receipts.

The Member also mentioned welfare reform, which I will come to later. He moved on from that to the economic pact. Unfortunately, he seemed somewhat clueless about its contents. I had cause to go and look at it myself last week. The PDFs of the document are still available on the OFMDFM and Downing Street websites. He will recall that there are many aspects of it that are well discussed in the public domain and in the House. I think that I have fielded questions about it in the House, principally around corporation tax and the commitment that the Prime Minister has given to taking an early decision on it after the Scottish referendum.

There has been an extension of our reinvestment and reform initiative (RRI) borrowing profile by some £100 million over the next two years, as long as it is spent on shared education and shared housing projects. Of course, there is also work ongoing on the commitments contained in the economic pact to explore implementing enterprise zones in Northern Ireland and the possible devolution of additional fiscal powers.

The Member also mentioned the financial process, as did other Members. I think that he was encouraging me. I am not sure that somebody who tries to be as consensual as the Member does was suggesting that I ignore the Minister of Education's concerns over the review of the financial process. How I wish that I could ignore the concerns of the Education Minister. I believe that the concerns that the Minister has expressed have been addressed, and proposals have been put to him. We have had no response to those proposals. As much as I might like to proceed — I think that the broad view held by most, if not all, parties in the House is that we should proceed with the polices

as outlined in the review of the financial process — on something as important as that, I do not want to proceed, not least because legislative cover is required.

I am not in a position in which I can move without the Minister of Education's support. I hope that what has been proposed will address his concerns, and I am happy to discuss those concerns further with him so that we can progress the totality of the review, as opposed to fragments of it. In the absence of agreement, I will do all that I can to ensure that the process is as transparent and effective as possible.

Michaela Boyle's speech was pretty much a synopsis of Sinn Féin fiscal policy. She encouraged me to make sure that we get every single penny that we can from the Brits, asking that I get every penny in Barnett consequential and others that I can from the British Exchequer, but, of course, acknowledged no benefit at all from British involvement in Northern Ireland. We are, of course, handing the British Exchequer back some £5 million a month as a result of penalties on welfare reform.

Before I come to welfare reform, I will pick up on the comments that Mr Attwood, who is no longer in the House, made on economic recovery. We have rightly acknowledged over the past five years or so the true extent of the recession and downturn and the impact that it has had on individuals, businesses, communities and entire states, so it is only right and proper that we acknowledge when the economic performance is improving, as I believe it is. The UK economy is clearly performing better than many expected. That then translates to Northern Ireland in a positive way.

We see various indicators that, over the past half a decade or so, have all been moving in the wrong direction. If they should have been going up, they were going down, and if they should have been going down, they were going up. So, when I see the Northern Ireland composite economic index show that, between September 2012 and September 2013, the economy grew by some 1.2% in Northern Ireland, although that is not a massive increase in economic output, it is welcome. When you see, in the quarter 3 figures for 2013, an increase of 1.6% in that quarter alone, I think that there is cause for optimism.

That has encouraged many economic commentators from the likes of PWC and the Northern Ireland Centre for Economic Policy to revise their estimates of economic growth in 2014 to upwards of 2%. Although that is not outrageously high growth, it is far better than we faced over the past number of years and is to be welcomed. Those figures are backed up by what the Ulster Bank is finding in its purchasing managers' index, which has now, for six months in a row, shown growth across all sectors, including construction and retail, order books filling up, companies employing more people and firms entering new markets.

#### 4.45 pm

In its consumer-confidence survey, Danske Bank found that it had the highest levels of consumer confidence in Northern Ireland since it started doing the survey in 2007-08. That confidence is manifesting itself in figures such as the 10% increase in new car registrations recorded last year and in the relative buoyancy in the housing market, where we have seen a 4% increase in 2013 as recorded

in the Land and Property Services' residential property prices index, but, more encouragingly, the 4,800 sales in the fourth quarter of last year, which was the highest level of sales recorded since 2007.

It is little wonder that the likes of the Royal Institution of Chartered Surveyors is happy to say, as it did last autumn, that the construction sector is now exiting recession. Last week, I attended a dinner hosted by the Chartered Institute of Building. It was clear that the mood among members was decidedly more optimistic than it had been previously. However, I acknowledge, as any right-thinking person would, that even though there are encouraging signs, and we are in the early stages of economic recovery, there will be patches and bumps along the road. We will get bad news, such as we did over the weekend with KPL, and a number of weeks ago with Mivan going into administration. Sectors, including construction and retail, are still doing badly in many areas. However, by and large, the economy is moving in the right direction. When the economy is doing well, we should justifiably acknowledge it, just as we acknowledged that it was doing badly in the past.

I will return as briefly as I can to welfare reform, which, it is fair to say, was raised by several Members. I will do my best to quickly address many of the issues raised. I will preface my remarks — as if I needed to do so — by saying that I do not think that anybody who stands here and says that proceeding with welfare reform is the right thing to do, so that we can avoid the very high penalties that we face, can do so without acknowledging that there will be difficulties for people as a result of welfare reform. We know that. We recognise that. It is not an ideal piece of legislation from anybody's perspective. Aspects of it are positive and will have a beneficial impact on people in Northern Ireland. However, we do not say that about every aspect of it. Indeed, that is why there have been such protracted negotiations with the Department for Work and Pensions to ensure that the legislation is amended as well as it possibly could be.

Mr Attwood cited the Northern Ireland Council for Voluntary Action (NICVA) research. I am sorry, I should not say "NICVA research" because it was carried out, I think, by Sheffield Hallam University on behalf of NICVA. The research concluded that £750 million would be taken out of the Northern Ireland economy. First, it is worth recognising that the report gave no cognisance to the actual benefit to the economy of universal credit for many people. Therefore, the figure would be decidedly less than that. Indeed, DSD's research acknowledges that less would be spent on welfare in the future in Northern Ireland.

Let us be clear about the situation. In 2010-11, the amount of money spent on welfare, social security, in Northern Ireland stood at £4.9 billion. By 2018-19, without welfare reform, that figure was expected to rise to £6.7 billion. With welfare reform, the figure will be £6.3 billion. In effect and in short, there will still be £1.4 billion more spent on welfare in Northern Ireland even though welfare reform and the changes coming through from it will take effect. Therefore, it is not that there will be net less money, it is more that it will not rise by as much as it did in the past. In fact, some individuals will be better off.

When Mr Attwood stands before the House, as he has done now, I think, at the last three Stages of this legislation, and basically says the same thing regarding people being worse off, in poverty, badly off or deprived,

he never addresses the question, no matter who puts it to him, as to how much worse off these people, who are in poverty, badly off, deprived, sick or ill, will be as a result of not proceeding with welfare reform. Indeed, he also never addresses the others who will also be worse off if we do not progress welfare reform, and if the public spending, which is meant to provide a safety net for the very people whom Mr Attwood talks about, is not there because it has been cut. There will be a cut to those services for many of those people if the blasé attitude to welfare reform of the Members opposite continues.

It would be cut quite decidedly, because, as Mr Wilson and others mentioned, and as I repeated before, the Budget Bill that is before us does not include £15 million that can be spent this year within the next five weeks on our hospitals, schools, roads and other public services. So, there is an immediate loss. I think that some people maybe think that £15 million is not a lot of money and that we can afford to lose that. However, that figure rapidly rises next year to £105 million, which is equivalent to a 1% cut right across the Budget for every single Department and is equivalent to the money that we would spend on 2,500 nurses or 2,100 teachers.

So, when Mr Attwood stands before the House and says that the £5 million a month that we are currently losing, and by extension the £105 million that we will lose in the future or the £1 billion that we will lose in totality over the next five years, is a price worth paying, what he is saying to the people who receive the services that that money pays for is that the fact that they will not receive those services is a price worth paying. When he says that casting aside the amount that we would spend on 2,500 nurses or 2,100 teachers next year is a price worth paying, he is basically devaluing the service that they provide and, of course, the service that people receive.

When he says that it is a price worth paying, he fails to address, even when prompted by others, the fact that not proceeding with welfare reform will ultimately result in Northern Ireland having to develop its own IT system, at a cost of anywhere between £1 billion and £2 billion. That, according to Mr Attwood, is a price worth paying.

Of course, he fails to address the issues that were again raised by others about the 1,410 job losses that, I am sure, are inevitable by not proceeding with welfare reform. Why would any Minister in DWP in London want to continue to employ people in Northern Ireland to provide services when we have not continued with the same IT system or the same benefit system? When those jobs are lost, Mr Attwood and the SDLP can turn to people in Derry and Belfast and say, "The loss of your job was a price worth paying".

I am not sure how Mr Attwood or anybody can stand before the many people in Northern Ireland — tens and tens and tens of thousands — who, although entitled to support through the social security system, will fail to receive that support by 2016, because we have failed to proceed with welfare reform and to put in place our own IT system or updated systems, and because, by that stage, the systems across the water will have been progressively run down.

Perhaps Mr Attwood and the SDLP could come forward then and explain to the 207,000 — let me repeat that: it is 207,000, not 207 — low-income families who are working

that they will no longer receive the financial support that they currently receive through family and child tax credits, because those tax credits will have been abolished, and because their entitlement will have become part of universal credit, which of course we will not have in place. So, by the end of 2015 or the beginning of 2016, perhaps Mr Attwood and the SDLP can explain to those 207,000 low-income families why not proceeding with welfare reform was a price worth paying.

Perhaps he can also explain to the 14,000 working-age claimants, many of whom are lone parents, who will not be able to make a claim for the additional social security support that they need, why not proceeding with welfare reform is a price worth paying. He can also have a go at explaining that to approximately 30,000 working-age people who will be unable to make a claim for financial support because they have an illness or a disability, or, indeed, to the 34,000 claimants who wish to claim income-based benefits but will be unable to claim housing benefit.

At that stage in 2016, the SDLP, Mr Attwood and his colleagues can perhaps explain to all those thousands and thousands and thousands of low-income, marginalised, badly off, disadvantaged people why they are not getting the benefits that they are entitled to and why, according to them, not proceeding with welfare reform in 2014 was a price worth paying.

I have heard my party and myself being lectured by the Members opposite about our lack of willingness to show leadership on a range of issues. I put it to them: where is your leadership on this issue? This will cost this country and this economy hundreds and hundreds and hundreds of millions of pounds. It will put 1,400 people out of work, and it will harm tens and tens and tens of thousands of people who are entitled to benefits but will not be able to access them, because, according to you, that is a price worth paying.

A whole range of figures has been waved in our face, which we have been asked to take across the water and wave in the face of the Department for Work and Pensions or Her Majesty's Treasury. The question that I put to the Members opposite is this: why would waving any figures faze the Department for Work and Pensions or Her Majesty's Treasury? Mr Wilson outlined eloquently that the reforms that we have been trying to change, and that we are, in many respects, not in favour of, are already being done to their own constituents, so they are not going to be fazed by any figures, numbers or reports that we waft in their face about the impact on Northern Ireland. If they are already doing those things to their own constituents in England, Scotland and Wales, they are as sure as hell not going to be concerned about what is happening in Northern Ireland.

As Mr Attwood acknowledged at Further Consideration Stage, the motivation behind those reforms is every bit as ideological as it is anything else. He does not have to convince me about some of the concerns and the issues that he raised. I am well aware of them. I was Chair of the Social Development Committee for a number of years when Mr Attwood was Minister. I still represent a constituency and speak to people weekly about their concerns. So, I do not need to be convinced about the Member's concerns. The people who have to be convinced are the Ministers responsible for the Department for Work and Pensions and the Treasury and the Prime Minister.

However, one only has to listen to the Prime Minister's response, which Mr Attwood helpfully read out for us, to Church leaders in England last week when they raised concerns about welfare reform. He dismissed them; he paid no attention to them; he gave them no heed; and he is proceeding nonetheless.

It is admirable, in fact, beyond admirable, what the Minister responsible for the Department for Social Development has managed to achieve. It was an exceptionally good performance by my colleague Mr Nelson McCausland, and I commend him for it. He has ensured flexibilities in respect of split payments, direct payments to landlords and the greater frequency of payments, as well as other concessions that others have alluded to. Mr Attwood knows fine well what those are, because he was in the room when they were discussed months and months ago. He stands up and complains and gives off about not negotiating beyond what we have already publicly acknowledged when he knows that other things have been agreed.

I say to Mr Attwood and to others who have extolled the virtues of our friends across the North Channel that, when the issues about the concessions that we have already agreed, and the others that are not in the public domain as far as the Ministers in other jurisdictions are aware of, such as split payments, direct payments and frequency of payments, are discussed at Finance Minister quadrilaterals that I attend and my predecessor attended, the person who gave off the most about it was Mr Attwood's seemingly political idol, John Swinney. For all the great powers and mystery that Mr Attwood bestows on John Swinney, he was singularly unable to do anything about it. However, Nelson McCausland and the Executive were able to do something. We have ensured that concessions are in place that will assist our people in Northern Ireland in the circumstances that they find themselves in. We have agreed other concessions, which all mount up to a package that of course we will have to pay for. However, that package will ameliorate the worst effects of welfare reform in a way that the people of Scotland are incredibly envious of.

**Dr McDonnell:** Thank you for giving way, Minister, and thank you for your response so far. Can you honestly — I ask this without being contentious — give us some insight into some of the advantages that the Scots have got? They may very well not have the advantage, as you rightly suggest, and I do not dispute that. However, they appear to have gained a degree of autonomy around fiscal matters. Would it be possible for us, at some stage, to attempt to gain that same type of autonomy on the bond issue specifically?

**Mr Hamilton:** I will come on to that momentarily. I understand why the Member might want to encourage me to move off discussing welfare reform, and I have come to a conclusion on that. Before addressing the points that Dr McDonnell made, I want to refer to an earlier issue.

There is much to laud in Scotland, and I look to Scotland for many things, and I will happily copy some of the good things that it does, as, I am sure, it will copy some of the good things that we do. However, on the issue most before us today, the impact on the Budget — not just that which is before us today but those in the future — of not progressing on welfare reform, the Scottish, the Welsh and the English were unable to do anything. In Northern

Ireland, we have been able to do things, and we have put in place a package that will ameliorate the worst effects of welfare reform for people here.

#### 5.00 pm

I turn to Mr McDonnell's comments, and first, those on the Budget process. Much has been made today, as it has in the past, about the Scottish Budget process. What is not acknowledged is that this Executive put in place a four-year Budget where the Scottish did not. The Scottish attempted and failed to do that. We put it in place, which, in my view, gave us, and I have had this argument during the passage of the Bill, a four-year Budget that gives greater certainty to Departments, particularly in capital expenditure and in planning for investment and infrastructure.

There is, I think, an impression that, having set our Budget for four years in 2011, it remains rigid, firm and inflexible. However, we change our Budget three times a year, every year. Part of the Bill regularises some of that expenditure that has changed from one Department to another. To revisit welfare reform briefly, I have to say that setting Budgets for next year and beyond with any degree of certainty is made all the more difficult with the failure to have any certainty on welfare reform.

On the issue of revenue raising that Dr McDonnell raised: all the Scottish Government have been allowed to do is to borrow either from the UK Consolidated Fund or to issue bonds up to a limit of £2.2 billion. On examination, that seems similar to the borrowing powers that we in Northern Ireland already have through the reform and reinvestment initiative. So, in many respects, that is something that we already have. In fact, our borrowing limit on that is £3 billion as opposed to the Scottish limit of £2.2 billion. So, in many regards, we have much more than the Scottish.

The Member encouraged us to be bold, ambitious and to take risks. To divert from the issue of being innovative in government and to address the matter of taking risks, I will bear that in mind the next time that some poor civil servant or official is having the head torn off him in a Public Accounts Committee hearing, probably by someone in the Member's party. However, we will set that to one side and move to the issue of innovation in government. Although I accept that they are not the sexiest examples of innovation in government, I cited three from my Department to his colleague Mr Maginness during Further Consideration Stage, when he similarly encouraged my Executive colleagues and me to be bold and ambitious.

The first of the three examples that I cited was the introduction of project bank accounts to ensure that payment to subcontractors was secured on contracts valued over £1 million involving a significant number of subcontractors. No other jurisdiction in the United Kingdom has done that. I would not be surprised if other jurisdictions follow suit and copy what Northern Ireland is doing, including possibly Scotland, which, listening to the debate, I thought was some sort of Utopia.

SparkSafe is another initiative, with which Mr Frew will be familiar from his past life, where we use the power of the public sector to ensure that the highest possible standard of work is done by electrical contractors on public contracts, which then has an influence across the whole sector. That, again, is something that is being done first

here in Northern Ireland, on a pilot basis, over the next six months. I hope that it is so successful that it will continue thereafter. I am sure that it, again, will be something that colleagues in other jurisdictions will look at carefully.

However, one of the best examples of innovation was introduced by my predecessor, Mr Wilson, in response to the downturn, to the recession and the impact that it was having on town centres and high streets, and that was the introduction of empty property relief. That scheme, which extended a 50% rates rebate for empty properties into the first year of occupation, has seen close to 200 new businesses open across Northern Ireland, employing hundreds of people. Although, at that level, it has not done everything to address the issue of voids and vacancies in town centres, it has done something positive, and many people are in business today through using that who would otherwise not have been.

However, the reality is that we have set the pace in Northern Ireland. Scotland copied it first, so it followed our lead. Scotland was followed very quickly by Wales and, more recently, in his announcement in the autumn statement, by the Chancellor of the Exchequer for England. There are many examples of our being innovative, creative and trailblazing in Northern Ireland. Perhaps we need to recognise and highlight those a little bit more.

Dr McDonnell mentioned housing, as a couple of members of his party have during the passage of the Bill. Given that he is encouraging us to be bold, ambitious and to take risks, I hope that, when the Minister for Social Development comes forward with his proposed reforms on the restructuring of the Housing Executive, Dr McDonnell and his party colleagues support him.

I again thank Members for their contributions today. This is the final Assembly stage of a long process that began in March 2011 with Budget 2011-15 and was followed by the Main Estimates in June 2013 and three monitoring rounds. This is now the final legislative stage of 2013-14. The review of financial processes will seek to streamline what many perceive as an onerous process, and I look forward to Ministers signing up to that in due course.

We are nearing the end of the third year of a challenging Budget for Northern Ireland's public services. Throughout the process that has led to today, the Assembly has sought to prioritise available funding to best benefit our citizens. We face difficult times ahead, but there are increasing signs that our economy is turning a corner, and we as an Assembly must continue to work together to ensure that our citizens face the future with the best possible public services at their disposal. On that note, I commend the Budget Bill to Members.

**Mr Principal Deputy Speaker:** Before we proceed to the Question, I remind Members that, as this is a Budget Bill, cross-community support is required.

*Question put and agreed to.*

*Resolved (with cross-community support):*

*That the Budget Bill [NIA 32/11-15] do now pass.*

## Committee Business

### **Reservoirs Bill: Extension of Committee Stage**

**Mr Frew (The Chairperson of the Committee for Agriculture and Rural Development):** I beg to move

*That, in accordance with Standing Order 33(4), the period referred to in Standing Order 33(2) be extended to 4 July 2014, in relation to the Committee Stage of the Reservoirs Bill [NIA Bill 31/11-15].*

On Tuesday 4 February, the Assembly referred the Reservoirs Bill to the Committee for Agriculture and Rural Development for scrutiny. The Bill will seek to create a legal and administrative framework to reduce and manage the risk of flooding from the 151 reservoirs in Northern Ireland.

At one of its recent meetings, the Agriculture and Rural Development Committee agreed to call for written submissions from organisations and individuals. In addition to signposting notices in the local press, stakeholders have been contacted directly and have confirmed their intention to respond to the Committee's request for evidence. The Agriculture and Rural Development Committee firmly believes that it is essential that all stakeholders are given the opportunity to comment on the Bill as it will impact not only on public reservoir owners but on private owners and those reservoirs regarded as community assets.

The Bill is highly technical and has nine Parts, 121 clauses and four schedules, and the Committee wants to afford the maximum amount of time to scrutinise the Bill and hear from a wide range of stakeholders. The Committee believes that it is essential that it be afforded the time to exercise its scrutiny powers to the full and asks that the House supports the motion to extend the Committee Stage of the Reservoirs Bill to 4 July 2014.

*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 4 July 2014, in relation to the Committee Stage of the Reservoirs Bill [NIA Bill 31/11-15].*

## Assembly Business

### Extension of Sitting

**Mr Principal Deputy Speaker:** I have received notification from members of the Business Committee of a motion to extend the sitting past 7.00 pm under Standing Order 10(3A).

*Resolved:*

*That, in accordance with Standing Order 10(3A), the sitting on Monday 24 February 2014 be extended to no later than 9.00 pm.— [Mr Dickson.]*

**Mr Principal Deputy Speaker:** The House may sit until 9.00 pm this evening if necessary.

## Private Members' Business

### Rural Communities: Key Services

**Mr Principal Deputy 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 Byrne:** I beg to move

*That this Assembly recognises the ongoing work on the rural White Paper; calls on the Minister of Agriculture and Rural Development to incorporate key services that are important to rural communities, including rural schools, rural post offices, rural broadband facilities, rural transport services and home-help social care services; and calls on other Executive Departments to contribute meaningful rural proofing to ensure that rural communities can be sustained into the future.*

I thank the Business Committee for allowing the motion. I welcome the fact that a rural White Paper was published in June 2012 by the Minister of Agriculture and Rural Development, and I also welcome her presence in the Chamber. Many of those engaged in and campaigning for rural issues saw it as, at long last, a first step. Many of those concerned with rural matters, as well as the Rural Community Network and the Rural Development Council, have long campaigned for a rural White Paper to set a framework for sustainable rural development. The Executive also signalled the importance of rural issues and rural proofing and incorporated some commitments in the Programme for Government.

DARD is regarded as the lead Department in initiating, sponsoring and coordinating the implementation of the rural White Paper action plan, which was published in June 2013. Just recently, the first annual report was published and gave a summary assessment of progress to date, which was welcome. Unfortunately, however, it was patchy on outcomes in each Department. The Minister of Agriculture and Rural Development has the coordinating responsibility and is responsible for convening the interdepartmental committee on rural policy (IDCRP). As the chairperson of the committee, the Minister has a crucial responsibility in making sure that the action plan progresses in all Departments, not just DARD. It appears that more vigour is needed so that the coordinating committee meets more often and with a more ambitious and vigorous agenda.

DARD has had some notable successes, such as the maximising access to services, grants and benefits in rural areas (MARA) project and the farm families health checks programme. Some interdepartmental projects, such as those between DARD and the Department of Health, have been good, as have those between DARD and DRD on rural community transport, between DARD and DSD on rural fuel efficiency and, sporadically, between DARD and DETI on the vexed issue of rural broadband services.

Unfortunately for rural people, there has been a diminution of services and facilities over the past two years: the continued closure of post offices, the closure of bank branches in many smaller towns and villages and the

threat to many primary schools all add to the collective pressure in some communities. The ultimate test of the effectiveness or otherwise of the rural White Paper will be whether people in rural communities feel that government agencies are helping, supporting or contributing to the development or decline in the sustainability of a vibrant rural community.

One of the big disappointments in many rural areas across the Northern Ireland is the vexed question of no or poor broadband services. That greatly hinders existing small and medium-sized enterprises (SMEs) and the potential for existing or new businesses to develop in those areas. Many people who are trying to run small rural businesses in places such as Gortin and Greencastle in mid-Tyrone, parts of the Derg and Glenelly valleys, the glens of Antrim, Fermanagh, south Armagh and the Mourne, feel totally frustrated and angry that the regional Assembly cannot fix the problem. Despite the millions spent by DARD and DETI, people have not seen any real progress. Indeed, many get only sporadic and patchy mobile telephony network coverage, and rural proofing in these parts is an abstract illusion. Proper investment in telecoms and broadband infrastructure is needed so that all parts of Northern Ireland are connected to the technology.

#### 5.15 pm

Recently, more money — £19.3 million — was allocated by DARD and DETI for an initiative called the Northern Ireland broadband improvement project. I hope that we see better progress this time because previous DETI contracts for some broadband/telecom companies were a failure. We have heard of green boxes and blue boxes, but people still see no difference.

The other big failing for many in the rural areas is the total inadequacy of the home-help carer service. For many years, the service has been starved of resources. It is a nightmare for many isolated elderly people who need it and also for the visiting home-help carer, who is allocated payment for only a 20-minute slot or visit. That is inadequate for the rural people. The home-help service should be one key indicator of the Executive's commitment to rural life and care for older people.

Rural community transport, particularly in areas with well-established community projects such as Easilink, has benefited greatly. It is a flexible and targeted community transport service, but it gets only £3.5 million in subsidy per annum, whereas Translink got £200 million per annum over the past five years.

The real question moving forward is this: can DARD seize the initiative and drive on with a more vigorous rural action plan that forces other Departments to implement rural-proofing initiatives meaningfully and allocate the resources for delivery that meet the needs of rural people?

The interdepartmental committee on rural policy, under the chairmanship of the Minister, must stiffen its resolve within the next year to have a more beefed-up set of outcomes in the next annual action plan report. The time has come for the rural White Paper and the consequent rural-proofing and rural development initiatives to be put on a statutory footing to make sure that all Departments start to deliver for rural people in a real and meaningful way.

Although the White Paper provides a template, it has got to the stage at which a statutory legislative framework

needs to be established for all Departments to measure up to making rural proofing and rural development a real and meaningful exercise. More sustained progress needs to be made, and there needs to be practical progress on the issues mentioned in the motion. I commend the Minister and DARD for starting out on the journey and for beginning to form a workable rural-proofing and development plan for the rural community across Northern Ireland.

The Executive must now collectively demonstrate that rural proofing and rural development are not just fancy slogans but real and tangible. My colleagues will talk about others issues in the motion, but, given that the rural White Paper was published in June 2012 and we have had one year with an annual report summary since, it is timely that we have this debate to make sure that rural proofing and rural development are meaningful and meet the needs of the local people. I ask for support for the motion.

**Mr Buchanan:** I support the motion. Being a representative for West Tyrone, a large rural constituency, I face rural issues daily. In my constituency, we have seen many cutbacks and the closure of schools, post offices, and so on, causing grave concern to the people of the area. The closures involve a wide range of issues and challenges, from health to education, from businesses to broadband, from transport to home help and from social care services to post offices, among other essential rural services. Therefore, it is important that those services, which are key to the sustainability of rural communities, receive the collective support of Departments in the Executive.

I commend the work already done by various Departments and their ongoing work. I also commend them for their commitment to the rural White Paper action plan. I acknowledge that delivery on the issues involved is much more difficult in large, isolated rural areas than it is in an urban setting. Nevertheless, within a proper strategic framework, and with the full support of Departments, meaningful rural proofing into the future is achievable. The rural White Paper action plan must be brought forward as quickly as possible.

It is important to recognise the social and economic contribution made by our rural areas to wider society. I hope that the action plan, with its 94 action points, will provide the essential foundation on which to build a renewed focus on the needs of rural communities. I also hope that rather than witnessing the continual threat around, and in too many instances the closures of, rural schools and post offices and cutbacks to our public transport sector, we will see them being strengthened and sustained.

The motion calls on the Minister to include rural schools, post offices, broadband facilities, transport, home-help service etc. When a rural school is closed, there is a serious impact on the entire community. What was a community hub or focus goes, which creates a vacuum in the area and causes further isolation for the community. Rather than taking such drastic actions across the board, more could be done, in many cases and with a little flexibility, to save those facilities from closure.

There was a debate in the House on rural post offices, and an all-party group was set up to look at the issue and the essential part that such post offices play in rural communities. Again, when we see the closure of those post offices, there is a devastating impact on the rural

community, especially in areas where banks have closed as well.

One of the other big factors in rural areas is broadband provision. In some areas, it is failing rural businesses. I commend the Minister of Enterprise, Trade and Investment for the work already done in rural areas to upgrade broadband services and facilities so that they reach out to rural businesses. However, there are still black spots and areas that need to be reached, which is having an effect on rural businesses, which are trying to expand, and on schoolchildren and students. Further work needs to be done there.

Further work also needs to be done on the home-help service. If we are seeking to ensure that elderly people can remain at home for as long as is practically possible —

**Mr McCarthy:** I thank the Member for giving way and for raising the issue of home helps. Does he agree that raising the criteria for the delivery of community meals, or meals on wheels, in rural areas has meant that the service has come under awful threat in recent times?

**Mr Buchanan:** Absolutely. That is an important point. It is an essential area in which a service has been provided to rural areas and it is coming under threat. This needs to be looked at seriously in the action plan, because if we want to keep our people at home for as long as possible, we need to ensure that we have the packages there and have all that is required in place to maintain and sustain that.

One of the other areas is rural transport, which has come under severe pressure. When we see a school closing, we have the added problem of transporting pupils to another school.

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

**Mr Buchanan:** All these issues need to be brought into play in the action plan, and hopefully it will deliver for the rural community.

**Mr McMullan:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I welcome and support the motion. In today's society, we still have a massive gap between the services provided to the urban and rural populations respectively. Such services are in health, education and employment, and I include socialising in that list.

I listened to the first two Members who spoke in the debate, and practically everything they said was directed at the Minister of Agriculture and Rural Development. This is a cross-departmental motion, and I hope that the rest of the contributions will reflect that.

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

**Mr McMullan:** I have only started.

The motion should not be used as another platform to attack. Please do not do that: we are too well ready for you. *[Interruption.]* Please: your turn will come.

We have these services, but there is an awful gap between urban and rural. Getting access to a lot of the services that the urban dweller takes for granted is a massive task for the rural dweller. I think that everybody will agree with that. Getting access to services poses a whole new raft of problems to the rural dweller. The cost of transport to work,

hospital appointments, community transport and rural isolation are just a few of the issues.

One of today's main means of communication is through broadband. It is vital for businesses and the farming community. We talked about this when debating motions in recent weeks. Broadband is essential for making online applications for a single farm payment, which results in quicker payments. The Agriculture Minister has invested something like £7 million in rural areas that do not have a fixed wire infrastructure to access broadband. We hope that this will stimulate companies to get out there and connect the something like 37,000 rural dwellers who do not have access to the service. Broadband will also act as a stimulant to investment in rural businesses. Over 14,500 people benefited from the Minister's previous investment of £2.5 million. This is all part of the rural White Paper, which has Executive approval and was set up to deal with rural issues. As I said at the start, each Department has a commitment to that.

In health matters, the rural dweller is really at a disadvantage. Access to most health services is a big problem. Going to hospital for any treatment can involve a 100-mile round trip, and transport is very sporadic. You can see the problems that are there. The effect on patients' health is not allowed for. Carers in rural areas face massive problems such as low pay, the high cost of transport and a feeling of social exclusion.

Fuel poverty is fast becoming one of the main fears of the rural dweller. The system of natural gas is not going into rural areas. It is going only into urban areas where there are massive profits to be made. We are going to end up with large rural areas, which are not supplied by natural gas, becoming an industrial wasteland. The elderly will be faced with the same old problem of whether to heat or eat, which can affect their well-being.

Another major problem is the lack of knowledge about benefits. In 2012, the Agriculture Minister jointly launched the MARA project, which, to date, has been a great success. Some 5,000 home visits have been completed, with 14,000 referrals made to relevant agencies. Approximately 100 people have secured benefits totalling somewhere in the region of £360,000. We must remember that the present Tory plan for benefit cuts will have a more a major effect on the rural dweller than it will on the urban dweller. Take, for example, the lack of housing in the countryside. We have seen a stagnation in the building of houses.

The farming community is one of our biggest employers, with around 48,000 people directly involved. I want to finish up here, as I am mindful of the time. What we say today about helping rural areas is all fine. However, what we must come back to is the case that the DUP Minister took to court and the cut in the transfer from pillar 1 to pillar 2. That will have a massive effect on the rural communities.

**Mr Frew:** I thank the Member for giving way. Does the Member not realise that pillar 1 money goes straight into the pockets and purses of the people who farm in this country? It is a direct payment right into the hearts and households of the people who serve the rural communities the most, that is, the farming community. Does he also realise that there is already €227 million in the pot to spend on pillar 2 issues and that that may well be supplemented by the Executive?

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

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

**Mr McMullan:** Is the Chairman of the Agriculture Committee telling me that what happened in court will not have an effect on the rural community? You sat and listened to the members of the LAGs present their case to the Agriculture Committee and state that they need the extra money and that they do not know where it is going to come from. For the Chairman to say that there is not a problem, well, I do not know. However, that is the main thing that we must get right —

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

**Mr McMullan:** Without this money and without the Executive giving the Minister their backing —

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

**Mr McMullan:** — we will have a bigger problem.

### 5.30 pm

**Mr Kinahan:** I am pleased to speak in the debate today and will do so mainly from an education point of view.

When I made my maiden speech, I promised to stand up for rural communities, and I will carry on doing so to the best of my ability. When this rural White Paper was published, I remember a local community group representative saying to me that there was virtually nothing in it; that it was all too vague, promised very little and was really just a loose strategic framework. If so, maybe the best way of using today's debate is to influence the rural White Paper in order to help our rural communities.

Over half of Northern Ireland's primary schools and one fifth of post-primary schools are situated in rural areas and, in many cases, are the centre of the local village or community. With police stations, pubs, post offices and banks all disappearing and with so many cutbacks and closures throughout rural communities, it is vital that we build on the one centre that is left in our villages: the school. The push to open school facilities to communities is, of course, a great plus, but we cannot rely on that alone. I hope that the Minister will take these points back and influence her colleague the Education Minister.

The motion rightly highlights the rural broadband facilities, rural transport services and home-help social care services as vital parts of our rural communities, and we must build on those, too. The motion also rightly calls on other Executive Departments to contribute to meaningful rural proofing and to ensure that rural communities can be sustained into the future. How often have we called for Executive Departments to work better together? Let us hope that today will be the start of that happening, especially when it comes down to rural schools.

On attending the South Antrim Community Network annual general meeting and listening to how well so many community groups and local service deliverers pull together in south Antrim, I saw that health was one of the key areas of their work, but there was nothing from the Department of Education. I hope that the Minister will go away today and think how she and her Department can best use education at a local level to help communities

and vice versa. Just think: clubs and societies could work together to ensure that absenteeism at schools is minimised or a thing of the past, and I know that some do, or community groups and families could work together to ensure that pupils are better prepared for employment and for employment interviews. Much can be done locally by working together and, in rural areas, that can often be the case.

In the Education Minister's recent statement on the area-planning process and schools in Belfast, he highlighted the fact that we must take into account the communities and other schools around them. Again, I hope that the Minister will use her influence to ensure that the area-planning initiative is halted or severely amended. We should be concentrating on the areas where communities work better together. We should be reworking area planning and building our rural communities around the schools so that we can preserve and improve what is already a fine example of what this country can do and do well.

The Bain report, in 2006, put in place the misapprehension that having 105 pupils or fewer means that a school is too small to be viable. The present misplaced area-planning initiative has meant that we have been told that it is not a numbers game. Let us hope that that is the case. It seems now that the collective academic thinking is that smaller schools are in many ways much better for education than large schools.

If I can choose one example from my constituency, it is Creavery Primary School. A whole rural community thrives through that small, family-oriented school. At the same time, it excels, especially in STEM subjects, winning the gold Primary Science Quality Mark last year.

We know that if we closed the 76 schools that are deemed too small, we would save only 0.9% of the school budget, and we also know that, in most areas, our predicted school numbers will return to today's levels by 2025. So why are we threatening to close so many schools? It should be the ability to deliver an excellent education, the state of the buildings and, of course, the importance of the school to its community that drive any changes.

The Scottish seem to have a much better approach. May I remind everyone that the House unanimously —

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

**Mr Kinahan:** — passed our UUP motion on 13 May 2013 to introduce a legislative presumption against closure? Nothing has happened in the nine months since. In Scotland, they have a statutory obligation —

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

**Mr Kinahan:** Sorry, I had not heard you, Mr Deputy Speaker. We support the motion.

**Ms Lo:** I support the motion. When I last spoke on a matter relating to rural communities, a Member questioned what authority I had as an MLA for South Belfast to comment on such matters. Frankly, I think that I am entitled to speak on the motion as much as anyone else, given my years of working in communities as a social worker or a community worker, in addition to being a public representative.

It is as devastating for a rural community to lose a school or a post office, or to see a reduction in home help, as it is for a small community in Belfast, and it is only fair that rural

dwelling have access to public services and facilities that is equal to that of their fellow citizens in towns and cities.

The progress report on the rural White Paper is encouraging. The rural White Paper action plan aims to improve the well-being of rural communities and contains commitments by all Departments across a wide range of rural issues and challenges. One of the key benefits was that the White Paper helped to bring rural areas to high priority at Executive level, which, I believe, had never been done before. The reports that good progress has been made by Departments in delivering their commitments in the action plan during its first full year of operation since it was launched in June 2012 are pleasing. It is important that all Departments involved will be building on the outputs of last year to improve in the second year.

I am aware that the Minister of Agriculture and Rural Development has proposed looking at how complementary initiatives such as a rural champion and rural proofing could help to deliver benefits more effectively for our rural communities and that she has asked her officials to explore potential options for taking forward that work. Rural proofing can be an overarching tool, but it is important that it does not become a box-ticking exercise, such as the section 75 equality proofing.

It is positive that the next generation broadband project has already invested £2.5 million in rural broadband and that that has led to almost 14,500 rural dwellers and businesses having a connection to broadband. In addition to that funding, that is contributing £5 million to the Northern Ireland broadband improvement project, which is being taken forward by DETI. The UK Government announced a further £250 million of funding in 2013 to support the extension of superfast broadband services into the most challenging areas. I would like to know how that funding will be allocated and what discussions the Minister has had with the Department for Culture, Media and Sport to secure a share for our rural communities.

The Alliance Party welcomes the Department's efforts on rural community transport and maximising access to services, grants and benefits in rural areas. However, unless there are adequate public services providing primary education, transport, broadband facilities and social care, people, particularly young men and women, will move out of rural communities, making rural communities unsustainable.

Demographic changes and the ageing population in some rural areas can present challenges to the provision of services where the less concentrated population of rural areas often requires a different approach.

I welcome the fact that the motion mentions home-help social care services. I am aware that, under the tackling rural poverty and social isolation framework, there are schemes aimed at connecting elderly people — for example, the ongoing pilot in west Tyrone. There is also an issue about home helps and people not getting the help and support that they would like.

**Mr Deputy Speaker:** Will the Member bring her remarks to a close, please?

**Ms Lo:** It is, therefore, important that Departments work together in a joined-up fashion, taking into account the special circumstances of rural communities, to provide equity of treatment for all our community.

**Mr Frew:** I broadly support the motion, which includes some important issues that have to be dealt with in a holistic approach.

The rural White Paper that everybody talks about is, indeed, the rural White Paper action plan, and that is quite simply because it is not statutory. You have to have a certain amount of sympathy for the Agriculture Minister about imposing her will on other Departments, and it is up to other Departments to come up to the table with the plate full so that they enhance services to rural communities. However, there is no doubt whatsoever, especially in my mind as someone who represents rural north Antrim, that there are different approaches in many Departments, not least in DARD. Many differences throughout the spectrum of government need to be addressed. Departments need to do things better.

There are a lot of good, important things in the motion, including rural schools, which my colleague Mervyn Storey will talk about later; rural post offices, which are vital; and rural broadband facilities, which again are vital to business in this age when the Internet is so important. It is good that we had the recent announcement of a scheme — I think that it was £24 million overall — to enhance broadband. I think that the Agriculture Minister contributed £5 million to that, so much work has been done on broadband. I remind Members that some areas of Northern Ireland have some of the fastest broadband speeds in the United Kingdom, but speeds are abysmal in other areas. We must make sure that we have a balanced approach across the Province in helping businesses, particularly in rural areas that are struggling for broadband and are drastically in need of it to enhance their business, to help it to grow and to export, which is vital.

The motion also refers to rural transport services, which are also vital. We hear all the time about train services and that the number of people using trains is increasing greatly, and that is to be welcomed and rejoiced about. However, when those people get off a train, they have to struggle to get taxis instead of being able to use a good bus service. In my constituency, people from Broughshane village struggle to get into the town. The station is only three or four miles away from Broughshane village, in the Braid area, yet people struggle to have a decent bus service that connects with the train service. That is a blind spot that needs to be addressed in rural areas.

Home-help social care services are absolutely vital in this day and age to help families that are most vulnerable and most in need. Childcare facilities in the countryside are also important.

One issue that is missing from the motion — I suppose that it could have been amended to include it — is planning, which is a massive issue for anyone representing a rural area. It is hard to get planning permission not only for a bungalow or house for a family member or part-time farm helper but for a business. For someone running a business as, for example, a mechanic or something of that nature, it has proved very difficult to get planning permission in a rural setting. The first question that the planners ask is this: would you not be better placed in a town? Of course, the answer is no because rural communities deserve to have those services on or near their doorstep.

**5.45 pm**

**Mr McMullan:** I thank the Member for giving way. He mentioned health, but very fleetingly. Does he agree that the Health Minister needs to step up to the plate as far as Transforming Your Care is concerned? The Member mentioned the lack of a bus to take people the three miles from his place in Broughshane to Ballymena. That is a problem, but for an elderly person living in Cushendall, trying to get a bus to take them the 20 miles to Ballymena, with a further 30 miles to the Belfast City Hospital for cancer treatment, the problem is worse. The situation is not helped by some of the reforms that the Minister is pushing through with Transforming Your Care. Does he agree that there is a lot of work to be done on that?

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

**Mr Frew:** I welcome the Member's contribution. Yes, our bus services need to improve so that vulnerable people and patients can get to hospitals when they need to. Also, he is absolutely right that Transforming Your Care has to be implemented properly. I am glad that I have a Health Minister who is prepared to tackle the situation in the health service rather than simply shouting and crying for more money without tackling the problems. At least, the Minister is tackling those issues.

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

**Mr Frew:** I could take that point further, but I must mention the local action groups (LAGs). Representatives of the LAGs were very clear when they came to the Agriculture Committee that they did not want to be drawn into the debate on the pillar 1 transfer.

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

**Mr Frew:** If the Minister feels the need to supply LAGs with money, give them more than the 5% —

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

**Mr Frew:** — minimum.

**Mr Lynch:** Go raibh maith agat, a LeasCheann Comhairle. I also welcome the opportunity to speak in the debate. The majority of issues raised by Members are for other Ministers, but I see only one Minister here.

As an elected representative of a county that is mostly rural and in many ways isolated, I am aware of the challenges facing rural dwellers. As a party, Sinn Féin wants to ensure that our rural communities are not disadvantaged when it comes to key services such as healthcare provision, broadband, transport and education. I acknowledge what the last Member to speak said about broadband. Much work has been done in that area.

The motion recognises:

*"the ongoing work on the rural White Paper".*

Progress on the paper includes the delivery of a wide range of real and meaningful benefits for rural communities and is to be welcomed. I congratulate the Minister on her lead role in promoting the White Paper. Only recently, she presented the first annual report on the paper. The tackling rural poverty and social isolation framework has made a major difference to the everyday life of people living in rural areas. The Minister for Rural Development secured £16 million from the current Budget

to tackle poverty and social isolation, £10 million of which has been spent to date. That is significant funding.

I will focus on my area in Fermanagh. The rural development programme has had a positive outcome for the county. Let me quote the headline of last week's 'The Impartial Reporter':

*"Fermanagh farmers received £72m from RDP in last seven years."*

The article continued:

*"almost £4 million was spent on the rural economy e.g. the enhancement of 12 towns and villages across Fermanagh."*

As well as capital projects:

*"projects included five multi-use games areas, a 3G pitch at the Bawnacre and a Lough Shore walk in Bellanaleck."*

Other positive examples included the MARA programme, which was mentioned by my colleague and aims to improve the health and well-being of rural people. The hidden nature of poverty and isolation can make it difficult to connect with the most vulnerable members of our community. I have spoken to those who oversee the MARA project in the county. To date, the scheme has generated a total of 2,450 referrals, and the follow-up visits show that many people benefit from extra grants and benefits and access to additional transport and services. This is a good example of connecting with local communities.

The assisted rural travel programme, which is a joint initiative by DARD and DRD, is another scheme that has had positive outcomes. Since being funded by DRD, there has been a 52% increase in use of the scheme by elderly people and a 70% increase in its use by people with disabilities. I invite the Minister to see the scheme for herself and visit the offices of Fermanagh Community Transport.

I was told that the scheme has identified and targeted unmet needs and reduced social exclusion of vulnerable people in the county. People who have used the service say that it helped them to maintain their independence and that elderly people in rural areas could access doctors' clinics without using Dial-a-Lift. Adults with learning difficulties use the service to access opportunities that they could not without Fermanagh Community Transport.

The farm family health checks, which are carried out in conjunction with the Health Department, connect elderly people who are isolated in rural areas. This is a pilot scheme to address social isolation for elderly rural dwellers in the Western Health and Social Care Trust area. To date, there have been 34,000 interactions with the target group.

As the Deputy Chairperson of the Committee for Regional Development, I know that the borewell scheme connects isolated rural dwellers to the public water system. To date, it has completed work on 27 isolated properties.

There are 1,000 childminder start-ups under the Bright Start programme.

**Mr Deputy Speaker:** The Member must bring his remarks to a close.

**Mr Lynch:** There are 1,000 social enterprise places. To conclude, the motion calls for the incorporation of key services into the rural White Paper. Those are matters for other Executive Ministers, and I encourage the Minister of Agriculture and Rural Development to continue her positive work —

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

**Mr Lynch:** — and seek support from her Executive colleagues to sustain —

**Mr Deputy Speaker:** The Member's time is up. I call George Robinson.

**Mr G Robinson:** As a representative of a constituency with a large rural area, I am pleased to put forward some issues that are regularly raised with me and my office. A major recent complaint has been about broadband speed, and I have had positive meetings with my colleague the Minister of Enterprise, Trade and Investment, Mrs Foster, about the issue. I welcome the fact that her Department has acted positively, and that has benefited approximately 15,000 rural dwellers to date. However, there is still much work to be done in that field.

I always reflect on the fact that there should be value for money or a clear societal benefit because of the budgetary restraint that has to be shown as a result of the £4 billion that has been removed from the Northern Ireland block grant, and that comes before the dire financial impact of not implementing welfare reform in Northern Ireland. In some cases, rural dwellers are left with the decision to either heat or eat. The reduction in the block grant means that the services on which rural dwellers in Northern Ireland depend are under severe strain. However, innovative interdepartmental arrangements may well be the way forward in delivering much-needed services.

We must always remember that, in recent times, the closure of rural post offices and, indeed, some schools has caused great inconvenience to many rural dwellers. In tackling isolation, the rural transport scheme and Dial-a-Lift aim to make public transport more accessible for our older people, who are less likely to be drivers. Those over the age of 65 are becoming a greater proportion of the rural population, so services such as Dial-a-Lift are becoming increasingly invaluable to maintaining the rural lifestyle for our isolated older citizens. Access to public transport is being enhanced by the provision of park-and-ride facilities by Translink, and that is to be welcomed. I welcome that increased provision, the benefits of which can be seen in the growing number of people who are using public transport for personal, leisure or work journeys. That may help to increase economic activity by rural dwellers.

The difficulties for health provision in rural areas are well documented, and the development of a solution is a challenging question. There is a community and self-help spirit that is unique to country areas. There are great benefits from community spirit, but a unique solution must be found to accessing healthcare in rural areas. This, in some instances, could include pharmacy or dental services, which would greatly benefit rural families. I support the motion.

**Mr Hazzard:** Go raibh maith agat, a LeasCheann Comhairle. I support the motion, as my colleagues do. At the outset, I thank the Minister, who has led the way in

the decentralisation of government jobs, with the recent news that the DARD fisheries office will relocate to my constituency of South Down. To me and to many people in south Down, this shows what can be done if the rural communities are put first and if everyone is granted the same type of opportunity that people in more urban areas such as Belfast or Derry maybe take for granted.

Like many who responded to the debate today, I was born and reared in a rural area. I am more than aware of the lifestyle that we all lead. I am a member of a rural credit union, a rural GAA club and, indeed, a rural Sinn Féin cumann. To a large extent, my wider family live, work and play in the rural constituency of South Down. Indeed, as a representative for the rural constituency of South Down, my inbox is, to a large extent, dictated by rural issues.

In the past number of weeks and months, the future of the Downe Hospital has been one of the foremost issues. I suppose that one of the big issues with the future of the Downe is equity of access for rural patients to local healthcare. For a constituency that does not have a single inch of carriageway, the proposed trip to Belfast certainly seems a lot further from rural areas of south Down than it does for the consultants who refuse to make the trip from Belfast to south Down. It raises the very precarious situation that, for whatever reason it was let go, patients are expected to be mobile in rural areas such as south Down but consultants on world-class salaries are not expected to be mobile and travel to rural areas.

As mentioned by other Members, broadband in rural areas is still a huge issue for many, and we work on that constantly. Inadvertent roaming charges in south Down is another huge issue. Rural isolation, especially among some in the elderly community, plays a big part.

I want to touch on the future of rural schools and the sustainability of schools in rural areas, which is a very emotive issue for many Members. Perhaps more in rural areas than anywhere else, even the mention of area planning around rural schools is a very emotive issue. A lot of stock is put in the bricks and mortar of our schools, perhaps more so in rural areas because they hold the genealogy of rural communities as much as anything else. It is not productive to get sidetracked by this. We must remember that education is a public service and that the most important thing is the education being delivered to the child who is sitting at the desk. We must not get sidetracked by a fascination with bricks and mortar. We must do what is right for the child who is sitting at the desk.

It is important to say that, as the Minister outlined, the finances are there for every single rural school to stay open, if that is to be the case. As I said, the decision is not in the bricks and mortar; it is in the delivery of education. If the delivery of a world-class education system cannot be guaranteed by the sustainability of a rural school, that is what we have to look at, and that is what it is important. The worst thing that anyone could suggest is to stick with the status quo. If there is one sure, fast way to increase the number of people heading for the ports and emigration, it is to stick with the status quo and do nothing. Moreover, we have seen hundreds of millions of pounds invested in the local schools estate in recent years, so we must ensure that we are sustaining investment in our resources in the best possible way.

This has fed into the discussion around area planning and has been touched on by Mr Kinahan. Area planning is the mechanism that enables the outworking of the sustainable schools policy. Indeed, a range of factors is involved in looking at the sustainability of our schools. Crucially for some of our rural communities, we see that particular needs are being met through a lower enrolment threshold, accessibility criteria and community links criteria.

One of the most important developments that has happened is the insistence from the Minister that it is not a numbers game. It does not come down to finances; it is not a numbers game. It is whatever is in the best educational interests of our children. As public representatives for rural areas who are interested in the sustainability of rural areas, the best educational interests of our children should be the best interests of ourselves.

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

**Mr Hazzard:** Go raibh míle maith agat.

### 6.00 pm

**Mr Dallat:** I thank my colleague Joe Byrne for putting forward the motion. As a rural dweller, it is an opportunity for me to take part in the debate, not to lament the things that are wrong and do nothing about them but to seize the opportunity to suggest how we can preserve and build our rural communities.

I was very privileged to have taught in a rural school and, although it is 16 years since I left it, for better or for worse — maybe worse — I miss those rural children desperately. It was an awful sacrifice to make to get into politics.

It is interesting that St Paul's College, where I worked, is one of the top secondary schools in Northern Ireland. It does not have the minimum 500 pupils, like many other rural schools, and I just hope that the current criteria is reviewed and that we do not destroy a critical element of rural life. Primary schools are also worse off.

The rural community has its ups and downs, and earlier today, we heard about KPL and the unemployment of 202 workers. As I travelled day and daily to Stormont, I saw those men — I presume there were women as well — travelling the length and breadth of Ireland on the motorways from 6.00 am maintaining and developing our utilities. What a loss.

Last Saturday, I was involved in or, perhaps, coerced into a rural litter pick. It was an opportunity for me to renew my links with people who absolutely appreciate the wonders of the rural community and who unselfishly went out and gathered up the litter of those who have yet to appreciate the rural community and just how special it is.

Members who have taken part in the debate have identified the things that could be improved: broadband; the retention and development of the post office; and rural transport. I suggest that those things must not be seen in isolation; they are part of a whole picture.

The potential for rural tourism has not been mentioned here today, but my rural colleagues from whatever parties will appreciate that the scope for the development of rural tourism is unlimited. There is a fascination with the history of the rural community, which provides many people with hours of enjoyment. I am not having a go at urban dwellers, but let us face it, some of the most famous

people in the world have come from rural communities. Recently, we mourned the death of Seamus Heaney, whose works were steeped in the rural community around Bellaghy. There were others who were not literary people. John Boyd Dunlop, who, I am sure, everyone remembers, invented the pneumatic tyre, and Harry Ferguson totally transformed agriculture. They were all rural people. There are many others, and I apologise to them for not having their names at hand.

Perhaps I am taking stock, and perhaps this motion is an opportunity to do that. We need to stop and stare occasionally to appreciate what we have and to ponder how we can make it survive and build upon it.

Rural proofing has been mentioned for the past 16 years that I have been here, and we have had some hot debates about it. It is time now to take rural proofing seriously.

My own town of Kilrea is undergoing one of the regeneration schemes mentioned earlier. That will transform the town but, remember, our rural towns, villages and hamlets are not just about buildings; they are about people and businesses.

Holistically, we need to have a plan that ensures that we do not make the mistakes of other parts of the world where rural communities have ceased to exist. Yes, of course, farmers have cows and farmers live in the rural community, and they are my friends —

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

**Mr Dallat:** — but there are other people in the rural community who are needed to ensure that those rural communities survive.

**Mrs Dobson:** I am sort of wondering how you follow that. It was very good. I also welcome the opportunity to speak on the motion tonight, but I fear that its wording will just give the Minister the opportunity to stand up for 10 minutes, claim all is well, take credit for what is going to plan and simply ignore everything that is not.

I wonder what she will say on rural schools, for instance. The viability audit showed that rural schools were far more likely to be identified as evidencing stress. Where is the rural proofing from Sinn Féin? They are subsequently coming under serious threat from the deeply flawed area planning process. I have said before in the House that, the longer that uncertainty lingers, we will end up with self-fulfilling prophecies. That is just one example from one of the Minister's colleagues. I wonder what concerns she has raised with the Education Minister. None, I suspect.

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

**Mrs Dobson:** No, I want to make my points. Rural proofing, as mentioned in the motion, would indeed go some way towards providing meaningful protection for our rural communities — communities that want the Executive to stand up for them, not stand idly by as their services are reduced and removed.

To be parochial for a moment: I am fighting alongside my party colleagues for improved GP services in Waringstown and Donaghcloney. We are also raising concerns about proposed changes to the local post office. I am sure that many Members will recount similar concerns from rural villages and communities across Northern Ireland. Again, I ask this: what is rural proofing?

In the build-up to the rural White Paper, people could rightly have been forgiven for believing that it was going to be an all-encompassing, target-driven strategy to deliver for our rural communities, but, like so much else from DARD, what transpired was far below the standard and imagination that so many had anticipated. In short, it let rural communities down.

The White Paper should have been an opportunity for the Executive's Departments to collectively work together to address the key issues and challenges facing rural communities. It should have bound Departments to delivering minimum standards. It should have identified problems and found solutions, but, in the end, the action plan felt like a midway policy document in development.

Essentially, it was a broad-brush list of aspirations, most of which were dependent on other factors coming together. Of the 90 proposed actions, 22 were merely commitments to continue doing something. Surely, rural communities should expect more from Executive Ministers than promises not to cancel something. Should they not have expected robust support and action to retain and improve services? Although, as we know, even when an action plan is put forward, Executive Ministers can find —

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

**Mrs Dobson:** No, I am nearly finished — can find ways to avoid backing it. Really, Minister, is this what you call delivering for rural communities? The whole action plan is undermined by its lack of measurable, time-bound targets. I would like to know which Minister, if any, the Agriculture Minister believes is not living up to their obligations under the action plan.

Another example of how the plan had little influence was during the recent inquiry into comprehensive transport delivery structures by the Regional Development Committee. It wrongly suggested moving much of the transport network from public to private providers. Large parts of the Ulsterbus network are unprofitable and, therefore, Translink currently uses profits from well-used routes to cross-subsidise unprofitable routes, many of which are in rural areas. If Translink's operations were to be broken up, unprofitable routes in rural areas would certainly disappear. Yet, what did the Minister's party do? It supported the Committee report. I will give her some time now to alter any reference she may have planned to make to the importance of rural transport or to take out any reference to it.

There is some positive work being done under the action plan, and I do not doubt that the Minister will go to great lengths to inform us of it, but she should not claim credit for initiatives that were already happening or were likely to have happened even without the action plan.

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

**Mrs Dobson:** I am finished.

**Mr Storey (The Chairperson of the Committee for Education):** At its meeting on 27 January 2014, the Committee for Education noted the DARD rural White Paper action plan. Several actions against the Department of Education arose from that action plan, including the delivery of the revised curriculum through the entitlement framework and support for the extended schools programme in rural areas. The Department of Education has also produced guidance on the community use of

schools, which was presented to the Education Committee recently. Some of it, I have to say, is worthwhile and beneficial. It needs to be progressed further.

The key part of the rural White Paper action plan is of course area planning. The Department of Education has committed through that particular process to engage with stakeholders to explore innovative and creative solutions for the delivery of education in rural areas. I will stop at "innovative and creative solutions". Earlier, a Member opposite wondered why all the burden was being placed on the Agriculture Minister. All the burden is not being placed on the Agriculture Minister: the Education Minister plays a vital role in whether there are rural communities.

Members will be surprised to know that I am not a regular reader of the 'Irish News'. However, I am sure that Members are well aware of a six-page supplement that appeared the week before last in the 'Irish News'. I await a response from either the Agriculture Minister or the Education Minister on the serious issues that were raised in that very good piece of journalism. It highlighted particular issues in the rural community.

As the House is aware, we have had a post-primary area-planning consultation. We await the Department's response on the primary schools' consultation, which closed in June 2013. While the Committee awaits a departmental response that is scheduled for April, we received interesting information from a briefing from the University of Ulster and the shared-education programme at Queen's University. Those organisations argued that the area-planning consultation had been tokenistic and that there had been little room for creative solutions to rural educational problems.

Before time runs away, I want to come to a particular issue that was raised. It sends out a very wrong signal as a result of the debate this evening when the Member for South Down Mr Hazzard referred to area planning in the context that we must not be sidetracked by bricks and mortar and that it is not a numbers game. Members, when the common funding formula is announced in the House, I want you to remember those words; I want you to write those words down and remind Mr Hazzard that we are not to get sidetracked by bricks and mortar and that it is not a numbers game.

I repeat what I said when I was accused of telling untruths: if the common funding formula policy, as put out by the Education Minister, is implemented, 76% of primary schools in the maintained sector — not the controlled or the Irish-medium sector — in the constituencies of the Members opposite who come from the west of the Province, the majority of which are rural primary schools, are set to lose money. Here is the other issue: what is the Department of Education's definition of "rural". It is anything outside the 30-mile limit of the two cities of Londonderry and Belfast. That includes the majority of schools in Northern Ireland.

What I want the Members opposite to realise is that this is not a sectarian debate; it is not about trying to match one sector against the other. It is about ensuring that rural communities do not have the heart ripped out of them as a result of a policy.

6.15 pm

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

**Mr Storey:** I ask the Agriculture Minister to ensure that, at the heart of the discussions that she has with the Education Minister, there is a discussion about the continued viability of rural schools, which are at the heart of our rural community. I support the motion.

**Mrs O'Neill (The Minister of Agriculture and Rural Development):** Go raibh maith agat, a LeasCheann Comhairle. I thank the proposer for raising the rural issues mentioned in the motion. I was very interested to hear all Members' contributions.

As the Minister with responsibility for rural development in the North, I am very aware of the challenges facing rural dwellers. I want to ensure that our rural communities are not disadvantaged when it comes to accessing key services such as healthcare provision, high-quality broadband, education and transport services. People living in urban areas take those services for granted. However, if you live in a rural area, you will be very aware of the difficulties faced in accessing services and the impact that that can have not only on the community infrastructure as a whole but on the physical and mental health of people, particularly the vulnerable.

Access to services is a key theme of the rural White Paper action plan. In developing the action plan, I worked closely with my Executive colleagues to ensure that the commitments made would deliver tangible benefits for rural dwellers across a broad range of issues, including access to services. The rural White Paper action plan continues to be an important initiative for the Executive, and it is one of the key building blocks included in the Programme for Government. It is intended to be a framework for an integrated approach to addressing the challenges that face rural dwellers.

When I launched the action plan in June 2012, it was the first initiative in the North to focus solely on rural areas. I am pleased that it contains commitments from all 12 Departments. In January 2014, I published the first annual progress report on the implementation of the rural White Paper action plan. The report outlines the progress made by Departments in implementing their commitments during the first year of the plan's operation. I am pleased that good progress has been made by Departments in delivering on their actions during this period. Through working together effectively, Departments have delivered a good range of real and meaningful benefits to our rural communities.

Many examples were highlighted throughout today's debate. The farm families health checks programme, for example, which is jointly operated between DARD and the Public Health Agency (PHA), provides a detailed health check and a signposting service to various physical and mental health services and is available at a number of farmers' markets on a rota basis. In addition, my Department's maximising access in rural areas project, which is also operated in conjunction with the PHA, has to date resulted in over 25,000 referrals to various grants, benefits and services.

When I published the annual progress report, I made it clear that my vision for the rural White Paper action plan

is that it is very much a living document that will continue to respond to the needs of our rural communities. In the foreword to the report, I said that I intended to revisit the action plan during 2014. I wish to advise Members that I will shortly call on all my Executive colleagues to identify new and challenging actions for inclusion in a refreshed rural White Paper action plan. I am committed to taking that forward.

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

**Mrs O'Neill:** I will let you in in a wee second. I am committed to taking that forward. I therefore welcome the opportunity to debate this important matter today, and I call on other Ministers to contribute meaningfully towards sustaining our rural communities. I will ask them all to identify new actions for inclusion in the refreshed rural White Paper action plan. We will look for actions that will help to ensure better service provision for rural communities across the whole range of key services, such as health, broadband and transport.

The initiative is about the Executive as a whole living up to their collective responsibilities for rural communities and about individual Ministers ensuring that they provide equitable access to services for all citizens, regardless of where they live. I will give way now.

**Mr Byrne:** Minister, I appreciate your indulgence. As chairperson of the interdepartmental committee on rural policy, does the Minister agree that she is in a pivotal and unique position to encourage and, indeed, force other Ministers to address the rural-proofing issue? If there is no cooperation, will she consider putting the entire rural-proofing exercise on some sort of statutory basis?

**Mrs O'Neill:** As I clearly said, the fact that we have a rural White Paper action plan shows that there is Executive commitment across the board. The fact that we have actions from each of the 12 Departments again shows that there is a commitment. I will take my role seriously in coordinating that and making sure that people live up to their promises and that the document does not include work that is already ongoing in Departments. It has to be creative and unique and to look at rural challenges and how we can address them collectively.

The motion calls for a number of specific key services to be incorporated in the rural White Paper action plan. Those specific services are matters for my ministerial colleagues: the Minister of Education on rural schools; DETI on rural broadband; DRD on rural transport services; and the Department of Health, Social Services and Public Safety on home help and social care services.

I welcome the motion's reference to rural proofing, which is complementary to the rural White Paper action plan. It is a key policy tool for ensuring that rural needs and circumstances are routinely considered as an integral part of the policymaking process. Although I have lead responsibility for rural proofing policy, all Departments have signed up to undertake rural proofing of all their major policies. As individual Ministers, we all have a responsibility to seek to ensure that rural proofing is undertaken in an effective way in our Department.

I recognise that Departments will need to continue to work to ensure that rural proofing is undertaken both routinely and effectively. DARD will continue to support that work by providing guidance and training for officials involved

in policymaking. I recognise that there is further scope to improve the effectiveness of rural proofing. Therefore, I am exploring potential opportunities for strengthening rural proofing across government, which will help to deliver better outcomes for rural dwellers, and those will include the possibility of legislating to make rural proofing mandatory for all public bodies. Officials are exploring that.

I turn to the key points that were raised, and they are all issues that we are all very mindful of in rural communities. I commend Members for, by and large, not falling into the trap of being defensive of the Departments that have a member of their party as Minister. I commend them for being able to recognise what is good and the ongoing work in rural communities, and also for being able to stand up and say where there have been areas of improvement, particularly all the issues that we have made great progress on but still have a good way to go. Unfortunately, however, some Members fell into the trap.

Since 2008, the Executive have invested £45 million in broadband, and my Department has invested £5 million of that in rural broadband. So we have made significant progress, but we have a way to go, and that is what we need to work and concentrate on. As a rural dweller, I know how frustrating it is to hear conversations about fast speeds and people getting improved speeds when you cannot get a connection that is worthwhile having, so we have a way to go. The £5 million that I targeted at broadband is on the basis of areas of deprivation, and that is how we will roll that out. I look forward to that.

The Executive recently launched the Bright Start programme. We are looking at 1,000 new social enterprise places for affordable childcare and 1,000 new childminder start-up programmes. That is all very positive work that we can build on in the time ahead.

On rural healthcare, people recognise that there are challenges in rural communities, not least because of the isolated nature of where people live. Somebody picked up on the fact that we need to look at unique solutions to unique rural problems, so we need to look more at those in the time ahead.

Post offices are a reserved matter. That said, I have engaged with them and will continue to do that, because we need to maintain vital financial services for people in rural communities, whether post offices, credit unions or any of those services. I can clearly put on record the fact that I remain committed to assisting in any way that I can to help to make those sustainable.

Mrs Dobson had issues with the work being done on rural transport. Perhaps she should take that up with her ministerial colleague. Collectively, we have done very positive work, and I know that it is welcomed in rural communities, particularly the assisted rural travel scheme and the rural transport fund, which, quite frankly, has helped people to get to hospital appointments and other services. Although she might want to dismiss that as not being a very valid service, I think that it is a great service and look forward to working with the Minister for Regional Development to try to build on it.

The rural schools issue has been well covered. On many occasions, John O'Dowd has gone on public record talking about the need for rural schools, how it is not a numbers game and how he wants sustainable rural schools. However, a quality education for all our children has to be

at the core of that, and I do not think that anybody in the House would disagree with that. That should be at the core and the premise for moving forward.

As I said, lots of good work is going on across all Departments. Can we build on that? Absolutely. Can we look at new initiatives? Absolutely, and I look forward to doing so.

I do not want the rural action plan to be a document that sits on a shelf and goes nowhere or that has a list of great actions for which Departments will simply tick a box. It has to be a real, living document. It has to be something that people will see benefit their everyday services.

I hope that that gives a flavour of the type of work that is going on. I absolutely welcome the fact that we have had this discussion, and I support the motion, because I firmly believe that rural matters are the business of every Department. Although I am happy to take the lead in driving, pushing and encouraging other Departments, rural dwellers' needs are reflected in every other Department in the Executive. The fact that we have the rural White Paper action plan in place shows that there is a willingness in the Executive to protect rural communities and make them sustainable. Collectively, we can be very effective.

**Mr Rogers:** The debate has provided a useful insight into the key services that are required to sustain and support our rural communities in the future. It is clear from all the Members who spoke that other Executive Departments must contribute to ensuring that services vital to rural areas, including schools, post offices, broadband etc are protected for the years ahead. Rural proofing should ensure fair and equitable treatment for rural communities, and any policy must not indirectly negatively impact on our rural dwellers and communities.

I will look at health. The main thrust of Transforming Your Care is to ensure greater care in the community. People have a desire to stay close to their home and to access healthcare services locally. The South Eastern Health and Social Care Trust had obviously not heard of rural proofing when it decided to drastically reduce A&E services at Downpatrick hospital, which caters for a large rural community.

There has been a lot of emphasis on the Royal Victoria Hospital recently, but what about healthcare in rural areas? At the weekend, we heard of a threat to the fracture clinic at Daisy Hill Hospital. In the Mourne, we have a state-of-the-art health centre that provides accident services between 8.30 am and 5.30 pm yet has extremely limited out-of-hours services.

We talk about ambulance services. The father of a friend of mine who lives outside Castletwellan took a stroke last Thursday night. It was over an hour before any type of ambulance could arrive. That man was lucky enough to have his two sons in the house, who were able to perform cardiopulmonary resuscitation (CPR); otherwise, where would he be today? Residential care is another major concern. The Southern Trust has failed to invest in Slieve Roe House in Killeel, which has limited admissions. We strongly need that resource.

Farming is central to the survival of our rural communities, and fishing is a major economic driver in south Down. Our beef farmers are losing money every day. They are being held to ransom by meat plants, with poor prices week after

week. Our fishermen cannot get out to fish because of limited quotas and the weather. How, then, will we deliver an agrifood strategy if we have not got those people, who are key to our economic recovery and the maintenance of our rural economy?

Many Members spoke about rural community transport being an essential service to all our rural dwellers. I will give you one little example of what happens when you cannot access rural transport. I know a person who has to take a taxi to go for cancer treatment in Belfast. That costs £90.

The SDLP recognises the status of many rural schools at the heart of our local community. It is our intention to help such schools remain viable, and we point to pilot federation schemes, which involve two or more primary schools working together under a single board of governors and principal. As other Members mentioned, the core assumptions about area-based planning are not evidence-based. Minister, I know that it is not your portfolio, but it is that of your party colleague.

I will make four points. First, no one in primary education believes that you need the magic number of 105 pupils for a rural primary school to be viable. However, the longer that your colleague holds to that, the more stress that he creates for primary schools.

Secondly, I do not accept the financial argument for closing rural schools, as 80% of the cost of education is attached to the pupil, irrespective of the school attended. Thirdly, the assumption that only larger schools can deliver a quality education is deeply flawed. My colleague Mr Dallat talked about a figure of 500 pupils, but the Council for Catholic Maintained Schools (CCMS) seems to have a figure of 1,000. Research from the University of Ulster suggests that there is little correlation between the size of a school and educational attainment.

Fourthly, the Department assumes that composite classes have a negative effect, but international research does not indicate any significant ill effects. In fact, some studies show that composite classes can have a positive effect on peer interaction.

I frequently ask why we do not have a small schools policy. Our sustainable schools policy does not help smaller schools.

Our rural schools are the heart of our rural communities. They are more than bricks and mortar. I was at a school on Friday with American visitors. The school was built in 1898, but it is not just about the bricks and mortar. It is the foundation of the education that has been delivered there over many years that is so important. The foundations of that community started there, and that is why it is so important to rural communities. That is the reason why couples settle in rural areas. Schools develop that sense of community when not only the children but the parents and the extended family come together. Many country groups use the school buildings for other events. It is the meeting place that helps to build a community. Similarly, sporting clubs and rural schools complement one another.

### 6.30 pm

There are opportunities for shared and integrated education. Such schools can be a vital lifeline for pupils and their families. The SDLP believes that it is perfectly possible for schools to provide quality education without

meeting the enrolment threshold if they engage with other neighbouring schools. There are many excellent examples of schools across the region working in a collaborative way. However, we can and must do more to encourage all forms of shared education. In turn, that will help to inject life into struggling schools and sustain our rural communities.

A number of Members touched on broadband provision in rural areas, and I recognise the significant improvements there have been in recent years. Businesses in those black spots need to be prioritised and given greater grant assistance towards satellite broadband. For example, an SME in my constituency tendered for a contract using the Internet. He put it in at 2.00 pm and it had not arrived at 5.00 pm. So, he missed the deadline for the tender. Communication services provide consumers with access to vital political, educational, cultural and economic resources. They provide businesses with the opportunity to increase efficiency, develop new services and reach new markets. At the heart of such a service is the widespread availability of broadband.

Many Members talked about rural post offices. Although they may not be the most profitable, they provide a vital service for those who live in remote areas. Indeed, they are at the heart of the economic and social life of such communities. There is a need to modernise many of them. We must revitalise rural post offices. Given the spate of bank closures, rural people are more dependent on post offices than ever.

I will now go to Members' contributions. There were many valuable contributions that made the case for protecting key services in rural areas. My colleague Joe Byrne saw the White Paper as an important first step but went on to highlight the patchy implementation. He highlighted some excellent cross-departmental initiatives but said that the closure culture in rural areas continues. He was disappointed with the poor broadband and how it inhibits SME development and said that, as well as green boxes and blue boxes, we have too many black spots.

The importance of home helps was also highlighted. Mr Buchanan said that those services need full support across the Executive. He said that it is important to recognise their social and economic contribution to our society and that a little more flexibility is perhaps required to keep our rural services running. He also highlighted meals on wheels as being very important.

Mr McMullan said that what urban people take for granted is a major challenge for rural people. That is a very good point. Examples included getting to the hospital, transport, and so on. He also highlighted the importance of the MARA project.

Mr Kinahan spoke from an education perspective on the rural White Paper and called it a loose strategic document. He said that schools are about the only service left in rural areas and highlighted the need for Departments to work more closely to deliver for rural communities.

I welcome Ms Lo speaking on rural issues. She said that it is only fair that rural dwellers have equal access to services and that the rural White Paper brought rural issues to a higher priority at the Executive. However, the challenge is keeping those issues there. She emphasised the point that rural proofing must not just be a box-ticking exercise.

Mr Frew had sympathy for the Minister of Agriculture and Rural Development as the action plan needs cross-departmental support. He said that although some areas here have broadband on a par with that in England it is abysmal in other areas. He said that planning is a massive concern for rural areas. It is, and getting planning permission is also a massive problem for farmers.

Mr Lynch recognised the challenges of living in a rural constituency but acknowledged that, although this is Department-led, it needs cross-departmental action. He also highlighted the benefits of MARA and rural community transport.

Mr Robinson warned of the need to ensure that it would be value for money. He highlighted projects such as Dial-a-Lift and rural transport, and he spoke of how they help to combat rural isolation. He also said that there needs to be a unique solution to healthcare in rural areas.

Mr Hazzard commented on the decentralisation of fishery jobs to south Down. He also talked about the future of the Downe Hospital. Equity of healthcare provision is a major issue as is the issue of roaming charges. He said that education must do what is right for the child, but you can do what is right in small schools as well.

Mr Dallat spoke about how we can preserve our rural communities. We do not need 500 pupils in a school for it to be a good school.

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

**Mr Rogers:** He also spoke about the loss of KPL.

Mrs Dobson talked about the broad-brush approach, but it was probably a broad brush with no bristles as it had little detail.

Mr Storey spoke about area planning, and as a frequent —

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

**Mr Rogers:** — reader of 'The Irish News', he acknowledged a good piece of journalism.

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

**Mr Rogers:** The Minister was very aware of the pressures also.

*Question put and agreed to.*

*Resolved:*

*That this Assembly recognises the ongoing work on the rural White Paper; calls on the Minister of Agriculture and Rural Development to incorporate key services that are important to rural communities, including rural schools, rural post offices, rural broadband facilities, rural transport services and home-help social care services; and calls on other Executive Departments to contribute meaningful rural proofing to ensure that rural communities can be sustained into the future.*

## Climate Change: Impact on Flooding

**Mr Deputy Speaker:** The Business Committee has agreed to allow up to one hour and 30 minutes for the debate. The proposer of the motion will have 10 minutes in which 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 of the amendment will have 10 minutes in which to propose and five minutes in which to make a winding-up speech. All other Members who are called on to speak will have five minutes.

**Ms Lo:** I beg to move

*That this Assembly notes the recent incidents of serious flooding; expresses its gratitude to the emergency services, public workers and volunteers who worked hard to minimise the impact of the flooding; believes that the seriousness of future flooding is likely to increase as a direct result of climate change; calls on the Executive to reduce Northern Ireland's environmental footprint and, consequently, its contribution to climate change; and further calls on the First Minister and deputy First Minister to initiate a holistic overhaul of flood mitigation policies, including a cross-departmental approach to emergency planning, placing a single agency in charge of coordinating relief, an audit of the effectiveness of current flood defences so that investment can be targeted effectively, improvement of the flood warning system and a single funding stream for flood defences and coastal erosion.*

I speak on behalf of the Alliance Party. The recent incidents of serious flooding have been of great concern to all. I am sure that Members would like to record our gratitude to those from the emergency services and those public service workers and volunteers who have tirelessly rallied together and have done all that they can to minimise the risk of flooding.

Since my election to the Assembly in 2007, I have witnessed many incidents of flooding in my constituency of South Belfast, including in Stranmillis, Knockbreda and Finaghy. Last December, I met the Minister for Regional Development about proposed flood alleviation work in Orchardville, where local residents fear further flooding amidst their difficulties in getting house insurance. It is a position that no one should have been put into.

The Alliance Party believes that the seriousness of future flooding is likely to increase as a direct result of climate change. I hope that the debate is informed by science. Some politicians want to ignore and deny climate change because it is convenient for them to do so. The fact is that the disruption to our climate is happening. When we look, for example, at the winters over the past 50 years —

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

**Ms Lo:** No. I am sorry, I do not have time. I need to get through this.

The records for winters over the past 50 years show that change in climate is indisputable. The argument is about whether climate change is man-made, and there is very strong evidence to suggest that it is. A changing climate is a serious issue that has dramatic social, economic and environmental implications for all of society. To deny that is irresponsible and mistaken.

As we know, flooding is a natural phenomenon that cannot be entirely eliminated. However, while there are mitigating measures that we can take and, indeed, are taking, it is time to start thinking smart and long term. According to experts, the major factors that determine flood size, apart from the intensity and duration of rainfall events, are antecedent soil moisture conditions, the removal of forested land and green space, river channel alteration and land drainage practices. Future climate change projections suggest an increase in overall winter precipitation and the intensity and duration of extreme rainfall events. Projected rising global temperatures will be accompanied by a rise in sea level. As every piece of evidence suggests that we will face more extreme weather, we really need to ensure that our approach is as strategic and coherent as possible.

*(Mr Speaker in the Chair)*

Although I will be supporting Steven Agnew's amendment calling for a climate change Bill, I believe that there is currently no appetite for it among the DUP and Sinn Féin, which is really frustrating.

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

**Ms Lo:** No, I am sorry. I need to get through my speech.

We are required to contribute to a range of climate change targets. Although climate change is a global issue, it requires action on a number of levels. At the highest level, the Kyoto protocol secured commitments from 37 major industrialised countries and the European Union to reduce greenhouse gas (GHG) emissions. The Climate Change Act 2008, which the Executive agreed should extend to here, established a legislative framework to enable the UK to reduce its 1990 levels of GHG emissions by 80% by 2050 and 34% by 2022. The Executive, in their Programme for Government, set a new target for us of a 35% reduction by 2025.

There is a significant body of research into understanding the impacts of climate change on urban hydrology. It suggests that a long and intense winter rainfall will result in increased output of surface run-off, groundwater flow, and river and marine outfalls. Even in summer, surface run-off is expected to increase as a result of climate change. With that in mind, there is not just a need to mitigate climate change by reducing GHG emissions but the ability to adapt to the impacts of climate change must be a priority for government and society.

The recently published Northern Ireland climate change adaptation programme and, in 2012, a climate change risk assessment for Northern Ireland stated that flooding was one of the most significant and urgent climate change risks facing Northern Ireland. To achieve effective mitigation and adaptation to flooding, we need a collaborative approach to awareness-raising and upskilling in flood management. The inter-sectoral network Climate NI is already taking action by documenting flooding impacts, raising awareness across sectors and supporting stakeholder action by promoting best practice in upskilling.

Several NGOs are calling for a cross-departmental, overarching land strategy, which I support. We need a strategy in order to optimise the use of land in Northern Ireland and to facilitate a more joined-up approach to how our precious land resource appears, functions and is used. We need to ensure that all land use-related policies contribute to climate change mitigation and adaptation.

A strategic approach to land use would ensure that land that is highly suitable for water catchment management, flood management or carbon storage is duly recognised in decision-making.

The Alliance Party supports the call for a sustainable flood risk management approach to planning and delivering measures to reduce flood risk. This approach focuses on managing the sources and pathways of flood waters. It targets all forms of flooding, be it river, coastal, sewerage or groundwater, and includes options to adopt natural or artificial defences. It is important also to mention natural flood management to implement environmentally positive features that retain and divert water away from areas that are prone to flooding. For example, water catchment interventions could include wetlands, drain blocking and logjams etc .

**6.45 pm**

Northern Ireland needs to be brought into line with the rest of the UK on sustainable storm-water management. Although that is stated as a government intention, it should be made as strong as possible to ensure that PPS 15 acts a driver for the implementation of a sustainable urban drainage system in Northern Ireland. Although that will certainly be driven by the forthcoming Floods Bill, that is not scheduled to begin until the next mandate of the Assembly.

We urge OFMDFM to take a cross-departmental approach to emergency planning, placing a single agency in charge of coordinating relief to reduce confusion for residents. We would like to see an urgent audit of the effectiveness of flood defences so that investment can be properly targeted, with a centralised funding stream for flood defences and coastal erosion. We also need to consider how we can improve the flood warning system to give the emergency services and residents adequate time to prepare for any prevention measures.

The motion sets out improvements that should be made to flooding mitigation policies. Many of those were recommended in the performance and efficiency delivery unit (PEDU) report, which was published in December 2012. That represents important progress, but we remain concerned that, without overarching civil contingencies legislation, such progress will have a limited impact on overall emergency planning. I would be interested to know what OFMDFM plans to do about that.

**Mr Agnew:** I beg to move the following amendment: After the second "climate change" insert

*“, including the introduction of, and support for, a Northern Ireland climate change bill”.*

I am proposing the amendment on behalf of the Green Party NI. I support the motion regardless of whether it is amended.

Climate change is happening, and our communities are experiencing the consequences of it. Freak weather events have become commonplace. In response to floods in June 2007, a local MLA stated:

*“in the past eight years, it is about the eighth time that I have heard - from various Ministers, not just from the current Minister - that those are one in every 100 or 150 years events. It seems that we have had 1,000 years of disaster all wrapped up in the past eight years.”*

Those were not the words of some sandal-wearing green; they were the words of Sammy Wilson. He highlighted a problem that we face, whatever your view on climate change: we are facing increased extreme weather, and we need to take action.

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

**Mr Agnew:** I have to.

**Mr Wilson:** I thank the Member for giving way. Does he accept that the reason that I gave at that time for the flooding was not that we were experiencing global warming but that we were building on places that we previously had not built on and that we had far more urbanisation, which meant we had hard run-off surfaces that channelled water into one point very quickly? Therefore much of what he is describing is due to the physical characteristics that change as a result of development rather than man-made global warming.

**Mr Agnew:** I thank the Member for his intervention. I am glad that he supports sustainable land planning, and I will welcome progressive responses in future planning debates.

Since 2000, the UK has experienced the five wettest and the seven warmest years in recorded history. Weather and climate are two separate things, but it is clear that there is a trend towards climate change. Mr Wilson may not share my view, but there seems to be an acceptance that the climate is changing. I accept, however, that, in politics, there is still a debate about why it is changing. I take my views from the scientific community, particularly the Intergovernmental Panel on Climate Change (IPCC), which represents 120 governments and includes the World Meteorological Organization, and the 97% of scientific papers that point to the fact that climate change is human-induced.

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

**Mr Agnew:** I will give way one more time because we could be at this all day.

**Mr Wilson:** Since the Member takes his views from scientists, does he take his view from the scientist who says:

*“to capture the public’s imagination ... we have to offer up scary scenarios ... Each of us has to decide what the right balance is between being effective and being honest.”*

That is one of the leading climate change scientists. Is that whom he takes his advice from?

**Mr Agnew:** The Member has not told me who the scientist is, so I will have to reserve judgement.

The fact is that there is no single climate body nationally that opposes the view that climate change is caused by human activity. There are individual scientists who do. Before I went on a TV debate, I was told that I would be on with a professor and thought, Oh, how am I going to debate with a professor? However, when I looked him up on Wikipedia, it turned out that he was a professor of sociology. I have a lot of respect for sociologists, but that does not necessarily make them experts on climate change, nor, I admit, does being a politician.

In 1990, the scientific community established that climate change is caused by human activity. Indeed, the first scientific paper showing a causal link between carbon

and climate was published in 1896, so I really think that it is time that we moved on from this debate. To be honest, it is a debate that I am bored with. Debating is getting us nowhere. We need to move on to action and implementation of some of the action plans that we have created.

Virtually every action that we need to take to mitigate climate change has economic, social and environmental benefits. Even if you do not accept my analysis or that of the IPCC, there are good reasons to take many of the mitigation actions required. The CBI, for example, estimates the UK green economy to be worth £122 billion a year. It is growing despite the recession. Fossil fuels are running out, and their price is continually rising —

**Mr Wilson:** It is falling.

**Mr Agnew:** I do not know what evidence Mr Wilson uses. However, as a member of the Committee for Enterprise, Trade and Investment, I have been tracking energy prices, and they are certainly on the rise, particularly gas, which sets our electricity prices in Northern Ireland. To stabilise energy prices — there is a general commitment to try to do that — we need to grow our indigenous energy industry. For me, that means clean, green renewable energy.

Our over-reliance on cars has led to expanding waistlines. I often say that trying to tackle the problem of traffic congestion by building more roads is like opening your belt a notch to tackle obesity. We need to move to a more sustainable, healthier lifestyle not only because of climate change but because our society needs to. We need to exercise more. We need more sustainable transport options.

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

**Mr Agnew:** Sorry, I am going to continue. Your colleague took all my time for giving way.

We need to put these actions in place regardless of your view on climate change. The impacts of climate change are being experienced globally as well as locally. I have heard numerous stories from aid agencies working in some of the poorest countries in the world of how whole communities, particularly farming communities, are having to uproot and move because of changing weather patterns and, indeed, the shifting of seasons.

The recent flooding in Northern Ireland has finally woken us up to the reality that we need to protect our communities from the impacts of climate change. Recently, the Environment Minister proudly launched Northern Ireland’s first climate change adaptation plan. Although he has been in post for only a short period, we have had the warnings of climate change for decades. We should be embarrassed that we are starting to look strategically at this issue only now. Had we listened to the warnings of the green lobby in the late 1970s and early 1980s, we could have prevented much of the flooding that our communities have faced. Human action has caused climate change, but political inaction is responsible for the flooding that our communities have suffered.

My amendment calls for legislation so that we can take measures to mitigate climate change and adaptation measures that will protect us against the climate change that is already happening. Why should we have legislation? I point to the words of the chief executive of the Committee on Climate Change, David Kennedy:

*"In considering whether legislation would be helpful in the Northern Ireland context, the key factors are whether there is currently any political uncertainty around current and future commitment to building a low carbon economy, and whether there is scope for better integration across government in developing and implementing a carbon strategy. To the extent that there are uncertainties, and there is scope for better integration, then legislation in Northern Ireland would help to signal political commitment and improve the investment climate, and would therefore complement the UK Act in providing a basis for action."*

It is clear that we have had a lack of integration and that there is political uncertainty. I think that certainty and clear direction could help us, not just to tackle the causes of climate change and adapt against it but to give certainty to our business community, which needs to know whether it should continue to invest, as it has done, in the ever-growing green economy.

**Mr Frew:** Will the Member give way on the point about legislation?

**Mr Agnew:** I have only one minute left.

We need to coordinate our efforts. We have had warnings from Lord Stern, a former vice-president of the World Bank and economist; the World Bank, the International Monetary Fund (IMF); and the International Energy Agency. All expressed their concerns about the impact on the economy of climate change. It is no longer down to, as Mr Wilson once put it, the sandal-wearing, muesli-munching, 'Guardian' reading environmentalists —

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

**Mr Agnew:** — although there is nothing wrong with being any of those things. All agree that we need to act now for the benefit of our economy, our society and the common good. We need a climate Act.

**Mrs Cameron:** I am content to support the overall intention of the motion. That intention is not, I hope, to try to control the weather but to ensure that we as an Assembly do all that we can to support environmental awareness; to ensure that our defence and emergency planning is robust and effective; and to recognise the need for that planning to be subject to review in order to ensure that lessons are learned.

I am not an expert on climate change, of course, and I look at endless reports and conflicting advice with uncertainty. However, I hope that that does not mean that I do not care or that I am not willing to learn more. Put simply, although not convinced of the merits of many examples of environmentally green projects, I am reasonably sure that the overall weather trends that we are experiencing are not unrelated to a legacy of failing to protect our environment. Whatever the science, it is better for us to do something than nothing. Climate change, whether man-made or not, is happening and has been for a very long period. I think that acting in a precautionary way and in as responsible way as is physically possible is the common-sense approach.

Of course, it is well and good for government to have strategies, as we know, but how do they impact on the wider community and landscapes? I think that, by and large, we care about our environment, and that should be encouraged and developed. For all the instances of rogue dumping and chemical spills into our rivers, there are

great numbers of people who care passionately about our environment.

Our children are the future, and will, hopefully, look after the planet, possibly better than we are doing. I was very encouraged by a recent visit to Fairview Primary School in my constituency of South Antrim, which has an ongoing project that successfully educates children about waste management. The outworkings of that project, and the hard work and enthusiasm of children and teachers, means that zero waste is sent to landfill. We have much to learn from such projects, and I would hope that that type of project can be lauded as an example of best practice.

The apparent effects of climate change are there to be seen, particularly in recent months. We have seen coastlines battered by strong winds and high tides, and whole communities have been devastated as a result of high rainfall. It is anticipated that, by the 2050s, our summers will be significantly warmer and dryer, with winter rainfall increasing by 9%. We must work together now to ensure that the effects of climate change are monitored and managed.

#### 7.00 pm

Given the controversy around the Environment Agency's handling of the crisis in southern England, we must realise that this is not an issue for just the Department of the Environment or individual groups and agencies. Flooding affects every aspect of life as we know it. We are, I believe, only at the start of an education process on flooding and how we can best defend ourselves against it. Every year, there is new information and technology that allows us to predict when flooding is likely to occur or that tells us ways to defend against it. We need to ensure that we are in a position to respond as quickly as possible to new developments.

I also believe that it is not an issue for just the statutory agencies. Through community planning, we will have a real opportunity to come together in partnership with the third sector to educate and deliver for people in our community. Statutory agencies are often seen as being large and unresponsive, while community and voluntary organisations are often seen as being the heart of the community and in a stronger position to deliver aid. However, we must ensure that the community feels as though it is an equal partner and not merely a vehicle to deliver savings to the statutory agencies.

I add my appreciation to those volunteers and workers who, over the past number of months, have worked extremely hard to help those at risk of flooding or who have been flooded.

**Mr Frew:** I thank the Member for giving way. She hit on a word that resonates with me, and that is "volunteers". Does she agree that we already have in place a UK climate change Act and that introducing a Northern Ireland climate change Bill could well choke the economy and crush agriculture, remembering that Northern Ireland feeds the UK? It would be unfair to put a climate change Bill on Northern Ireland only, when we have perfectly good legislation in the form of the UK Climate Change Act 2008.

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

**Mrs Cameron:** I thank the Member for his intervention. I agree wholeheartedly with him. It is one of the reasons that I oppose the amendment.

In summing up, I want to speak for a few more seconds about those who have been affected so badly by the flooding in England. It is appropriate for us to remember that the mainland is still dealing with significant flooding and problems. We should remember all those who are facing 2014 with a flooded property or a devastated business. The least that we can do is learn from their misfortune. I hope that we can. I support the motion and oppose the amendment.

**Mr Milne:** Go raibh maith agat, a Cheann Comhairle. I am glad to speak on the motion. I am fortunate to live in the Mid Ulster constituency, where flooding has not caused the damage and devastation seen in other areas. However, the heavy rainfall has led to the saturation of fields and overflowing drains. That has caused problems on roads and pavements at a level not previously experienced.

Although we hope that the severe snowstorms of last year and the flooding that has been seen recently do not become the norm, we can be in no doubt that our weather is changing. If, as predicted, the rainfall that we have seen over the past few years is set to increase, we have to put in place the necessary measures to deal with it. Preparation is vital. We cannot control the weather, but we can ensure that we have the defence and response mechanisms in place to deal with it.

I am glad to see that work is already under way with the recently announced climate change adaptation programme. The Department of the Environment and the Department of Agriculture are working together on Planning Policy Statement (PPS) 15, because planning in particular needs to be looked at. We need to move the focus from visual impact to potential flooding impact. The siting of dwellings at the bottom of hills is only building problems for the future, as is the overdevelopment of urban settlements.

A fresh look is needed for our drainage systems and waterways. Designated rivers can be maintained by DARD, but many are in private ownership, and the resources are not always there to do the necessary dredging to keep the water flowing. Thought needs to be given to possible grant-aided schemes to overcome the problem. Forward thinking across all Departments now will go a long way to preventing emergency situations in the future, and the Executive have a crucial role to play in creating a joined-up and coordinated approach.

In closing my short contribution, I commend the emergency response teams, the community organisations and the many individuals for their prompt reaction during the recent flooding that filled our TV screens. Crisis situations bring out the best in society, but it is important that we do not take the goodwill of others for granted. We need to be organised and resourced to respond when life and property are in danger from our increasingly unpredictable weather. I believe that this is best done by better cross-departmental cooperation, as opposed to creating another quango, so I support, in broad principle, the motion and the amendment.

**Mr A Maginness:** First of all, the SDLP acknowledges the suffering and the hardship that recent flooding episodes brought to many communities and households in Northern

Ireland, in Ireland and indeed in Britain. It is illustrative of the fact that there is something occurring which is quite radical in terms of climate change, weather change or whatever you want to call it. Whether it is man-made or whether it is a natural phenomenon is irrelevant to those whose homes are flooded and whose businesses have been devastated. We should be responsible in our response to it. I accept the scientific consensus that this is a result of man's intervention and man's mismanagement of the natural environment.

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

**Mr A Maginness:** Yes indeed.

**Mr Allister:** Does the Member then think that a few hundred years ago when the Thames regularly froze over, that was because of the 4x4s up and down the Mall? What was the cause for that, in the days before there were CO2 emissions from factories and mines and everything else? Is it not time to face the reality: that man trying to hold his puny little hand up against the continual changes that happen with the sun, which are cyclical, is just a loss of a grip on reality?

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

**Mr A Maginness:** I am quite surprised that Mr Allister would reject the evidence which has been presented. I respect Mr Allister as being a distinguished lawyer, and I would think that his assessment should be based on evidence. It is clear that the evidence, according to the scientists, is that man's intervention and mismanagement has caused —

**Mr Allister:** And the Thames?

**Mr A Maginness:** In relation to the Thames freezing over, I cannot give an explanation. However, what is clear is that there has been a disruption. There has been unseasonal weather. There have been extremes, and that has been persistent and consistent in the past decade or two. We have to face up to the reality that we have to respond to that. Whether it is man-made or a natural phenomenon is irrelevant in this debate, because we have to respond to it.

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

**Mr A Maginness:** No. I have heard everything that you — I mean, you are just a flat-earther. It is as simple as that. Your colleagues, and even your — *[Interruption.]*

**Mr Speaker:** Order, order. Allow the Member to continue. Order.

**Mr A Maginness:** No, I think we have heard enough. In fact, consult your colleague Jim Wells. He will probably tell you the right way of things.

Northern Ireland has experienced flood events more commonly in recent years. That is fact. Serious local flood incidents have been experienced every year since 2007, and the frequency of such events is likely to further increase in the future. Flooding is, and will remain, a natural phenomenon that cannot be entirely prevented, no matter how effective legislation or collective actions are. That is a fact, but we have to respond to it.

Under the stewardship of the Minister of the Environment, the Department has sought to promote safe and sustainable developments that take full and proper account of flood risk. That is being carried out by applying

the policies contained in Planning Policy Statement 15, 'Planning and Flood Risk', through the Department's development plan and the development management functions. The overall aim of PPS 15 is to prevent future development that may be at risk from flooding or that may increase the risk of flooding elsewhere.

The current Minister has outlined steps to tackle our changing climate as recently as January of this year, with the publication of Northern Ireland's first ever climate change adaptation programme. It contains a cross-departmental response to potential risks and opportunities from changing climate. The risk assessment that has been made identified flooding as one of the priority climate change risks facing Northern Ireland. Many of us, as individuals and as part of the wider community, have felt the severe and harsh consequences of these events.

The Northern Ireland climate change adaptation programme provides an integrated government response to the challenge of climate change and presents the first steps in ensuring that Northern Ireland is better prepared for the impacts of our changing climate.

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

**Mr A Maginness:** In closing, I invite support for this motion. It is a timely motion —

**Mr Speaker:** The Member's time has gone.

**Mr A Maginness:** — and one to which we must contribute.

**Mr Nesbitt:** I support the motion but not the amendment. The motion states that we should give thanks to:

*"the emergency services, public workers and volunteers who worked hard to minimise the impact of the flooding".*

Absolutely, Mr Speaker. The Ards peninsula was badly hit. I saw the damage to the new promenade in Portavogie. Huge boulders had been lifted through the fencing and across the path. Many of the coastal roads are badly damaged and have rocks and detritus strewn across them. North of Ballywalter, at a large section of the Whitechurch Road, half the road was washed away into the sea. The workers worked tirelessly in all conditions and absolutely deserve our thanks.

I am particularly interested in one area of the motion, and that is the call:

*"on the First Minister and deputy First Minister to initiate a holistic overhaul of flood mitigation policies, including a cross-departmental approach to emergency planning, placing a single agency in charge of coordinating relief".*

That is the key part of the motion.

The Committee for the Office of the First Minister and deputy First Minister has had an interest in these matters for quite some time. Indeed, on 1 May 2013, it received a briefing from the British Red Cross. Its representatives gave us their assessment of our current civil contingency arrangements and concluded that there is a deficit in those arrangements, which was down to an absence of any legislative structure around civil contingency planning. Interestingly, they welcomed the performance and efficiency delivery unit (PEDU) report, especially to the

extent that it recommended giving powers and leadership to local government. Yet, as I understand it, only one of the 26 councils has a resilience group, and that is Belfast City Council.

Interestingly, the Red Cross representatives said that they were confident that statutory partners in Northern Ireland showed "a strong appetite" for a statutory framework to bring us into line with Great Britain, which has had a statutory framework for nine years since 2005. Here, only the police, the coastguard and telecoms operators have any statutory duty; whereas, that should really take in all category 1 responders. The police, the Fire and Rescue Service, emergency medical services, local authorities, health trusts, the coastguard and the Environment Agency should all have duties of assessing risk, maintaining business continuity plans, a plan for communicating with the public and a duty to share information and cooperate in the face of civil contingencies.

#### 7.15 pm

On 2 May, the day after we received that briefing, we wrote to the Department requesting a briefing from officials on civil contingency planning in Northern Ireland. Four calendar months later, on 2 September, the Department finally responded. It stated that:

*"following the June 2012 flooding the Executive commissioned the Performance and Efficiency Delivery Unit (PEDU) to carry out a thorough review ... and to make recommendations. These recommendations are currently under consideration by Departments."*

So, officials would not update the Committee until that matter had been fully considered. We waited until 12 September and I wrote to the Department to seek a briefing from officials on current arrangements and the options emanating from the PEDU report. It wrote back on 2 December, seven calendar months after our first letter, to say that:

*"Work arising from the PEDU recommendation directed towards OFMDFM, namely that consideration should be given to proposals for formalising the role of local government in civil contingency matters including consideration of establishing civil contingency preparedness groups outside Belfast, remains under consideration by the Department. Further information on these matters can be provided once consideration by Ministers is complete. I hope this is helpful in the interim."*

On 5 December, the Committee wrote to the Department about the above correspondence, seeking further details on when the Department expected to complete its consideration of the PEDU report's recommendations. To date, there has been no response. Welcome to the world of the Committee for the Office of the First Minister and deputy First Minister.

I will finish by commending my colleague the Minister for Regional Development, who took a very bold and courageous step of leadership by offering to become the lead Department for flooding. It would have required the Department of Agriculture and Rural Development to transfer Rivers Agency, but Minister O'Neill has not matched Danny Kennedy's brave leadership in doing what

is right for Northern Ireland, nor has she agreed to his proposal that the Army —

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

**Mr Nesbitt:** — which has been used to inspect coastal areas in England and Wales, be invited to do the same job for Northern Ireland. I say that we could do a lot better.

**Mr Weir:** In the spirit of the bravery about which the previous contributor spoke, I will make an admission that, I suspect, may incur a certain level of wrath from somebody to my right. I believe that climate change is happening and that, on balance, the evidence shows that it may also be the case that a large element of that is man-made. However, the question is about how far that takes us.

I support the motion, but not the amendment, because we need to focus on some of the practical actions that can be taken. The most superfluous part of the motion is the part that deals with climate change. It:

*“calls on the Executive to reduce Northern Ireland’s environmental footprint and, consequently, its contribution to climate change”.*

Executive commitments on this issue have already been made; indeed, the motion is asking for things that are already happening in that regard. However, even if those are brought about or even, to be perfectly honest, if we were to follow the route of the proposer of the amendment who, I suspect, would prefer a world, from an industrial point of view, in which we all went back to being cave dwellers and, consequently, would be in a position in which there was not pollution of the atmosphere — *[Interruption.]* — I see that I have obviously incurred the ire of my colleague to my right, so I will be happy to give way to him for the moment.

**Mr Wilson:** I thank the Member for giving way. Does he accept that that part of the motion carries grave consequences because, as a result, we are already paying through the nose for electricity because we go down the route of the dearest electricity possible through renewable energy; we are putting our agricultural industry in jeopardy because there is no greater producer of greenhouse gases than cows, which are used to produce milk and beef; and we are inhibiting the ability of people to travel by motor car etc because one of the measures that would be used to reduce the environmental footprint, as it is called in the motion, is to make fuel dearer and discourage people from travelling?

**Mr Speaker:** The Member will have a minute added onto his time.

**Mr Weir:** I thank the Member for his intervention, not least because I have recovered about an extra 10 seconds after he finished.

My point is that the Executive have already made commitments to it, so from that point of view, that element does not take us much further forward. Even if we were to meet all these requirements, the reality is that the impact of all this on the issue of global climate change and whether it stops people from being flooded will be minuscule at best.

We need to concentrate our activities on the practical measures. I also agreed with the Member when he

acknowledged that there had been changes in weather conditions and in climate conditions and also in some of the attitudes that we have taken at times over the past 10 or 20 years on planning decisions and development issues. Some of those have not been helpful, and I know that from my constituency.

I reject Mr Agnew’s proposal for a climate change Bill. As has been indicated, we are already part of a wider United Kingdom scheme, and I think that we are in a position to adapt to what is there and, indeed, to provide practical measures.

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

**Mr Weir:** Sorry, I have given way once already. I want to complete my remarks.

The reality is that there is a misconception at times about legislation. On some occasions, legislation can be the solution, but, when we have a problem, the misconception is that the natural panacea to every problem that we have is legislation. It seems that the suggestion for a climate change Bill is equivalent to winning the golden ticket to Willy Wonka’s chocolate factory in that it will provide an answer to all of our ills. The reality is that a climate change Bill would act as a straitjacket to our industry and to our farming community and would potentially be very damaging to Northern Ireland. The flexibility that we have to take action, rather than being straitjacketed by legislation, is much the better way forward.

The hard work of volunteers has been mentioned, and, in many ways, we all held our breath during the recent storms. Some areas of Northern Ireland were worse affected than others. There was a high level of anticipation in east Belfast, and down the Ards peninsula and into parts of south Down there were grave anxieties. Indeed, in some places in my constituency such as Holywood, Groomsport or Donaghadee, there was overflow of coastal walls. We did not have the same impact that other parts of the UK had. I take issue with what the proposer of the motion said about following the rest of the UK on flooding issues. The reality is that what has happened there has been a disaster because they failed to take some of the practical measures.

The motion mentions placing a single agency in charge of coordinating relief, having better emergency planning and having an audit of the effectiveness of flood defences. On that last issue in particular, we have to see whether, with the recent storms, we had good flood defences that prevented the worst from happening in Northern Ireland or whether we simply got fortunate that it was not worse. I think that an urgent audit of that by the DOE or others is important. It also mentions focusing on having a single funding stream for flood defences and coastal erosion. Similarly, it seems sensible to take a coordinated approach.

Concentrating on those practical measures will actually stop the water coming over the wall and stop the flooding of someone’s house. Those are the things that we need to concentrate on rather than the things that, at best, we may well be committed to but which will only make a small element of difference. That is why I support the motion, but I do not support the zealotry behind the amendment. It is zealotry from a party —

**Mr Speaker:** I ask the Member to bring his remarks to a close.

**Mr Weir:** — that, a few weeks ago, was telling us that anyone who disagreed with the notion of climate change should be sacked from government. That is the kind of Stalinism behind the amendment, and that is why we need to reject it.

**Mr McMullan:** This debate is timely in the sense that I represent an area that has suffered badly from flooding and storms. Last March, the area had the snow and its subsequent fallout, which led to flooding. Recently, we had the storms. In the village of Carnlough, the sea wall burst and, at one stage, the village was closed for safety reasons. The whole main road was flooded. My own village of Cushendall suffered badly, as did Glenariff. I take this opportunity to give thanks to all the emergency services. Without them, things would have been a lot worse, as we would have had bigger insurance bills etc.

We have to face up to the fact that the level of water is rising. We have been skirting around this for a number of years. For example, farmers in Magilligan have lost up to 60 acres of ground because of the rise in water, resulting in erosion. That has an effect on the agriculture industry, because the loss of ground results in the loss of single farm payments. That is the fact.

We have 650 kilometres of coastline, some 26 kilometres of which belong to the Rivers Agency, 29 kilometres of which belong to NI Railways, and we do not know the exact number of kilometres that DRD owns. That includes coastal walls that have roads running beside them, such as the Antrim coast road. We need to look at those kinds of things. The bigger picture about climate change is for another level. We have to look today to see what we are doing.

The Minister is here today, and it is nice to see him. I am sure that he will talk about his climate change adaptation programme. We need to sit down and look at what we have here. In England, for example, they have the Bellwin scheme I am not saying that there is a problem with money, but one problem here is that we might have all the agencies that are responsible for flooding, and so on, but does each Department have the funding to deal with flooding?

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

**Mr McMullan:** Go ahead.

**Mr Kinahan:** I wonder whether the Member is aware that, apparently, two years ago, we turned down an offer from the Met Office for an extended weather reporting service. We do not, therefore, have all the armoury that we need to deal with matters.

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

**Mr McMullan:** Go raibh maith agat. The weather people were charging for that service. They were not giving us that service.

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

**Mr McMullan:** Go ahead. Do not be long.

**Mr Wilson:** Does the Member accept that some of the Met Office advice might not be all that useful? The very person who said just last week that this is all due to climate change predicted in November that we were going to have

the driest winter that we have had for a long time. So the Met Office's advice is not all that good.

**Mr McMullan:** Thank you for that. I will get back to where we are today. We need to get together, and I ask the Minister to do that because I think that this has to be driven by the Minister and the Department.

The Departments are doing their own thing as far as flooding is concerned. The law states that the PSNI and the coastguard do not have a responsibility. What is wrong here is that we are looking at the bigger picture too much and not looking at the smaller one. Smaller villages, such as the ones that I represent, are devastated, year on year. It is not a one-off thing. Insurance companies are no longer insuring houses or businesses. It is costing us money. We have payment schemes of £1,000 for those who are victims of floods. That money could be better spent if we were to come up with a project that would involve house adaptations, such as the ones that we see in other places, to keep water out instead of keeping throwing £1,000 out. We are putting our finger in the hole of the dam and not sorting the problem out.

We need to do it at this level. If there is an argument between the eco-warriors at a higher level, so be it. I am not disproving that; I have my own theories. We talk about electric motor cars, and so on, but you would have to stick one hell of a long cable on the back of an aeroplane wherever it would be flying to. *[Laughter.]* I ask the Minister to get all the agencies together and form them into one group so that, when a flood or any emergency such as that happens again, there is one body to lead on the entire thing. Go raibh maith agat.

**Mr Douglas:** I support the motion. I thank Ms Lo and —

**Mr McCarthy:** Me.

**Mr Douglas:** — Mr McCarthy. Ten days ago, in my role as chairman of Assembly Community Connect, I visited the Northern Ireland Environment Link. I went there with an open mind, and I found it to be more than helpful and very informative. It even helped me to prepare for tonight, so I encourage other Members to go along to that project on the Castlereagh Road.

### 7.30 pm

The motion starts off:

*"That this Assembly notes the recent incidents of serious flooding; expresses its gratitude to the emergency services, public workers and volunteers who worked hard to minimise the impact of the flooding".*

I send my heartfelt thanks to all of the emergency services, particularly the PSNI, which coordinated the response, certainly in east Belfast. Some people accused the PSNI of overreaction, but I was there with a number of other councillors and MLAs at the very minute when the tidal surge came up through the manholes. In one sense, we averted a major catastrophe in east Belfast. I also pay tribute to the great community effort of local residents and community groups. It was encouraging to see all political parties working together in east Belfast to try to help the local residents.

I also concur with Mr Maginness, who offered his sympathy to people across Northern Ireland, throughout the rest of

the UK, particularly in England, and, indeed, those in the Republic of Ireland who have suffered tremendously and tragically over the past number of weeks.

Although climate change is a global issue, it requires action at a number of local levels. I want to concentrate on the flooding aspect because all the other issues that I was going to raise have been addressed. The motion also calls:

*“on the First Minister and deputy First Minister to initiate a holistic overhaul of flood mitigation policies, including a cross-departmental approach to emergency planning”.*

I want to offer a unique east Belfast solution — a green solution for flooding. I want to talk about my colleague Sammy Wilson, who supported us when he was Minister of Finance and Personnel.

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

**Mr Douglas:** Go ahead.

**Mr McMullan:** Is the Member telling us that east Belfast is going green?

**Mr Speaker:** The Member has a minute added to his time.

**Mr Douglas:** As we all know, green is one of the top colours in the Orange Order, but we will not go there.

**Mr Frew:** I thank the Member for giving way. The Member is getting to the point, hopefully without too many interruptions. *[Laughter.]* That point is that what we need is a strong force for good that will bring in everybody involved in emergency planning, including Roads Service, the Rivers Agency and NI Water so that one hand knows what the other hand is doing. The onus for enforcement must be put on the Environment Minister because, in my area, Broughshane village is under threat of flooding because of an unauthorised land bank.

**Mr Speaker:** The Member should not use an intervention to make a statement.

**Mr Frew:** He should address that.

**Mr Douglas:** I thank my colleagues for those two interventions. I certainly agree with my colleague that, as Mr Weir said earlier, we are looking for solutions. I want to offer a solution from a project in east Belfast, which has involved people from across Belfast and the rest of Northern Ireland, and, indeed, from across the United Kingdom and beyond.

That green solution is the Knock river in east Belfast, an excellent example of a green solution to tackling flooding in my East Belfast constituency. One of three Living Landmark projects in the UK, the £35 million Connswater Community Greenway east Belfast flood alleviation scheme project has been developed by the East Belfast Partnership and is funded by the Big Lottery, Belfast City Council, the Department for Social Development and the Department of Agriculture and Rural Development's Rivers Agency. It is a good example of a multi-agency approach and people coming together to support local initiatives and local solutions to local problems.

The Knock river, which previously flowed along the edge of Orangefield Park, adjacent to many properties affected by flooding in the past, is in the process of transformation. Work to divert the Knock river along a new channel took place on Tuesday 20 January, and a major part of the

river was diverted through the heart of the park as a key component of the flood alleviation element of an integrated project under way in the area. Work on the park began in May 2013 with 40,000 tons of soil being moved to create a new river channel and naturalised flood plain.

As I said earlier, that is a great example of local people coming together with a major initiative to tackle flood alleviation. As far as I am concerned, those are the sorts of solutions that we need.

**Mr Speaker:** The Member must draw his remarks to a close.

**Mr Douglas:** I rest my case. I support the motion.

**Mr Speaker:** I call Karen McKeivitt. I must say to the Member that we are almost out of time. I will allow her two minutes.

**Mrs McKeivitt:** Thank you, Mr Speaker, for allowing me two minutes. I have to say that I am disappointed, because I am probably the only MLA who has stood in flood water in south Down almost every day since Christmas, lifting sandbags etc. I wanted to get that bit in.

I welcome the opportunity to speak on this important global issue and to discuss the steps that we can take in Northern Ireland to prepare for the effects of climate change and develop an action plan to tackle flooding.

Former president of Ireland Mary Robinson describes climate change as the biggest human rights issue of our time. Do you know what? She is right. Over the past 100 years, the average climate temperature has warmed by around one degree. As a direct consequence, our weather has been more intense and irregular.

As the most challenging social, environmental and economic issue that faces modern society, it is up to us as legislators and citizens of the world to confront climate change head-on and plan for the future. That is exactly what the Minister of the Environment, Mark H Durkan, has done, having published the first Northern Ireland climate change adaptation programme and called for Departments to climate-change-proof their policies. He has placed climate change at the heart of all decision-making.

The adaptation programme serves to educate everyone in the North on the impacts that climate change will bring and how we can minimise them. If global warming continues, flooding could become the greatest single climate change concern for our society, potentially threatening businesses, secured mortgages, tourist assets, building heritage, electricity supply, infrastructure and transport.

That is a real wake-up call to many and will hopefully shake society into action. Climate change may be a global issue, but all individuals have a responsibility to lower their carbon footprint and take preventative and defensive flooding measures to protect their home, business and community. We have already witnessed the effects of global warming, having experienced unpredictable and intense rain and flooding. Locally, my constituency of South Down has seen unprecedented flooding levels over recent times.

**Mr Speaker:** The Member must bring her remarks to a close.

**Mrs McKeivitt:** I am on record as praising the response of the emergency services, particularly the silver command run from Ardmore police station. I feel that it has led the way in how that can be done. I found the approach of the multi-agency task force to be very well coordinated,

organised and effective. That said, there is always room for improvement.

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

**Mrs McKeivitt:** We should strive to improve our flood warnings, responses and defences. The SDLP is open to having those discussions.

**Mr Speaker:** Minister, you have 15 minutes to respond to the debate.

**Mr Durkan (The Minister of the Environment):** I thank Anna Lo and Kieran McCarthy for tabling this timely motion on climate change and its impact on flooding, and Steven Agnew for his amendment to the motion, which proposes the introduction of, and support for, a Northern Ireland climate change Bill. I am also grateful to all Members for their contributions on this very important issue.

Although the motion calls on the Executive collectively to reduce Northern Ireland's carbon footprint and contribution to climate change, and explicitly OFMDFM with regard to flood mitigation, I am here as Environment Minister, with lead responsibility on climate change policy, to address the debate.

Like other Members, I express my sympathy to all who have been affected by flooding. In recent years, we have seen the devastating effects that flooding has had on our local communities. It has had major consequences for our businesses and infrastructure. Above all, though, it has been particularly distressing for families whose home has been flooded, perhaps more than once in recent years, and who, every time that it rains, live with the fear that it may be flooded again.

I am also extremely grateful to, and put on record my appreciation of, the emergency services, public workers and volunteers who have worked tirelessly to protect life and property and to minimise the impact of flooding. The importance of their work has been apparent during the recent emergency operations to address the risks and effects of heavy rain, gale-force winds and high tidal surges.

The recent flooding events throughout the island of Ireland and in England clearly and vividly demonstrate the reality of extreme weather events and the devastation they bring.

Recent scientific reports continue to provide overwhelming evidence that climate change is happening and will continue in the decades and centuries to come. The latest UK climate projections indicate that we are likely to experience warmer but wetter winters, coupled with increased frequency of extreme weather occurrences, such as heavy rain and flooding. That conclusion is not new, but it reinforces the need for urgent action to drastically reduce global greenhouse gas emissions in order to minimise future climate change. At the same time, it highlights the need to adapt to the climate changes that are now unavoidable.

Regardless of differences of opinion about the cause of climate change — we heard a couple today — I think that all of us can now at least accept that it exists and that the need to do something about it exists as well. All Departments bear a collective responsibility in achieving the Northern Ireland Executive's Programme for Government target to reduce greenhouse gas emissions by at least 35%, based on 1990 levels, by 2025.

In May 2010, the Executive approved a proposal to establish a cross-departmental working group on greenhouse gas emissions to be chaired by the Minister of the Environment. That group, made up of senior officials from all Departments, was tasked with developing a greenhouse gas emissions reduction action plan. The plan was published in February 2011, along with a commitment to provide the Executive with an annual report on progress. The latest progress report was made available to the Executive last May. Using the latest figures available, the current projections indicate that, by 2025, we will have reduced greenhouse gas emissions by 28% on 1990 levels. We must and can do more if we are to achieve the 35% target set out in our Programme for Government.

I want to make Northern Ireland a leader in carbon reduction, and I am fully committed to ensuring that we play a full part in minimising our greenhouse gas emissions. Although I believe that the introduction of a Northern Ireland climate change Bill would help in that regard by providing a focus and certainty on the way forward, I am not convinced that I have the necessary support to do so at this time. In fact, I am fairly convinced that I do not. That is why I have engaged with a number of different sectors to explore a range of ways in which we can secure a lower-carbon approach to their economic activities.

If we are to agree successful approaches to reducing greenhouse gas emissions and growing a sustainable, productive low-carbon economy here in Northern Ireland, it must be based on partnership working across and between the public, private, voluntary and community sectors. Through the success of partnership working, we can convince those who are unconvinced of the merits of a climate change Bill that it could be the best way forward.

I appreciate that there are concerns about how we tackle the issue and at what cost. I therefore want to make sure that we move forward in a way that is right for the environment, for society and for the economy. I want us to work together in a way in which we will begin to make the transition towards a more resource-efficient, sustainable society. In doing so, we will open up opportunities for private sector growth in productive and innovative firms — firms that will be competitive in the expanding global markets for green products.

I have already said that we need to adapt to the unavoidable climate change that is happening now and which will continue in the future. We, therefore, need to put in place the necessary measures to ensure that our society as a whole can cope with the impacts and exploit the opportunities of our changing climate. By adapting our economic, social and natural systems in response to climate changes, we will help to protect against the potential negative impacts of climate change.

My Department has overall responsibility for climate change policy and is taking the lead in helping to ensure that we are best placed to adapt to future climate change.

The climate change risk assessment for Northern Ireland identified flooding as potentially one of the most significant and urgent risks for this region. Last month, we produced the first Northern Ireland climate change adaptation programme. This cross-departmental adaptation programme addressed the risks outlined in the climate change risk assessment for Northern Ireland. It sets out the strategic direction and objectives

in preparing the North for the effects of climate change over the next five years. All Departments have contributed to the identification of actions and activities that need to be undertaken to address the challenge from flooding now and in the future. Those actions and activities, which all Departments have committed to, will ensure that the impact of flooding on people, property, infrastructure and the environment will be reduced through awareness, avoidance, alleviation and assistance. It is our vision to produce a resilient Northern Ireland that will make timely and well-informed decisions that are responsive to the key risks and opportunities presented by climate change.

#### 7.45 pm

The Northern Ireland Environment Agency has instigated a range of innovative measures to ensure that the agency reacts positively to the threat of climate change, particularly with reference to flood risk and diffuse pollution. A cross-departmental storm water management group has been established to drive forward recommendations published in the agency's strategy document. The fundamental aim of the group is to examine a range of approaches to storm water management to assist in the development of more integrated and sustainable systems.

Planning plays an important role in managing and controlling future development in areas where there may be a risk from flooding or where a development may increase the risk of flooding elsewhere. The susceptibility of land to flooding is a material consideration in determining planning applications and informs the preparation of development plans, as set out in the Department's policy on planning and flood risk, which was published in June 2006.

Last October, I published the revised draft Planning Policy Statement 15, which provides guidance on development on floodplains. The revised guidance takes account of emerging information relating to flood risk and climate change and experience in the implementation of flood risk policy. The document is being finalised and will take account of the responses to the public consultation and the views of relevant Departments and agencies.

Mr Frew raised a particular enforcement issue about a land bank in Broughshane. I would be happy to meet the Member to discuss that enforcement problem further with him, but I am curious to know how long the problem has existed.

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

**Mr Durkan:** Certainly.

**Mr Frew:** I will not bog you down with the specific case, though we will talk about that. The onus must be placed on you, Minister, with regard to the consultation that your agencies have around planning and how planning attests that. In most cases, you will get a scant or a flippant response from Rivers Agency about whether something is being built on a floodplain, but it does not tell you what is going to affect it half a mile downstream.

**Mr Speaker:** Order. I remind the Member that it is short interventions, not statements to the Minister.

**Mr Durkan:** I cannot imagine the Department of the Environment ever giving a flippant response. *[Laughter.]* We have a scheme to compensate households for flood damage. It is a scheme of financial assistance to councils

in which emergency funds are made available to cover council costs incurred when responding to the needs of householders across Northern Ireland in the event of any flooding following rainfall and tidal surge.

Flooding cannot entirely be prevented, no matter what government does. Neither I nor any of my ministerial colleagues are going to stand like King Canute and attempt to prevent flooding. However, we can seek to limit the worst of its devastating impacts by being more prepared, by enhancing the ability of society and individuals to manage the risks and by raising overall awareness of flood risk. In that way, we will help to reduce the risk of future flood events and improve our ability to manage and recover from any events that do occur.

My Department is working with DEFRA and the adaptation subcommittee of the climate change committee on the second UK climate change risk assessment. It is only through ensuring that the UK risk assessment contains practical Northern Ireland information that all our stakeholders will have the necessary information to adequately address upcoming climate change risks, such as flooding.

I am fully committed to ensuring that we address the risk from flooding and meet the challenge from climate change. I concur with the proposal that we need a holistic, cross-departmental approach to flooding and that we need to reduce our carbon footprint and consequently our contribution to climate change. My Department cannot deliver this goal alone. My Executive colleagues need to contribute to a shared objective, whereby joined-up government actions and responses can successfully meet the challenges that we have, and will continue to encounter, from flooding and climate change.

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

**Mr Durkan:** I cannot really. I am not going to get any time added on, I am afraid.

I therefore support the sentiment of the motion. Although a lot of what it calls for already exists, the situation is certainly not beyond improvement. I accept that a change of focus will be needed. We should look to use the potential of natural catchments to help plan ahead and adapt for improved water retention through storage to effect a reduction of peak flows to deliver a lower future flood risk.

The predictive models that Departments have can be utilised to assess how much needs to be done to protect vulnerable communities from predicted flood events. Effective emergency responses require certainty about roles and responses, and I believe that we need a joined-up response to all emergencies. This works best, as the motion suggests, with a single agency in charge. I am not going to say which agency I think that might be, but I commend the PSNI for how it took charge of recent events, particularly here in Belfast.

I thank those who tabled the motion and all Members who have contributed today. I commend the motion.

**Mr Agnew:** I follow others in commending the emergency services, public sector workers and volunteers who helped communities and householders faced with the considerable damage caused by the flooding. The next time that we get one of these ridiculous discussions in which the public sector is lambasted for being a drain on resources while the private sector is said to be the only

beneficial part of our society, I ask Members to remember the work that the public sector does when we face such emergencies and to defend public sector workers in future.

As I said in moving the amendment, human action has caused climate change but human inaction has certainly led to the extent of the flooding that we have seen. We have had a failure to plan, and, as I pointed out earlier, we now have Northern Ireland's first climate adaptation plan. I welcome that it is here. I regret that it has taken so long to get here.

We have had a failure to enforce planning, and that is one of the few areas where Mr Wilson and I agreed. Land planning is absolutely key to managing flood risks. We need to enforce the likes of PPS 15, however it transpires in the new single strategic planning policy statement. We need to do planning better. Councils in particular will need to take cognisance of that when they get planning powers.

We need a climate Act because we need a message to be sent from the top of our government stating that we are committed to acting to mitigate climate change and to adapt to the impacts that we already face.

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

**Mr Agnew:** I will.

**Mr Allister:** Since the Green Party is proposing a climate Act, will he tell us whether it would include the Green Party's proposition that no one should hold public office in government who is not a signed-up member to the dogma, nay the religion, of man-made climate change? Would his climate Act include that particular provision?

**Mr Speaker:** The Member has a minute added to his time.

**Mr Agnew:** I thank the Member for his intervention because it gives me the opportunity to put on record that, as is often the case, the words of my Green Party colleague in England have been twisted by the media. It is clear that her intention was to point out that Ministers and their advisers need to act in accordance with the law in working in line with the climate Act. It certainly will not have any clauses that state that people should be sacked, but, if it comes into force, it will state that civil servants will have to do their job as they will be required to by law. Indeed, many of our laws require people to carry out their job professionally regardless of their own opinions.

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

**Mr Agnew:** I will not give way again; I have very little time.

We need a clear and coordinated approach, and, if we get that message from the top of government, we can mitigate some of the debate that we have heard today and send a clear signal to business and to wider society about the direction of travel. Mr Weir said that he believes that we need to take action on climate change and that it is caused by human activity, but he then confused his message by going on to say that our impact was minimal and that he opposed the Bill because many of the actions that might be contained in it could be detrimental. So it was a mixed message. He believes that we should do something, but, when asked to commit to the actions that we need to take, he recoiled.

I want to allay the fears of Mr Frew, who, along with others, highlighted the concerns of the farming community. We accept — by “we”, I mean the Green Party, Northern

Ireland Environment Link, Friends of the Earth and other stakeholders whom I engage with on climate change — that Northern Ireland is highly dependent on the agriculture industry and that it will be more difficult to mitigate some of the impacts of climate change on agriculture. That is precisely why we need a Northern Ireland-specific climate Act that recognises the challenges that we face in this part of the world. If he engages with those stakeholders, I hope that he will be pleasantly surprised to find that cognisance will be taken of the needs of the farming community.

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

**Mr Agnew:** I have only a minute left when the Member asks me to give way.

I ask him to engage with those stakeholders. As I said, the needs of the farming community will not be ignored by the environmental lobby or by the Green Party.

I want to tackle a couple of points briefly. It was argued that tackling climate change and reducing carbon emissions will somehow take us back to caves, as Mr Weir put it. Renewable energy is the most innovative technology around; I can barely keep up to speed with all the emerging technologies. Fossil fuels are the old technology: the clue is in the name. It is a dead industry.

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

**Mr Agnew:** The fossils are running out. As Lord Stern has pointed out time and time again, we need to act now for the good of our economy, the good of our people and for the common good. We need a climate Act, and we need it now.

**Mr McCarthy:** At the outset, I must say how disappointed and, indeed, angry I am that the First Minister, the deputy First Minister or, indeed, the junior Ministers did not have the decency, courage or backbone to respond to this extremely important debate. Our motion calls on the First Minister or the deputy First Minister to carry out major works and possibly life-saving work. Can we assume from their unwillingness to be here to support the Assembly that they are not all that interested in the topic? I sincerely hope not. I very much welcome the presence of Mark Durkan, our Minister of the Environment. What we are about cannot simply be the responsibility of the Department of the Environment alone. This is a multi-party issue that should have been addressed by the Office of the First Minister and deputy First Minister. However, Mr Durkan is quite capable of seeing it through, provided that he gets sufficient funds from the Department.

Whether you accept climate change or not, our earth is experiencing change and we must act now. You can see it in huge areas across the water and, indeed, in the South of this island. Something is undoubtedly happening, and we must act now.

## 8.00 pm

I wish to thank everyone in the Chamber who has spoken so positively to this extremely important motion. We are all very fortunate to live in such a truly magnificent environment in Northern Ireland. We have lush green fields, beautiful mountains, lakes, rivers and valleys, all of which are surrounded by water. We all want that to be preserved for generations to come. We have enjoyed those features for a very long time and, it would be fair to say, with the minimum of maintenance or investment. We recognise those organisations that have kept an eye

on things over the years, but now is the time to draw up a plan to secure the future of our wonderful environment for the generations coming behind through land drainage, by securing sea defences and road and rail provision along the coast and halting coastal erosion. Doing that will help to preserve our excellent agriculture industry and the huge tourist potential and ensure the safety of many homes and businesses, particularly around our coastline.

The events of the past month have been a wake-up call for us in Northern Ireland. We simply cannot ignore the warnings and wait until disaster strikes. As a recent 'Belfast Telegraph' article suggested, we must build defences and build them now.

In my coastal constituency of Strangford, there have been many cases of coastal undermining. Those have been spoken about, and my colleague Mike Nesbitt referred to the erosion in Ballywalter, Ballyhalbert and the Portaferry Road coming out of Newtownards. Many other homes and businesses have been flooded because of blocked drains, flooded rivers and the breaching of sea defences. In one case in a small village called Lisbane outside Kircubbin, homes, a garage and a very popular pub and eatery were flooded, and the garage and pub were closed for a week. Karen McKeivitt mentioned that she had stood in her welly boots. I also stood in my welly boots at that location when the seawater from Strangford lough was coming in through those people's doors. An ancient church and graveyard were also destroyed simply because the sea wall that surrounded those buildings was breached by the huge swell in Strangford lough. Other homes suffered a similar fate — *[Interruption.]*

**Mr Speaker:** Order, Members. The Member has the Floor.

**Mr McCarthy:** — throughout the constituency. Other constituencies around the coast have also suffered, and Oliver McMullan in particular spoke about his experience.

After a visit to Lisbane, senior officials from the Rivers Agency committed to carry out a preliminary investigation to ascertain the cost-benefit of upgrading that wall to adhere to future sea levels. A decision for works will then be considered. I appeal to the Executive to invest now at that location to ensure that there is no repetition and to preserve lives, homes and businesses. Surely government has a duty to save lives and property.

In answer to my recent question for oral answer, the deputy First Minister acknowledged that there is a problem. At an earlier Question Time on 13 January, the First Minister said on the Floor, among other things:

*"I think we need to look at some more permanent answers to those questions. To me, sandbags are very much of the last century." — [Official Report, Bound Volume 90, p264, col 1.]*

There is also the issue of whether walls need to be fortified. In the case of Lisbane, the answer is most definitely yes. I plead with the First Minister and deputy First Minister to back up their words with strong action and to put their money where their mouths are. Mr Durkan will obviously need that as time goes on.

I heard officials from the National Trust recently call for action around our coastline. As I understand it, groups such as the Northern Ireland Coastal and Marine Forum and others are in place to tackle flooding. Anna Lo

mentioned others in her contribution. We also have an integrated coastal zone management strategy for Northern Ireland under the auspices of the DOE.

In a document published under the title, 'Hydrographical Conditions', concerns are raised that existing arrangements for Northern Ireland are "piecemeal", which was said earlier. It states:

*"Responsibility for coastal defences is split between Government Departments".*

It details how DARD is responsible for sea defences and DRD for protecting coastal roads and railways, with the DOE having a poorly defined role. It appears, according to the document, that there are:

*"no plans for Northern Ireland that permit a strategic approach to shoreline management."*

That must be remedied as early as possible. I am grateful to Mr Durkan for his commitment to tackling that work and I welcome all of his speech. Nobody could argue with it, not even Sammy Wilson.

**Mr Speaker:** Order, Members.

**Mr McCarthy:** In the few minutes that I have left, I want to respond to a few Members' comments. Karen McKeivitt, you were not the only one who stood in wellies; I stood in wellies at Lisbane church. I want to pay tribute to Sammy Douglas and his contribution. This is what it is all about — community effort. That is the shared future we all want. Sammy Douglas acknowledged that, and more power to him and his community for that.

Oliver McMullan mentioned, among other things, funding to do the deal. That is what it is all about. We need finance. Mark Durkan will need finance to build a sea wall around the Lisbane community.

Peter Weir said that there should be an audit of flood defences. I agree with that. That should be done and, hopefully, will be done.

Mike Nesbitt criticised and complained about the Office of the First Minister and deputy First Minister — I am not surprised by that — and their dilatory response, even to his Committee. No response: that gives you a feel for the attitude taken at the highest level — *[Interruption.]*

**Mr Speaker:** Order.

**Mr McCarthy:** Alban Maginness talked about planning and PPS 15. No one can deny that planning permission ought not to be granted for building in flood risk areas, but it has been in the past. I have seen people building almost on the edge of lakes etc — *[Interruption.]*

**Mr Speaker:** Order, Members.

**Mr McCarthy:** Ian Milne said that preparation and early work was essential. I absolutely agree with that.

Pam Cameron spoke about the younger generation. She had visited her local school and was encouraged to see young people being taught about the environment. That is very much to be welcomed.

I very much agree with what Steven Agnew is trying to do, but I think that he himself acknowledged, as did the Minister, that the support may not be there for an Act at this time. However, that does not mean to say that the idea

should be discarded, and I hope that it will be discussed at some future stage.

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

**Mr McCarthy:** This has been a useful, even vital, discussion and debate. I think that we have the support of every Member and party, and I welcome that.

*Question put, That the amendment be made.*

*The Assembly divided:*

*Ayes 45; Noes 33.*

#### **AYES**

*Mr Agnew, Mr Boylan, Ms Boyle, Mr Brady, Mr Byrne, Mrs Cochrane, Mr Dallat, Mr Dickson, Mr Durkan, Dr Farry, Ms Fearon, Mr Flanagan, Mr Ford, Mr Hazzard, Mr G Kelly, Ms Lo, Mr Lunn, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCarthy, Mr McCartney, Ms McCorley, Dr McDonnell, Mr McElduff, Ms McGahan, Mr McGlone, Mr M McGuinness, Mr McKay, Mrs McKeivitt, Mr McKinney, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Milne, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr P Ramsey, Mr Rogers, Mr Sheehan.*

*Tellers for the Ayes: Mr Agnew and Mr A Maginness.*

#### **NOES**

*Mr Allister, Mr Anderson, Mr Bell, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Clarke, Mr Craig, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr Kinahan, Mr I McCreagh, Mr D McIlveen, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr G Robinson, Mr Spratt, Mr Storey, Mr Swann, Mr Weir.*

*Tellers for the Noes: Mr McQuillan and Mr G Robinson.*

*Question accordingly agreed to.*

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

*Resolved:*

*That this Assembly notes the recent incidents of serious flooding; expresses its gratitude to the emergency services, public workers and volunteers who worked hard to minimise the impact of the flooding; believes that the seriousness of future flooding is likely to increase as a direct result of climate change; calls on the Executive to reduce Northern Ireland's environmental footprint and, consequently, its contribution to climate change, including the introduction of, and support for, a Northern Ireland climate change Bill; and further calls on the First Minister and deputy First Minister to initiate a holistic overhaul of flood mitigation policies, including a cross-departmental approach to emergency planning, placing a single agency in charge of coordinating relief, an audit of the effectiveness of current flood defences so that investment can be targeted effectively, improvement of the flood warning system and a single funding stream for flood defences and coastal erosion.*

*Adjourned at 8.19 pm.*

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# Northern Ireland Assembly

Tuesday 25 February 2014

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

*Members observed two minutes' silence.*

## Executive Committee Business

### Carrier Bags Bill:

#### Further Consideration Stage

**Mr Speaker:** I call the Minister of the Environment, Mr Durkan, to move the Further Consideration Stage of the Carrier Bags Bill.

*Moved. — [Mr Durkan (The Minister of the Environment).]*

**Mr Speaker:** Members will have a copy of the Marshalled List of amendments detailing the order for consideration. The amendments have been grouped for debate in the provisional grouping of amendments selected list. There is a single group of five amendments. The amendments deal with the meaning of carrier bag and exemptions for carrier bags of certain materials, as well as requiring the Department to report on biodegradable carrier bags. Once the debate 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. If that is clear, we shall proceed.

#### Clause 9 (Amendments of the 2013 Regulations)

**Mr Speaker:** We now come to the single group of amendments for debate. With amendment No 1, it will be convenient to debate amendment Nos 2 to 5. Members should note that amendment Nos 1 and 2 are mutually exclusive and that I will not call amendment No 2 if amendment No 1 is made. Amendment Nos 3 and 4 are consequential to amendment Nos 1 and 2. I will not call amendment Nos 3 and 4 unless either amendment No 1 or amendment No 2 is made.

I call Mr Allister to move amendment No 1 and to address the other amendments in the group.

**Mr Allister:** I beg to move amendment No 1: In page 3, line 25, after "any material" insert

*“, except bags made wholly or mainly of paper.”.*

*The following amendments stood on the Marshalled List:*

No 2: In page 3, line 25, after "any material" insert

*“, except a bag made wholly or mainly of paper, hessian material, cotton, cloth or jute.”.— [Mr Weir.]*

No 3: In page 3, line 35, at end insert -

*“( ) omit head (g);”— [Mr Allister.]*

No 4: In page 3, line 35, at end insert -

*“( ) omit head (i);”— [Mr Allister.]*

#### New Clause

No 5: After clause 9 insert -

#### **“Report on biodegradable carrier bags**

**9A.—(1) The Department must, within 18 months of Royal Assent, prepare a report on biodegradable carrier bags.**

**(2) A report under this section must consider—**

**(a) the desirability of any exemptions on the grounds of biodegradability from the requirement to charge for carrier bags;**

**(b) the criteria under which any such exemptions should apply; and**

**(c) how any exemptions on the grounds of biodegradability proposed in the report would be implemented.**

**(3) The Department must—**

**(a) lay a report under this section before the Assembly; and**

**(b) publish a report under this section in such a manner as it thinks appropriate.”.— [Mr Weir.]**

**Mr Allister:** Yesterday, the Finance Minister reminded us that it is always a prudent approach in legislation to not legislate unnecessarily and to do only that which is appropriate. I think that, today, we have an illustration of that aspect of legislating, because, in the Carrier Bags Bill, it seems to me that, thus far, the Assembly has gone further than it needed to go in addressing the mischief that the legislation was intended to address. A starting point, therefore, is to ask what mischief the Carrier Bags Bill seeks to address.

I do not think that you will find anyone in this House, at this stage, who would argue with the fact that plastic carrier bags have been a blight on our environment and community by virtue of their proliferation, their unsightliness, their persistence and the fact that they cling to hedges, wires and all sorts of things for months and years on end. In consequence, they make a pretty tawdry contribution to the environment. The reason they make that tawdry contribution to our environment is that they are, by and large, non-biodegradable. I suppose that, ultimately, everything is degradable, but the time frame involved in plastic bags degrading is such that they can effectively be regarded as non-biodegradable. Therefore, there is a certain logic or sense in saying that, if we want to tackle that mischief, we should tackle it by virtue of legislation

that imposes a levy — a disinclination on people to use carrier bags — and, through that mechanism, we will bring down their use in society. And so it has proved to be.

However, when that legislation also, in my contention, unnecessarily overreaches itself to include other things that are eminently biodegradable, I suggest that it has gone too far. In going too far, I do not think that we do ourselves or our constituents any credit or advantage.

**Mr Wilson:** I thank the Member for giving way. He has outlined the case very well as to why single-use plastic carrier bags were legislated against in the first place. Will he take the point that perhaps the real reason behind the change now is that, because of the success of the legislation, the revenue obtained is substantially lower than the revenue that was expected and that this is simply an imposition or a tax to raise revenue? It is nothing to do with the environment, and it is nothing to do with cleaning up the countryside; it is all about raising the revenue that the Minister had expected to get from the carrier bags legislation that has not materialised.

**Mr Allister:** The Member may well be right. I think that there is certainly stealth at play. I think that the legislation overreaches in its inclusion of all types of bags, and now the proposition is that a bag of any material can be defined and caught by this legislation. That, in itself, is legislating by stealth, as it were, in order to encompass and embrace things that were not in the original anticipated ambit. I think that it is probably true that, since the tax yield has been so disappointing, perhaps an opportunity is being taken to tax by stealth as well and to bring in more aspects.

When I talk to ordinary folk in the street, they tell me that they find it amazing and are resentful of the fact that it is proposed that we should pay a tax on all paper bags. Leave a paper bag outside on a day like today, and how long will it be there? It will, very quickly, by virtue of soaking up moisture, disintegrate and disappear; it is not akin to, parallel with or like a plastic bag, which will withstand the elements for years on end. It will degrade and, therefore, will not have the impact on the environment that other types of bags have. I feel that, by stealth, there has been an overreaching, an extension beyond a litter-control and pollution-control measure, to encompass all those bags.

The Assembly should revisit and rethink its stance on the matter. I am glad that there are signs that my amendment has already done that and caused some who were content, until now, with issues in the Carrier Bags Bill to revisit and rethink them. That is healthy and good, and I am glad that it has happened.

It is also relevant to consider the position elsewhere in these British Isles, because, of course, the first part of the British Isles to take any sort of step in respect of carrier bags was the Republic of Ireland. Its 2001 regulations, which have not been altered, and for which there is no proposal to alter, deal exclusively with plastic bags. Those regulations put a levy only on plastic bags that are not designed for reuse and which were sold for less than the stipulated amount. There, it was introduced primarily as a litter-control measure, and there is no proposal in the Irish Republic to extend the levy to paper bags. Of course, some, maybe the Minister included — I am not sure whether he is an economic unionist, as some in his party seem to be — but, by ideology I think that the Minister and

certainly the originators of the plastic bag tax proposal, Sinn Féin, like to dream of aligning us more and more with the Republic of Ireland. Yet, here today, they wish to diverge; they wish to take us in a totally different direction. For once, I can say to the House that I think the Republic of Ireland has got it right. The Minister would do well to follow the example on the plastic bag tax that has been set in the Republic of Ireland and not overstretch, overreach, over-legislate and do unnecessary things, such as those that he wishes to do and, indeed has done, and which the House has done to date.

**Mr Agnew:** I thank the Member for giving way. Although it is sometimes amusing to have such conversations as “You’re a nationalist; you support the Republic. You’re a unionist; you support the British”, good governance should be at the heart of what we do. The rest of the UK has looked at the Irish example and said, “It was a good start, but we could and should go further”. Indeed, it is moving in that direction. Should we not learn from the trailblazers, which, in this case, was the Republic, which did it first, but learn lessons from where it got it wrong?

**Mr Allister:** The Member says that the rest of the UK is going further. That is a fallacy. Yes, Wales and Scotland have legislation akin to what is in this Bill, but England, the greater part of the United Kingdom, under the Department for Environment, Food and Rural Affairs (DEFRA), has issued a consultation.

**Mr A Maginness:** Might it not be the only part?

**Mr Allister:** It is certainly not the only part. I have every confidence that the United Kingdom will remain the United Kingdom of England, Scotland, Wales and Northern Ireland; I have every confidence of that.

Mr Agnew says that the rest of the United Kingdom is moving in a different direction. No, DEFRA issued a consultation — a call for evidence — in November 2013. That call for evidence is a proposal for a 5p levy on single-use plastic bags only, with an exemption even for biodegradable plastic bags. Far from the rest of the United Kingdom moving, as this legislation does, to encompass all bag materials that can be defined as a plastic bag, the largest part of the United Kingdom is, in fact, moving in a far more restrained manner with the DEFRA consultation being only for single-use plastic bags and with an exemption for biodegradable plastic bags. In that call for evidence, it is seeking to set a specification for a standard of biodegradability that would be set to meet the exemption. It is certainly not moving towards the direction in which this House has taken itself; it is quite the contrary.

#### 10.45 am

Yesterday, the Minister issued to us all, in a rather extravagant use of paper, I thought, six pages, three of which are essentially blank. In that document, he suggested that the GB proposition is quite different, but, strangely, he did not mention the DEFRA proposition. It escaped his attention in setting out what he called a fact-sheet. I would have thought that a fact-sheet should start with the fundamental facts. If you are going to talk about the fundamental facts that pertain to the rest of the United Kingdom, how do you escape and avoid including DEFRA’s proposals for England? The Minister treated us, however, to an exposition of what the UK Environment Agency thinks of the Government’s proposals. This, of

course, is the same agency that, in the past few weeks, has covered itself in discredit and to which we can give some of the thanks for the flooding on the Somerset levels because it would not allow them to be dredged and drained. It is, nevertheless, the Environment Minister's mentor.

The Minister tells us that the Environment Agency wants all carrier bags, such as he wishes, included in the English legislation. It may so wish, but that is most certainly not the proposal from Her Majesty's Government in respect of England. I was surprised that the Minister sought to avoid that and cover it up in that way. If the Minister was setting out a fact-sheet, he should have been more factual about the situation in the rest of the United Kingdom.

In that paper, he laboured much on the fact that huge amounts of energy, water, bleaches and other chemicals go into the manufacture of paper bags, exacting a heavy environmental impact. Is this, then, a tax on manufacturing? Is that what the Minister is pushing and promoting — a tax on manufacturing? Either this is a tax on bags, or it is a tax on manufacturing. Is the Minister suggesting that we head down the road of putting a tax on manufacturing in this country? Is he going to say to my constituents in Ballymena, who work in industries such as Michelin, the tobacco factory or Wrightbus, that, if those manufacturers are doing anything that is not environmentally perfect, they will be taxed? Is that the road that the Minister wants to take us down?

I thought that the Executive were supposed to have due regard for economic needs, interests and advancement.

Putting a tax on manufacturing is nothing to do with economic advancement.

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

**Mr Allister:** Yes, I will give way.

**Mr Wilson:** Will the Member accept that, if that is the principle behind the legislation, there is not an economic activity in Northern Ireland that will be exempt from the predatory actions of the Environment Minister? That includes activities such as primary production in agriculture, the extraction of stone and the growing, processing and even the sale of food because, of course, the transport of those goods will have the same impact on the environment. All of those activities are now in the sights of the Environment Minister, who wants to take us back to I do not know what kind of society.

**Mr Allister:** I must say that it sounds very like it. If the Minister's first argument in his paper is for what amounts to a tax on manufacturing, that sets a very dangerous precedent for our economy. I really am surprised. I am even more surprised when you consider that, in fact, no paper bags are manufactured in Northern Ireland. We import the paper bags that we use. The nearest plant is in Scotland. So he wants to put a tax on the manufacture of paper bags that are not even manufactured in Northern Ireland. I think that the Minister has lost the run of himself.

It is time to rein in and think again about what the mischief is that we are trying to address and, therefore, what it is that we need to do to address it. His facts paper tells us that, based on the Environment Agency's life cycle assessment, paper bags need to be reused at least three times to have less of a carbon impact than a single-use plastic bag that is used once and thrown away. I have

to say to the Minister that that almost sounds like an argument in favour of plastic bags. It really is going out of one's way to find arguments, when there are no justifiable arguments, to try to dress up a proposal that is an overstretch in legislation.

What of the economic impacts of this tax? The Minister knows, because I brought one of the companies involved to see him. He knows that, in Northern Ireland, we have a small service industry involved in the distribution of packaging. One of those firms is based in Ballymena, and the Minister had the advantage of hearing from Maxwell Packaging of the impact, maybe unforeseen or maybe not, of the carrier bag tax on its business. He heard how, already, it has had to lay off two people, including a man who had worked there for 25 years, because of the reduction in demand for paper bags. He heard how another company in Bangor, Kingsbury Packaging, had to close its doors with the loss of four jobs. He heard how William Montgomery in Belfast has also had to lay off two men.

**Mr Weir:** I thank the Member for giving way. Yesterday, we had a question for urgent oral answer on the redundancies in east Londonderry. Collectively and rightly, the Assembly said that it was terrible that people were being made redundant and that it would do all that it could to try to help that situation. Yet, if we do not adopt a sensible attitude today, the Assembly, through its own legislation, will potentially make people redundant. Does the Member agree that there is a tremendous irony in that, given the events of yesterday?

**Mr Allister:** Yes, I do. Sadly, the Assembly, by its stance to date on carrier bags, has made people redundant. The eight people whose redundancies I recited in the three locations in Northern Ireland have been —

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

**Mr Allister:** When I finish this point. They have been made redundant by virtue of the stance already taken on carrier bag legislation. I say to the House that it is time to pause, reflect on what we have done and take the opportunity offered by this Bill to row back by excluding at least paper bags from the definition of a carrier bag caught by the legislation.

**Mr Agnew:** I thank the Member for giving way. I certainly would not defend the Executive's record on the economy and employment, but is he suggesting that we should never legislate where it could mean a loss of jobs to any number of people, even if it is for the wider common good?

**Mr Allister:** I am sure that one can think of circumstances in which legislation may well be justified, but what I am talking about is cavalier legislating with no regard or thought and that needlessly puts people out of jobs. Is it really worth putting people out of their jobs to tick some box and say, "Aren't we the people to fight to stem the tide of destruction of the environment, because, my, oh my, we are going to stop the use of paper bags in Northern Ireland".

Has it really come to that? Are we going to fight our way out of a paper bag —

**Mr Wilson:** A wet paper bag.

**Mr Allister:** — a wet paper bag — in order to say that we have proven our green credentials? That seems to me to be what it is coming to. These are real jobs for people.

There is also a very important commercial aspect involved, because the average high street shop, which is suffering so much at this time, depends on branding, advertising and commercially promoting itself. The shop on the high street wants to give a paper bag to the customer, not just to accommodate the customer, but because on the outside of the bag is the company branding, so, when customers carry it down the street, they are advertising the shop from where they have just made a purchase. To commercial operations in shops, that is an important part of their own promotion. However, today, by virtue of a tax, people avoid taking the paper bag because they would have to pay for it. You have people literally carrying school uniforms and shoes out of shops. That in itself, I am told, is contributing significantly to a rise in pilfering in shops, mostly of smaller items.

We need to think beyond the simple proposition. If a shop is being deprived of the right to offer a paper bag free of charge, knowing that the return that it is getting is advertising, and instead has to ask customers, who already possibly think that they have paid too much, for another so many pence for the bag, a lot of them will not take the bag. The consequence is both a drastic decline in advertising on the high street for those companies and a drastic decline in revenue for the packaging distributors. That is what the Minister heard from Mr Maxwell. The run of a salesman centred on, say, mid-Ulster used to take a week because of the number of outlets that were buying bags, but it now takes two days, such is the negative impact on commerce and industry.

I say to the House that it is time to take stock and realise that, although the original motivation and ambition may have been sound, we have overstretched in the legislation. It is time to focus it on the mischief that we are addressing and to permit the sale, without tax, of paper bags.

I had a letter last week from a sweet manufacturing company here in east Belfast, pointing out how it relies for the sale of hard-boiled sweets, particularly in some types of shops, on their having a paper bag. Now, that is to be subject to a tax. For a kid who buys a 10p mix in a shop, if that is put in a certain size of bag, it will include an extra 5p tax. Is that really what we want the Assembly to be doing?

#### 11.00 am

Already, the folly of including paper bags has had to be offset, to some extent, by a series of exemptions. If we have to exempt bags that carry unpackaged food and other things, would it not be simpler and common sense to exempt paper bags from the tax altogether? In the end, this is an appeal for common sense to prevail. We are not advancing any cause by including paper bags in the taxation under the Carrier Bags Bill. It is towards that end and for that purpose, Mr Speaker, that I move the amendment.

**Ms Lo (The Chairperson of the Committee for the Environment):** On behalf of the Environment Committee, I welcome the Further Consideration Stage of the Carrier Bags Bill.

The Committee began its scrutiny of the Bill on 11 June 2013 and published its report on 26 November 2013. At the outset, I would like to say that there is no specific Committee view on the amendments in front of us today

as they were not brought to members' attention during Committee Stage.

On amendment Nos 1 to 4, the Committee did not discuss at great length the use of materials, other than plastic, that would be used to manufacture carrier bags. Members heard that the European Union recently adopted proposals requiring member states to reduce their use of lightweight plastic carrier bags. Those proposals go so far as to recognise the introduction of an outright ban under certain conditions.

On amendment No 5 — can I talk about amendment No 5 now?

**Mr Speaker:** Yes.

**Ms Lo:** The Committee's scrutiny included consideration of the introduction of biodegradable plastic bags, although the Department indicated that the definition of "biodegradable" may prove problematic. The Committee considered the use of a grading system for plastic bags, similar to that currently in use to specify the energy-efficiency rating of domestic appliances. That would indicate the environmental impact of plastic carrier bags available from retail outlets. Accordingly, in its report, the Committee recommended that the Department consider the wider measures available to it to reduce the quantity of plastic bags in circulation and the inclusion of those measures in its overall waste management strategy.

Now, with your indulgence, Mr Speaker, I shall add a few words on behalf of the Alliance Party. First, it is important to remind Members that the Bill is about all carrier bags, not just plastic bags. The levy for single-use bags and low-cost reusable bags aims to discourage people from throwing away their bags after a single use, whether they are made of plastic, paper or any other material. Most bags that are made of hessian material, cloth, cotton or jute, as referred to in amendment No 2, are unlikely to be sold for less than 20p and would not be subject to the levy.

**Mr Weir:** I thank the Member for giving way. I am perfectly happy to acknowledge this and will deal with it in my remarks. The Member said that most of those bags would not be under 20p. Consequently, by definition, does the Member therefore accept that some bags of that nature could be under 20p? Is there not an anomaly with regard to "bags for life", which, I am sure, all of us want to see pushed? We would have an odd situation in which at least some of those bags would be subject to the levy while others that are more environmentally damaging would not. That is certainly part of the specifics of the amendments that I will put forward.

**Ms Lo:** I take the Member's point. I would certainly argue that the majority of those bags would be more than 20p.

We must recognise that every bag has a value and a carbon impact. We should all try to reduce waste — to cut greenhouse gas emissions — if we are to meet our Programme for Government targets. Paper bags, although recyclable and biodegradable, have a much higher carbon footprint than plastic bags in their production, transport, storage and disposal. The House of Commons Environmental Audit Committee's plastic bags report states that a month's worth of paper bags results in carbon emissions of 5.52 kg, compared with 2.08 kg for a month's worth of single-use plastic bags. We can see the difference there.

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

**Ms Lo:** Yes, of course.

**Mr Wilson:** Will the Member then accept that the logic of her argument is that, for example, Delta Print and Packaging, which operates in west Belfast —

**Mr Speaker:** I ask the Member to bring the microphone closer to him. On many occasions, we can normally hear the Member in the House. *[Laughter.]* However, this morning there is a failure to hear the Member.

**Mr Wilson:** OK. Delta Print and Packaging, which operates in west Belfast, an area of very high unemployment, has turned itself into one of the most efficient packaging companies in the United Kingdom. Under her criteria, we should tax it out of existence in order to cut down greenhouse gas and reduce the pollution that results from the paper packaging of the boxes that they use for a variety of purposes. Is she really saying that that is the price that the Alliance Party is asking industry and employers in Northern Ireland to face?

**Ms Lo:** I am absolutely not saying that. Delta Print and Packaging is a wonderful company. I have worked with it —

**Mr McKay:** I thank the Member for giving way. The Member for East Antrim should point to his own Benches, because, when this legislation originally came through in 2011, I think, it was the DUP's idea to include paper bags. It was not my idea at that time. It was the DUP's idea.

**Ms Lo:** There you are. What I was going to say is that — *[Interruption.]*

**Mr Speaker:** Order. Let us not have a debate across the Chamber. The Member has the Floor.

**Ms Lo:** Thank you, Mr Speaker. I will take your guidance.

What I am saying is that, if we have such a massive amount — do not forget that, before the 5p levy on single-use bags, we saw millions of single-use plastic bags each year. My worry is that, if we replace single-use plastic bags with paper bags, we will see millions of them floating around and people throwing them away after use onto the street and into the environment, damaging our wildlife. We are not comparing like with like: if you are talking about going to give plastic bags to supermarkets, you are talking of giving each customer five, six or 10 plastic bags per purchase. We are not saying the same thing.

If paper bags are to be exempt from the levy, as I said, I worry that paper bags will be substituted for single-use plastic bags and we will see millions of paper bags each year being thrown away, many littering the streets and countryside. The exemption for paper bags defeats the purpose of the charging arrangements established in phase 1 last April and phase 2, which is intended under the Bill.

Amendment No 5 calls on the Department to prepare a report on biodegradable carrier bags within 18 months of Royal Assent. DUP members on the Committee were very much in favour of delaying the implementation of the levy in the Carrier Bags Bill from April this year to January 2015, making the argument that we needed a longer period for phase 1 to embed and for accurate data collection. The Committee certainly agreed with that and pushed departmental officials to make a departmental

amendment. For the Department to produce, within 18 months, a report on biodegradable bags could equally be criticised as being too hasty.

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

**Ms Lo:** Yes, of course.

**Mr Weir:** I have to say — I will address this a little later — that there is a degree of confusion about a couple of the issues with amendment No 5. The Member is right in what she said about the DUP members on the Committee. Our argument was, I think, accepted by the Committee, and the Minister then took a reasonable approach to the time phases.

Following representations from retailers, we raised a specific issue about the burden that implementation would place on shops, particularly at the point at which any change takes place. At the end of the day, the mechanics of implementation are nothing particularly to do with the merits of whether the levy should be on one particular bag or another.

There is a provision in the legislation for a general review. However, this is quite specifically about biodegradability. There are issues around what counts as biodegradable and whether exemptions should be made specifically for biodegradable bags. As the Member is well aware, there is a range of exemptions in connection with that at present. This would focus in on a single issue; it would not prejudice the result of any report. It is simply about obtaining a report on the issue of biodegradability and the suitability. It is not tied in with the phasing in of implementation from January onwards. It is simply about producing a report. That seems to me to be a fairly common-sense approach. Even if the Member does not accept the exemptions put forward by Mr Allister and me today, surely she agrees that there is sense in having a focused report on the issue of biodegradability and its implications.

**Ms Lo:** I thank the Member for his intervention. I am sure that he is aware that the Bill already makes provision for a review of the charging policy and exemptions within three years. It should remain as it is.

**Mr Weir:** Will the Member give way again?

**Ms Lo:** Yes.

**Mr Weir:** The problem with this is that the two issues are being confused. The overall review covers a wide range of topics, including whether 19p is the right level at which to set the levy; what the implications of administration are for retailers; and the mechanics of how it is done, such as whether the money is being collected and spent correctly. Those are qualitatively very different issues from the issue of biodegradability and whether and in what circumstances biodegradability should take place. This would be quite a focused report, unlike the wider review. It is like comparing apples with oranges or perhaps paper bags with plastic bags.

**Ms Lo:** From the Minister's correspondence to Committee members, I know that the matter of biodegradable bags will be looked at within the review. I am sure that, if the Member asked the Minister to include that in the review in three years' time, he would do so. I am just concerned about the rush to have 18 months, when there is already provision in the Bill for a review within a three-year period.

**Mr Weir:** I have been on my feet already, so I will try to cover the points that I have not covered in response to the Member opposite.

At the outset, I will say that I welcomed the proposals and the thinking behind them when they were initially introduced. To that extent, the amendments before us are not an attack on the Bill itself. I suspect that, when the legislation was brought forward in early 2011 and in respect of this Bill, I have spoken in favour of its principles at every stage, because I think that the House should unite around the arguments about trying to reduce the pollution caused by used bags in our society.

**11.15 am**

I am also willing to acknowledge that there have been beneficial effects as a result of the Bill and the regulations. It has led to a reduction in the use of single-use carrier bags, and the pollution of the environment as a result of the disposal of those bags has been reduced. Therefore, I accept the broad thrust. However, as Mr Allister indicated, we need, at this critical time, to take a step back, to pause and to be, if you like, critical friends of this Bill. We must ask ourselves whether the focus is really on what was intended and, however much we like or dislike the Bill, whether it can be improved. I believe that it can be improved, and, to that end, I will propose and support amendment Nos 2 and 5 in my and my colleagues' names.

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

**Mr Weir:** I will give way in a moment.

I am also happy to support Mr Allister's amendment No 1. Amendment Nos 3 and 4 are essentially consequential amendments that, largely speaking, will depend on either amendment Nos 1 or 2 being made. If it ended up that amendment No 1 was not made but amendment No 2 was made, they would be equally relevant to our amendments. I give way to the Member.

**Mr A Maginness:** I am very interested in what the Member says on behalf of the DUP, which is that you are in favour of the broad thrust of the Bill. However, I am also very interested in what Mr McKay asserted in an intervention not so long ago, which was that the DUP was insistent that paper bags be included in the legislation. I do not note any denial from the DUP Benches in relation to that proposition. I would be interested in Mr Weir clarifying whether the DUP was instrumental in supporting paper bags and whether there is now a U-turn by the DUP on that proposition.

**Mr Weir:** I can speak only for my own position, and I am not aware of the DUP having insisted on paper bags. I appreciate that some Members who may have greater cognisance of the full range of events may be able to produce something; I am sure that Mr McKay might. So, I cannot deny it.

The point is that this is an opportunity for us to pause and see whether there are changes that could be made to make this better. I appreciate that Mr Allister was not here in 2011 when the legislation was passed. However, all the main parties here passed that legislation, and, if we got things wrong in 2011, we should be big enough to admit that we got things wrong. If there are changes to be made that can improve this and if that means a U-turn or changes in some of the detail, I am perfectly happy to say

that we should do a U-turn. We should provide the best possible legislation. I mentioned yesterday that legislation is not the panacea for all ills, and there may be times when we overlegislate. However, if changes need to be made to the legislation, irrespective of any previous position, we should be mature enough to say that we should make that change.

It is undoubtedly the case that we did not, as an Assembly, get everything right in 2011, and it would have been very difficult for us to do so. The fact that we are faced with a second set of legislation shows that some of the assumptions that we made and the actions that we took in 2011 were not right. I will give one example, which the Minister, during a previous stage, and his officials have acknowledged. When the initial legislation was brought through, it was on the assumption that, while it would reduce the number of single-use carrier bags, there would be a very limited increase in low-cost reusable bags. The Minister can correct me if I am wrong, but I think that the projected figures were that it would lead to an increase of about 80%. It has turned out to be 700%.

**Mr Durkan:** Even worse: it was 70% and 800%.

**Mr Weir:** The Minister makes the point about the impact even better than I could. There was an assumption that we had got things right in 2011 and that the impact would have been a 70% increase in cheap reusable bags. It actually led to an 800% increase. Therefore, if we make assumptions about what the impact of particular changes will be, one of the issues is that we do not have an enormous amount of watertight evidence on which to suppose that.

**Mr Givan:** I appreciate the Member giving way. He makes a valid point around the increase in reusable bags. I am sure that other Members have witnessed this in their constituency: when you go to shop — I was with my wife in Lisburn on Saturday — I notice the number of people who shop with their reusable bag. On this occasion it was Tesco, which is the predominant supermarket in Lisburn. When we met them a couple of weeks ago, small retailers made the point to us that people go in and out of their shops with the single reusable bag, removing the limited ability that they have to advertise their own shop through the use of a paper bag. That impacts on their business. It would seem to indicate to the public, when you walk round Lisburn, that people only ever shop in Tesco, because that is the bag that they use. So there is a twofold issue that certainly impacts on small retailers.

**Mr Weir:** I acknowledge that there is. I was making the point that the increase in bags was, to some extent, one of the reasons why we have the current legislation before us. The concern is that there has been a massive increase in what might be described as cheap reusables — bags pitched above the level of a single-use bag. The scale of that was clearly not envisaged or predicted in 2011. In the same way, to be honest, with a lot of this legislation, we need to have a degree of intuition about what is likely to happen.

As was mentioned, the purpose behind this — this is where we are in danger of losing focus — was to reduce the end-use pollution of discarded bags. Therefore, as has been mentioned, the Republic of Ireland's approach was to purely focus on plastic bags. At Westminster, although there has been criticism from the Committee, albeit not

necessarily simply on the points raised today, the UK Government's legislation, proposed through DEFRA, will exempt biodegradable bags. So there has been a difference in approach on this.

I suppose that our amendments focus on biodegradability. I am sure that the Minister and others will make the point, which, to some extent, is addressed in amendment No 5, that, when we talk about biodegradability, it is not a simple matter of whether something is or is not biodegradable. It is an issue of degree in that regard. Although that is true and a lot of focus has been on paper, it is undoubtedly the case that there is a divergence in the levels of biodegradability. Comparing paper bags with plastic bags is like comparing night with day. The average paper bag biodegrades in one to two months. It may not be the few days that Mr Allister talked about, but it will biodegrade fairly quickly. The average plastic bag may take 10 to 20 years to biodegrade. If the purpose of this is to protect natural habitats and the environment from discarded bags and their disposal as a result of biodegradability, the Bill has a flaw that we are trying to tackle. It states that, if we are to have exemptions, a range of which are already built into this, surely one of the most sensible issues to look at is biodegradability. We should draw a distinction between a bag that perhaps takes 10 years to biodegrade and one that takes one to two months. That has a major impact on the environment.

Indeed, while some work has been done on plastic bags that could biodegrade more swiftly, at this stage even the best plastic bags — the ones that are oxo-biodegradable — will take on average at least six months. There is a qualitative difference between paper and plastic bags. I want to touch on two other issues regarding paper.

It has been indicated that the manufacture of paper bags has a greater impact as a carbon footprint. I fully accept that. However, it has been pointed out that it shows the extent of that argument that we have diverged from the original intention of the Bill. The Bill and its predecessor were never meant to be a tax on manufacturing, and, if we are to single out paper bags as worthy of a levy purely on the grounds of their impact on manufacturing, where does it stop? I am sure that some in the House will be very keen to have levies on manufacturing on the basis of its carbon footprint. I can almost see the Member in the corner licking his lips with delight and rubbing his hands at the prospect. One wonders how long the dole queues would be if that Member were to have his way and have those levies.

**Mr Agnew:** I thank the Member for giving way. We had a debate on climate change yesterday, and the Member bravely said to his colleague that he recognises that climate change is a problem, that it is caused by human activity and that we should take action. I think that those were his words.

**Mr McNarry:** Did he say that?

**Mr Agnew:** He said that. He said, "Here is an action that we can take". It is not simply a tax. There are alternatives to plastic bags. It is not a tax on manufacturing. It is a tax on waste given that we have alternatives that we can reuse. It is not simply a case of saying, "Here is a product; do not use it because it is manufactured". We are saying, "Use a product and reuse a product". What action is the Member prepared to take on climate change?

**Mr Weir:** With respect, I will be guided by the Chair in that the wider issue of climate change may lie outside the purview of the Bill. At times, the Member uses the logic, "Dogs have four legs. My cat has four legs. Therefore, my cat is a dog". Indeed, because of his zealotry on climate change, he takes the approach that we should take whatever action is needed. However, I will agree with him on one point. The legislation is not about manufacturing. I am sure that the Member and others may, at some stage, want to put forward a proposition that creates levies on the grounds of manufacturing on the basis of carbon impact. I would resist that, but it is a debate for another day. Given that it is not about manufacturing, it is, therefore, a spurious point, and it is wrong to try to hang any taxation or levy on paper bags on the grounds of manufacturing. We should focus in on the end result and the original intention of both pieces of legislation, which is the impact of bags being scattered into the environment.

The Chair of the Committee, Anna Lo, said — she may have been speaking as an Alliance Party member at that point — that her concern is about the substitution effect. That has been raised in a different context in Committee. We do not have any evidence on how the Bill will work in practice, and I simply want to highlight that there is also a danger in the substitution effect that, if you knock out what might be described as mid-range bags, which is largely what this is targeted at, and the lower-level reusable bags, instead of people simply taking a position of moving towards a bag for life, there may be a substitution effect the other way in that people may go for cheaper bags at the low end of the market.

Substitution, as with all the aspects, is an issue of intuition more than anything else. The bulk of plastic bags will come from major retailers and supermarkets. It is highly unlikely that there will be much shift in any of the major supermarkets to a large number of paper bags. The consumer would not tolerate that, and I suspect that major retailers such as Tesco, Asda or Lidl will not be looking to provide a large number of paper bags. To me, that does not seem to hold water.

I will turn to the other aspects of the amendments. I completely agree with the Chair's analysis and with what the Minister said. They qualified that the materials mentioned in amendment No 2 are ones that, in the vast majority of cases, will be implicitly exempt because they will be above the threshold of 19p. I am more than happy to accept that, but there are at least two or three pieces of logic for an extension.

If we are to look at exemptions on the grounds of the material used, it seems a nonsense to say that we will not explicitly cover and exempt the very materials that everyone will agree, in the form of bags for life, are the most advantageous and the most reusable. The Member has quite rightly indicated that the majority of those are exempt, but what about the minority that are not? That could lead to a ridiculous situation, if, for example, a retailer that, for the purposes of PR or a desire to be environmentally friendly, wants to actively encourage its shoppers to use a bag for life, subsidises its bags for life for a period and sells them for, say, 10p or 15p. Those who proactively encourage the use of bags for life will be caught by the levy. However, if a retailer that simply wants to get rid of as many bags as possible ups the cost of a bag for life to £2 or £3, it will not be subject to a levy.

The reality is that, if we have a —

**11.30 am**

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

**Mr Weir:** I will give way in a moment.

If we effectively preclude those who want to sell bags for life at a cheap rate to encourage their use and therefore levy them, we could create a situation that, again, stands the purpose of the legislation on its head. If we reach a point in the future where, through the mass manufacture of some bags, it is possible to bring the unit price down below 19p, we will again punish those who use the likes of a bag for life. However, those who perhaps use bags made from materials that will not be as effective will not be penalised. I will give way to the Member.

**Mr Agnew:** I thank the Member for giving way. In my view, he is seeking to resolve a problem that does not exist. However, even if we accept the possibility as he outlined it, why did he include bags made wholly of paper when those are included in Mr Allister's amendment? If he genuinely wants his amendment to pass, why did he not exclude the controversial paper bag and instead table an amendment that, I expect, would have received unanimous support from the Assembly?

**Mr Weir:** I am always glad to get some level of support from the Member. We believe that paper bags should be exempt and that there should be some level of differentiation based on biodegradability.

An issue that I forgot to mention is that, at the moment, there is rightly a range of exclusions, a lot of which are focused on paper bags. However, we do have an anomaly, which, I think, the Chair of the Committee raised at Second Reading. She said that if, for example, she were to buy a hot toastie in a bakery, she would get it in a paper bag and would not be charged for the bag, but if it were not heated, she would be charged. That can cause confusion in the system. There is a need to deal with that anomaly, and the best way in which to do that is to exclude paper as a whole.

Amendment No 5 in many ways stands on its own, separate from the other four amendments. As was outlined — it is a position that I readily accept — biodegradability is an issue of degree rather than the black and white issue of whether something is biodegradable. There are very big differences in biodegradability. It is also the case that, although there is what is called the European norm, which sets a particular standard for biodegradability, there is no direct legislative definition of what counts as being biodegradable. Indeed, one of the main criticisms of the Department for Environment, Food and Rural Affairs proposals is that they simply refer to “biodegradability”.

I accept that we are not there yet with a pure definition of “biodegradability”. That is why we have made the not unreasonable request of the Department to bring back a report on biodegradability as it applies to bags. The report will be focused. It will be of a different nature and will, from a qualitative point of view, be a different level of report from the wider review.

The wider review will consider in particular the impact of the levy on shops, for example. As mentioned, there have been different reports on the impact and how, for example, supermarkets have been impacted on compared with some small corner shops. That will be an important

aspect of the review. It will also look at the mechanisms by which money is collected, whether we have set the targets correctly in terms of price and, presumably, how the money will be used.

However, this is a specific report looking at biodegradability. If we look at this on the basis of being focused on end-use impact, then biodegradability is a vital issue that lies at the heart of this.

I cannot prejudge any report that comes before the House, but it may well be that after 18 months the Department concludes that it is not in the wider interest or practicable to have exemptions on the basis of biodegradability. If that is the case, then those will be the findings of the report. However, it may point to a better way to look in detail at how we deal with biodegradability, which seems to me to be a particularly sensible route.

I say to Members to support all the amendments, but if, as it appears, there is a degree of blockage on the other amendments, at least consider amendment No 5, because it will shine a light on the issue of biodegradability.

If we simply go unchallenged as we move through this process and do not take this opportunity to pause, examine and listen closely to what is said today, and see whether we are in danger of moving away from the focus that we have placed on this issue in this Bill and in the 2010 Bill and say that the broad thrust is a sensible one, but we need to make adjustments and ensure that from the point of view of paper, and other materials as well, and if we do not pause for reconsideration and take account of what I think is a sensible approach, then we are in danger of simply throwing the baby out with the bathwater. Therefore, I commend the amendments to the House.

**Mr Boylan:** Go raibh maith agat, a Cheann Comhairle. I rise to speak against the amendments. I have been through the Committee Stage on all this, and it always surprises me that we sit down and we take party positions. To be fair, I will speak in relation to the Member who moved the first amendment, but in relation to parties who have been on Committees and brought party positions and gone through all this, we now find ourselves back in the Chamber and those people are contradicting some of the things that were said. Maybe we should give consideration to Committee Stages of Bill in the future and try to tie those things up.

To be fair to the Member who brought the first amendment, he was not part of the Committee Stage. At first, I thought there was a genuine case in what he brought forward in terms of the businesses that he visited and the problems that they may have been facing. I thought, to be honest, that his angle of attack in relation to that amendment would be in terms of jobs. I certainly would have listened to that argument to see whether there was a major impact, but clearly that argument was not made.

There was an opportunity for the Member to have an input through the consultation process in relation to this piece of the Bill, but obviously he came late at it. I thought he was going to make an argument in relation to jobs and the possibility of losing jobs. Once he got into it, he said that the bags were not manufactured here and went on to the issue of taxing other businesses and everything else. I would have liked to hear the Member give more information in relation to that, because from the very start of all this I would have had concerns had it impacted on

business. However, the impression and information I am getting so far, as well as through the whole phase of the consultation, is that that has not been the case.

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

**Mr Boylan:** Yes, certainly.

**Mr Allister:** I am not sure whether the Member was here during my speech, but I devoted a considerable proportion of it to talking about the loss of jobs there has already been in the packaging industry. I cited three firms, one of which is closed, and the other two which have had significant job losses. I talked about the impact on the high street and the branding loss to shopkeepers — a point that Mr Givan reiterated — so I think I laid out clearly the negative economic impact of this. Certainly, a key component of why we should be reconsidering this is because we are not exploiting the economic advantage to business but rather seeking to dampen that, and are losing jobs because of that. That is important.

**Mr Boylan:** I thank the Member for the intervention. I take on board what he said, and I will get to the branding issue in a minute. You said that jobs had previously been lost, but that was in the packaging industry. I got the impression that these jobs had been lost even before we brought in this legislation. That is what I am talking about. The jobs were gone before we introduced this legislation.

I will speak on some of the points raised by Members, but I want to go back to the essence of the Bill. It started out about plastic bags, and the big element of all that was the environmental impact. That is part of it, and I want to tie that into the debate. We thought that paper was the better way to go forward regarding paper versus plastic. I should not make it a paper-versus-plastic issue, to be honest with you. It should be neither; it should be about reusable bags and reusing what you have got.

When you look at the carbon footprint of the production of the paper bag, you have to ask yourself about the mitigation element and its biodegradability. You maybe use it once or twice. You have to weigh up how that balances and whether it meets the need. That is a question that has to be asked. I see Mr Wilson nodding his head. When he was Minister a number of years ago, Mr Wilson used what are a few very good terms regardless of whether you believe in the climate change stuff or what you want to do to try to reduce our carbon footprint. He used the terminology of good housekeeping, good practices and doing things the right way. Reusing bags is the very nature of what this is about.

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

**Mr Boylan:** OK, yes.

**Mr Weir:** He mentioned reusing bags, and I will leave aside some of the arguments that he made. This legislation expands the scope beyond single-use bags to cover cheaper reusable bags. So, it slightly muddies the waters from that point of view. There is some merit in that. If he is making the argument to draw a distinction between single-use and reusable bags, surely he would be opposed to the legislation as a whole because it starts to cover some forms of reusable bags.

**Mr Boylan:** No, I am not saying that. What I am saying is that we are trying to get the public to buy reusable bags. I will come to the issue of cloth and hessian that your

amendment refers to, but that is the whole idea of it. That is where we are trying to get people to.

To be fair, I have listened. Other Members will speak after me, and I want to hear them talk about engaging with the public and the message that is going out. People have embraced the legislation. People are buying bags for life. As regards the DUP amendment, if we look at the carbon footprint for paper bags and then for cloth bags, it is certainly concerning and worrying. I encourage people to go down the route of proper bags for life. The whole idea and the whole mission is to try to achieve that.

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

**Mr Boylan:** I will let you in in a minute.

You cannot say that, just because the original legislation is not a certain way, there cannot be a next phase. To me, this is the next phase of the legislation. I will let the Member in.

**Mr Wilson:** I listened to the Member say that the public have embraced this. One of the reasons the Department gives in the explanatory document for extending the legislation is that, where bags for life were marginally dearer than disposable bags, people were purchasing them and then throwing them away. Rather than the public embracing the legislation, one will find that, in many ways, the public are still resistant to it and certainly more resistant to an extension that is done for the most cynical of reasons, ie, to raise revenue for the Department.

**Mr Boylan:** The Member was on the Executive when this legislation was agreed, so I do not know. There are certainly issues with the whole idea of it. What I am saying is that the original idea of the plastic bag levy has worked with the public. I will say this: it is the next phase, and that is what we are supporting.

#### 11.45 am

I want to pick up some of the points that have been made. When the Member first introduced his amendment, he talked about bespoke paper bags. That is grand if they are brand bags; but surely, if it were the case that the branding is an issue — I take on board the current economic climate — in most cases, it should be up to the companies concerned to absorb that. If companies want to advertise and brand in that way, it is up to them to put that on offer. That is something that Mr Weir said earlier. That is the issue, if companies want to go down that route.

It is unusual for the Member to mention the Republic of Ireland, but maybe we, as a party, could absorb a paper bag levy, for the want of a united Ireland. However, that is something that we would have to discuss.

Let me move on to amendment No 5. We have built in a mechanism for review. This is somewhat disappointing. We have been through all this. This is now the second or third day, over a number of weeks, on which we have been through this legislation. Mr Weir was making the point that it was specifically about biodegradable bags. Maybe the Minister would consider, as part of the review, bringing that forward. The Minister can answer that point.

In finishing, let me say that this is not only about paper bags but about the environmental impact of bags in general. That is the way that this legislation should go forward. I do not propose to support the amendments.

**Mr A Maginness:** Let me say from the outset that this Bill is a Programme for Government target, agreed by the Executive, scrutinised and agreed by the Environment Committee and also by the Assembly. Now, we are faced, at one minute to midnight, with these amendments.

The amendments are curious; in particular, those of the DUP are curious. To my knowledge, this issue was not raised as a live issue in the Environment Committee. I have only been on that Committee since October of last year, but, to my knowledge, the issues raised in these amendments were not in any way part of the discourse of the Environment Committee. And so the Environment Committee has not had an opportunity to discuss these matters in detail.

If I am wrong about that, let somebody tell me. I am quite happy to accept a correction on that. However, it seems to me — this is the essence of my criticism — that these amendments are politically opportunistic.

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

**Mr Wilson:** Will the Member give way? *[Interruption.]*

**Mr A Maginness:** Mr Speaker, I have an embarrassment of riches here, because I have two Members intervening. I will take Mr Weir's intervention first.

**Mr Weir:** I freely acknowledge that we did not raise these particular issues at Committee Stage. We raised others, which led to some degree of change, and we raised some concerns. However, Members have to get over the fact that there is the opportunity — either at Consideration Stage or Further Consideration Stage — for any Member to bring amendments. The notion that "How dare anybody bring an amendment to Further Consideration Stage?" is unjustified. That is what the stage is for.

I have to say that it ill behoves the party opposite to talk about being opportunistic and going against proper consultation, because, two or three weeks ago, the Minister, who was due to debate it on the Floor of the Chamber, withdrew the Bill in order to get an Executive opinion on it.

However, before there was an opportunity for it to be brought in front of the Executive and for the Executive to debate it themselves, he put it back on the agenda and debated it. The Minister may well have sent an email to other Executive colleagues, but that is not the same as debating it in the Executive. If we are going to make criticism about jumping the gun and including stuff that has not had the proper opportunity for debate, I think that that should apply equally to the Minister.

**Mr A Maginness:** I am grateful for the Member's intervention. However, let me say, and the Minister will be able to address this himself, that the Minister quite rightly decided to consider the matters raised by Mr Allister, and he conferred with his Executive colleagues. That is how a good Minister — and he is a very good Minister — should deal with legislation.

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

**Mr A Maginness:** No, you made your points clearly and effectively.

The Minister took the right approach, which was to consult his Executive colleagues more widely. That is, incidentally,

something that some of his Executive colleagues are quite insistent upon for other political reasons.

It seems to me that there is an element of political opportunism here. Members are quite entitled to table amendments at any stage, and I do not challenge that in any way, but it seems to me that the DUP amendments have been brought forward because Mr Allister brought forward an amendment on paper bags. Mr Allister is an assiduous constituency representative and, quite properly, when an issue of importance to a constituent and to a firm in his constituency was raised, he brought it to the attention of the Assembly. It is right and proper that he does that and that he tries to influence the Assembly by tabling an amendment. However, I do not understand why the DUP has attempted to imitate Mr Allister and his amendment.

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

**Mr A Maginness:** No, I do not think that I should. You made your points very well.

Amendment No 5 has been tacked on to the other amendments by way of window dressing because I do not think that it is anything of great merit. The Bill requires a report to be made to the Assembly within three years, and, although the amendment seeks to narrow that timescale to 18 months, I do not think that it is necessary. I think that it is, as I said, a form of political window-dressing.

Mr Allister is quite entitled to raise issues as a constituency MLA. I do not believe that the DUP pursued this issue in the Committee at all, and it is regrettable that it is now being used simply to try to match Mr Allister. The DUP is entitled to do that, but I emphasise that the Bill is a Programme for Government target agreed by the Executive and scrutinised and agreed by the Environment Committee and the Assembly. The objective of the Bill, and this is very important, is to change people's behaviour positively and to get them to reuse and recycle bags.

I noted carefully what Mr Allister said in his address to the Assembly on the amendments. He said that the mischief that the Bill was attempting to address was the tawdry contribution to the environment by plastic bags. He further said that the Bill was a litter control measure. That is not an adequate description of the legislation, which goes far beyond that. I prefer Mr Boylan's description that the essence of the Bill is the environmental impact that these bags have on our natural environment. It is not simply confined to plastic bags or their unsightliness. The Bill is much wider than that.

It is important that we consider all adverse impacts on the environment, including the carbon footprint. In discussing the carbon footprint, some Members said that that is not part of the essence of the Bill. I believe that it is. Given the impact that the carbon footprint of paper bags has on the environment, it is clear that they cannot be considered to be a harmless alternative to plastic carrier bags.

**Mr Wilson:** I thank the Member for giving way. If he takes his argument to its logical conclusion, I assume that, come the local government and European elections, the SDLP will not be putting up any posters or sending round any election leaflets, given the carbon footprint in producing paper, printing paper, and so on. Or is this another case of, "Shopkeepers, you do this, but, as political parties, we'll

do something different”? That is the kind of hypocrisy that brings this place into disrepute.

**Mr A Maginness:** I look forward to Mr Wilson supporting legislation —

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

**Mr A Maginness:** I want to take Mr Wilson’s intervention. I look forward to Mr Wilson supporting any legislation that comes before the House on the prohibition of election posters and perhaps even the prohibition of his own election literature. In any event —

**Mr Wilson:** The difference is that I do not peddle that propaganda.

**Mr Durkan (The Minister of the Environment):** Your election literature? You do.

**Mr Speaker:** Order. Let us not have a debate across the Chamber.

**Mr A Maginness:** I would not describe your election literature as anything other than information for the public; it is certainly not propaganda.

**Mr D Bradley:** Mr Wilson accuses us of hypocrisy, but is he not a hypocrite in so far as he now describes the legislation as a cynical effort on behalf of the Department to raise revenue, yet when he was Minister of Finance, he boasted that this measure was part of an important revenue-raising effort by the Executive?

**Mr A Maginness:** I thank the Member for his timely intervention, and I agree entirely with him. Mr Wilson, do you want to come in?

**Mr Wilson:** My record on this legislation is very clear. When I was Environment Minister, I resisted it; when I was Finance Minister, it became a deal breaker at the end, which Sinn Féin pursued to get the Budget through. Of course, at the time, I warned that the revenue that we were hoping to get from the levy would not materialise if it was successful. Now, of course, we are reaping the benefits of that, and we are going to impose a further burden on shopkeepers and shoppers to raise the revenue that I knew would never be raised in the first place.

**Mr A Maginness:** Well —

**Ms Lo:** I thank the Member for giving way. I wonder whether the Member recalls that the Department of Finance and Personnel very swiftly took £4 million from the Department of the Environment in anticipation of getting this levy.

**12.00 noon**

**Mr A Maginness:** Again, that is a very interesting and timely intervention. I am sure that Mr Wilson will consider that in due course.

I look forward to Mr Wilson’s contribution to the debate. He has made a considerable number of interventions, but I would like to hear what he has to say of substance on the Bill.

As far as the Department is concerned, the levy is not and should not be regarded as a revenue-raising measure. No matter how successful it has been, it is not envisaged as being for that purpose. The moneys raised as a result of the levy are used for environmental purposes and make a very important contribution to the natural environment in Northern Ireland.

I will further address what Mr Allister said. When I heard him refer to the Republic, the phrase about the devil quoting scripture came to mind. He emphasised that the Republic’s measure was much more limited than Northern Ireland’s. That may be the case, but it seems to me that, given what has happened in the Republic, one can anticipate changes to its legislation in the near future. It would not surprise me were those changes to be similar to the legislation that we have here. The legislation in Scotland and Wales is, in the main, similar to our own. There may be some difference in England, but, nonetheless, we have the right approach, and it is important that we remember that. There is a commonality of approach throughout these islands, and the common objective is to protect, improve and conserve our environment, which is a very important objective.

It has been said that paper bags are effectively harmless. However, it should be emphasised that they are not harmless. It is important to remember that huge amounts of energy, water, bleaches and other chemicals go into the manufacture of paper bags, exacting a heavy environmental impact. It is also important to remember that paper bags are heavier and bulkier than plastic bags and therefore impose a greater transport burden, resulting in greater carbon emissions.

The Chairperson of the Committee has already referred to the fact that paper bags produce greater carbon emissions. The House of Commons Environmental Audit Committee’s report of January 2014 stated that a month’s worth of paper bags results in carbon emissions of 5.52 kg of CO<sub>2</sub> compared with 2.08 kg of CO<sub>2</sub> for a month’s worth of single-use plastic bags. Those are important facts. Members of the public may not realise that. They may simply think that paper bags are OK and have no impact on the environment. There is an impact on the environment, however, and they damage the environment. It is right and proper to try to control and minimise that damage. It is therefore very important that the substance of the amendments tabled by Mr Allister and the DUP be rejected by the House.

The Minister is correct in sticking to the original position. If he were not to do so, he would be going against the objective of the Bill, and it is important that we retain the original objective.

I have already referred to the review aspect of the DUP’s amendment. I reiterate that I do not believe that it is necessary, and I believe that, to some extent, it is actually a distraction and a piece of political window dressing. I have sympathy with anyone who will be adversely affected by these measures.

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

**Mr A Maginness:** Yes, indeed.

**Mr Dallat:** Surely the Member must be very disappointed that, while he is making a strenuous argument against paper bags, Mr Wilson on the Bench opposite is engaged in private conversation and is not listening to a single word that he is saying.

**Mr A Maginness:** I think that, perhaps, that is not an uncommon occurrence in the House. I will forgive him for that, and I look forward to hearing what Mr Wilson has to say.

I think that there is an irresistible argument in favour of maintaining the integrity of this Bill and opposing the

amendments that have been tabled by the DUP. I hope that the House will support the Bill.

**Mr Elliott:** I welcome the opportunity to speak on this part of the legislation. It is quite interesting that, having got to Further Consideration Stage, most of the debate prior to today has been around the introduction of the levy itself and the amount of the levy, and very little has been about paper bags. I am quite happy to take that issue on. I fully appreciate that Mr Allister was not here in 2011 when the legislation was going through. It is quite interesting that, at that time, paper bags were not included in the legislation at the initial stage. They then became part of it. It seemed to get support from all sides of the House, or at least that was my interpretation. Maybe the amendment was tabled by Mr McKay; I may be wrong, and I am quite happy for him to clarify that. In response, Mr Alastair Ross said:

*"In fairness to the sponsor, his amendments have addressed the other issue that was raised, which was that, to avoid the tax, retailers would simply swap plastic bags for paper bags. That way, they would get around paying the tax, and, in fact, the processing of paper bags could mean that they would have a worse impact on the environment than plastic bags. By changing the wording in the Bill, the sponsor has, at least, addressed that issue." — [Official Report, Bound Volume 63, p209, col 1.]*

I felt that that was broadly the consensus from most parties at that time around that value. I fully appreciate that things do move on, and it is obvious today that things have moved on. Mr Allister is praising the Republic of Ireland situation, and we hear the SDLP and others praising Wales from the United Kingdom. So, do not let anyone tell you that things do not move on in this place. They do, and this is a perfect example of it today. So, we do need to look at the concept as it emerges.

The reality is that, at this stage, I do not know whether the Republic of Ireland is right or Wales is right. That is the difficulty. I understand the issue of bringing forward a report, but, at this stage, I would have thought that the initial reasoning was still in place. In that 2011 debate, most of the arguments and discussions around paper bags were from an Assembly research paper of 23 February 2011. I am not aware of any further research or evidence since that on the paper bags issue. If there is more evidence and more detailed information, that needs to come forward. Maybe Mr Weir's proposal of a report is the way of doing that. I am not entirely sure that there may be other ways, but that may be a way of doing it. At this particular stage, I do not see the reasoning for changing the original position. However, I am happy to be convinced. At that particular stage, there was clear evidence and information that paper bags — I do accept that some people say that it is from the manufacturing and the transport — were environmentally damaging. That is coming from me — the key to the environmentalist lobby in Northern Ireland.

Obviously, what I want to see is a proper, sensible outcome. I take Mr Allister's point on job losses and how it impacts on individuals and businesses, but any legislation that goes through the House has an impact to some degree on individuals, businesses, communities or families. Welfare reform will have a huge impact on the wider community. Every time an area of special scientific

interest (ASSI) or another environmental designation is put on land here in Northern Ireland, it has a huge impact on the people who own that land. Those are only some of the aspects. The rating of a vacant property has a huge impact on the people who own that property. I am only using those as examples.

I listened to Mr Givan say that people were carrying Tesco bags around Lisburn. I have a number of reusable bags, bags for life or whatever you call them. They are only mine because my wife bought them, but what is hers is mine, and you know the rest. They advertise the local stores in our village because they decided to go and get their own bags that were appropriate, and they are selling them at whatever price they are. I will ask the wife how much they are.

Clearly, we want to ensure that we get the proper outcome. I am happy to see whether we got it right in 2011 or whether we got it wrong. Maybe we did. I know that Mr Weir and the DUP supported the proposals at that time. They have a right to change their mind — we all have that right — but, without the evidence base, I do not see why we should change our mind. That is the position that I think we should look at here today.

I want to ensure that the consumer gets the best deal. That is irrespective of whether they are purchasing the goods or, indeed, whether it is about protecting the environment. I believe that the initial reason for it was the protection of the environment and to make it more environmentally friendly. I have to say, before I give way to Mr Wilson, that I was always opposed to the suggestion that £4 million income would come to the Executive. I never thought it would happen. I always felt that we were arguing that case on the wrong basis. I will give way to Mr Wilson.

**Mr Wilson:** I thank the Member for giving way. I listened very closely to the arguments that he has been making, but the debate has moved on. The Environment Minister has moved the debate on. Does the Member agree that it is very alarming that the Environment Minister's defence of the legislation is now that the manufacture would be harmful, that cutting down the forests for making paper bags is detrimental to the environment and that the transport of the bags is detrimental to the environment as well? If those are the arguments that are now emanating from the Department of the Environment, that puts in the sight of the Department of the Environment almost every economic activity on which Northern Ireland depends. Indeed, I suspect that he has not even consulted the Agriculture Minister, who, of course, through the Forest Service, is cutting forests down all round the place for fence posts etc. Has he now got her in his sight as well?

**Mr Elliott:** I thank Mr Wilson for that intervention. Of course, coming from a farming community, I would oppose anything that would stop fence posts being made. I do not know what else you would make them out of except timber. There is obviously a point, and Mr Wilson makes the point well. I have not heard the Minister of the Environment suggest that that will relate to other aspects of business or the wider economy, but it is obviously an argument that Mr Wilson makes.

Anyway, to conclude —

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

**Mr Elliott:** OK, I am happy to give way.

**12.15 pm**

**Mr Allister:** The Member seems to be saying to the House that he is not persuaded that anything has really changed since 2011, but I draw the Member's attention to the detail of clause 9. It seeks to introduce a new regulation 3 to the 2013 regulations. The existing regulation 3 applies only to single-use carrier bags. This legislation, through clause 9, seeks to substitute existing regulation 3 with a new meaning of "carrier bag", which says that:

*"In these Regulations "carrier bag" means a bag of any material".*

It is no longer a definition of a single-use carrier bag; it is a definition of any carrier bag, of any material, which includes recycled paper. A carrier bag made of recycled paper is now to be included in the definition of "carrier bag".

The Member should reflect upon whether or not nothing has changed. I respectfully suggest that a lot has changed and that the noose has been tightened by this legislation.

**Mr Elliott:** I thank Mr Allister for that. Of course matters have changed in that respect. That is why the legislation is coming forward. If matters had not changed, and we were not talking about other bags rather than just single-use carrier bags, we would not need the legislation at this time. It has changed in that respect.

The point I was making is that nothing has changed that I know of. I have no more information or evidence beyond the Assembly research paper. In fairness to Mr Wilson's point, that Assembly research paper did make the case around transport and trees and all those issues. That is what the debate and agreement was around at that time.

To go back to Mr Allister's point, of course the definition of the type of bag that will have a payment on it is changing now. However, I say respectfully that the 20p limit was reduced from the original 40p limit, and any paper bags manufactured are going to be much more expensive than the cheap plastic bags. I assume that the paper bags are more expensive. We currently have a number of exemptions for paper bags, especially for chemists and hot food. As I said, I am open to listening to the debate. If people can demonstrate the evidence for why it has changed since 2011, I am perfectly happy to listen to that.

**Mrs Cameron:** As a member of the Committee, I particularly support amendment Nos 2 and 5. Yesterday, in the Chamber, we debated the environment and climate change. Today gives us another opportunity to reaffirm our intention to embrace environmentally friendly policies. I am mindful that we do not pick and choose when and where to be environmentally friendly, although we do need to maintain a common sense, practical approach to the outworkings of the issues.

I question the original intention of the Bill and whether it was intended to curtail manufacturing processes. It should be noted that other Members, not just Mr Allister, raised concerns with the Minister around employment and the Bill.

In the same way that I require further knowledge on and evidence of the causes of climate change, I am equally keen to ensure that we fully research the manufacturing practices involved in producing biodegradable bags to see just how environmentally friendly, or not, those processes are. I believe that amendment No 5 would allow the Assembly to fully consider the impact of allowing

exemptions for bags made of biodegradable material.

Those materials, although not harmful to the environment as the traditional plastic single-use bags are, still have a high cost to the environment due to how they are manufactured and transported. It is right, in my opinion, for that environmental impact to be fully investigated and debated in the Chamber, once we are in full possession of the facts. Again, I ask was that the original intention of the Carrier Bags Bill?

The intention of the original legislation was simple; to reduce reliance on single-use bags in a way that was straightforward, simple and concise. If we accept the amendments that single out bags that are made wholly from paper, but not other biodegradable material, that will cause confusion and potentially undermine the legislation. For ease of purpose and clarity for the general public, for the time being, all material that is considered biodegradable to a sensible degree should be exempt, as proposed in amendment No 2, until such time as a comprehensive report can be established to look at the impact that that has on the original intention behind the legislation.

I am sure that we all agree that, for the benefit of the environment, we must move away from being a throwaway nation with regard to carrier bags. I believe that we are doing just that. If biodegradable material is not reused, we are simply exchanging one social nuisance for another. It is only by trialing this and producing a report that we will be in possession of the facts.

Most points have already been covered. I am happy to leave my comments at that this time.

**Mr McKay:** Go raibh maith agat, a Cheann Comhairle. Unsurprisingly, I rise to speak against the amendments that are before us today. As Members have already mentioned, it is four years since I introduced the Single Use Plastic Bags Bill, as it was originally. Of course, during the legislative process, that became the Single Use Carrier Bags Act 2011. My fellow Member for North Antrim Mr Allister referred to the fact that originally it was meant to align with the South. That is actually true because the measure had been introduced in the South and was a great success. It was a simple idea. That is why we brought it forward here.

To be fair, the former Finance Minister, when he was Environment Minister, consistently opposed the concept. I remember that Mr Boylan and I brought forward a motion on the issue. He kept that position consistently throughout. However, that cannot be said for other DUP members. It was the DUP that pushed for paper bags to be included in the legislation. I believe that it was a good idea. I believe that that party was successful. Indeed, Mr Elliott quoted Alastair Ross's response to my speech, in which he said that he was concerned:

*"retailers would simply swap plastic bags for paper bags",*

and:

*"the processing of paper bags could mean that they would have a worse impact on the environment than plastic bags." — [Official Report, Bound Volume 63, p209, col 1.]*

Therefore the arguments that were put forward by the DUP at that time actually swayed the House to include paper

bags in the legislation. I find it highly rich that the DUP is trying to attack the Alliance Party and others on the reference to paper bags in the legislation.

**Mr Weir:** I thank the Member for giving way. I am still at a bit of a loss. Neither Alastair Ross nor anybody else in the DUP put down any amendment of that nature. If my memory serves me right, with regard to swaying the House, as he puts it, the House agreed those particular things unanimously. I appreciate that Mr Allister was not here. He can somewhat keep his hands clean on this particular point. It is not as though there was a closely fought position on any of those issues: I am not aware of any amendment that we put down in connection with that.

**Mr McKay:** The former Finance Minister referred to the fact that an agreement was made. At the time, Sinn Féin made quite sure that it was a priority. Between us and the DUP, we came to an agreement. That was one of the issues that the DUP came to us about. Very publicly in the Chamber as well, it referred to the fact that paper bags should be included. There were radical changes to the Bill that I introduced at that time because we successfully agreed that that should go forward through regulations and there was support across the House for that.

At the same time, I had the option to put forward the Bill in such a way that it would be for single-use plastic bags and that the money that was raised from a levy on plastic bags would go to the Department of the Environment. That was changed to carrier bags as a result of some of the arguments that the DUP put forward at that time. We and the rest of the House were more than happy to go with those arguments. I remember Danny Kinahan, for example, raising the issue at the time. To be fair, he was very consistent in saying that paper bags are four times worse for the environment and should be included in the legislation.

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

**Mr McKay:** Yes.

**Mr Weir:** I know that the DUP is sometimes accused of being a Broad Church by some of its critics, but I was not aware that it had encompassed Danny Kinahan as one of its members.

**Mr McKay:** I thought that I said that he is an Ulster Unionist Member. Perhaps you picked me up incorrectly.

The levy has been a great success. The sky has not fallen in, as many predicted. The number of bags in circulation has reduced radically. I know of many retailers in my constituency, in places such as Ballymena and Ballycastle, who say that the levy has been a success for them and agree with its implementation. Some of them may have had concerns before the legislation was introduced, but now they find that they have less to spend in bringing in carrier bags and that the administration system is quite easy to deal with.

Generally, the public have been supportive. Their shopping behaviour has changed radically. If the DUP and TUV amendments were to be adopted, that would create confusion among the public about which bags they will and will not be charged for. I do not agree that we should row back and undo one of the most progressive pieces of legislation that has come through the Assembly to date.

The legislation obviously has big benefits for the environment. There are fewer bags in circulation, and people are less likely to throw bags away. We see fewer bags and less litter in hedgerows, on beaches and on the streets in places such as Ballycastle, Portrush and Newcastle. Of course, the measure has been widely welcomed in those places, because people working in the tourism industry do not want tourists to see litter on the streets. The removal of so many plastic bags — the Minister referred to the statistics that have been released — will obviously impact on our image as a clean, green place for tourists.

The 2011 Bill changed the law to allow for the payment of a charge to the DOE. Many communities have benefited to the tune of hundreds of thousands of pounds in total. The less money that is raised through the levy, the better it is for the environment. However, in moving forward, it is important that any moneys raised go to environmental purposes and the community rather than being swallowed up by the centre. We want to get to a point at which people are not continually buying reusable bags.

The Member for North Belfast is right: I believe that the DUP is being opportunistic in bringing forward its amendments. At least the Member for North Antrim has been consistent in his position for quite some time. We have heard little or no reference to paper bags from the DUP previously. Indeed, the former Finance Minister took £4 million from the DOE budget at the time and said that the levy would raise that money to make up the shortfall. In his contribution today, he has also been found wanting.

I brought forward a private Member's Bill that required the Finance Minister's consent at that time. So the DUP, at all levels, was involved in the legislation. I accept Mr Weir's point about having the opportunity to change your position, but he cannot deny that his party was very influential in changing the Bill, which the House agreed with.

The public believe that the levy is one of the success stories of the Assembly. It has been referenced in the media as such. In 2011, the DUP successfully argued that paper bags be included in the legislation. That is why they are there. They should continue to be in the legislation, and, judging from contributions in the House, they will remain there. Therefore, I oppose all the amendments and urge other Members to do so.

**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. When the House returns, the first business will be Question Time.

*The debate stood suspended.*

*The sitting was suspended at 12.30 pm.*

On resuming (Mr Deputy Speaker [Mr Beggs] in the Chair) —

2.00 pm

## Oral Answers to Questions

### Agriculture and Rural Development

#### Cattle Markets

1. **Mr Clarke** asked the Minister of Agriculture and Rural Development for her assessment of cattle markets charging £150 for cattle that have moved more than four times. (AQO 5627/11-15)

**Mrs O'Neill (The Minister of Agriculture and Rural Development):** Go raibh maith agat, a LeasCheann Comhairle. I am aware of the markets proposing to make the charge from early April, and I am gravely concerned about how the new policy could impact on farmers. I am particularly concerned about the impact of changes to pricing structures on beef finishers who have bought store cattle earlier in the year under the conditions prevailing at that time. Many farmers have houses full of finishing cattle brought through in good faith and were unaware that these charges were to be imposed. It is not fair that they should be penalised by changes in the pricing structure being introduced before the animals are out of the system.

Yesterday, I sought a meeting with the Meat Exporters Association (NIMEA) to ask it to rethink its proposed changes because I, like other Members of the House, want to see a strong, profitable red meat sector here in the North. That can only be achieved if farmers see a fair return for their high-quality traceable produce. I understand that the NIMEA board met this morning, and a new proposal on the issue is now on the table. It is currently discussing it with the farming unions and the marts, but I am hopeful that a practical solution to the issue can be found.

**Mr Clarke:** I thank the Minister for her answer. I appreciate that the Minister has updated the House on the meeting that took place this morning. However, the sceptic in me wonders how this came about in the first place. How confident are you, Minister, or what interventions can you make to prevent such a charge being put in place, given that you said in your fulsome answer that you perceive that there will be an effect on farmers when finishing beef? What do you believe can be done to prevent any unnecessary charges being passed on?

**Mrs O'Neill:** It is fair to say that farmers have made decisions based on current practice and pricing. So, when they bought cattle for finishing, they made those decisions not knowing that there might be changes to the pricing structure further down the road. That is the case that I made strongly to NIMEA yesterday. I made the association very aware of the fact that this is not something that it can just bring in at short notice without informing farmers, who could then make business decisions based on their own needs and what they want to do. That is the case that I put forward to them. As I said, they have indicated that there is a new proposal now on the table. We look forward

to seeing that new proposal. I very much want to be in a position where I can, hopefully, come out and say that we welcome the decision that they have taken. However, until they make that public, I will not be able to do that. We all share the aspiration for a very profitable red meat sector, and, if we are going to continue to help that sector to grow, things like this cannot come at the last minute and impose changes on farmers. So, we look forward to the outcome of the NIMEA decision, and, hopefully, it is a positive one.

**Mr Milne:** Go raibh maith agat, a LeasCheann Comhairle. Does this have anything to do with DARD applying new rules?

**Mrs O'Neill:** No, this is absolutely a commercial matter between the cattle keepers, the abattoirs and the major meat retailers. As I said, I have challenged NIMEA on its decision to bring forward the new pricing structure at this time, particularly given that farmers have made conscious business decisions not knowing that this would be in place. So, let us wait for the outcome of the NIMEA decision, but it is absolutely nothing to do with DARD in this instance. It is a commercial decision by the meat exporters.

**Mr Byrne:** What is the Minister's view of the possibility of having the live export trade of cattle from Northern Ireland to parts of the world such as the Middle East, given that farmers are curtailed to seven meat plants, which is regarded as a monopoly position in respect of beef processing?

**Mrs O'Neill:** I can give the Member an assurance that I am absolutely committed to ensuring that we exploit all trade opportunities for the local industry. It is very much at the core of the Going for Growth strategy, which we have published alongside the industry. At the core of that is growing export sales by 60% and exploring all markets that are there.

The Member will be aware that I have been to China, and we are actively exploring other markets. It is key that we work in partnership with the industry to exploit the markets that are there and work to secure export certificates from those governments and take away any barriers that there may be to trade. That may be around disease status and other issues that we need to look at. So, I think that there is a combined effort, and I will work with the Minister of Enterprise, Trade and Investment in that regard to make sure that we can access all markets that we wish to get into.

**Mr Kinahan:** I am told that the Minister recently viewed the process of logging movements online on the animal and public health information system (APHIS) at Dungannon farmers' market. Does she recognise that moving cattle to market and then back to the farm counts as two moves, and is she minded to look again at the implications and financial penalties that will be faced by farmers for such moves?

**Mrs O'Neill:** As I said in the earlier answer, I am not in favour of the decision that NIMEA has taken. I think that business decisions have been taken by farmers as a result of not knowing that the changes would come into play. However, it is important that we establish what a farm residence is, because that is the issue in what counts as a movement. So, the move into and out of a mart will not count as a movement, nor, for example, will a movement to a show. That having been said, however, farmers make the best business decisions. They also care about the welfare of the animals, so they are conscious of not having too many movements. As I said, I have made the case

strongly to NIMEA, and I hope that it makes a positive decision based on the best interests of those in the farming community who have taken business decisions based on current structures and not on something proposed for the future.

### Badgers: TVR Study

2. **Mr Spratt** asked the Minister of Agriculture and Rural Development for an update on the test and vaccinate or remove study of badgers. (AQO 5628/11-15)

**Mrs O'Neill:** Substantial work has been completed to progress the TVR project. As you know, that will involve the testing for TB of live badgers, vaccinating and releasing the test-negative ones and removing the test-positive ones. This approach has the support of the vast majority of stakeholders, as it avoids killing TB test-healthy badgers. The design of such a study was complex, and there were several key steps to be carried out before any work could commence with badgers on the ground. The first step was to instigate statistical modelling to identify the optimum location for and size of the study and how long it would need to run. The information obtained from the modelling was positive. It suggested that, in the longer term and assuming no perturbation occurs, TVR would help to reduce the level of TB in badgers and cattle.

Members will also be aware that badger sett survey work was under way in two 100 square kilometre areas in County Down that have high levels of TB outbreaks in cattle, coupled with a high density of badgers. I am pleased to advise that the Agri-Food and Biosciences Institute (AFBI) has now completed that survey work. The agreement of farmers to their land being surveyed has been excellent, with over 80% of each area being surveyed. This is a very good outcome and exceeds our original target of 70%. Findings from the badger sett survey work and the modelling were used to perform the project design. Officials are finalising the project design and, in the coming weeks, they will provide the ARD Committee with a presentation of the detail of the project.

I remain committed to taking forward the TVR project, and officials are working to have this in place so that intervention can commence on the ground shortly after the end of the badger closed season in mid-May of this year.

**Mr Spratt:** I thank the Minister for her answer so far. It appears that the badger population is high at the moment, given the roadkill that you see. Tests in some areas have taken place. When does the Minister consider that testing will be rolled out across the Province? Will she make the results of the pilot schemes public in the not-too-distant future?

**Mrs O'Neill:** As I say, we are working our way through all the stages of the process, of which there are a number to complete to get us to the point of being on the ground with TVR. It is complicated and is not being done anywhere else, including England, Scotland, Wales and the South of Ireland, and it is even almost unique in Europe. We want to make sure that we get it right. The modelling work has taken some time to get right, but we are keen to get on the ground sooner rather than later. We have completed excellent badger sett work, which lets us establish the badger population in the areas that we are surveying. We will continue with that work, but I am absolutely committed

to making sure that we keep the ARD Committee up to date with progress on our journey to getting TVR rolled out.

**Mr Flanagan:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as ucht a freagraí. Will the Minister give us an update on the establishment of a strategic partnership to deal with this important issue?

**Mrs O'Neill:** Yes. I hope to advertise in the near future for a chair and members of the new strategic partnership group. The group will be tasked with developing the longer-term strategy to eradicate TB in cattle across the North. It is intended that, within 12 months of being established, the strategic partnership will produce this strategy, which will embrace and address all the issues, including TB compensation. The group will also future proposals developed by my officials, which will further strengthen our TB programme. It will ultimately report to me, and I will keep in touch with the ARD Committee.

**Mr D Bradley:** Go raibh míle maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as ucht a freagraí. An bhféadfainn fiafraí den Aire cad is féidir linn a fhoghlaim ó na críocha sin atá saor cheana féin ó ghalar na heitinne sna ba? What can we learn from countries and jurisdictions that are already disease-free that will help us?

**Mrs O'Neill:** The Member will be aware that TB is a seriously complex disease and that multiple factors contribute to it, and no one has established the reason why they do or do not have it. You can look towards Scotland, which does not have the disease, towards what we are trying to do in the South and towards what is being done in England and Wales. Everybody is taking a different approach because nobody has the simple solution or the quick fix to deal with a disease that is very complicated. That is why the work that we are doing will be key in adding to the pool of research and investigatory work that is going on in other areas. I am always keen to learn best practice from other areas that do it well. Unfortunately, nobody can say why they have it or do not have it. That is what we are trying to deal with. This work will be key in adding to the research pool, and AFBI is working diligently on research. Through combined efforts, we want to get to a position, at some time in the future, where we eradicate the disease, because that will open up so many more trade opportunities for us.

**Mr Deputy Speaker:** I should have advised Members at the outset that questions 4, 11 and 15 have been withdrawn.

### Single Farm Payments: Update

3. **Mr Swann** asked the Minister of Agriculture and Rural Development for an update on the number of single farm payments issued to farmers. (AQO 5629/11-15)

**Mrs O'Neill:** To date, 96.16% of single farm payment claims have been finalised since the opening of the payment window on 1 December 2013. The Department set its highest payment target ever for December 2013 at 85% and significantly exceeded it by finalising 90% of claims. More farmers received their single farm payment in December than ever before. In November 2013, I announced that 95% of claims, including the majority of businesses subject to inspection, would be finalised by the end of February 2014, and that target has also been exceeded. I can confirm that 400 farm businesses that

were subject to an inspection carried out using control with remote sensing were paid in February. The value of single farm payments made so far is £255.92 million, and it is a vital element of farm income. The significantly improved payment performance this year is a welcome boost to the farming industry and the wider rural economy. My officials are working to finalise the remaining claims as quickly as possible.

**Mr Swann:** I thank the Minister for her answer and update. The Minister knows — it has been well rehearsed — about the frustration because of delays in payments, especially among farmers who were subject to remote sensing. Can the Minister provide any update to those farmers on the trading of entitlements and when they will be able to do that? A date of 2 April has been set, but will she extend that deadline today to ease the frustration and confusion?

**Mrs O'Neill:** I am grateful that, today, the ARD Committee will, as the Member is aware, consider a statutory rule. We will need to legislate to give us a longer period to allow people to make decisions on whether they want to trade their entitlements. If the Committee agrees that, I will be in a position to announce that in the next number of days. It is key that we allow farmers the opportunity, post 2 April, a little longer to make those business decisions because they will be key for them in the future. Given that there are so many changes with CAP reform, there is angst out there about what is the best thing for individual farmers. So, I will give the ARD Committee its due process, and, if the Committee is content, I will be happy to announce that in the next number of days.

**Mr Lynch:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire. Can the Minister tell us more about the future development of the land parcel identification system (LPIS)?

**Mrs O'Neill:** DARD and Land and Property Services (LPS) are continuing to work together during 2013-14 to further enhance the LPIS mapping system by adding additional features and reviewing maps using the new aerial photography. The LPIS mapping system is also being enhanced to include data from on-the-spot inspections and other remote mapping information such as control with remote sensing data. The refinement of the LPIS mapping system is essential to enable DARD, as a paying agency, to comply with the EC regulations. The system will require ongoing maintenance to help DARD to mitigate the risk of future EU disallowance.

**Mr McCarthy:** While the Department has made significant improvements in the distribution of single farm payment, can the Minister understand the disappointment, particularly among our senior citizens, when they have not received their payment?

Will the Minister consider an extra effort so that those senior citizens who live alone can get their entitlements?

## 2.15 pm

**Mrs O'Neill:** I can absolutely give the Member that assurance. I have made considerable efforts. The figures speak for themselves, in that, over the past two years, we have been four months faster in making payments than ever before. Over 96% of people now have their claim.

As I always say in the House, I recognise that those who have not yet been paid want their payments as quickly as

possible so that they can pay their bills and be content. That is totally acceptable. I assure the Member that I intend to have all those people paid, as I have said, as quickly as possible. Officials are working on that as we speak and will continue to do so. We have put significant resources into making sure that we finish off the tail of inspections and deal with all the other issues that are still to be dealt with.

Some people are still in the system as a result of probate and, perhaps, as a result of a death in the family. About 300 of those cases are being dealt with, and they are obviously very complicated. However, I can definitely assure you that my aim is to continue to improve things and that we will be in an even better position next year and will make the majority of payments in December.

**Lord Morrow:** In her answer to Mr Swann, the Minister referred to the percentage of single farm payments that have not been paid. I think that she said that it was about 4% or 5%. Will she tell us what that represents in real cash terms, bearing in mind that those cases are mainly concentrated in the two areas of south Tyrone and north Antrim?

**Mrs O'Neill:** I do not have an exact figure, but we are talking about £9 million. About 3% of single farm payments have not been made, and some £255 million has been paid out. As I said, I am not dismissive. I understand the feelings of those who are waiting to be paid.

We are working around the clock to get those payments out as quickly as possible, and I give that assurance to anyone who is waiting for their payments. We are four months faster than ever before, and we will be even faster next year.

## Flood Defences: Beragh

5. **Mr McElduff** asked the Minister of Agriculture and Rural Development to outline the progress made on the flood defences at Beragh, County Tyrone. (AQO 5631/11-15)

**Mrs O'Neill:** I am pleased to advise that the design of the scheme to protect the dwellings and the grounds around the GAA clubhouse in Beragh is complete.

The flood alleviation scheme is out to tender, and Rivers Agency expects to award the construction contract in March. Completion of the scheme is anticipated by spring 2015, which I know will be welcomed by those who have been directly impacted by flooding in this area over the past number of years.

**Mr McElduff:** Go raibh maith agat. I thank the Minister for her reply. I also thank officials from the Rivers Agency who have been very helpful with the matter. Will the Minister confirm what the next steps are and restate when the project will be completed?

**Mrs O'Neill:** The design of the civil engineering works to adequately protect an area is very complex, and it takes a bit of time to work up a design from when flooding first occurs. That being said, extensive work has been done with residents and all the local groups to make sure that what is put in place is fit for purpose.

With the Member, I visited a number of residents in the area who have been flooded time and again over the past number of years, and he will know the distress that that has caused. I am delighted and content that local people

have been kept informed about the development of the scheme and that the Rivers Agency has worked very closely with them to make sure that they are up to date with everything that is going on.

We are about to go out to tender, and the works will be completed by spring 2015. I know that the residents will be waiting for that. While we are designing a scheme we do not just leave an area vulnerable; we have taken forward work in other areas, particularly the removal of the railway bridge and river maintenance work. That work has been ongoing to try to protect people until the scheme comes into play in spring 2015.

**Mr Deputy Speaker:** Before I call a Member to ask a supplementary question, I want to ensure that the question is about a relevant constituency issue.

**Mr McKinney:** I will try my best, Mr Deputy Speaker. Given the advancement of a scheme such as the one in Beragh and the expectation that it creates in people's minds about dealing with flood defences, will the Minister assure us that DARD and the Rivers Agency will put adequate resources into flooding schemes in general?

**Mrs O'Neill:** Yes, absolutely. All schemes are dealt with on the basis of a cost-benefit analysis. There are competing priorities — there always will be. Do I have enough money in the Rivers Agency budget? Do I want more? Absolutely, and I will continue to bid for more. At present, a number of schemes have been designed, and we have the funding to take them forward, which we will do. Should more funding become available, the Rivers Agency can always take it and move schemes forward.

We must remember that flood alleviation schemes are not designed overnight. Even with Beragh, it takes time to be able to put together a scheme that is fit for purpose. However, I will fight my corner strongly for the agency to have enough resources to take forward any necessary schemes.

**Mr McNarry:** Will the Minister draw comparisons between Beragh and other areas, such as those I have written to her about?

**Mrs O'Neill:** I cannot do that during Question Time today, but I am always very happy to respond to the Member when he writes to me about any area. As for comparing Beragh with other areas, every flood alleviation scheme and everybody's needs will be different, and each scheme will be assessed based on those issues. They will also be based on a cost-benefit analysis and whether we can do it. If the Rivers Agency identifies an area as a priority, I am happy to fight my corner for such a flood alleviation scheme to go ahead.

## Phytophthora Ramorum

6. **Mr Hilditch** asked the Minister of Agriculture and Rural Development for an update on the current outbreak of Japanese larch disease in Woodburn forest, Carrickfergus. (AQO 5632/11-15)

12. **Mr Brady** asked the Minister of Agriculture and Rural Development for her assessment of the tree disease *Phytophthora ramorum*. (AQO 5638/11-15)

**Mrs O'Neill:** With your permission, Mr Deputy Speaker, I will answer questions 6 and 12 together.

This plant disease is caused by a fungus-like pathogen whose scientific name is *Phytophthora ramorum*. It is more commonly known as sudden oak death after its effect on North American oaks. I hasten to add that its effect on our oaks is much less severe, but it remains a serious threat to Japanese larch and some common species including ash, beech, rhododendron and bilberry.

The significance of Japanese larch is that it produces large quantities of infective spores that have a capacity to spread the disease widely. The main element of our control strategy has been to fell symptomatic trees and other epidemiologically associated trees because of the risk of latent infection.

Since the first confirmed finding in larch in 2010, we have felled over 700 hectares. We know that we have approximately another 360 hectares to fell as a result of survey work in 2013. Those surveys confirmed that the disease is continuing to spread and that, in addition to the core areas of infection in Counties Down, Armagh and Antrim, new scattered infections have been found throughout the North.

The prognosis for Japanese larch is poor, and it is likely that this important tree will disappear from our landscape and have a detrimental impact on the conservation of species such as red squirrel. However, it is important that felling of larch continues in order to reduce the risk of infection spreading to other common tree and shrub species.

Given that the disease has spread so quickly in larch, I have asked officials to re-evaluate our policy options for its control. It is important to note that the disease is not harmful to people or animals, and visitors remain welcome in all our forests.

**Mr Hilditch:** Woodburn forest and its hinterland have been decimated by the disease. Is the Minister telling us that the disease is not under control, and when does she envisage such times arriving?

**Mrs O'Neill:** The policy has always been to work towards research to eradicate and contain the disease, particularly forests that are trying to contain it by felling. Over the past number of years, wet weather and wind in particular have led to an increase in the spread of the disease, and there is also a wide range of spores. Rhododendron is common, and it will carry the disease, so a combination of reasons has led to a significant spread.

Our current policy is around research. The Agri-Food and Biosciences Institute (AFBI) is doing work on containment and eradication. As I said in my original answer, I have asked officials to re-examine the policy to see whether it is still fit for purpose, given that the disease has spread so significantly.

**Mr Brady:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for her answers so far. Does she feel that she has enough resources to deal with and address the plant health threat?

**Mrs O'Neill:** In tackling the tree disease incidences, DARD has benefited from additional resources for the Forest Service because it has specialist skills and machinery. Based on that experience, the permanent secretary and I decided to allocate responsibility for all plant health matters to the chief executive of the Forest Service. That will ensure that policy and implementation are led by

a senior civil servant with an appropriate professional qualification.

In recognising that the threat of plant disease and pests appears to be increasing, the Department intends to increase the scale of resources devoted to plant health. A project is under way to transfer existing plant health functions to Forest Service, agree an organisational structure for the new unit, prepare operational plans and develop a business case for additional resources by April 2014.

**Mrs Dobson:** Given the history of that tree disease at Woodburn forest, including instances in 2009 and 2010, is the Minister content that the current signage providing information on biosecurity measures to visitors is enough action to prevent the spread of the disease, or can she do more?

**Mrs O'Neill:** It is important that we, particularly councils, Forest Service and us, work together on messaging, because biosecurity is key when it comes to all plant health issues.

We have some excellent signage. We have even been working with mountain-biking groups, which are made up of people who use our forests regularly. The key messages are simple things such as washing the wheels of your bike, washing pram wheels and washing your boots. We continue to work with stakeholders collectively to make sure that we get very clear and recognisable messages out.

The messaging that we have done has been very effective. However, we always keep it under review. Another stakeholder meeting is coming up over the next number of months, and one of the items for discussion will be whether there is anything else that we could be doing to promote the message. I am very grateful for the work that councils have done on access to council land. They have also been very good at getting a very strong public message out there.

**Mr Deputy Speaker:** Gregory Campbell is not in his place for question 7. I call Basil McCrea.

### Rural Roads: Winter Access

8. **Mr B McCrea** asked the Minister of Agriculture and Rural Development what discussions she has had with the Minister for Regional Development regarding keeping rural roads accessible for farmers and rural dwellers following the recent wet weather. (AQO 5634/11-15)

**Mrs O'Neill:** I have had no discussions with the Minister for Regional Development on keeping rural roads accessible to farmers and rural dwellers following the recent wet weather. Maintenance of the roads infrastructure lies completely within his remit. I welcomed his action to supplement the existing snow-clearing arrangements by encouraging farmers, agriculture contractors and other owners of suitable equipment to apply for a contract that would put in place additional assistance for the winter.

I can advise that, if the situation escalates similarly to the previous severe winter weather, when many rural roads were completely blocked by snow and ice, DARD has a major emergency response plan that provides the overarching framework for the central management and coordination of the Department's involvement in such

an emergency. DARD also has a range of plans in place to deal with specific emergency and business continuity situations. Those have been developed over a number of years and are regularly and rigorously tested to ensure that they remain fit for purpose.

If an emergency situation is likely to affect the North of Ireland's infrastructure, including the delivery of public services, OFMDFM will convene a meeting of the Civil Contingencies Group. During emergencies, the membership of the group will be tailored to the particular needs of the situation, and additional support organisations will be invited on to it, as appropriate.

**Mr B McCrea:** The Minister will be aware that winter comes around with remarkable regularity. Does she engage in pre-planning discussions before the winter months and say, "This is what we are going to do", rather than make just the emergency provisions that she outlined?

**Mrs O'Neill:** I will go even further and say that, funnily enough, winter comes around every year. As I said, I engage with the Minister for Regional Development when required. I have done that in the past. I welcome the fact that he has engaged farmers and local contractors to clear roads, particularly in rural areas. The gritting services that go around the main roads perhaps do not get into rural areas. I am particularly keen that those services always be expanded.

My own Department has held a whole range of meetings, particularly to prepare for winter, given the winter that we have just come out of. We have engaged in winter preparedness at College of Agriculture, Food and Rural Enterprise (CAFRE) level. We have the Fodder Task Force. We have a whole range of things. I can assure the Member that I know when winter is and that I do my job carefully.

**Mr Frew:** If we have the same extreme weather that we had last March and April, will the Minister, as part of her contingency and emergency plans, contemplate asking the RAF for the Chinook helicopters to give support for a longer period this time? Will she also contemplate calling in the Territorial Army (TA) to try to save some of the stock, given how much perished in the snow last year?

**Mrs O'Neill:** The Member is trying to make a cheap political point. As I said at the time, I am very happy to invite our neighbours in for help whenever we need it. I do not have a problem with that. I will invite in whomever we need at the time.

Last year we had support from both the Irish Government — which provided helicopters — and the British. I am very grateful for that support.

### 2.30 pm

**Mr Frew:** Who was the cheapest?

**Mrs O'Neill:** We can get into the issue of cost, but there you go. For me, it is about dealing with an emerging situation. I was not shy about asking for help and I will not be shy in the future, if help is needed.

**Mr Deputy Speaker:** That is the end of listed questions, and we move to topical questions.

## Horse Cruelty: Clogher Valley

2. **Ms McGahan** asked the Minister of Agriculture and Rural Development for an update on cruelty to horses in Clogher valley in my constituency. (AQT 782/11-15)

**Mrs O'Neill:** I am aware of the concerns regarding the welfare of horses near Clogher in County Tyrone. An investigation is being carried out by council animal welfare officers. Councils have responsibility for the enforcement of the powers under the Welfare of Animals Act 2011 in respect of non-farmed animals, which obviously includes horses.

The councils' animal welfare officers have been very active in dealing with this issue and have taken a range of actions to address it, including the seizure of over 20 live horses. The Welfare of Animals Act provides strong powers to deal with a person responsible for an animal who fails to meet the needs of the animal to the extent required by good practice, or who causes that animal to suffer unnecessarily. The maximum penalty for any person who is convicted of causing unnecessary suffering is two years' imprisonment and/or an unlimited fine.

Veterinary Service is investigating the presence of horse carcasses, as DARD is the competent authority for the disposal of animal carcasses under the Animal By-Products (Enforcement) Regulations 2011. The responsibility for the disposal of fallen animals lies with the occupier of the premises or the person considered by DARD to be in charge of them.

I can confirm that DARD has served a notice on the owner of the premises requiring that the horse carcasses be removed from the premises, and the date of expiry of that notice was Monday 10 February. The carcasses are in an area which makes their disposal difficult, due to the inaccessibility of it to vehicles and the wet condition of the ground. Given that the owner failed to comply with the notice by the expiry date, DARD is now taking steps to remove the carcasses, but that may take a bit of time, given the location, the weather and the shape of the grounds. As an investigation is ongoing, that is as much information as I can give the Member by way of an update.

**Ms McGahan:** I thank the Minister for her response. Is she content to meet me and the Ballysaggart Environmental Group to discuss the issue locally?

**Mrs O'Neill:** Yes, absolutely. As I have said, it is the responsibility of the local welfare officers but, as there is now a DARD investigation, if the Member thinks it helpful, I am happy to meet her in her constituency.

## Fishermen: Hardship

3. **Mr McKinney** asked the Minister of Agriculture and Rural Development, in the light of our colleagues in south Down relaying to us the very difficult situations being experienced by fishermen in Ardglass, Portavogie and Kilkeel, whether she recognises the hardship being experienced by our fishermen due to the bad weather, and to update us on any discussions she has had or will have with representatives of fishermen. (AQT 783/11-15)

**Mrs O'Neill:** I am acutely aware of the financial difficulties faced by many fishermen, skippers and crew members. It has been a particularly trying time. This time of year is not the traditional fishing season, but the weather has prevented any activity at all from taking place. I am

meeting a delegation of fishermen this afternoon, and we will discuss their plight. I commend the local charity for the work that it has done to support fishermen through this time of need. In the meeting this afternoon, we will discuss thoroughly the issues that they are experiencing and what can be done in the time ahead.

**Mr McKinney:** The Minister's last remark underscores the plight of these fishermen. They are having to turn to charity to aid their lives. What measures can the Minister put in place, given that there is a change in the season experienced by these fishermen? Can she entertain any permanent or more consistent support schemes, given the situations that they face?

**Mrs O'Neill:** The Member will be aware that, last year, the Executive made a hardship payment to fishermen of about £400,000, which was obviously welcomed at that time. As I said at that time, it is important that we look at the long-term challenges for the industry. Year on year, the weather is getting worse and it is going to be difficult, not just for fishermen, but for quite a number of sectors. So there are challenges, and there are longer-term challenges.

Today, I am happy to meet the fishermen to discuss the challenges that they face at the moment. We will do that in a thorough manner. There are quite a number of issues which the fishermen want to talk about today, and I am keen to do that, explore the issues and see what can be done.

## DARD: Central Investigation Service

4. **Mr Swann** asked the Minister of Agriculture and Rural Development to join him in welcoming the Justice Minister's announcement that he will take forward his private Member's Bill, through an order to the House, to see her Department's central investigation service inspected and audited by Criminal Justice Inspection. (AQT 784/11-15)

**Mrs O'Neill:** I do not have a problem with any legislation coming forward to this House and it being fully discussed and debated by all parties. That is just democracy.

**Mr Swann:** Does the Minister find her central investigation service fit for purpose? Does she have any intention of reviewing its memorandum of understanding or service level agreements with other Departments or arm's-length bodies to enable it to have a remit outside Northern Ireland into the Republic of Ireland and Scotland?

**Mrs O'Neill:** I know that the Member has a keen interest in the issue. He raises it with me time and time again and asks plenty of questions about it. I am not aware from other Departments of any issues. The unit's practices are thoroughly examined and it is audited. I am content with the work that it is doing. When legislation comes forward, and if it proposes changes, I will be happy to consider them in the round. If it is in the public interest, I do not have a problem with considering that.

## Clipper Round the World Yacht Race

5. **Mr McCartney** asked the Minister of Agriculture and Rural Development, in the light of the fact that the Clipper Round the World Yacht Race will be coming to Derry in June, to outline what steps Loughs Agency has taken to improve tourism along the River Foyle. (AQT 785/11-15)

**Mrs O'Neill:** I am delighted that the race and the competitors will return. It was there last year, and it was a fantastic event. The award-winning Foyle marina, which was recently installed, will be a focal point for the race activities. I am aware, from a recent North/South Ministerial Council (NSMC) meeting, that the plans for the event are well under way, with the agency concentrating its resources on initiatives that will highlight the marine potential for the Foyle across the world, because we believe that we have got something to shout about.

The Loughs Agency and Inland Fisheries Ireland recently went to France with key partners to actively promote the island of Ireland as an angling destination in order to attract greater numbers of French anglers. A number of other shows are planned for this year to further develop the international markets.

Other events that the Member may be interested in that the Loughs Agency has been involved in from a tourism point of view include the Sail West project in association with Donegal County Council, which was an ambitious marine tourism project that brought many benefits to the region, from the development of capital works to the sharing of ideas and experiences with Scottish partners and the creation of the marketing brand MalinWaters. Significant improvements of facilities at Malin Head and Benone beach are also expected to increase visitor numbers.

The Loughs Agency is also continuing to work with its partners under the Cruise North West banner by developing unique visitor experiences to the Foyle area. Finally, the Loughs Agency is always keen to promote the Foyle area through radio, film and TV coverage. The agency recently worked with UTV, BBC and RTÉ on a number of projects that highlight Lough Foyle as a major potential tourism asset, which is ideal for water-based leisure activities. So, there is lots going on in terms of tourism potential on the Foyle.

**Mr McCartney:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as an fhreagra sin. I thank the Minister for her comprehensive answer, which recognises that the Clipper has helped highlight the city and the wider region.

**Mr Deputy Speaker:** Can we have a question, please?

**Mr McCartney:** We can indeed. Given the fact that the next NSMC meeting coincides with the visit of the Clipper to Derry, will the Minister consider having that meeting in Derry city?

**Mrs O'Neill:** Yes, absolutely. Last year, as I said, we had the privilege of holding an NSMC meeting in the Derry City Council offices, which overlook the yacht race, and we could see the boats coming in. We are very keen to go back again if the opportunity arises to have our meeting there and see at first hand how effective the Loughs Agency is in promoting what we have as a major tourism asset.

## Cattle Prices

6. **Mr G Robinson** asked the Minister of Agriculture and Rural Development for her view on the decision of local meat plants to cut the price of cattle that have four or more movements in their lifetime by £150 a head. (AQT 786/11-15)

**Mrs O'Neill:** The Member may not have been in earlier during Question Time when I dealt with this issue, but I am happy to go over it again. I met NIMEA yesterday to discuss the issue. I made a very firm case that this was not appropriate and that it was a decision that had been taken forward without informing farmers of the changes to the system. Farmers had made business decisions, bought in cattle and taken their decisions based on the current pricing structure.

It is very unfair of NIMEA to bring forward proposals at this point in the year, when people are getting ready to bring them for finishing. I have made that case very strongly to NIMEA. I am aware that it has a new proposal on the table today and is discussing that with the farming unions. I look forward to that being a positive decision, hopefully, and something that is welcomed by the industry.

**Mr G Robinson:** Is there anything else that the Minister can do to help and alleviate the situation for the beleaguered farming community on this matter?

**Mrs O'Neill:** It is a particularly bad time for NIMEA to bring forward these proposals, given the fall in beef prices. We all want to have a sustainable red meat sector in the future. Part of that sustainability, and what the Executive can do, is wrapped up in the Going for Growth strategy. I am keen that that is discussed at the Executive, sooner rather than later, and that we can get agreed the proposals that have been put forward by myself and Arlene Foster, the Minister of Enterprise, Trade and Investment. That will be the key tool that will allow the Executive to support the red meat industry going into the future.

There are obviously challenges with the fall in meat prices. Those are market conditions and outside everybody's control. Hopefully, consumer habits will change, demand will increase and, in turn, prices will increase. That will be a better day for the beef sector.

## Fishermen: Hardship

7. **Mr McMullan** asked the Minister of Agriculture and Rural Development whether she plans to meet the fishing industry to discuss the hardship that is being experienced, particularly in Ardglass. (AQT 787/11-15)

**Mrs O'Neill:** Yes. This afternoon, I intend to meet a group of fishermen who are coming up to impress upon me the conditions that they have been working under in the past number of months. It has been a particularly difficult time for the fishing community, particularly given the bad weather that there has been over the past number of years. It makes it very difficult for them to make a good start, and it takes them until the end of the year to catch up. Yes, I will meet them this afternoon to discuss that.

**Mr McMullan:** Go raibh maith agat, a LeasCheann Comhairle. Thank you for that answer. Do you think that the catches will improve as the season progresses?

**Mrs O'Neill:** I certainly hope so. Over the past number of years, we have seen that catches will improve in the summer months, particularly if we get decent weather in July, August and, sometimes, into September. We are very hopeful for that. That is shown to have been the case in the years gone by. The particularly difficult weather that we have had over the past number of years has, no doubt, made it difficult for the fishing community to be able to catch their full catch year-on-year. It is something that we

need to address in a longer-term way, because short-term assistance can do one thing — assist you in the short term. There are longer-term challenges here. I hope to get to the bottom of them with the fishing industry and to work with it on how we can work together to sort those things out.

**Mr Deputy Speaker:** Mervyn Storey is not in his place; Lord Morrow is not in his place.

### Young Farmers: New Entrants Scheme

10. **Mrs D Kelly** asked the Minister of Agriculture and Rural Development what representations she is making in Europe for greater flexibility in the new entrants scheme for young farmers. (AQT 790/11-15)

**Mrs O'Neill:** I can confirm to the Member that that is something that is ongoing as part of CAP negotiations and discussions. We have just been out to consultation on the new system that we will have in place. I think that it is vital that we have systems in place that support young farmers to help them to stay in the industry and to come into the industry.

The average age profile of the farming community is something that is of concern. I am very much committed to making sure that we have succession planning in place, so working with farm families on who is going to be the future of the farm and on how we can do that is important. Financial supports are, obviously, the way to do that. Under the new CAP, and the new system that will come into place post 2015, there will be opportunities for young farmers to have additional support.

**Mrs D Kelly:** Is the Minister aware that if a young farmer previously took advantage of a grant to help build an agriculture shed, he is excluded from future applications? Does the Minister think that that is fair and the way to go?

**Mrs O'Neill:** The Member will be aware that we have just finished the consultation and that we are working our way through all of the process. These things are not fair. Europe has set down rules, particularly for young farmers. If somebody is under 40 and has been named on a farm business for, maybe, the past three years, they are only entitled to support for the next two years. That is also an issue of concern for me. It is something that we have raised at European level. As I said, I can only say this, and I say it the one way: I am fully committed to supporting young people in the farming industry, because they are the future, and succession planning is key.

2.45 pm

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

**Mr Deputy Speaker:** Points of order are not taken during Question Time.

## Culture, Arts and Leisure

### Cycling

1. **Mr Ross** asked the Minister of Culture, Arts and Leisure what steps she is taking to develop the sport of cycling. (AQO 5642/11-15)

**Ms Ní Chuilín (The Minister of Culture, Arts and Leisure):** I thank the Member for his question.

Responsibility for developing the sport of cycling across the North rests with the governing body of the sport, which is Cycling Ireland. Up to 31 March 2013, Sport NI provided funding totalling well over £660,000 to support cycling. Furthermore, the Sports Institute provides specialist support to talented local cyclists in the form of sports medicine, physiology and performance skills, including lifestyle management, performance analysis and strength and conditioning.

Through its Active Schools programmes, Sport NI encourages schools to develop linkages with local cycling clubs. Sport NI is represented on the DRD Travelwise active travel forum, which also includes a range of cycling bodies. The forum's work streams include the development and implementation of action plans to take cycling forward in schools and communities.

**Mr Ross:** This morning, I was at a very windy Giant's Causeway, where Stephen Roche was inducted into the Giro d'Italia hall of fame. We are only a matter of months away from one of the biggest events ever to come to Northern Ireland hitting the streets. That will have a massive impact on the interest in cycling and, hopefully, on the number of people who will take up the sport. Have there been any further developments in getting a velodrome in Northern Ireland? I know that the Minister previously said that the business case had been unsuccessful in the past. Has any further work been done on that, and is there any prospect of getting a velodrome in the future?

**Ms Ní Chuilín:** The Member will know that, previously, the business case for the velodrome did not stack up on the numbers. There is a feasibility study under way now that we are considering. It is up to the governing body, which is Cycling Ireland, to press forward with the Department and Sport NI for a business case, and I look forward to seeing that in the future. I know anecdotally and through evidence and through the legacy of the World Police and Fire Games and, previous to that, the Olympics and the Paralympics that the sport of cycling is increasing in popularity, and I have no doubt that it will continue to flourish after the Giro d'Italia. I look forward to seeing the plans for the future.

**Mrs McKevitt:** Staying on the subject of the velodrome, has the Minister had any meetings with Cycling Ireland to discuss bringing the proposals forward?

**Ms Ní Chuilín:** The Member will have heard my answer to Alastair Ross's question. Cycling Ireland has presented a feasibility study, which I am looking at. On that basis, I intend to meet Cycling Ireland along with Sport NI. I anticipate that Cycling Ireland will ask for a business case to be brought forward for a velodrome. I will outline what I expect to see in that business case, and when that process is completed I have no doubt that we will go through a series of meetings to see what assistance, if any, we can provide in future to support a velodrome.

**Mrs Overend:** The Member for East Antrim mentioned the Giro d'Italia, and this is our opportunity to give cycling an additional boost in Northern Ireland. Has the Minister had any discussions with cycling clubs? We need to bring on a new generation of cyclists in Northern Ireland, and this is our opportunity to boost cycling as much as possible.

**Ms Ní Chuilín:** I have not had any meetings. Individual cycling clubs have been connected to the World Police

and Fire Games legacy and to some of the work around the City of Culture last year but not through their governing bodies. I have no doubt that the desire to get more people active through cycling is there, and the clubs and the governing bodies do a good job. That work, along with the needs to be met through the feasibility study and the work to ensure that, if and when the business plan comes forward, it includes not only the work of the governing bodies but of grass-roots cycling clubs right through to the elite performers, is really important. As if we needed to be reminded, that is one of the legacies that should come out of the Giro as well as previous sporting events that we have held on these shores.

**Mr Ó hOisín:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. The Minister may be aware of a report yesterday that indicated that 800 million people around the world will view the Giro d'Italia. Given that that is the case, the impetus to consider commissioning a business case should stack up. Will the Minister consider that?

**Ms Ní Chuilín:** I thank the Member for his question. I am delighted that there is so much interest in cycling and, indeed, in a velodrome. The Member is right: we need a business case, and we need to see it stack up. It is really important that, once a feasibility study has been completed and I have discussed and considered it, I meet the governing bodies and Sport NI to talk through the next steps in preparing a business case. That business case will be crucial, and it will have the necessary detail. If it is proven — I have no doubt that it will be — that there is a business case and a need for a velodrome, we will need to work out our next steps, but we have a long way to go before we get to that stage.

## Bilingual Signage

2. **Mr McMullan** asked the Minister of Culture, Arts and Leisure to outline any plans her Department has for bilingual signage either through Foras na Gaeilge, the Ulster-Scots Agency or her Department's arm's-length bodies. (AQO 5643/11-15)

**Ms Ní Chuilín:** I thank the Member for his question. Of the Department's arm's-length bodies, the Libraries NI board has decided that any additional signage in library buildings should be in English, Irish and Ulster Scots. Sport NI has also advised that, although signage provided by it is in English, it can provide alternatives in Irish and Ulster Scots as appropriate. Foras na Gaeilge offers funding for bilingual signage to businesses under the Gnó Means Business campaign. This funding will be awarded on a 50:50 match-funding basis between the applicant and Foras na Gaeilge. The applicant must have match funding available. The maximum available under the scheme is up to £2,250 or €3,000, depending on the proposal or the proposed project. At this stage, the Ulster-Scots Agency has no such programme available.

**Mr McMullan:** Go raibh maith agat. I thank the Minister for her answer. Will she tell us what else is available from Foras na Gaeilge through its scheme?

**Ms Ní Chuilín:** As I said in my main answer, additional support for signage funding will be awarded on a 50:50 match-funding basis. As well as signage and marketing, Foras na Gaeilge looks at new or replacement signage, again up to a maximum value of £2,200 and €3,000. For bilingual packaging, there is also match funding up to a

maximum value of £1,250 or €2,000. A maximum award of up to £400 or €500 will be applicable to those looking at baggage or shopping bags. Websites will be awarded funding on the basis of practicality and match funding up to a maximum value of £750 or €1,000. For other bilingual signage and Irish language materials, match funding up to £750 or €1,000 will be awarded, but that has to be relevant to the business or deemed appropriate.

**Mr D Bradley:** Go raibh míle maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as ucht a freagraí. An bhféadfainn ceist a chur ar an Aire: cad is féidir lena Roinn a dhéanamh leis an scéim Gnó Means Business a fhorleathnú ar fud an limistéir seo? What can the Department do to increase awareness of the Gnó Means Business scheme throughout this region?

**Ms Ní Chuilín:** The Member will be aware that the scheme is administered by Foras na Gaeilge, and, apart from promoting it through DCAL's website, I have promoted it when I have met groups individually, particularly the opportunities for businesses around marketing materials, signage and any displays of Irish language. I have made them aware of it, and I will continue to do so. For some people, particularly those starting off, the 50:50 match funding has proven to be the catch. Promoting the scheme is valuable, and I will continue to do so. The RPA is an opportunity to promote the scheme, and I encourage Members to do that, as Mr Bradley has done. Some council areas are better than others at supporting local and smaller businesses through the scheme.

**Miss M McIlveen:** The plans that the Minister outlines are probably much broader than her remit. If she were to stray much further, they would be considered novel, contentious and cross-cutting and may need Executive approval.

Given the costs associated with some of the schemes and the fact that many of the arm's-length bodies that have approached our Committee have issues around their budget, are there not more important things that they could do with her allotted budget other than indulging the Minister's hobby?

**Ms Ní Chuilín:** I am not really sure what the Member is trying to prove with the three points that she made other than to threaten me that, if she believes that something is novel and contentious, it will, through her Executive colleagues, be brought back. The Member should know, because she is Chair of the CAL Committee, that Foras na Gaeilge has a particular remit for the scheme. The question that people ask is what else we can do. As Ministers, we are always looking for additionality. The day that we stop looking for additionality is the day that we should hang up our boots. I have nothing else to say in response to the Member's points, because I do not know the point to them other than a political one.

## Girdwood

3. **Mr G Kelly** asked the Minister of Culture, Arts and Leisure to outline any potential investment from her Department, or its arm's-length bodies, for the redevelopment of the Girdwood site. (AQO 5644/11-15)

**Ms Ní Chuilín:** There is potential for investment in the redevelopment of the Girdwood site under the Together: Building a United Community (T:BUC) strategy, and that is reflected in the outline proposals for a cross-community

youth sports programme. The proposals outline the delivery of a community sports hub in conjunction with other providers to create both sports opportunities and facilities for the community, as well as employability enhancements and improved coaching qualifications for the young people of the surrounding areas. That approach can serve and can be tested as a model of development elsewhere to deliver sustainable T:BUC impact. My Department is currently engaging with DSD and others to ascertain what sporting facilities may be required at Girdwood and how those can be a catalyst for promoting social inclusion and tackling poverty in the surrounding areas.

**Mr G Kelly:** Gabhaim buíochas leis an Aire le haghaidh an fhreagra sin. Will the Minister elaborate a wee bit on the potential programmes, their relationship to the outlying communities and the other Ministries involved?

**Ms Ní Chuilín:** As I said in my answer, I have met the Minister for Social Development and Belfast City Council, albeit on the general development of Girdwood. I am looking at the University of Ulster and the Sports Institute, along with Belfast Met, having some reflection, buy-in and connection. When we look at coaching and at opportunities, particularly for children and young people, we should look at how we can support the career and personal development of young men and women who did not succeed in formal education but are interested in sport and have been good role models and mentors. To that end, I am looking at furthering discussions with colleagues from DEL, DE and other Departments. It is important, as I said in my main answer, that the communities around Girdwood, some of which are the most deprived, have an opportunity not just to see what is happening but to be part of it.

**Mr Humphrey:** I thank the Minister for her answer. As someone who is involved in youth work and, like the Minister and the Member who asked the question, represents North Belfast, I welcome investment in sports facilities and community facilities for young people. That is something to be welcomed right across the House.

I appreciate that the Minister has not got much meat on the bones at this stage, but will there be consultation on the proposals with communities in the New Lodge, the Antrim Road, Cliftonville, the lower Shankill and the lower Oldpark to ensure that the facilities that those communities and, indeed, the local schools need will be part of this, as well as facilities for those who are elite or potential elite athletes?

**Ms Ní Chuilín:** Absolutely. My role and, indeed, Sport NI's role are not just around elite athletes, although that is in the Sport Matters strategy. In our role as elected representatives, regardless of whether we are Ministers or MLAs, we need to make sure that we are not pulling the ladder up on people coming behind us. A lot of children and young people who are vulnerable with regard to the criminal justice system and poor mental and physical health will have an opportunity and not just an opportunity to be consulted. They should have that opportunity, and there should be a gateway for those kids to make sure that they are not continually left behind. It is sectors like those that, unfortunately, constantly keep our constituency in the top 10% of the most deprived.

### 3.00 pm

**Mr A Maginness:** I welcome the Minister's outline of the potential for the Girdwood site. In keeping with the Executive's shared future policy, will the Minister emphasise the importance of bringing children and young people together on that site and ensuring that any facilities that are available should be open to everybody?

**Ms Ní Chuilín:** I absolutely agree with the Member: it needs to be done on the basis that it is inclusive of everybody. It is about need; it is not about creed. Any facility that is developed, should it be sport, housing, education, employment or investment, needs to be done on the basis of objective need. If you look at objective need, a shared future will follow.

**Mr McGimpsey:** I welcome the Minister's response to the questions.

The ambitious plans that Crusaders Football Club has, which include education, sport and health, are equally deserving of support. Will she undertake to seriously consider that development as it comes forward, because it very much parallels what is being proposed and considered for Girdwood?

**Ms Ní Chuilín:** I thank the Member for his question and his continued interest. I have not met Crusaders about its proposals. I look forward to receiving an invitation to meet the club. I know about the work that it is trying to do, particularly around involvement through education, sport and physical activity and particularly for young men who have been excluded in their communities and feel that any opportunities that come their way really are not for them. I heard about the proposals on the news. They sound very exciting, and I wish Crusaders well. However, as yet, I have not had sight of the proposals or met Crusaders on this.

### Commonwealth Games 2014

4. **Mr Easton** asked the Minister of Culture, Arts and Leisure what funding opportunities are available for people taking part in the Commonwealth Games 2014. (AQO 5645/11-15)

**Ms Ní Chuilín:** I thank the Member for his question. The Commonwealth Games Council is responsible for all aspects of the North's local team that will compete this year in the Commonwealth Games. DCAL provides support to athletes through Sport NI, which is investing well over half a million pounds in Commonwealth Games sports in the current financial year through its athlete investment programme. The two strands of the programme contribute to the implementation of agreed training and competition programmes and to essential living and travel costs. The funding is not solely for preparation for the Commonwealth Games but is also for other competitions that take place during the investment period. The Sports Institute provides specialist support to local talented athletes in the form of sports medicine, physiology and performance skills, including lifestyle management, performance analysis and strength and conditioning. An ongoing investment programme in the development of high-quality facilities, such as the Aurora complex in the Member's constituency and the stadia projects, provides athletes with a professional training environment.

I want to take this opportunity — sure I will have it again well before — to wish all the competitors every success.

**Mr Easton:** I thank the Minister for her answer. Is there still time for people to make applications for funding for the Commonwealth Games, or is it closed?

**Ms Ní Chuilín:** My understanding is that it is still open, but I am not sure. I will find out and get word to the Member, hopefully within the week. I understand that it is still open for people to apply to that fund, if you are talking about the athletes. I know that some of the governing bodies had applications completed well in advance. When they had their athletes selected, they almost had the request for funding on board. However, as with everything, people fall out and others take their place. I will find out and get the Member a definitive answer.

**Mr McAleer:** Go raibh maith agat, a LeasCheann Comhairle. Will the Minister tell us who has responsibility for nominating competitors from the North to the games?

**Ms Ní Chuilín:** In the first instance, it is the responsibility of the governing body to nominate players for international or multi-sport competitions. The governing body may choose players for competitions in accordance with arrangements that have been agreed with the council, athletes and perhaps some of the clubs. At the end of the day, it is up to governing bodies.

**Mr Rogers:** The 2012 Olympics and the World Police and Fire Games taught us that volunteering can be a life-changing experience for many people. What funds are available for those who would like to volunteer for the Commonwealth Games?

**Ms Ní Chuilín:** I am not aware of any funding streams; it is managed through the Commonwealth Games Council. I know that it has been working with Volunteer Now and, indeed, with other volunteers and governing bodies. In the past, governing bodies have included volunteer development or support costs in their awards. I am not sure whether any single organisation such as Volunteer Now helped out with the World Police and Fire Games or indeed the Olympics and Paralympics. If it is any help to the Member, I will find out and forward that information to him.

**Mr Copeland:** Is the Minister confident in the steps that she has taken to ensure that sportsmen and sportswomen who identify with Northern Ireland and wish to participate in the Commonwealth Games on that basis will be properly facilitated?

**Ms Ní Chuilín:** Let me assure the Member that, regardless of how people identify themselves or what nation they decide to compete for, I will give them my full support and backing. I have done that and will continue to do that. At the end of the day, it is down to the sporting bodies how they present their athletes for competitions. I just want to assure the Member and, indeed, everybody else in the House that I never have and never will get political when it comes to athletes. It is certainly below political standards to start getting involved in their choice to compete for a particular nation. What competitors need from all of us is our full support, regardless of their choice.

## Archaeological Finds

5. **Mr Gardiner** asked the Minister of Culture, Arts and Leisure to outline her Department's policy in relation to the housing and display of archaeological finds. (AQO 5646/11-15)

**Ms Ní Chuilín:** I thank the Member for his question. The 2011 museums policy sets out a vision for the museum sector, which is to create a coordinated and sustainable sector that develops, preserves and interprets its collections to the highest possible standards; delivers quality services that inspire, educate and engage local, national and international visitors and users; and harnesses its strengths and diversity to support economic, social and cultural development and a shared and better future.

Museums recognises that archaeological finds are the physical evidence of our shared past. The Historic Monuments and Archaeological Objects Order 1995 defines the Ulster Museum as one of three relevant authorities to which finds must be reported.

**Mr Gardiner:** I thank the Minister for her response. Will she give an undertaking that, as a general rule, any archaeological finds should be housed and displayed as close as possible to where they were found and that doing that will disperse tourist attractions and jobs throughout Northern Ireland and not just confine them to Belfast?

**Ms Ní Chuilín:** If you have spoken to anybody in Limavady recently, you will know that they want the Broughter hoard back. I fully support that. However, Limavady has the conditions and infrastructure to host such treasures. That is not the case for all venues and places across the North. In principle, I support what the Member says: I do not believe that everything should be centralised in Belfast. That includes resources. For a venue to host such a treasure or find, it needs substantial investment. That needs to come from the people who hope to host such a treasure or find.

**Mrs D Kelly:** The Minister will be aware of the recent debate about archaeological finds from planning-led developments. There were some gaps in the policy, legislation and framework. Has she had the opportunity to update and reflect on those gaps and bring forward some amendments?

**Ms Ní Chuilín:** I have not been presented with legislation that needs to be amended. I just assure the Member of that. I am aware that discussions are ongoing between our colleague, the Minister of the Environment, and the Environment Agency on what advisory role Museums has. There is a good attitude and approach to that, not just to honour what is in PPS 6 but to look at what else we can all do, which includes the additionality that I spoke about. So it is about the advice from Museums. It is also about looking to see what gaps we can bridge, how we can put private collections, in particular, back into public use and how public money, which, at the end of day, has been spent on displaying some artefacts, can be used in a way that ensures that such artefacts endure and, rather than just being held in areas such as Belfast, are shared throughout. Work between the DOE, the Environment Agency, Museums and DCAL is crucial.

**Ms Lo:** As the Chair of the Environment Committee, I recently met a representative from the Institute of Archaeologists of Ireland, which represents North and South. They told me that it holds millions of artefacts from planning-led excavations and that there is nowhere to put those artefacts. They said that statutory provision was made down South to keep all the artefacts in a big

premises there. Has the Minister any plans to take such action?

**Ms Ní Chuilín:** The short answer is no. They have a building in Swords where all the artefacts are looked after. Their legislation is different. If private companies come across or seek finds, the legislation is such that the Government must have a role in the display, recording and cataloguing of those finds. The building at Swords was developed in response to that legislation. It is different here. From a personal point of view, I believe that, when treasures and finds are discovered, they should be there not for private collectors but the public; I am sympathetic to that view. In this instance, getting the balance between public and private does always happen. There is a huge backlog of artefacts that need to be catalogued, and we need to decide what to do with them. I believe that the DOE, the Environment Agency and Museums are working their way through exactly how we go about doing that.

### Greystone Library

6. **Mr Girvan** asked the Minister of Culture, Arts and Leisure for an update on the current status of Greystone library, Antrim. (AQO 5647/11-15)

**Ms Ní Chuilín:** I thank the Member for his question. He will be aware that Libraries NI has been concerned for some time about the declining level of use of Greystone library and that the library had previously been marked for closure.

In October 2013, the Libraries board reviewed the position regarding the viability of Greystone. The review found that levels of use had continued to decline, despite an increase in the range of core activities offered by staff. Quarterly meetings were held with the Greystone library action group, but attendance has declined substantially, with only one person coming to the meetings latterly. In view of that, the Libraries board decided that all stakeholders, including the local community, should be informed of its concerns regarding usage of the library and that the position would be reviewed again in October this year. Libraries subsequently wrote to all local representatives, churches, schools and community groups in the area last November advising them of the situation and seeking their views and ideas on improving usage.

Since then, Libraries has had a number of meetings with public representatives to discuss the issue. A follow-up meeting with the MP for the area, Rev William McCrea, and local MLAs is being arranged at their request in March 2014 to further explore how Libraries might increase awareness and, indeed, improve engagement with the library and its users.

**Mr Girvan:** I thank the Minister for her answer. I appreciate that I am involved in this. From a departmental point of view, has there been any engagement with other Departments — I think particularly of DEL and the Department of Education — about encouraging usage and delivering the programmes that some of those Departments currently run?

**Ms Ní Chuilín:** I thank the Member for his question and, indeed, his ongoing concern about Greystone library, which, I appreciate, is in his constituency.

I know that Libraries NI, the board, the chief executive and members of staff are very committed to ensuring

that the library can host, facilitate and develop as many services as possible with other Departments. They have done that. They are working with the Department of Health on the better promotion of mental health; with DEL on employment opportunities; with members of DSD and local regeneration groups; and with local community groups, which may use the premises as a meeting place. That happens particularly in rural areas where there is not a wide range of places that people can use. They will work with anyone.

They do not want to see any library close; they want to make sure that the library's use and potential increases. Not only have they demonstrated that but they are sincere in seeking views about how that can continue.

3.15 pm

**Mr Deputy Speaker:** That is the end of questions for oral answer. We now move on to topical questions.

### Girdwood

1. **Mr G Kelly** asked the Minister of Culture, Arts and Leisure for a timescale for the announcement of proposals for sports facilities on the Girdwood site. (AQT 791/11-15)

Go raibh maith agat, a LeasCheann Comhairle. I hope that the Minister will not mind my persisting a little in addition to the question that I asked her earlier.

**Ms Ní Chuilín:** I thank the Member for his question; I was nearly going to thank him for his persistence. At the minute, we are going through the Together: Building a United Community process around the programme for sports facilities. Under the revenue and capital end, I have submitted outline intentions, albeit not proposals, to develop that further. It will take some time, but I am aware, not just as an MLA but as a Minister, that where there is an opportunity for development, we need to try to make sure that there are seamless links between one aspect of development on sites and another. With that in mind, I am keenly aware of where the Member is coming from. Along with Executive colleagues, I will try to ensure that there is a full complement of services and investment on that site as quickly as possible.

**Mr G Kelly:** Go raibh maith agat. Gabhaim buíochas leis an Aire as an fhreagra sin. I thank the Minister for her answer, although I am not sure whether she gave me a time frame. I know that it steps slightly outside her remit, and she said that in her answer. It is not only sports facilities; it relates to housing, leisure and education, all of which involve other Departments. Is she satisfied that other Departments are moving at the right pace to give us a speedy announcement in those areas and that it is all done on a cross-community approach?

**Ms Ní Chuilín:** The answer is yes. I appreciate that I did not give the Member a timescale, but I do not have a timescale to give him. When I do, I will share it with him. In working with the Department for Social Development in this instance, and with OFMDFM, I am happy that there is a commitment to ensure that where we have opportunities to develop a suite of investments on sites such as Girdwood that we move very quickly. Given the complexities of the site and its opportunities — the fact that it is on an interface — I believe that it is crucial, in fact incumbent on us all, to make sure that the children and

young people who are vulnerable to the criminal justice system and to poor mental and physical health and well-being are involved in this and that there are opportunities for reconciliation.

### Skiing: DCAL Funding

2. **Mrs Dobson** asked the Minister of Culture, Arts and Leisure to detail the assistance her Department is giving to local skiers; those who chose skiing as an amateur sport and those who compete for us on the international stage. (AQT 792/11-15)

**Ms Ní Chuilín:** I thank the Member for her question. I think that she was here when we spoke about support for individual athletes, particularly at an elite level through Sport NI. Our own Kelly Gallagher, who has just finished competing in the winter Olympics in Russia, should be an inspiration. However, our Special Olympians were also an inspiration last year, and they received support through the Special Olympics. Where there is an interest in sport, it is crucial that we take note of that and make sure that support is available through their governing bodies. Indeed, we, as political representatives, should also give them support. That broad approach will encourage more people into sport.

**Mrs Dobson:** I am glad that the Minister mentioned the Special Olympics, because she will be aware of the successes of three local athletes at last year's Special Olympics World Winter Games, including Rosalind Connolly from Portadown. What assistance is the Minister providing to Special Olympics Ulster, especially to those who train weekly at the Craigavon ski centre?

**Ms Ní Chuilín:** I had the privilege of meeting the three Special Olympians at Craigavon council offices last Valentine's Day. DCAL and other Departments have made significant investment in the Special Olympics, and long may that continue. I will get the Member a complete breakdown for her information. It is important that that investment continue, not just for the Special Olympians but for others through Disability NI, Sport NI and local government. In particular, we need to make sure that those who are vulnerable have opportunities to avail themselves of our local services and facilities. It is not just about elite athletes; all people, regardless of their ability, should have an opportunity to compete or simply to enjoy sport.

### Windsor Park: State Aid

4. **Mr Givan** asked the Minister of Culture, Arts and Leisure for an update on the discussions on state aid for Windsor Park and to state whether a resolution has been found. (AQT 794/11-15)

**Ms Ní Chuilín:** On 14 August 2013, Crusaders withdrew its judicial review. Irrespective of that, I went to Europe and, hopefully, those discussions will be concluded. I am confident that the three stadia are not a state aid issue. Regardless of the outcome of any decision, I want to make sure that, if people do not like a decision, they will not go to court and challenge us through a judicial review on the basis of state aid. That is where we are at the minute. We are still waiting for a final outcome, but I am happy with the way in which those discussions have progressed thus far.

**Mr Givan:** I thank the Minister for that response. I know that she will share the need for the issue to be resolved

as quickly as possible to allow work to progress. As far as the Windsor Park update and the upgrade are concerned, her Department and Belfast City Council are discussing community facilities that could be incorporated into the stadium. Will the Minister elaborate on what commitment she can make to ensure that that is taken forward?

**Ms Ní Chuilín:** I am progressing with Windsor Park. Belfast City Council and the IFA's plans need to be completed by May. If Belfast City Council's plans are not concluded by then, I will move on with Windsor Park. It is unfortunate, but I am not prepared to have any delays with Windsor Park because Belfast City Council is not in a position to complete its plans for the redevelopment of any community facilities.

**Mr Deputy Speaker:** Pat Sheehan is not in his place. Alex Easton is not in his place. I call John Dallat.

### Ulster Bank: Belfast Festival at Queen's

8. **Mr Dallat** asked the Minister of Culture, Arts and Leisure how she feels about the way in which the Ulster Bank has acted by slashing two thirds of the budget from the Belfast Festival at Queen's — surely she is hopping mad — and whether she plans to make up the shortfall. (AQT 798/11-15)

**Ms Ní Chuilín:** In short, I have no plans to meet the shortfall. I have not been approached, but I can say that, following my recent discussions with many other festivals, there is a challenge for them to try to meet their budgets. I have been hopping mad with the Ulster Bank, particularly when, in the past, cards have been stuck in machines, and we have not been able to get money out. Festivals need to come together to look at this issue collectively because festivals are very important, and we need to make sure that there is a robust business plan for bringing their proposals forward. I regret that the Belfast Festival is left in this position, but I have no intention at this stage to meet any shortfalls.

**Mr Dallat:** I listened carefully to the Minister's response, and I have to say that I am disappointed. I would have thought that she might at least have consulted her colleagues and appreciated fully the importance of the festival in creating Belfast as a new city that welcomes everyone. Will the Minister approach her colleagues in the Executive to try to salvage this terrible situation created by the Ulster Bank?

**Ms Ní Chuilín:** To be clear: I have not been approached by the festival or the Arts Council to meet the shortfall. Indeed, I am not even sure whether the Arts Council has been approached by the festival to meet the shortfall. However, I suggest — I am sure that the Member will support this — that the first place that the festival needs to go to is the Arts Council. The Member asked me a question, and I am giving him an honest answer. I have not had any approaches. It is too premature for me to jump up and say, as Members tend to do, "Yeah, I will fund that". I am saying that I want to see the detail, but the first place that the festival should go to is the Arts Council.

### Eels: ESB, Ballyshannon

9. **Mr Lynch** asked the Minister of Culture, Arts and Leisure whether she remembers a meeting that we had with Lough Erne eel fishermen a couple of years ago

when we learned about the damage the ESB station at Ballyshannon was causing to the eel population and whether she has received any updates from the ESB on the issue. (AQT 799/11-15)

**Ms Ní Chuilín:** In short, I have not had any update from the ESB, although I have had updates from my fisheries branch in DCAL, as well as correspondence from some angling clubs. It seems that the situation is not improving at all, so I intend to raise the matter at the next meeting of the North/South Ministerial Council on waterways and rivers. I am doing so because it is unfair, particularly to local angling clubs, anglers and people who have invested their lifeblood in those rivers, that ESB appears not to have acted in a responsible way.

**Mr Lynch:** Gabhaim buíochas leis an Aire as an fhreagra sin. At the time, local anglers put conservation measures in place for the eel population. Can the Minister ensure that that matter will be raised and communicated to the anglers?

**Ms Ní Chuilín:** Yes, I am happy to raise the issue, but not so that I can say that I raised it and that that is me moving on. I will track the issue, first, because it is important that ESB honours some of the commitments that it made to local anglers. I am not too sure that that has happened entirely, and I have had different views on that. Secondly, it is important that we monitor the situation on an ongoing basis. The Member and other Members have raised it as an issue. I cannot have responsibility for an eel management plan or even instruct on an eel management plan with Europe based on where things are at currently. We need to make sure that improvements are made for proper conservation and that responsibilities for such conservation are in place.

### Suicide Awareness Training

10. **Mr Dunne** asked the Minister of Culture, Arts and Leisure to explain why the 2013 award, to the value of £60,000, of the suicide awareness training programme to the PIPS charity was not subject to Public Contracts Regulations 2006 for part B services. (AQT 800/11-15)

**Ms Ní Chuilín:** The Member has obviously had a question put in his hand. The £60,000 was not awarded entirely to the Public Initiative for the Prevention of Suicide and Self-Harm (PIPS). The award also looked after the Niamh Louise Foundation and was specifically based on the meetings that we held with them, Sport NI and the governing bodies around work that the governing bodies are doing using suicide awareness charities to make links with sports groups. I think that that is worthwhile doing. Indeed, Sport NI, the IFA and others have worked with those two charities to help raise suicide awareness. I appreciate the Member's concern for there to be robustness and scrutiny, but I think that the way in which this question was brought up is questionable.

**Mr Dunne:** I thank the Minister for her answer, but, with all due respect, she has not answered my question. The reply to a question for written answer — AQW 27495/11-15 — did not clarify the procurement procedures that were used. It indicated that the award was made “via letter of offer” and not through the Public Contracts Regulations 2006. Will the Minister now give us an assurance that, in future, all providers of suicide awareness training will be given

the opportunity to tender, subject to the Public Contracts Regulations 2006 for part B services?

**Ms Ní Chuilín:** I am happy to look at the question that the Member has raised today. I am also happy to look at his question for written answer and the answer that I gave. I will commit to him that I will reply in writing to him and answer his question as fully as possible. I also expect the Member, if he is working with charities and with families and parents who have been bereaved through suicide, and he is genuinely and truly interested in bringing that work forward, to make some representation through DCAL or Sport NI. I am happy to write to the Member and give him the detail that he asks for.

**Mr Dunne:** I had already asked for it.

**Ms Ní Chuilín:** I am happy to write to the Member and give him the detail that he asks for, and I hope that he fully supports all those who are trying to help really vulnerable people.

**Mr Deputy Speaker:** That concludes Question Time.

**Mr McCarthy:** On a point of order, Mr Deputy Speaker. Is it in order for the Agriculture Minister to refuse to come to my constituency to see people whose residences and businesses were flooded, yet, in the short time that she was in the Chamber, she accepted two invitations from two of her party's Members to go to other parts of the country?

**Mr Deputy Speaker:** That is clearly not a point of order but a question to the Minister, and you may pursue the issue with the Minister.

Members, we have finished topical questions a little ahead of schedule. I will suspend business for a few moments.

*The sitting was suspended at 3.29 pm and resumed at 3.30 pm.*

(Mr Speaker in the Chair)

3.30 pm

## Executive Committee Business

### Carrier Bags Bill: Further Consideration Stage

#### Clause 9 (Amendments of the 2013 Regulations)

Debate resumed on amendment Nos 1, 2, 3, 4 and 5, which amendments were:

No 1: In page 3, line 25, after “any material” insert

“, except bags made wholly or mainly of paper.”— [Mr Allister.]

No 2: In page 3, line 25, after “any material” insert

“, except a bag made wholly or mainly of paper, hessian material, cotton, cloth or jute.”— [Mr Weir.]

No 3: In page 3, line 35, at end insert -

“( ) omit head (g);”— [Mr Allister.]

No 4: In page 3, line 35, at end insert -

“( ) omit head (i);”— [Mr Allister.]

#### New Clause

No 5: After clause 9 insert -

#### “Report on biodegradable carrier bags

**9A.**—(1) *The Department must, within 18 months of Royal Assent, prepare a report on biodegradable carrier bags.*

(2) *A report under this section must consider—*

(a) *the desirability of any exemptions on the grounds of biodegradability from the requirement to charge for carrier bags;*

(b) *the criteria under which any such exemptions should apply; and*

(c) *how any exemptions on the grounds of biodegradability proposed in the report would be implemented.*

(3) *The Department must—*

(a) *lay a report under this section before the Assembly; and*

(b) *publish a report under this section in such a manner as it thinks appropriate.*— [Mr Weir.]

**Mr I McCrea:** From a party perspective, most of what needs to be said has been said. Even at Committee, I did not think that the Bill was worth taking forward, and my views are not very different even though the majority of the House seems to think that, for the most part, it is a good idea. However, the amendments are before the House today, and it certainly makes sense, as Mr Allister said, to pause and look at the current legislation and, if things need to be amended, to be big enough to stand up and say that it should be amended. I believe that the Assembly should be willing to step up and say that there are good reasons why the amendments on the Marshallled List should be allowed to become part of the Bill.

Colleagues have discussed the reasons for introducing the previous Bill, and I believe that Sammy Wilson outlined clearly how it got to where it did. There were those of us who were unhappy, but that is by the by, and we had to, to some extent, suck it up and accept that the House was going to vote it through. And there it is. My experience of the Minister is that he has been willing to listen to any issues raised, and I welcome the fact that he was willing to listen to the issue around the implementation of this with the retail sector. However, I ask him to have a listening ear in respect of the amendments, certainly in respect of Mr Allister’s amendments and, indeed, our amendment about paper, hessian material, cotton, cloth or jute. As I said, I hope that the Minister is willing to accept that. I also welcome the Minister’s decision to keep the cost of the levy at 5p instead of the initial proposal to increase it to 10p.

All in all, common sense should be brought into the debate. I am unsure whether Mr Boylan was listening to Mr Allister when he referred to those who had lost their jobs and the one business that had to close. I am also not sure whether Sinn Féin writes its economic policies on the back of a postage stamp, but, in this case, its Members certainly were not listening, and I think that it is shame that they cannot be big enough to accept that, while the Bill is there, common sense should prevail. As other Members said, we should listen to what the people are saying and, if necessary, make the Bill better. I think that the amendments certainly make the Bill better, and I hope that Members do not divide the House but move the Bill forward.

Mr colleague Peter Weir referred to the amendments in detail, so I will not bore the House. I know that we are past the time allocated for the debate, but I ask the Minister and Members to take some time as the debate continues to reconsider their positions and accept the amendments. I really believe that they will make the Bill better and help a community and a sector that is struggling. That is what we should take cognisance of.

**Mr Agnew:** I speak on behalf of Green Party in Northern Ireland to oppose all five amendments that have been tabled. It is perhaps timely to recap on a little of the debate so far, given that we had the break for ministerial questions.

I was struck, particularly at the beginning of the debate, at the level of hyperbole from some Members. Mr Allister suggested that there was “stealth at play”; Mr Wilson referred to the “predatory actions” of the Minister; Mr Wilson, again, called the situation “alarming”; and Mr Allister said that “the noose has been tightened”. If someone had just come in, having missed the context of the debate, they might have thought that it was some sort of security debate, perhaps on a national security agency. It seems quite heavy language for the 5p bag tax under discussion. Indeed, given some of the language that has been used, one might think that the Minister has DOE agents waiting at every street corner to catch someone with a paper bag, handcuff them and lock them up without trial. All that is proposed is a 5p tax on paper bags to coincide with the tax on single-use plastic bags to effect or give a nudge in the direction of behavioural change.

The name of the Bill is the Carrier Bags Bill, yet some Members’ comments would suggest that it is a litter Bill. For me, it is not a litter Bill. Yes, one aspect of it is to try to discourage littering with plastic bags or paper bags, because of the visual impact, the damage that can be caused to wildlife, especially with plastic, and to improve

the look of our town centres in particular, where many of those bags are often disposed, even sometimes in bins from which they can blow out. The purpose of the Bill is not simply to reduce litter but to reduce waste. Some figures are quoted around the amount of energy that goes into producing paper bags, the amount of water, bleaches and chemicals, and the natural forests that may be destroyed for the production of paper: that is waste. That is for a bag to be used, more often than not, on one occasion, perhaps two. It seems excessive that we would expect, indeed demand, as a society that we should cut down trees and use energy, water, bleach and chemicals to manufacture a paper bag, then transport the paper bag to wherever it needs to go because that is more convenient than remembering to bring a reusable bag.

That, to me, seems a strange way to go about it. It seems very strange to me that people say, "Oh, you cannot look at the manufacturing". We look at the life cycle. Surely that is what we have to do: to ask, "Is this life cycle justifiable?" Given the process beforehand, a 5p tax seems perfectly reasonable as a slight disincentive to using a disposable piece of material that has required so much energy to produce.

So it seems perfectly reasonable that we look at the life cycle of a paper bag, a plastic bag and reusable bags. If the research suggested that the energy used to produce a reusable bag was not justified for the number of times they are reused, then we would have an issue. That is where the review is important.

**Mr Weir:** I thank the Member for giving way. Just to clarify the Member's position, he is indicating that the environmental impact of manufacturing is central to this issue as part of the overall life cycle. Will the Member then agree that this should be extended to a wide range of other products, so that for pretty much anything that is being manufactured, from a plane at Shorts to perhaps a bus at Wrightbus, the impact of its life cycle in terms of its environmental footprint should be taken into consideration and taxed appropriately according to that level of impact?

**Mr Agnew:** I thank the Member for his question, because I heard Mr Wilson on the radio saying that if we take this to its logical conclusion, there will be thousands of jobs lost. Some of that was hyperbole. We moved from five jobs in a particular business in north Antrim to thousands of jobs across Northern Ireland.

We are looking at a disposable product that will be used once. If we use the example of a bus — and we have Wrightbus in Northern Ireland, whose work I very much commend — a bus would certainly be reused. If we look at its life cycle and environmental impact, particularly taking in indirect impacts of people maybe not travelling in cars but using a bus with, hopefully, a large number of passengers, then we can take all those factors into account from cradle to grave to determine the impact of that bus.

We are looking at a particular instance, and we should judge this proposal on its merits and not say, "Well, if we accept this, surely it means we have to apply it across the range to every product and every manufacturer".

**Mr Weir:** I thank the Member for giving way. The Member keeps on saying that we are looking at products that will be used as a one-off, yet that was the legislation in 2011. This legislation deals with reusable products, because

it is intended specifically to target the cheaper end of reusables. The distinction between those that are used as a one-off and those that are reusable is at least blurred within this legislation, so it is wrong to draw a distinction between the two.

**Mr Agnew:** If you look at the Environment Agency's report, some of the evidence is that the cheaper reusable bags are often not reused. I have seen a member of my family, who I will not single out, use them as bins simply to replace plastic bags. That is anecdotal evidence, but I know that the Minister and the Environment Agency in England have seen wider examples of that. Again, it is to ensure that reusable bags are just that, and there is evidence to suggest that the 5p cost of the cheaper-end reusable bags is so insignificant to people that they simply use them just as disposable bags. Given that they are heavier plastic and more environmentally damaging than the single-use bags, it is right that we add the tax accordingly.

### 3.45 pm

Essentially, what we are doing is seeking to achieve behaviour change. A 5p tax is a gentle nudge. We have seen from the initial legislation that it works. It makes people stop and think. I do not believe that people, en masse, are saying, "I cannot pay 5p". What they are saying is, "Now that I have had to think about whether I want to pay 5p, I am going to choose not to. I am going to choose reusable options". That is a wise choice. If we can help to instigate that choice through legislation, it is right that we do so.

**Mr I McCrea:** Will the Member give way?

**Mr Agnew:** Yes.

**Mr I McCrea:** The Member refers to people having a choice of whether to pay 5p or to take a plastic bag. Does the Member not accept that the amendment in respect of paper, hessian, cotton, cloth or jute bags would deal with this? Take the paper bag as an example. When people go into a bakery, they may get hot food and not have to pay for a paper bag. However, if they get a chocolate éclair, they do have to pay for a paper bag. Does the Member not accept that our amendment would, in fact, deal with that anomaly and exempt paper bags from being charged for? Surely that amendment would deal with the query around whether paper bags should be charged for. If you put something hot into a paper bag along with something cold, is the bag charged for? That amendment would deal with that.

**Mr Agnew:** I thank the Member for his intervention. I agree that it would be simpler, but would it be better? In my opinion, it would not. I do not think that it would be better if we accepted the amendment. I agree with Mr Weir's previous point about why hessian, cotton, cloth and jute bags should be excluded. However, I think that tying paper bags in with that was a mistake. He would have had my support if paper bags had been excluded.

So, yes, I agree that it would be simpler. Maybe I am naive, but I think that people have the capacity to understand. As with the original tax, there will be a bit of confusion among shoppers during the transition period. However, I think that, six months after this legislation has passed, people will be saying, "What were we ever debating?"

I often compare this to the smoking ban in public places, where we achieved behaviour change through legislation. We banned people from smoking in pubs and restaurants. However, the vast majority of smokers I know do not smoke in their own houses now. We never banned smoking in the house, but people took the spirit of the legislation that we had put in place a step further than what we had probably expected or intended. Through legislation, we were able to kick-start a real and positive behaviour change. In that case, it was for health. In this case, it is for the health of our environment.

I want to speak briefly on a further point about paper bags. I go back to the litter issue, which is but one aspect of the Bill. There is the idea that they disintegrate very quickly. However, I am not sure that I want to go down the line of saying, "We have acceptable litter". A soggy, wet paper bag may well break up, scatter and be less harmful than a plastic bag stuck in the throat of an animal. However, I do not think that we want to say, "It is more acceptable litter. It will biodegrade eventually; that is fine". I want to reduce litter and, as I said, I want to reduce the number of waste-creating disposable products.

On the amendment on biodegradable plastic bags, while I accept innovation to some extent and that we have to be open to it —

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

**Mr Agnew:** I will give way in a second.

Anybody who has looked at the evidence around biodegradable plastic bags will know that the simple fact is that they are rubbish; I apologise for the pun. I cannot understand the rationale behind them. There is somehow such resistance to moving away from our disposable culture that the response is, "We will create a disposable plastic bag that is not quite as bad". The fact is that, from my point of view, they do not solve the problem. They still have huge production costs in energy, water and all the rest of it. They are not completely biodegradable in the way that natural material is. And, as I said, it locks us into the disposable culture that, I think, part of this Bill should be moving us away from.

**Mr Weir:** I thank the Member for giving way. Far be it from me to accuse the Member of not having read the amendment, but he has made a couple of references to the amendment referring to "biodegradable plastic bags". The word "plastic" does not appear in the amendment. It simply refers to "biodegradable carrier bags". I appreciate some of his criticisms that are potentially quite valid, as regards the length of time of some of the biodegradable and oxo-biodegradable plastics and some of the issues relating to that. However, if the Member can point out to me anywhere in the amendment where the word "plastic" appears, I would be more than happy to concede the point.

**Mr Agnew:** I accept the Member's point. When you look at biodegradable options, you can include in that paper and biodegradable plastic bags. I do not see the point in either option.

However, on the amendment more generally, I return to yesterday's debate on the Financial Provisions Bill. The DUP argued very strongly that we should not over-legislate. The Minister has already included in the legislation a three-year review; this brings that forward by 18 months. The review is not specific to biodegradable

carrier bags, but the Minister has given a commitment that that will be in the review.

Yesterday, I went through the Lobby with the DUP members. It was an uncomfortable position for me, but there you go. I was compelled by the rigour of their argument. I apply that again today to the DUP's amendment No 5, and I ask that they apply the same rigour. I think that the amendment is unnecessary. We have considerable research on the existing types of carrier bag — the benefits and the harm. We have enough information. This is the second time that we have had legislation about carrier bags. So, we have enough to make a decision today, and, for that reason, I cannot support the amendment.

I come to the issue of job losses. There is no doubt about it: it is a serious issue, and we are making decisions that impact on people's livelihoods. However, I do not think that we should look at just one side of the story. I heard some of the arguments about how particular commercial organisations may want to use their branding and whatever and about how we are taking that away with this measure. I have to say that I come at this from a different point of view.

As a consumer, if a store wants me to advertise for them, I am happy to be paid to do so. I am happy if the store wants me to wear a designer T-shirt and, indeed, if it wants me to appear in a catalogue; but please, offer me a fee. I do not want to be a walking advertisement. Advertising is something that these companies, particularly the larger ones, spend huge amounts of money on. Please do not expect me to do it for free.

However, the other end of it is the more creative and individualistic reusable bags that have sprung up. Jobs are being created. I think that we have democratised the design of reusable bags. Every craft shop has them. I can certainly think of a few in my constituency, and a few members of my party have designed their own bags and whatever else. We even have some handmade Green Party reusable bags. I can hear Members across the Chamber asking where they can get one.

There are two sides to this. Rather than having a small number of large companies producing branded bags, we now have a large number of small-scale and creative people producing all sorts of bags, and people can be much more individualistic about their bags. I have seen charities and all sorts of organisations use them. That is to be welcomed. So, there is always another side to those arguments.

Our job is to look at the net economic impact, and I am not sure that when we look at it in the context of the wider Northern Ireland economy, there is a great fear that this legislation will do harm. There will be winners, but, unfortunately, there will also be losers, and that is regrettable. However, I am the one who gets accused by some of wanting to go backwards, but every step forwards will mean that we will have some losers. There is no doubt that, when the car was invented, people driving horses and carts were put out of jobs, so I do not think that we can stop progress. We have to look at the net impact on our economy. I do not think that we can hold progress back just because it may harm some industries, particularly when others benefit.

**Mr Givan:** I thank the Member for giving way. He made a number of comments about the smaller creative sector that

has come forward to design these one-off reusable bags, but does he not agree that the biggest beneficiaries of this policy have been the big global supermarkets? Theirs is predominantly the reusable bag that has been consumers' product of choice, so does the Green Party not find it a bit strange to be on the side of the big business rather than on the side of the small independent retailer, which is saying clearly that paper bags should be exempt?

**Mr Agnew:** I thank the Member for his intervention. I can only speak from my own experience, which is that most people walking around town centres are still carrying the plastic bags of the big multinational retailers. It is a reality, and I think that it is a regrettable one, that they are the main presence on our high street and even more so in our out-of-town shopping centres.

It is not an issue of what type of bag we have; it is, unfortunately, the case that the vast majority of that particular type of grocery shopping is still done at multiple retailers. Unfortunately, many small businesses have lost out over the years, and I would lay the blame for that at those who for many years have resisted PPS 5, which would have restricted out-of-town building. We now have those restrictions in place, but I know that my town centre of Bangor has been decimated by out-of-town retail, and I think that, if some of the politicians here had been so concerned about the small retailer back then, we could have mitigated some of the power of the multiples.

**Mr Speaker:** Order. The Member will know that I give all Members some latitude when it comes to Bills travelling through this House, but I would not want to get into a discussion in and around out-of-town shopping. I ask the Member to come back to the Bill.

**Mr Agnew:** I thank the Speaker for his guidance. I took an intervention and went off on a tangent after it, so I apologise for that, Mr Speaker.

The proposals that the Minister has brought forward are to be welcomed. This is the next step in the cultural shift in how we use bags. It is a step forward. The Republic of Ireland, as has been pointed out, was the first on these islands to bring forward a similar piece of legislation. We have seen what has worked and what has not worked.

We have brought forward our own legislation in stages so that we can assess it. It will be possible to review it after three years if we have made mistakes. I think that, again, this is a piece of legislation that people can see the benefit of. It affects their daily lives in a way that they understand. They understand why it is being brought in, and they have, by and large, responded with that behavioural change.

I thank Mr McKay for kicking this all off with his original private Member's Bill. As he said, it has evolved significantly since then, but I welcome the legislation. I cannot support any of the amendments because I think that they are an attempt to resist the inevitable change that is happening. I think that some of the arguments that we have heard have been from those who were never in favour of the legislation anyway, as Mr Wilson admitted. Some will always be resistant to change, but I welcome this change. I cannot support the amendments.

#### 4.00 pm

**Mr Durkan (The Minister of the Environment):** I listened very carefully to all the points that were made during

today's debate. At the outset, I should make it clear that I am opposing all the amendments.

I fully understand the difficulties that many companies are facing at this time, and I very much regret any job losses. However, I believe that the levy is justified on resource efficiency grounds. Let us be clear: current policy does not ban any type of bag, regardless of whether it is made from paper, plastic or other materials. No, the current policy tackles the unnecessary production and use of new carrier bags and instead encourages us to reuse the bags that we already have. That is why the levy applies to a broad range of carrier bags rather than just plastic bags.

In responding to the proposed amendments, I first want to deal with proposals to exclude paper bags from charging arrangements. I should make it clear that the Bill does not introduce charging for paper bags. That policy direction was endorsed by the Assembly almost three years ago. The Single Use Carrier Bags Act 2011, which was introduced to the Assembly by Mr McKay as a private Member's Bill, provided for charging for a broad range of single-use carrier bags, not just plastic bags. That approach was subsequently endorsed by the Environment Committee and approved by the Executive. Following an Assembly debate, the Single Use Carrier Bags Charge Regulations (Northern Ireland) 2013 were made on 15 January last year, with charging commencing on 8 April, so retailers are already charging for paper bags.

In debating today's amendment, we are, therefore, discussing policy that has already received Assembly endorsement and that is enshrined in existing legislation. It is also an integral part of a key Programme for Government commitment.

The charging arrangements are working well and have achieved very significant reductions in carrier bag consumption. That said, I appreciate that some Members have become concerned very recently — some more recently than others — about the existing requirement to charge for paper bags. I am very happy to speak on that and on other issues that have been raised by Members during today's debate.

Mr Allister, who tabled the original amendment on paper bags, did so, in my opinion, representing the business interests of a constituent. I think that it was that rather than a great desire to mimic policy in the Republic of Ireland. I met that constituent and listened to his concerns. Today, Mr Allister said that the legislation is not necessary, but it certainly is beneficial. He outlined the mischief of plastic bags and mentioned their "tawdry" contribution to the environment. Do paper bags not lie on our streets or tangled in our hedgerows? Do they degrade overnight? Do they disappear once they are exposed to oxygen?

There was an intervention from another of the more vociferous bag protesters, Mr Wilson. He said that the change now is about raising revenue. He clearly misunderstands what we are debating today, as, it appears, does Mr Allister. We are already charging a levy on paper bags. I have maintained that levy at 5p, as acknowledged by Mr McCrea, which clearly indicates that this is not about raising revenue, although maybe it was when Mr Wilson introduced it in his draft Budget in 2010.

As things stand, the continued charging for paper bags will not raise much money. As we noted, most single-use bags are plastic. However, there is a real danger that the

availability of free paper bags could trigger a significant shift towards those bags, and, as I said, paper is not a harmless alternative. One estimate suggests that paper bag consumption in Ireland has increased by 80% in recent years, which has led to calls for the Irish levy to be extended to include paper bags.

If you wish to measure the success or otherwise of the legislation in income generated, it has exceeded expectations. Happily, I have so far been able to give in excess of £2 million to 251 environmental projects across the North that are being run by schools, community groups and businesses.

Mr Allister referred to the fact pack —

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

**Mr Durkan:** Yes.

**Mr Weir:** The Minister says that the financial aspect exceeded expectations. I am sure that we will all acknowledge that the £2 million has been spent on worthwhile environmental projects. However, given that the initial projections were for £4 million a year, how can he say that the levy has exceeded expectations from a financial point of view?

**Mr Durkan:** I thank Mr Weir for his intervention. To date, I have allocated just over £2 million of the income generated through the levy. There is money that has not been allocated yet, and I am currently looking at the best use of that. The full year has not elapsed yet either, but I am confident that the moneys will exceed the projections laid down.

Mr Allister referred to the fact pack that I distributed — the fact is that it is three pages long, not six — and he mentioned current proposals in England. I acknowledge that the English proposals currently focus on plastic bags, but that approach was criticised in a report produced by the House of Commons Environmental Audit Committee, not his beloved Environment Agency. The report calls on the Government to include paper bags in the charging arrangements. It confirms that paper bags have a greater carbon impact than plastic bags and states:

*“Exempting paper bags from the charge ... would weaken the message to reuse bags, diminish the impact of the charge and the likely reduction in the number of bags used and associated environmental benefits.”*

The report also cites the view of the British Retail Consortium that the exclusion of paper bags:

*“would increase the environmental impact of single-use bags which runs contrary to the aim of the proposed charge.”*

Of course we do not want a tax on manufacturing, as Mr Allister and others suggested the Bill was equivalent to or might lead to. As I have said previously, the levy is designed to address unnecessary consumption. It is about resource efficiency and waste prevention. It is strange that I am being asked that now. The Assembly has had every opportunity to consider the issues, and this policy, as I said, has been three years in the making and has been agreed by the Executive and already passed by the Assembly. We have collectively agreed already that a levy on paper bags is justified.

Mr Allister also referred to other businesses that currently operate in his constituency, one of which is a tobacco factory. To extend the logic that he applied to his argument, should we therefore not support any anti-smoking legislation that is brought before the House?

I am not sure whether it was Mr Allister or Mr Wilson who accused me, along with Mr Agnew, of trying to drag us back to somewhere. I can assure the House that I am not trying to drag us back anywhere. I am trying to lead us forward, and, fortunately, only a few need dragged.

Mr McKay kindly reminded us that it was the DUP that pushed for the inclusion of paper bags in the legislation. Mr Allister referred to bags being used as a method of advertising. Advertising is an outlay that businesses choose to make, and it is one that is tax deductible. He spoke of the hard-boiled sweet industry. Members will already be aware of Mr Allister’s fixation with confectionery. There are those of us who might have thought that that was restricted to Softmints, however, as the smaller bags to which he referred are actually exempt, it appears that he is not adverse to talking brandy balls either. *[Laughter.]*

**Mr I McCrea:** Will the Minister give way?

**Mr Durkan:** Certainly.

**Mr I McCrea:** Having been known to enjoy some confectionery, I am certainly happy to declare an interest in that sense. Will the Minister give an assurance that he, or at least his Department, has no intention to introduce a levy to deal with the bags that he is referring to for confectionery?

**Mr Durkan:** I can confirm that that is the case. There are different scales and different sizes of bags, and the smaller bags are exempt. It is my intention that they remain so.

Mr Weir cited a bit of confusion over amendment No 5. It appears that there is quite a bit of confusion in the DUP over its policy on this issue.

Ms Lo, the Chairperson of the Environment Committee, spoke in opposition to the amendments and told us how the Committee had scrutinised the Bill. Indeed, she recognised the flexibility that I as Minister have shown in working with the Committee and retailers to postpone the extension of the levy to low-cost reusable bags.

Mr Weir said that the DUP’s amendments were not an attack on this Bill. I do not see them as one either but more as an attempt at one-upmanship on Mr Allister. I welcome and, indeed, agree with Mr Weir’s view that there is nothing wrong in admitting when we get it wrong and to change when things are wrong. That is why I chose not to increase the levy to 10p.

This, however, is not one of those occasions. I think that we have it right. The DUP had it right, but, today, it has it wrong. Mr Weir referred to the Department getting it wrong on projections on the use of low-cost reusable bags. The figures were wrong, very wrong, but the direction of travel was certainly right and should actually strengthen the presumption that consumers will take a free bag if one is available and if retailers provide it.

Mr Boylan opined that people have embraced this legislation. I certainly agree with that, despite Mr Wilson’s protestations. We have seen real behavioural change

and must do what we can to encourage more, not enforce more.

Mr Maginness described the amendments as opportunistic, which prompted a reply from Mr Weir with a question around my consultation with Executive colleagues. The issue and scope of this levy has been with the Executive on a number of occasions. My letter to my Executive colleagues asked them to reaffirm their support for what they agreed to already. On reflection, I felt that that approach was appropriate. I should advise the Assembly that, to date, I have received only one response, which was from the Minister for Employment and Learning, and he indicated that he was content for me to proceed.

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

**Mr Durkan:** Certainly.

**Mr Weir:** A period of reflection can be beneficial, but why did the Minister not at least wait until it could be brought up at the Executive so that there could be a proper discussion on this and so that the Executive could have taken a full view on all the amendments? Why did he effectively jump the gun before there was an opportunity for that discussion around the Executive table?

**Mr Durkan:** Further amendments to Mr Allister's were tabled prior to my having an opportunity to raise this matter at an Executive meeting. I was not present at the most recent one.

I felt that, if any Minister had strong feelings on it, they would certainly have responded to my circular.

#### 4.15 pm

Mr Elliott quoted the previously expressed concern of the DUP's Mr Ross that exempting paper bags would lead to a massive increase in their usage and that they were, indeed, more harmful than plastic to the environment. He said that he wanted a proper outcome. It is safe to say that so do we. Everything that we do in here has an impact, he opined, and cited welfare reform as an example. I would like to think that the impact of this legislation will be a lot better than the impact of welfare reform.

Mr Wilson painted a picture of me as some type of Bond villain — that was picked up on by Mr Agnew — looking to exert control over and extract money from just about any activity. He cited the example of fence posts, but I can assure the House that I will neither tax a fence nor take offence. *[Laughter.]* Mr McKay gave credit to the DUP for swaying the Assembly to include paper bags in the first place. Mr Weir denied that the DUP swayed the House, but there is little doubt that the DUP is swaying today — like a bag in the wind, one might say.

Mr McCrea welcomed the retention of the levy at 5p and referred to job losses. I must point out that correspondence received from the National Federation of Retail Newsagents states that it welcomes the levy and argues that it helps it to protect jobs.

Mr Agnew opposed the amendments, and I commend him for his thoughtful and thought-provoking contribution. Mr McCrea intervened with a bakery example, which was actually and factually incorrect. Any unwrapped food, hot or cold, is exempt from the levy. Obviously, he does not buy too many chocolate eclairs. *[Laughter.]* Mr Agnew gave a more accurate —

**Mr I McCrea:** Will the Minister give way?

**Mr Durkan:** Yes.

**Mr I McCrea:** I am sure that the Minister is seriously considering giving up his job and taking on the role of comedian. He referred to unwrapped food. If, for example, a sausage roll is wrapped prior to being given to a purchaser, does that mean that it is wrapped or unwrapped? Is there a charge for that or not? There is still a lack of information on whether something should be included or not. Recently, someone told me that they bought hot food but had a cold drink in the same bag, and they were charged 5p. There are so many ifs, buts and maybes. Will the Minister provide some clarity?

**Mr Durkan:** I think that it is clear enough. Unwrapped food is exempt, whether hot or cold, and there are food safety and hygiene reasons for that. If I was given hot food and a cold drink in the same bag, I would complain, whether I was charged or not. As for my potential career as a comedian, I think it safe to say that, as we saw today, Mr Wilson's position as in-house comedian is relatively secure. However, I do not know what type of bag he might use when clearing his desk in the near future.

Mr Agnew's overview of the potential impact of the legislation on the economy was, in my opinion, much more accurate and realistic than those offered by the proposers of the amendments. People can see the benefit of the legislation, and they can and do play their part in ensuring its success.

I believe that the existing policy remains entirely justified. There is no justification for doing a U-turn now. The policy objective has always been to reduce or eliminate the unnecessary use of bags, whatever their material. The exemptions from the charging requirement are, therefore, drafted to ensure that free bags, whether paper or plastic, are provided only when really necessary.

Let me give you some figures. Before the levy was introduced, we used around 300 million single-use carrier bags each year in Northern Ireland; that is 300 million. Current estimates suggest that, with the introduction of the levy, annual usage will have fallen to between 80 million and 85 million. If those reductions are sustained in the longer term, that will equate to at least one billion fewer bags over a five-year period. That is a massive saving. However, a decision to exempt paper bags from the levy would almost certainly mean that we could not sustain very significant reductions in carrier bag consumption.

Plastic bags do, and have tended to, attract the most attention. However, it is wrong to view paper bags as a harmless alternative. Huge amounts of energy, water, bleaches and chemicals go into their manufacture, exacting a heavy environmental impact. Moreover, paper bags are heavier and bulkier than plastic bags, and therefore impose a greater transport burden.

The assertion has been made that paper bags degrade quickly. That may be true for some bags and in certain circumstances. However, even bags that are capable of degrading quickly have an environmental impact through their production, transport and disposal. I emphasise the word "capable". The speed at which a bag degrades will depend on its precise composition and the environmental conditions to which it is exposed. Laboratory conditions for degradation are not replicated in a hedgerow, on the street or even in a landfill site. In other words, any bag

that is discarded irresponsibly will have a significant environmental impact. We need to control and minimise that impact on the environment.

It makes sense to seek to address the unnecessary use of bags, whatever they are made from. That is what current policy does. I mentioned earlier that, prior to the levy, consumption was around 300 million bags per annum, and that it has now fallen to around 80 million or 85 million. How would an exemption for paper bags impact on that trend? Retailers are likely to respond by offering their customers free paper bags as an alternative to a 5p bag. We already know that, when people are offered a free bag, they will often accept it, whether or not they even need it. The figure of 300 million bags clearly illustrates that.

The likely result of such an exemption would therefore be a significant shift towards paper bags — most probably robust, resource-intensive paper bags. It is probable that consumption of bags would increase back towards the 300 million level. The great progress that has already been made in reducing bag consumption, and there has been great progress made, would ultimately be undone.

I want to comment on the proposal to exclude other bags, as well as paper bags. Amendment No 2, as well as excluding paper bags, proposes the exclusion of bags made from hessian material, cotton, cloth and jute. I have a short response to that aspect of the amendment: it is simply not necessary.

The Bill already provides that the levy will only apply to carrier bags priced at less than 20p. Given the costs of producing bags made from cloth, cotton, jute and hessian, they typically retail for more than 20p. I accept the point Mr Weir made earlier that, although they typically and, in my experience, universally retail at more than 20p, the potential might exist in the future for them to be less. However, a review would capture that. As such, carrier bags made from those materials would not attract the 5p levy. Such bags are clearly designed for reuse. In the very unlikely event that a retailer was in a position to supply them for less than 20p, those bags would attract the 5p levy. However, that would encourage shoppers to reuse them on a regular basis, as opposed to making repeat purchases. That is the very point of placing the levy on any cheap reusable bag: to actively encourage reuse.

Finally, I want to deal with amendment No 5. It would require the Department, within 18 months of Royal Assent, to prepare a report on biodegradable carrier bags and to lay that report before the Assembly. Of course, there is a clear need to keep charging arrangements under close review and to react to changing circumstances. I have consistently emphasised my commitment to doing that. However, the Bill already requires the Department to review charging arrangements after a three-year period and to lay a report before the Assembly. That allows sufficient time for charging arrangements to become embedded and for us to learn from the experience of the charging arrangements in other jurisdictions.

There is also a specific provision that allows the Department, at any time, to review whether any description of a carrier bag should attract the requirement to charge. These review provisions were discussed and agreed by the Environment Committee at Committee Stage. They were also endorsed by the Assembly at Consideration Stage. In completing these reviews, the Department would

obviously be required to assess the position with regard to biodegradable carrier bags. As such, I believe that the existing clauses, as previously agreed by Committee and endorsed by the Assembly, represent suitable and sufficient review provision.

Before I close my remarks, I want to draw Members' attention to the findings of a report that was produced by the House of Commons Environmental Audit Committee and published on 6 February 2014. I think that that was the day of, if not the day before, my meeting with Mr Allister and his constituent, the bag man. The report examines proposals to introduce a mandatory 5p charge in England confined to single-use plastic bags. Its key recommendations make for interesting reading. I will list some of them briefly.

First, the Government should implement a 5p charge for all single-use carrier bags. Secondly, paper bags need to be reused at least three times to have less of a carbon impact than a single-use bag. The Government should include paper bags in the charge. Thirdly, the Government should remove the proposed exemption for biodegradable bags. Fourthly, the Government should be ready to introduce legislation to ensure that retailers sell bags for life at an appropriate higher charge than the charge for single-use bags.

Both existing and proposed charging arrangements in Northern Ireland are consistent with those recommendations.

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

**Mr Durkan:** Certainly.

**Mr Weir:** He mentioned biodegradable bags. I would not necessarily take the House of Commons report as Holy Writ on the matter. There is legitimate criticism that there is no current legal definition of biodegradability. There is the European norm standard. The Westminster Government may go ahead and purely try to make simple reference to biodegradability before there is a clear-cut definition, which is why part of what is proposed in the amendments that I put forward is to examine the issue. The argument with regard to criticism of the House of Commons Committee is that, in many ways, it jumps the gun, or the Government are potentially jumping the gun, by simply introducing a reference to biodegradability before it has been properly defined.

**Mr Durkan:** I thank the Member for his intervention. I accept the point that he is making. They appear to be jumping the gun in pigeonholing biodegradability. More work needs to be done to establish what really is biodegradable and what biodegradable really is.

In summary, I firmly believe that paper bags should remain subject to the carrier bag levy. I also believe that it is correct to apply the levy to all low-cost reusable bags. Many jurisdictions apply a levy to both types of bags. Applying it to only one type of bag simply moves the problem around.

Finally, I believe that existing review provisions are sufficient. On those grounds, I oppose the amendments.

#### 4.30 pm

**Mr Allister:** I have sensed in this debate a resentment from some that we are even taking time to review and consider these matters. There has been some element of, "Oh, we decided all this in 2011". However, in a sense that

is exactly the point, because, since 2011, we have largely had the experience of including paper bags, apart from the exemptions, and other types of bags in the carrier bag definition. The proof of what has happened is that it is has cost jobs.

Time and time again, I hear Members in the House lament the loss of jobs in their constituencies. I hear people decry the fact that not enough is being done about those things and that more needs to be done. Yet, at the same time, we are prepared to embark and have embarked upon a legislative process that is costing jobs. This has indisputably cost jobs in the service sector of packaging distributors.

Some people might say, "It is a very few number of jobs". However, if you were the man who is a constituent of mine and has, for 25 years, given his life as a salesman in a packaging company in Ballymena and you were told that, because of the carrier bag tax, sales have so diminished, particularly paper bag sales, which were your lifeline, and that your job is gone, it would be — it is and continues to be — a most significant event.

Rather than taking some sort of refuge in thinking, "Oh, we have looked at this before. We got it right in 2011. Let's push on. There is nothing to see here. Let's continue", I think that the House needs to take time to review and to consider whether in fact it got it right in that regard and whether in fact it is serving the purposes that are necessary. I think that the House needs to do that in the context of the type of matrix of arrangements that we have made on packaging.

Here we have legislation that wants to push the boundaries further and include bags of any material as carrier bags — it wants to do all that. Yet, if I as a consumer go down Church Street in Ballymena and walk into a quite famous shoe shop and buy a pair of shoes, I can be handed the shoes in a cardboard box made of paper, but the shop dare not hand me a paper bag in which to carry them without charging me. Where is the sense, the logic and the high-mindedness in what we are doing to save the planet, apparently, if there is no issue about handing me a box in which the shoes come, but there is an issue about handing me a paper bag in which to carry them?

Take the issue of hot food: surely one of the greatest contributors to litter that is pretty much non-biodegradable is the polystyrene packaging in which you get a burger or chips. Anyone who drives down any of our country roads knows about the pollution of that on our roadsides. We are going to die in a ditch over paper bags, but when it comes to polystyrene, be it cups, burger boxes or anything of that nature, that is all a bye ball.

The House needs to focus on what its priorities should be in that regard. There is a particular point about the damage done, not just in terms of jobs to the distributors but to jobs and commerce in our town centres. The reason why a shop is anxious to give you a bag to carry your produce in is because it has branded it so that as you walk down the street you might be a walking advertisement.

Today I discovered something that I did not know, which is that Mr Agnew is really a closet capitalist. He is very happy to take the fee for advertising, but he does not like having to carry a branded bag for nothing. This is a serious point: in these hard-pressed times, the shops on our high street depend on drawing in every customer that they can. They wish to have paper bags with their name

emblazoned on them to remind passing customers that, yes, there is such-and-such a shop; yes, they sell that; I will go and see. However, the Minister wants to be punitive. The new punitive taxation parties are Sinn Féin, the SDLP, the Alliance Party and, it seems, the Ulster Unionist Party. They want to be punitively taxing on those matters.

I digress slightly, but it is rather intriguing that, today, the great defenders of the border are the nationalist parties in the House. The next irate nationalist who speaks to me about the fact that when they buy their groceries in Donegal they get them in a paper bag, but if they buy them across the border they have to pay for the bag — since this has started, people have spoken to me in those terms — I will tell them that they can thank Sinn Féin and the SDLP for maintaining the distinction on the border in respect of paper bags.

The next person on the election trail who complains to me about the avalanche of paper and the fact that they cannot get their door open because of Sinn Féin, SDLP, Alliance and Ulster Unionist election leaflets and says, "Look at all that, and they want to tax me for a paper bag", I will tell them that those are the parties that say, "Don't tax us, tax the consumer and charge for paper bags, but let us produce with impunity as much election literature as we wish and let us pollute as much through your postbox as we can and there will be no tax on that, thanks, but if you want to go to the corner shop and buy something, you will have to pay a tax on the bag." The House really needs to get a grip of itself in that regard. It is a common-sense position.

Mr Elliott, on behalf of the Ulster Unionists, effectively said that he sees no reason to change their stance of 2011. I respectfully suggest that what we have seen since in the loss of jobs in the packaging industry is a reason in itself. What we have seen since in the commercial detriment to firms on our high street that can no longer readily advertise their goods is a reason in itself. I always thought that the Ulster Unionist Party was a party with a minimalist approach to legislation and, therefore, we should not be pushing out the boundaries as much as they are content to do and that we should get some rationality and consistency into the matter.

I say to the House that, at the end of this, it is really a matter of common sense. Yes, do what we have done in respect of the pollutant plastic bags because that is the mischief that we want to attack. We have done that, but why, unless it is for taxation purposes, do we want to include the innocuous, innocent paper bag, and, in doing that, put more people out of jobs? That exhortation causes me to say to the House that Members should back the amendments.

**Mr Speaker:** Once again, I remind the House that amendment Nos 1 and 2 are mutually exclusive, and I will not call amendment No 2 if amendment No 1 is made.

*Question put, That amendment No 1 be made.*

*The Assembly divided:*

*Ayes 33; Noes 53.*

## AYES

*Mr Allister, Mr Anderson, Mr Bell, Ms P Bradley, Mrs Cameron, Mr Clarke, Mr Craig, Mr Douglas, Mr Dunne, Mr Easton, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale,*

*Mr Hilditch, Mr Humphrey, Mr Irwin, Mr McCallister, Mr McCausland, Mr B McCrea, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Mr McNarry, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Newton, Mr G Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Weir.*

*Tellers for the Ayes: Mr Allister and Mr McNarry.*

## NOES

*Mr Agnew, Mr Beggs, Mr Boylan, Mr D Bradley, Mr Brady, Mr Byrne, Mrs Cochrane, Mr Cree, Mr Dallat, Mr Dickson, Mrs Dobson, Mr Durkan, Mr Elliott, Mr Flanagan, Mr Ford, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Mr Kennedy, Mr Kinahan, Ms Lo, Mr Lunn, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCarthy, Mr McCartney, Ms McCorley, Dr McDonnell, Mr McElduff, Ms McGahan, Mr McGimpsey, Mr McGlone, Mr M McGuinness, Mr McKay, Mrs McKevitt, Mr McKinney, Mr Mitchel McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Milne, Mr Nesbitt, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mrs Overend, Mr P Ramsey, Mr Rogers, Ms Ruane, Mr Swann.*

*Tellers for the Noes: Mr D Bradley and Mr McGlone.*

*Question accordingly negatived.*

**Mr Speaker:** Amendment No 2 has already been debated and is mutually exclusive with amendment No 1.

*Amendment No 2 proposed:* In page 3, line 25, after “any material” insert

*“, except a bag made wholly or mainly of paper, hessian material, cotton, cloth or jute.”— [Mr Weir.]*

*Question put, That amendment No 2 be made.*

**Mr Speaker:** I have been advised by the party Whips that, in accordance with Standing Order 27(1)(a) and 27(1)(b), there is agreement that we can dispense with the three minutes and move straight to the Division.

*The Assembly divided:*

*Ayes 31; Noes 51.*

## AYES

*Mr Allister, Mr Anderson, Ms P Bradley, Mrs Cameron, Mr Clarke, Mr Craig, Mr Douglas, Mr Dunne, Mr Easton, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr McCallister, Mr B McCrea, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Mr McNarry, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Newton, Mr G Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Weir.*

*Tellers for the Ayes: Mr McQuillan and Mr G Robinson.*

## NOES

*Mr Agnew, Mr Beggs, Mr Boylan, Mr D Bradley, Mr Brady, Mr Byrne, Mr Cree, Mr Dallat, Mr Dickson, Mrs Dobson, Mr Durkan, Mr Elliott, Mr Flanagan, Mr Ford, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Mr Kennedy, Mr Kinahan, Ms Lo, Mr Lunn, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCarthy, Mr McCartney, Ms McCorley, Dr McDonnell, Mr McElduff, Ms McGahan, Mr McGlone, Mr M McGuinness, Mr McKay, Mrs McKevitt, Mr McKinney, Mr Mitchel McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Milne, Mr Nesbitt, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mrs Overend, Mr P Ramsey, Mr Rogers, Ms Ruane, Mr Swann.*

*Tellers for the Noes: Mr D Bradley and Mr McGlone*

*Question accordingly negatived.*

**Mr Speaker:** I will not call amendment Nos 3 and 4, as they are consequential to amendment Nos 1 and 2, which have not been made.

## New Clause

*Amendment No 5 proposed:* After clause 9 insert -

### “Report on biodegradable carrier bags

**9A.—(1)** *The Department must, within 18 months of Royal Assent, prepare a report on biodegradable carrier bags.*

*(2) A report under this section must consider—*

*(a) the desirability of any exemptions on the grounds of biodegradability from the requirement to charge for carrier bags;*

*(b) the criteria under which any such exemptions should apply; and*

*(c) how any exemptions on the grounds of biodegradability proposed in the report would be implemented.*

*(3) The Department must—*

*(a) lay a report under this section before the Assembly; and*

*(b) publish a report under this section in such a manner as it thinks appropriate.”— [Mr Weir.]*

*Question put, That amendment No 5 be made.*

*The Assembly divided:*

*Ayes 45; Noes 42.*

## AYES

*Mr Allister, Mr Anderson, Mr Beggs, Mr Bell, Ms P Bradley, Mrs Cameron, Mr Clarke, Mrs Cochrane, Mr Craig, Mr Cree, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Mrs Foster, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr Kennedy, Mr McCallister, Mr McCausland, Mr B McCrea, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Mr McNarry, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir.*

*Tellers for the Ayes: Mr McQuillan and Mr G Robinson.*

## NOES

*Mr Agnew, Mr Boylan, Mr D Bradley, Mr Brady, Mr Byrne, Mr Dallat, Mr Dickson, Mr Durkan, Mr Flanagan, Mr Ford, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Ms Lo, Mr Lunn, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCarthy, Mr McCartney, Ms McCorley, Dr McDonnell, Mr McElduff, Ms McGahan, Mr McGlone, Mr M McGuinness, Mr McKay, Mrs McKevitt, Mr McKinney, Mr Mitchel McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Milne, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr P Ramsey, Mr Rogers, Ms Ruane.*

*Tellers for the Noes: Mr D Bradley and Mr McGlone.*

*Question accordingly agreed to.*

*New clause ordered to stand part of the Bill.*

**Mr Speaker:** That concludes the Further Consideration Stage of the Carrier Bags Bill. The Bill stands referred to the Speaker. I ask the House to take its ease as we change the top Table.

5.15 pm

*(Mr Principal Deputy Speaker  
[Mr Mitchel McLaughlin] in the Chair)*

## Private Members' Business

### Guide Dogs: Working Dogs Classification

**Mr Principal Deputy Speaker:** The Business Committee has agreed to allow up to one hour and 30 minutes for the debate. The proposer of the motion will have 10 minutes 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.

**Lord Morrow:** I beg to move

*That this Assembly commends the Guide Dogs for the Blind Association's campaign "Guide dogs are working dogs too!"; and calls on Her Majesty's Government to reclassify guide dogs and other assistance dogs as working dogs to afford them the same entitlements as other working dogs.*

I expected, as, I suspect, did others in the House, to come to this part of the business a bit earlier. I had it pencilled in for about 12 noon, but it is better late than never. This has been a long time in the waiting, and I am not talking about here; it has been a long time on the no-day-named motions list. However, it is with some pleasure that I stand here today to move the motion.

At the outset, I would like to pay tribute to the Guide Dogs for the Blind Association in this, their thirtieth anniversary year here in Northern Ireland. I am pleased to welcome staff from the association as well as owners and their guide dogs. Some of them are with us here in the Public Gallery, and I extend to them a very cordial welcome. I suspect that others would wish to be associated with those remarks.

Seated in the Public Gallery are Elaine Orwin and her dog Chaz. I met both of them earlier and was very impressed, not alone with the owner, but with the dog, as one who has a liking for dogs, particularly Labradors. They are very welcome. I also record my thanks to the association and, in particular, to Andrew Murdock, who has provided invaluable assistance and information to me in relation to this very important matter and debate.

The association launched a campaign entitled "Guide dogs are working dogs too!", calling on Her Majesty's Government to have guide dogs and other assistance dogs reclassified as working dogs. Although it does not sound like a huge ask, the benefits of such reclassification are wide-reaching and include much needed entitlements and recognition.

While researching the motion, I became fully aware of the invaluable contribution of guide dogs, not only to those who use them in their everyday lives, but to society as a whole. My motion has three main focuses: first, to celebrate the work of the Guide Dogs for the Blind Association since the opening of its office here in 1984; secondly, to acknowledge the work that a guide dog does and how environment can impact on that; and, thirdly, to demonstrate support for the guide dogs association as it continues complex negotiations as part of its campaign for

reclassification. I trust that, as a result of the debate today, there will be greater awareness and support, not only in the Assembly but in Northern Ireland generally for what the guide dogs association is endeavouring to do.

As I said, 2014 is the thirtieth anniversary of the guide dogs association opening here in Northern Ireland. This marks 30 years of enabling many people who are blind and partially sighted to live more independent lives and to enjoy greater social inclusion and quality of life through independent mobility and travel. I must confess that it was only in recent times that I discovered that assistance dogs are not classified as working dogs; indeed, I find it difficult to comprehend why that is the case. Hopefully, that will change.

The guide dogs association in Northern Ireland started life from humble beginnings with just five staff on secondment from mainland UK. Now, there are 22 locally recruited staff offering a wide range of mobility services, including the guide dogs service, mobile support, services to children and young people and buddy dogs. It also actively campaigns on behalf of people who are blind and partially sighted. In addition, there is a dedicated team of volunteers who are involved in many aspects of a dog's journey through training, from placement to graduation. That alone gives some indication of the invaluable service that Guide Dogs provides.

It should be noted that, nationally, it costs approximately £50 million a year to run Guide Dogs. In Northern Ireland, it costs about £1 million a year. It is also worth noting that the Guide Dogs for the Blind Association receives no government funding, despite being the largest breeder of working dogs in the world. On a UK-wide basis, the Guide Dogs for the Blind Association looks after 8,596 dogs, of which 4,373 work in partnerships, and almost 1,400 are pups in training.

Currently, there are 102 guide dog owners in Northern Ireland. Since opening its office in 1984, Guide Dogs in Northern Ireland has supported 450 life-changing partnerships. The association takes care of the dogs' welfare, including the all-important veterinary fees and food. After a huge team effort, beginning with a voluntary puppy walker, guide dog mobility, training, assessment, instruction and placement, extensive work is carried out to match a dog suitably with an owner.

Each dog has an average working life of eight years, and every dog is appropriately and securely rehomed on its retirement. It is a lifelong commitment for dog and owner.

It costs between £40,000 and £50,000 to train a guide dog. It is a combination of gentle nurturing and intensive constructive awareness training to ensure that dogs are not easily distracted and that they remain focused. There is something significant that surprised me, but maybe dogs are ahead of us in this respect: they are trained to ignore distractions such as other dogs, cats or small children. I find that very interesting. Maybe all of us could learn from that. We know, or should know, that it is vital not to attempt to distract a working guide dog.

Providing blind or partially sighted people with the confidence to live the life they choose and to go where they wish is the role of guide dogs. I have watched them closely, and it is clear that they relish the role. Dogs are loyal by nature, and their devotion to their owners is incredible to watch. Likewise is the love, affection and

appreciation that their owners give in return. I am sure that we all have witnessed that at some time in our lives.

Guide dogs are trained to walk on the straight-line principle of travelling from one kerb to another. The dog then stops and awaits a command. The dog is trained to stop at kerbs to prevent the owner walking onto the road into danger. The dog walks around obstacles, negotiates pedestrians in busy areas and supports its owner when using public transport. The dogs live with their owner 24/7, although they have downtime, which they are trained to recognise as being when their harness comes off. I have also witnessed that today. They are a constant source of support, awareness, company and security.

If a blind or partially sighted person was willing to have a guide dog but did not, or could not, avail himself or herself of one, he or she could rely on carers. That would require relationships being built up with a trusted, patient, familiar, suitably qualified, regulated care worker. Even at that, the time limitations are stringent, and a blind or partially sighted person is not free to come and go as he or she pleases. Instead, blind or partially sighted people are entirely reliant on another person or persons and the timescale available. Most importantly, carers would be carrying out their role in an employed and regulated capacity. In other words, they would be working.

The same and more is being carried out by guide dogs and other assistance dogs, but they are currently classed as being little more than very obliging pets. Huge savings are being made by assistance dogs being placed with owners. As well as that, it opens up opportunities in which they otherwise simply could not partake. Taking all of that collectively, I believe that it is entirely correct to state that these dogs are working and providing a second-to-none service for which appropriate recognition is long overdue.

Although today is very much about the dogs themselves, they could not be what they are without the dedicated, patient and gentle expertise of those who nurture and train them to bring them to their maximum potential. The positive impact of assistance dogs on their owners cannot and should not be underestimated. I know that those in the Public Gallery today agree with me and are a glowing testament to the success of the Guide Dogs for the Blind Association.

In conclusion, I commend the motion to the House and trust that it will receive universal support. I am somewhat confident that that will happen, because I feel that the motion deserves it. I look forward to hearing what other Members have to say.

**Mr Brady:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I, too, welcome the opportunity to speak in the debate, and I thank the Members on the opposite Benches for tabling the motion.

I will start by thanking the Assembly's Research and Information Service for compiling a lot of information for the debate. I concur with Lord Morrow and commend, as he did, the Guide Dogs for the Blind Association and welcome its members to the House today. I commend them for their continuous lobbying campaign to reclassify guide dogs and other assistance dogs as working dogs. There are other equality campaigning issues that are ongoing, such as the talking buses campaign.

Improvements to towns and street designs can give blind and partially sighted people the same access as everyone else to safer streets that are inclusive for all. Someone who is physically challenged knows only too well the difficulties that can be found in everyday tasks that most of us take for granted. During its evidence sessions on the Licensing of Pavement Cafés Bill, the Committee for Social Development received a very comprehensive and well-informed presentation from the Guide Dogs for the Blind Association on how that Bill might impact on people who are blind or partially sighted and have guide dogs. It was very informative about the day-to-day problems that people face and the obstacles that they have to overcome.

For those who have to deal with those day-to-day challenges of life with a disability through blindness or sight impairment, a guide dog can be of enormous assistance in achieving a greater level of mobility and independence. The dog becomes the blind person's eyes and gives him or her more security and confidence. Indeed, having met a colleague earlier today who has used a guide dog for many years, I know that it is very easy to see how essential and precious the guide dog is for that person. Guide dogs give people so much confidence in their ability to get around.

Guide dogs are trained to assist with many tasks and are adaptable. They can learn how to deal with unfamiliar duties with which their owner might otherwise need assistance. There are many social benefits that a guide dog can give to its owner. Individuals with disabilities experience isolation and, in some instances, can be shunned in their own community because others feel uncomfortable about how they should act around them. Unknown territory can make one anxious or afraid, and the natural human instinct is to avoid places and situations. However, a guide dog or an assistance dog can help bridge that uncomfortable barrier.

There are up to 30,000 people who are blind or partially sighted, many of whom are in employment or, through the assistance of the Royal National Institute for the Blind, actively seeking employment. I also wish to commend the good work of the institute in helping blind or partially sighted people gain the necessary skills, training and opportunities through job search applications and interviews to gain successful employment.

Although this is a reserved matter, all Departments here have a role to play. I consider this to be an equality issue. For instance, the Health Department can ensure proper access to services and the Education Department can provide support in the classroom for children who are visually impaired. The Department of Agriculture and Rural Development can provide services such as childcare in rural areas, and the Department of Enterprise, Trade and Investment can provide access to services and jobs. DEL can help people who are seeking employment, while DCAL has Sport for All and DSD can provide access to proper housing with adaptations for disabled people etc.

The Guide Dogs for the Blind Association campaign "Guide dogs are working dogs too!" was launched in 2012 and highlights the need for the current HMRC legislation to be amended to include guide dogs and assistance dogs and give them the same food tax exemption as that for working dogs such as greyhounds, sheepdogs and gun dogs. In reading through the research material, I was astonished to find that those dogs are not already in that

classification, because they do such a tremendous and worthwhile job.

Guide dogs are working for the majority of the day, seven days a week and 365 days a year. In my view, that certainly means that they meet the working dog criteria and should be exempted. Currently, the HMRC definition of a working dog is based on the type of food that a dog consumes, rather than the role it plays. We are all very aware of the role that guide dogs and, indeed, assistance dogs play. It seems absurd that such dogs are not included, so I support the motion.

### 5.30 pm

**Mr McKinney:** I welcome the opportunity to speak in the debate. I commend the Members who tabled the motion and the Guide Dogs for the Blind Association. Like many others, I supposed that guide dogs were working dogs because of the invaluable service they deliver. As we have heard, there is an omission in the legislation on the issue, and, according to HM Revenue and Customs, sheepdogs, gun dogs and greyhounds are all classified as working dogs, and assistance dogs such as guide dogs are not. The motion and the campaign are pointing at that, and I hope that something can change as a result of our deliberations and contributions today.

Dogs already statutorily described as working dogs have their food zero-rated for VAT because they bring additional benefit to their owner. The further problem that arises here is that working-dog food is not suitable for guide dogs as it is very high in protein and is specifically tailored for everyday activity. It would be irresponsible, therefore, to feed guide dogs such food, and there is no system in place to provide tax exemption on food that is suitable for guide dogs. The campaign referred to in the motion, "Guide dogs are working dogs too!", has been seeking recognition for the work of guide dogs and strives to find ways to cut the VAT cost for guide dogs. Our party is delighted to commend and support the campaign.

VAT costs are particularly important. I will break down Lord Morrow's bigger figures. The guide dog charity has told us that its VAT bill is in the order of £300,000 a year. In the greyhound industry, where profits can actually be made, there is no such charge, so the question becomes this: how much more assistance could be provided to those with sight loss if that money were retained by the charity? We have heard that it costs between £40,000 and £50,000 to train a guide dog, but it costs many thousands of pounds to sustain that dog throughout its valuable and productive life. The bulk of funding for these endeavours is covered by donation, and, indeed, many people in charities do terrific work in this regard.

Food for gun dogs and greyhounds has tax exemptions, so you can see how charities feel that they are losing out on sizeable chunks of funding because of the fact that they pay extremely high tax bills. Some people might say that they are looking to have their cake and eat it because they get a tax exemption on contributions, but I think that we will all agree that charities such as Guide Dogs for the Blind compete in a very difficult market and it is always difficult to get donations and get enough donations. They could always do with more, and this an imaginative answer to making the best of the moneys donated to them.

We have heard repeatedly in Westminster that it is not the type of dog that determines the VAT treatment but the type of food that they eat. As guide dogs consume food that is suitable for all dogs, the food is not tax-exempt. The Equality Act 2010 defines a working dog as one that is:

*“not merely a pet but learns and performs tasks to assist and/or entertain its human companions or a breed of such origin.”*

The inherent flaw is that guide dogs actually fit this description. They learn and perform tasks to assist their owners, often steering them away from danger, as we have heard, and helping immeasurably with navigation. They help their owners to perform everyday tasks and increase their physical, mental and emotional well-being. This assistance cannot be overestimated. The criterion used to stipulate the taxability of a working dog's food is not the above definition but the type of food they eat. This is producing converse results whereby the huge costs associated with providing an often essential tool for someone who has lost their sight are compounded by a large tax bill.

We support the “Guide dogs are working dogs too!” campaign and commend the fact that it has over 6,000 signatures. It is unjust that guide dog charities lose money to tax because of the classification of the dogs' food rather than an appreciation of the work they do to assist the everyday life of those who have experienced sight loss. Of course, we support the motion.

**Mr Beggs:** I, too, wish to pay tribute to Guide Dogs NI, as it approaches its thirtieth anniversary here, for the work that it has been carrying out in Northern Ireland. I understand that it has 22 locally recruited staff providing a wide range of mobility services, including the guide dog service. On top of that, it provides mobility support services to children and young people. It also has a buddy dog service and runs active campaigns on behalf of the blind and partially sighted. We must thank it for all of that.

Guide dogs have enabled blind and partially sighted citizens to have significantly greater independence and mobility. Who would dispute that a guide dog is a working dog? Were it not for guide dogs, carers would have to be employed to allow someone who was blind or partially sighted a degree of independence. However, that would be a lesser independence than a guide dog could provide because they would not have the freedom to go out and so on when it suited them. Given that, there is clearly a job of work being done by guide dogs.

As others have said, sheepdogs, police dogs, guard dogs, gun dogs and racing greyhounds are all recognised as working dogs and so have tax advantages. Surely it is a flaw that guide dogs are not recognised. They play a valuable role and make a huge difference to the life of their owner by increasing their independence, confidence, motivation and well-being. With that independence and freedom to move come psychological and social benefits. A trained guide dog can provide a life-changing partnership. Training enables the guide dog to safely and skilfully guide someone around an ever-changing environment, whether that is a town centre or a rural setting. No one should doubt that a guide dog is a working dog, and my Ulster Unionist colleagues and I call on the Government to acknowledge that.

I thank Guide Dogs NI for setting up an obstacle course in the grounds of Stormont last year and allowing each of us to get a sense of how important guide dogs are. We were blindfolded and experienced how a guide dog can help someone to avoid obstacles when walking along a pathway. It was useful to get that insight.

Guide Dogs NI covers the food and veterinary costs for the life of its dogs. Those costs are considerable and can be between £40,000 and £50,000 a year. We ought to ensure that we allow it to maximise its fundraising. Collectively, guide dogs cost about £1 million a year in Northern Ireland, but I understand that the organisation receives no government funding. We must recognise the considerable support provided by the charities and allow these dogs to do more to become the eyes and ears of their owner.

After the initial selection of the dog when it is a pup comes significant training and the support of volunteers and puppy walkers who nurture the dog in those early years. Then, there is the process of matching a dog to an owner, which means that a dog must be of suitable height, speed, control and temperament etc so that a good partnership can be created. During the life of a partnership between someone who is blind or partially sighted and their guide dog, ongoing support is needed in case any issues arise. Finally, when a guide dog is older, there is the issue of retirement and finding a supportive home when it is not able to continue its work. I pay tribute to all who have been involved in that wide range of activities and in fundraising. I understand that there are currently 102 guide dog owners in Northern Ireland, but 157 dogs are cared for and looked after by Guide Dogs NI, including those in training and those that are retired.

It is a complex issue, and I understand that changes will be involved. For charities to benefit fully, changes will be required at Westminster and in Brussels. If the regulations are flawed, they should be changed. I would certainly support such changes to allow more money to be spent on those in need. I have drawn the issue to the attention of my colleague Jim Nicholson MEP so that he can use his considerable European experience and networks to try to address it. This should change, and we must all work towards that.

**Mr McCarthy:** On behalf of the Alliance Party, I support the motion and commend the Guide Dogs for the Blind Association for initiating the working dogs campaign. I hope that, at some stage in the near future, the powers that be will accept the fact that guide dogs are special and should be classified as working dogs for the work that they perform.

I am grateful to Claire Milliken, the Assistant Librarian, for her excellent research paper and the very useful information in her report. However, it seems that HM Revenue and Customs has its rules and regulations, and, while there may be some sympathy for the guide dogs campaign, there does not appear, at this stage, to be any proposal to change the status quo.

Contained in Claire Milliken's report are references to case law and its outcomes. I was particularly struck by the motion debated in the Scottish Parliament back in 2012. Strong and passionate speeches were made. There is no doubt that amendments to the present legislation were what they wanted. However, it was recognised that the London Government had the responsibility but were

curtailed, it appears, by EU regulations. Perhaps when Scotland achieves its independence those changes can and will be made by the Scottish people themselves.

My colleague Naomi Long, the Alliance MP for East Belfast, has been very engaged with the powers that be at Westminster. She put a very strong case for guide dogs to be classed as working dogs and for their food to be, as for the rest, VAT-free. Naomi has made the case to the Chancellor of the Exchequer, and he has passed the correspondence on to a Mr David Gauke. In his reply to Naomi last year, he reiterated that, since VAT was introduced back in 1973, there has been only one exception to the general rule: a specialised product that is held out for sale as suitable only for working dogs and not suitable for pets.

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

**Mr McCarthy:** Yes, surely.

**Mr Weir:** I welcome the Member's remarks. He referred to legal cases and the position with regard to VAT. Does he agree that one of the biggest obstacles is a lack of imagination in government? It strikes me that, if there was a willingness on the part of government to reclassify guide dogs as working dogs, particularly as regards targeting the food, a lot of obstacles could ultimately be overcome.

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

**Mr McCarthy:** I certainly agree with Mr Weir. There does not seem to be the will, at this stage, in the correspondence that I have to hand.

I will read the final sentence from that chap Gauke:

*"It is therefore not possible to relieve dog food to be consumed by guide dogs from VAT".*

So, there does not seem to be a willingness. That was written late last year; perhaps the debates in our Assembly and the Scottish assembly will put some imagination into the powers that be in Westminster, who can make the difference.

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

**Mr McCarthy:** Surely.

**Mr Beggs:** I am just curious about whether the Member has come across any reason why it is not possible? I would have thought that it was possible to legislate whatever you wanted to legislate for, whether that be at Westminster or, indeed, if a change is needed to European regulations to allow it to happen, in Europe.

**Mr McCarthy:** I agree entirely with Mr Beggs. If there is a will, there is a way. This chap is hiding behind EU rules that were made back in 1973. However, if they listen to the message coming from this Assembly and the Scottish assembly — I do not know about the Welsh Assembly — they would know that there is a demand for change. If there is a will, there is a way, and the powers that be at Westminster could certainly change it.

The motion before us is a very worthy and honourable cause. If this Assembly can support it, surely Westminster must listen and act as necessary. I put on record my thanks and appreciation for the work of Guide Dogs for the Blind Association and others. Those dogs can make such a huge difference to the life of partially sighted and blind members of our community. It is a pity that we do

not have a Minister with us to respond to the debate. I saw the Finance Minister coming in, but he has gone. We have nobody to respond to the debate, which is unfortunate.

**5.45 pm**

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

**Mr McCarthy:** Yes.

**Mr Weir:** To be fair to all Ministers from all parties, it is a non-devolved matter. Therefore, however much, I am sure, they would be in favour of it, it is outside their remit to give a response. The issue of VAT very much lies with Treasury.

**Mr McCarthy:** I am grateful to the Member for putting us straight on that. Nevertheless, it would have been nice for a Minister to respond. The Executive chose to put up Mark Durkan to respond to the debate on climate change yesterday. However, we are where we are. As I said, it is a pity. I thank Lord Morrow and Peter Weir for bringing the important issue to the Floor.

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

**Mr McCarthy:** The Alliance Party fully supports the motion.

**Mr G Robinson:** I am delighted to support this very worthwhile motion. I congratulate my colleagues for securing it. I would like to extend a warm welcome to members of the guide dogs association who are in the Public Gallery. I also commend the excellent work performed by the doctors and nursing staff in the low-vision department at Altnagelvin Area Hospital, who treat a relative of mine and many other people who are partially sighted or have low-vision medical complaints.

To my mind, there is no doubt that a guide dog is far from being just a pet. It is an essential part of a blind person's ability to keep some independence and undoubtedly saves them from personal danger and injury. The basic fact that a guide dog goes through many months of specific training before being given to an individual is proof that guide dogs are not ordinary dogs. They are highly trained in a very specific area of expertise. It is not a dog that lies on the best seat in the house soaking up the heat; it is a dog that is trained to work and save lives.

Of course, the definition of a working dog applies in other specialised areas for police dogs, gun dogs and sheepdogs, for example. HMRC must surely realise that a guide dog fulfils the same criteria. It was interesting to read that it assumed that all dogs would be seen as a pet species. I sincerely hope that it will see the error of that assumption and include guide dogs and, indeed, all working dogs for zero-rated VAT. It has got its definitions wrong. Let us push HMRC to rectify the mistake by supporting the motion.

By doing so, we will also support all people who have working dogs. I am especially concerned about those who are blind. The debate is about people who have a visual disadvantage in life but whose life can be made a little less difficult by the simple reclassification of their guide dog as a working dog. After all, it is not the food that a dog eats that sets it apart; it is the role that it plays for an individual that matters. This is an area where there must be a change by HMRC as a matter of urgency. I hope that everyone in the Assembly will support this very worthwhile motion.

**Mr Principal Deputy Speaker:** I call Peter Weir. I am sorry, Steven Agnew has joined the company. I beg your pardon.

**Mr Agnew:** Thank you, Principal Deputy Speaker. I am delighted to take part in the debate on behalf of the Green Party NI. I very much welcome Lord Morrow's motion and commend him for bringing it forward. It is an issue that, I suppose, like him, I became aware of relatively recently through my work with Guide Dogs on other issues such as audiovisual information on public transport and its campaign to remove street clutter. It also briefed me on this issue. I was shocked that a guide dog, which clearly performs such a valuable role in society, was not classified as a working dog.

To some extent, it is hard not to repeat some of what has been said about the importance of a guide dog to a person who is blind or partially sighted. It gives them the confidence and the independence to go out alone, without the need to have a carer with them at all times, as was pointed out, so that they can have a certain amount of freedom and mobility. It certainly promotes their equality of opportunity, something that we should seek to provide, where practicable, for all people with disabilities. We should also ensure that we mitigate some of the challenges faced by people with disabilities; in this case, it is those who are partially sighted or blind.

Lord Morrow referred to the cost of training a guide dog. Again, I learned about that relatively recently, having been involved with the Agnew family, who are no relation, in the Justice for Cody campaign. The Agnews were inundated with donations after their dog Cody had been tragically set on fire. They received donations well beyond their vet's bill and chose to donate the money to Guide Dogs to help it to train a guide dog that was to be named in Cody's honour. The campaign raised £5,000 in total. The guide dogs association gratefully received the money, but it informed us that that would pay only for the first part of the dog's training. As Lord Morrow pointed out, the full cost of fully training and equipping a guide dog is in the region of £40,000 to £50,000. That is a staggering sum. It is right that we debate this motion today to see what further we can do to reduce the burden on charities such as Guide Dogs and, indeed, on guide dog owners in footing the bill for feeding what is, in my view, very much a working dog.

I do not wish to introduce any controversy into the debate given that there is clearly unanimous support for the motion, but it seems strange to me that the law defines a hunting dog as a working dog but not a guide dog, when, in my view, guide dogs provide much more value to society. From the sentiments expressed clearly by the Assembly, there is no doubt that we very much value the work of guide dogs. Both the association —

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

**Mr Agnew:** I will certainly give way.

**Mr Weir:** In the spirit of what the Member said about that but without wanting to reopen any debate about the dogs that are classified as working dogs, does he agree with me that it is difficult to think of a more appropriate dog to be classified as a working dog than a guide dog? Mention was made of the fact that they effectively work 24/7. Although they have downtime when they can relax, I suspect that the number of hours put in by a guide dog is greater than that put in by almost any other form of working dog that could be considered.

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

**Mr Agnew:** Thank you, Principal Deputy Speaker. I thank the Member for his intervention. I could not agree more. I am just thankful that we do not have to pay guide dogs the minimum wage, because, given the hours that they do, it would bankrupt us.

It is a relatively small ask of the Westminster Government to recognise guide dogs as working dogs in order to allow a VAT exemption on food for them. For that reason, I again commend Lord Morrow for tabling the motion. It is one of great importance to many people who are blind or partially sighted and those who work to support them. I conclude by asking Lord Morrow to address in his winding-up speech what he feels the mind of the Government is on this. Has he had it explained to him why the Westminster Government would be reluctant to go down this road? On the face of it, it seems to me to be immensely sensible.

**Mr Weir:** With regard to the comments from the previous Member, I do not know whether Lord Morrow will be able to perform an act of ventriloquism. However, if he has any additional information, I will be happy to give way.

Sometimes it is difficult to judge the mind of government in Northern Ireland, let alone that of government across the water. I concur with the previous Member: the mindset of those who appear to be resisting this seems to beggar belief.

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

**Mr Weir:** I am happy to give way.

**Mr Brady:** With regard to the mindset, it is worth mentioning — I think that the Member would agree — that blind and partially sighted people have had an uphill struggle. It is only in very recent years that they have been able to qualify for the high rate of disability living allowance. Therefore, they and their dogs have had a rough time of it.

**Mr Weir:** I very much concur with the point that has been made. Without straying on to a different topic, there have been many negative aspects of welfare reform as things have changed over the past few years, and I am sure that the Member opposite will concur with that. However, one of the positive developments has been greater recognition in recent years of those who are blind.

From all six parties that took part in the debate we have had unanimity on where we see things going, and the tone of the debate has been very good. The Member who spoke previously and has now left the Chamber talked during the previous debate about concern over the hyperbole of language, and that, thankfully, has been missing from this debate. All the contributions from across the Chamber have been constructive. We debated issues around bags earlier. I do not know whether we could have had a solution and merged the two and had a debate on a levy for doggie bags. That might have been a way of ensuring that the language in the previous debate mirrored the language in this one.

In all seriousness and as has been mentioned by a number of Members, although many of us have a very minor visual impairment, it is difficult for us to get our heads around the impact of being blind or partially sighted on a day-to-day basis. Roy Beggs mentioned the fact that, a short while

ago, a number of us took part in an obstacle course with a guide dog that gave us a brief and, I suppose, partial insight into the lives of those who are blind. I was also involved in that exercise. Coping with that on a day-to-day basis 24/7 brings problems, as has been mentioned. Mickey Brady mentioned the significance of guide dogs in tackling problems of isolation in a community, fear and loneliness at times, and guide dogs can make a vital contribution.

I shall speak from personal experience. Late in life, my late grandmother became blind. I was too young at the time to establish why she could not have a guide dog. It may have been because it was so late in life, although it might have been the fact that she died before Guide Dogs was established in Northern Ireland. However, we all know of many people who have benefited from the wonderful contribution that Guide Dogs has made.

In proposing the motion, Lord Morrow highlighted much of the good work that has been done across the UK and particularly in Northern Ireland during the past 30 years by the Guide Dogs for the Blind Association. At times, there is a lack of knowledge over the sheer amount of work and training that has to go into a guide dog to ensure that it can provide the best possible service. As has been indicated, that does not come cheap. It takes a large investment of money, and the time given by volunteer workers involved with the charity also plays a vital role. The financial aspect has been mentioned. Fearghal McKinney said that, if VAT was taken into consideration, it was not simply a question of dealing with that particular issue; it would have an enormous knock-on effect.

There is an opportunity cost, which is that if VAT were dealt with properly, whether in Europe or Westminster, and an attitude taken that allowed VAT on guide dog food to be dealt with, it may make a relatively small contribution, but that would free up money. It is clear that there is a cost not only to blind people who have guide dogs but to the Guide Dogs for the Blind Association, which supplies food —

#### 6.00 pm

**Lord Morrow:** I thank the Member for giving way. I want to make something clear. It is not anything that the Member said, but now might be an opportune time to do it. There is a subtle difference between something that is exempt from VAT and something that is zero-rated. The difference is that VAT cannot be charged on something that is exempt, whereas a zero-rated product has the potential to have VAT charged on it.

What reasons were given about VAT? A convincing reason was not given as to why this could not be done, but Kieran McCarthy touched on it. We have what I sometimes call a plague — Europe — and its tentacles go very deep at times. It keeps interfering, meddling and telling us how we should run our affairs. This issue has its origins deep down in Europe, but a referendum is coming, and we will all come out of Europe soon. We look forward to that, but I hope that we do not have to wait until that day comes to get there with this issue. I just want to make that point.

I also want to emphasise to the House that we are pursuing this matter in another place, and, hopefully, we will get the desired result in the not-too-distant future.

**Mr Principal Deputy Speaker:** Thank you for that short intervention.

**Mr Weir:** I thank Lord Morrow and agree with his very brief intervention. There is a direct cost to the Guide Dogs for the Blind Association, which is money that could be much better spent if the VAT issue were tackled. There is an issue about the extent to which the apportionment of blame lies with Europe and the extent to which it is the attitude of the Treasury and HMRC. When I studied taxation at university, I was taught that the difference between a kidnapper and HMRC is that you could negotiate with a kidnapper. If we can see light at the end of the tunnel with the work being done on the exemption, that can be dealt with. If the imagination and willingness are there, the issue can be cracked.

As for the definition of a working dog, as I said to Mr Agnew, it is difficult to think of dogs that provide greater worth or service to mankind than dogs that give day-to-day assistance as guide dogs. I welcome those in the Public Gallery, and I see the silhouette of at least one dog, but perhaps there are more. I am sure whether they have been exceptionally bored throughout the debate, but they have been exceptionally well behaved.

The issue is being tackled. Mention was made of the very good debate that was held in Scotland. A number of representatives also raised the issue at Westminster, most acutely, David Blunkett. Indeed, the Northern Ireland Assembly is adding its voice to the views that the issue needs to focus on. Food for guide dogs is not the same as food for other working dogs, but if there is some imagination, we can make a very valuable contribution.

I urge that we send a unified message from the Chamber, as happened throughout this debate, to say that all parties support the call of the Guide Dogs for the Blind Association in its campaign to remove VAT from guide dog food. If the Assembly unites behind that call, we will send a very valuable message. I urge Members to support the motion.

*Question put and agreed to.*

*Resolved:*

*That this Assembly commends the Guide Dogs for the Blind Association's campaign "Guide dogs are working dogs too!"; and calls on Her Majesty's Government to reclassify guide dogs and other assistance dogs as working dogs to afford them the same entitlements as other working dogs.*

## Assembly Business

**Mr Principal Deputy Speaker:** Before we move to the next item of business, I wish to inform Members, particularly those who were planning to speak in it, that the Adjournment debate will not be happening today. It will be rescheduled for a later date.

## Committee Business

### Credit Unions: Financial Support

**Mr Principal Deputy 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 McGlone (The Chairperson of the Committee for Enterprise, Trade and Investment):** I beg to move

*That this Assembly acknowledges the valuable contribution of the credit union movement to providing affordable credit; and calls on the Minister of Enterprise, Trade and Investment to work with her Executive colleagues to provide appropriate financial assistance to Northern Ireland credit unions to cover start-up costs to enable those credit unions that want to expand their range of services to include current accounts, in order to enable more people to avail themselves of banking services, to fill the gap left by widespread bank closures and to make a greater difference to communities across Northern Ireland, especially the most vulnerable and those in rural areas.*

Gabhaim buíochas leat, a Phríomh-LeasCheann Comhairle, as ucht an seans a thabhairt domh an rún seo a chur os comhair an Tionóil. Thanks, Mr Principal Deputy Speaker, for the opportunity to propose the motion in the Assembly. I declare an interest as a member of the credit union movement.

In February 2009, in the previous mandate, when the Committee for Enterprise, Trade and Investment published the report of its inquiry into the barriers to credit unions expanding their range of services, no one really thought that we would still be debating the very issue five years later. I am pleased to report that, albeit slow, progress has been steady and that much work has been done to advance the matter.

Credit unions are now regulated by the Financial Conduct Authority (FCA), with the appropriate legislation having been put through Westminster to enable that to happen. At this week's meeting, officials will brief the Committee on the Department's policy proposals for the Credit Unions and Industrial and Provident Societies Bill, which will provide the legislation needed to implement many of the Committee's recommendations.

*(Mr Speaker in the Chair)*

The whole process provides an excellent example of how devolution can work in action. It can be a demonstration of how Committees make a real difference to the lives of ordinary people, but the benefits can be fully realised only if the one outstanding Committee recommendation is accepted. The inquiry report stated:

*“The changeover to the new regulatory regime and the expansion of credit union services will bring additional costs for credit unions relating both to the transition to the new regulatory regime and to the development of new services. It is recommended that DETI and the FSA work with the credit union movement to fully identify staffing, training and technology & equipment costs and to agree with HM Treasury a*

*package of financial support to assist credit unions in implementing changes.”*

Credit unions are in a unique position when it comes to financial services. They are established by the community and for the community, are managed fairly and responsibly, and are run by local people who are primarily accountable to local people; namely, their members.

Back in 2007, before the financial crisis, the banks would have bitten their arm off to give you a loan. Just a few short years later, the story is completely different. The banks have been ruthlessly recapitalising, seemingly without regard for the welfare or future of the people — their customers — at whose expense they have been trying to rectify the mistakes that they made, in order to protect their assets and their shareholders, and, of course, to pay exorbitant bonuses to the executives who largely got them into difficulties in the first place.

We live in a largely rural society, yet the banks fail to recognise or acknowledge that. They have been closing branches in rural areas and deprived communities right across the North, depriving people of banking services, seemingly without regard for the loyal customers who have been with them for many years and through many generations.

As the banking crisis developed and more and more people got into financial difficulties, many through no fault of their own, the payday lenders were there to add to their misery with adverts of happy, smiling cartoon characters bouncing on trampolines, obviously delighted with the 4,000% annual percentage rate (APR) — yes, 4,000% APR — interest rate that they had just been offered. People need reliable banking services and many need affordable short-term credit, but there must be a better way. Of course, there is, or there is at least the potential for a better way, and that is to give financial support to credit unions to enable them to do provide it.

The Irish League of Credit Unions, supported by the Ulster Federation of Credit Unions, briefed the Committee on their proposals to fill the gap caused by wholesale bank branch closures, especially in rural and deprived areas, by offering full current accounts and access to affordable credit to local people. Credit unions are not like the banks though. Your local credit union is not part of a multinational conglomerate or, indeed, a national or even regional group. It is independent. Your local credit union is not answerable to faceless executives in Spain, Scotland or Scandinavia. It is answerable to its members in the local community. Your local credit union does not exist to make profits. All surpluses are returned to members or used to invest in new and improved services.

Credit unions cannot speculate with members' money and cannot offer short-term loans at high interest rates. Their interest rates are capped by law at a maximum of 1% per month. Credit unions exist for the benefit of their members and the communities they serve. They are there to help people to manage their money well and to contribute to social cohesion and financial well-being. So, when the credit union movement asked if it could come and brief the Committee on how, with some financial assistance to cover start-up costs, it can widen their services and bring real benefits to the local community, the Committee naturally agreed.

The credit union movement is seeking around £860,000 per annum for five years to cover start-up costs for 75 credit unions to enable them to offer current accounts, debit cards, inward and outward payments, direct debits and standing orders. Financial support is needed to access the technical infrastructure as well as business planning, training, staffing and IT security issues. The proposals are outlined in more detail in papers issued to Committee members. On the face of it, and following a briefing from the Irish League of Credit Unions, which was fully endorsed by the Ulster Federation of Credit Unions, the Committee considers the proposals to be a very reasonable and worthwhile proposition.

Credit unions have been here for well over 50 years. Rarely, if ever, have they sought or received any form of support from the Executive or from government. They employ well over 600 full-time and part-time staff who, of course, pay income tax. A further 120 or more staff would be required to administer the current account system, adding well over 100 jobs to the economy. Irish League of Credit Unions-affiliated credit unions paid around £3.75 million in corporation tax in 2012 and pay around £650,000 in rates annually. Unlike their counterparts in Britain who can apply for discretionary rate relief, they are subject to the full amount. Therefore, we can safely say that, over the past 50 years, credit unions have paid their dues, and we should consider favourably any proposal that will secure 600 jobs and create a further 120 jobs for the next 50 years and beyond.

Credit unions in Britain have used the financial inclusion growth fund there to enable them to build infrastructure and make loans to a value of £175 million to members. That has enabled them to offer instant credit to new members, bringing thousands of financially excluded people under the umbrella of the credit union movement and, in many instances, out of the clutches of high-interest payday lenders and loan sharks. The Westminster Government are investing £38 million in credit unions in Britain over three years from 2012 to modernise and upscale operations and expand credit union membership there.

Only 2% of people in Britain are members of credit unions, whereas membership here comprises around 34% of the adult population.

Investment in credit unions here can make a real, lasting and positive difference to people's lives.

### 6.15 pm

Of course, the Committee is not suggesting that the Minister jumps in, not immediately anyway, and writes a cheque to the credit unions for the full amount. The Committee believes that the credit union movement puts forward a very reasonable case for funding, which is fully in line with the recommendation of the previous Committee's inquiry. More work will have to be done between the Department and the credit union movement to work out the detail of what is needed, what can be provided and how that can be achieved.

We ask that the Minister and her officials sit down with the credit union movement to work out an appropriate package of financial support that she can bring to her Executive colleagues to enable credit unions to fill the gap caused by wholesale bank branch closures, especially in rural and deprived areas, and help credit unions to remove

vulnerable people from the clutches of high-interest payday lenders and loan sharks.

Mr Speaker, thank you very much for affording the Committee the opportunity to present the motion to the Assembly. I look forward to hearing contributions from other Members.

**Mr Dunne:** I also welcome the opportunity to speak on the issue. As a member of the Enterprise, Trade and Investment Committee, I recognise the valuable role that credit unions play in providing financial assistance to people in need right across Northern Ireland. I apologise for the Minister, who will be with us shortly. She is detained on urgent business.

The success and significance of the service that credit unions provide here is backed up by the statistics: 34% of our population hold a credit union account, compared with around 5% in the rest of the UK, and membership has doubled in the past decade.

I commend the work of the Ulster Federation of Credit Unions and the Irish League of Credit Unions in supporting and developing their services. Many of those who work in credit unions do so voluntarily and make a valuable contribution to the community in which they live. Credit unions are, rightly, run on the principle that, if you cannot afford to save regularly, you cannot afford to borrow. Saving is a basic skill that many lack today and, hence, they get themselves into financial trouble.

A key factor in the credit unions' success is that they are locally based, working with and for local people in local communities. Credit unions are locally focused and run for the good of their members and according to a social mission rather than for profit. That is in strong contrast to the payday loan companies, which often exploit the most financially vulnerable and often have greater resources and use attractive advertising to lure people into unrealistic agreements.

The Committee is aware of the ongoing work between the Department and the credit union movement, particularly on updating legislation that will offer better protection for users and make the credit unions more effective.

There is no doubt that many people need financial support to cope with the ever-increasing cost of living, including food and energy bills. We need to ensure that practical support structures such as credit unions are in place to provide the tools that they require. Credit unions also operate in a genuinely cooperative way — I believe that there is room for greater cooperation between Departments, particularly given the current financial situation.

Recent bank closures have given a greater emphasis to the need for an effective credit union infrastructure, especially in rural areas. Many people still like a physical drop-in facility in their local town or village, where they meet local staff whom they know and trust.

We recognise that credit union branches need to modernise and become more customer-focused. To provide a modern banking service, they need an IT-based system that allows them to offer current accounts and services such as bank cards and electronic banking. The necessary improvements are costly and will require significant investment to make credit unions competitive in the modern financial market.

There is no doubt that the credit union movement provides an excellent service to many across Northern Ireland. All options should be considered to ensure that it can continue to evolve and operate effectively in the 21st century to compete with the other banks on the high street. I support the motion.

**Mr Brady:** Go raibh maith agat, a Cheann Comhairle. I, too, initially declare an interest as a member of my local credit union in Newry.

The credit union movement is not simply a financial institution, lender or service provider. It is very much an integral part of every community that we represent. It is a grass-roots movement that is community-led and is exactly the kind of institution that we should be proud to support.

Credit unions were a response by civic-minded people to meet the needs of those sections of society that most needed support. It remains so today. The people who gave life to the credit union movement recognised that the root of many of these problems lay in the scarce availability and poor management of money. In response, they were determined to create an institution that would give people, particularly those with the least power and fewest resources, more control over their finances.

What is particularly true in times of hardship and challenge is that the credit union movement is always there. When it comes to Christmas — and September, when children return to school — the credit union movement supports countless families. At a time when the standing of banks has fallen to an all-time low, the reputation of credit unions with local people is at unparalleled levels.

What started as a small initiative by people who had the national interest at heart has turned into a national movement with over half a million members and 168 branches serving communities and employing 750 people across the North. Research commissioned by the Irish League of Credit Unions showed that 45% of 18- to 24-year-olds in the North were members of a credit union. We have seen the devastating effect that payday loan companies can have on those in desperate need, especially students. Credit unions, if supported properly, could provide a credible alternative.

In these times of increased unemployment and costs and reduced earnings, the need for credit unions has never been greater or more urgent. Critically, credit unions often provide a service in areas and to people where other financial providers have chosen not to, particularly in rural and disadvantaged communities. The services provided by the credit union movement make a real and important difference to people and communities.

We have seen the damage done by financial institutions driven by greed — institutions that reward sharp practices and unethical lending. Credit unions have the potential to fill the gap caused by wholesale bank closures across the North, especially in rural areas such as my own, by offering full current accounts to local people. Fifty-three bank branches have closed in the North in the past two years alone. We are all too aware of the impact that such closures have on our communities.

There are already several towns and villages that no longer have a bank branch. As banks withdraw, people, especially those in rural areas, are left having to travel long distances to a branch. The most vulnerable — for example

older people, those with disabilities and the less well off — are becoming, to all intents and purposes, deprived of a banking service altogether.

If credit unions are to continue to grow and service their members and communities, they must be able to offer a wide range of services, including current accounts. As in many instances, Newry has led the way on many of these issues. Newry Credit Union — my local credit union — was the first in the North, and indeed across Ireland, to offer its members a current account service. Its members can access an automated teller machine (ATM) and use a Visa debit facility to access cash and use the card in-store and online.

In Newry, the ability to access that important service is valued. Citizens across the North should have access to a similar standard of service. We can help to make that happen by providing financial support to those credit unions that wish to offer that vital facility to assist them with the start-up costs.

Supporting the credit union movement may be a concern for a number of Departments: DSD and OFMDFM in terms of financial inclusion, and DARD, particularly in relation to rural economic development, which is so important, especially in border areas like Newry and Armagh, which suffer, and have historically suffered, higher levels of deprivation and lower levels of investment.

Drawing on the experience from my local area, I support the motion and any actions following from it that would allow other communities access to the services that those served by Newry Credit Union enjoy. The motion has the full support of our Members in the Assembly.

**Mrs Overend:** Thank you very much, Mr Speaker, and thank you for the opportunity to speak on this motion, which has been brought by the Enterprise, Trade and Investment Committee.

As has been said, just over one third of people in Northern Ireland use credit union facilities. They are community-based financial institutions set up by the public with a community-led ethos. Credit unions act as an introduction to the financial sector for many people and offer an affordable and easily accessible service to the community. They encourage small-scale savings plans, which help to promote saving money to people who otherwise might not actively save. They also act as an introductory savings scheme for many children and young people throughout Northern Ireland, encouraging saving from an early age. Indeed, my own three children have accounts in our local credit union.

Credit unions fill many gaps in the financial sector, especially for people in rural areas who have seen many bank closures in small towns and villages. In the credit union, people have a local, viable and reliable option. They are also important sources of credit for many who otherwise would be unable to secure credit from major lenders and would be forced to turn to the short-term loan companies and their usurious interest rates, which have had a damaging effect on many individuals and families and the risks of which have been debated at length.

However, the services that the credit union can provide are limited here in Northern Ireland. This motion has been proposed so that we can begin to address the limits to credit unions, assess where expansion is viable and offer

our support to expanding their services. In Great Britain, the coalition Government have pledged financial support to the tune of £38 million over the next three years to help to extend the services of many credit unions there, with the Scottish and Welsh Governments investing £1.3 million and £1.2 million respectively in credit unions.

The Minister at the Department for Work and Pensions (DWP) stated:

*“if credit unions are ready for the challenge of modernisation and expansion we are willing to support them.”*

Here, too, if credit unions are ready for the challenge, we hope that government is ready to support them. I call for that support to be forthcoming.

The calls from bodies representing credit unions in Northern Ireland for funding to help to expand to provide services, such as current accounts and enhanced saving options, point to the desire for growth. I support that fully. Many credit unions find themselves limited in the scope of what they can offer to customers who, increasingly, want their financial services providers to offer more and more advanced facilities. Furthermore, with one third of people in Northern Ireland using credit union services compared with 5% across the rest of the UK, we are in a much better position to assist a greater proportion of people in the community.

That having been said, it is important that the right branches are targeted and that funding is apportioned in a fair and equitable manner. Should funding be secured, it is important to ensure that a fair proportion of credit unions across Northern Ireland are given the assistance to expand. I thank Mr McCrory of the Irish League of Credit Unions for his assurances during his submission to the Committee that this development is for all credit unions, irrespective of which trade body they may be affiliated to and without fear or favour. Where investment is made, it needs to be done across Northern Ireland so that as many communities as possible can benefit from the improvement in services.

It is also important to note that only a limited number of credit unions will be in a position to expand their facilities and open up new services. In its submission to the Committee, the Irish League of Credit Unions explained that around 20 of its credit unions would be in a position to extend services beyond what they have. Similarly, in discussions with the Ulster Federation of Credit Unions, I was informed that it has fewer that would be in a position to expand. There are a number of reasons for that, with funding and staffing restrictions the main barriers to growth.

It is important that any plans for expansion take into consideration the views and needs of the communities where the credit unions are located and of the credit union branches. Credit unions, as community-led organisations, are highly distinct and have various specific methods that cater to their individual clients. It is important that any proposed changes are fully developed through engagement and with the community in mind. I support the motion.

**Mr Lunn:** I support the motion and hope that a way can be found to provide the necessary finance. Not being a member of the Committee, I have not been privy to all its discussions, but I have been heavily lobbied about

this matter by the Irish League of Credit Unions and the Ulster Federation of Credit Unions. It is very clear that many credit unions are of a mind to expand their range of services and that the only thing holding them back is the start-up costs.

The figure quoted of around £850,000 per annum for five years is a lot of money, but, in overall terms, it is not that much. Allowing the credit union movement to offer current accounts and card services has the potential to benefit a section of society that, for years, has felt let down and abandoned by the major banks. Those same banks have been roundly criticised in this House and beyond for their failures. We now have the opportunity to provide a small amount of assistance to allow credit unions that want to fill the gap to do so. That is very timely, as the banks' policy of branch closure and tightening of credit, particularly of smaller credit, continues.

### 6.30 pm

I must sound a note of caution in my support for the motion. The credit union movement, from its inception in Northern Ireland in 1960, has been a success story. It has stayed true to its roots, been careful not to overreach itself, and is largely built on trust and loyalty from and towards its customers. As banks, big and small, have run into difficulty, the credit unions, by financial prudence and strict adherence to their own rule book, have grown and prospered. We all heard the figures today: credit unions have 34% penetration in Northern Ireland, as against 2% in the UK. I am told by a German friend that there is an even higher proportion of penetration in Germany by a very similar movement, which has had current accounts for quite a long time.

The UK has produced the financial inclusion growth fund. I must say that it is the most beautifully described fund that I have come across. Normally, such funds are called something daft; but this really is about financial inclusion and growth, so it is perfectly named.

Now is clearly the time for a major step forward by the movement, but the need for control and prudence will be even greater, because it is moving into an area of higher risk, which the banks have deserted. Banks do not run down part of their business without reason. They evidently do not regard it as profitable or worthwhile any more to encourage small current accounts or small lending. That is the challenge for credit unions: to succeed in an area where large and, let us face it, experienced operations have failed or chosen no longer to complete.

That said, I have absolutely no doubt that the credit union movement can handle this expansion. I believe that the traditions and ethics of credit unions and the closeness and loyalty generated with their customers will be enough for this venture to succeed; and I hope that the Executive can come up with an acceptable level of support to make it a reality and bring back the concept of local banking to those who need it.

I would not call this an experiment; it appears to be a five-year plan with five-year funding. That is what the credit unions are looking for, and that would allow up to 75 credit unions. So, they will gain experience over that five years, and who knows where the movement might go next? I certainly wish the credit unions well as they continue their

good work for local communities, and I look forward to the Minister's response. I confirm our support for the motion.

**Mr Anderson:** I rise as a member of the Enterprise, Trade and Investment Committee to speak on this Committee motion. It begins by acknowledging the very real contribution made by credit unions in Northern Ireland. Indeed, they have been an integral part of the financial fabric of society here for many years and have made a large contribution to the economy. As has been mentioned by Members, historically, credit unions have a much higher membership in Northern Ireland than in the rest of the United Kingdom. They now operate right across our communities.

The role of credit unions has become even more important in recent times since the banking crisis of 2008. That crisis has had a profound and probably lasting impact on the financial infrastructure of much of the Western World. For me, and other public representatives, hardly a day goes past when we do not hear from our constituents about problems that they are having with their bankers. That is a subject in itself for debate. The point is that credit unions and similar bodies can go some way to filling the gap left by the banks and help people in a variety of ways and through a range of financial services.

The motion refers to the most vulnerable members of society and those in rural areas. I represent a largely rural constituency, and I am all too aware of the sort of impact that bank closures can have. I am also well aware that there are plenty of loan sharks and people offering payday loans who are busily seeking victims each and every day. The whole area is now subject to reform. Recent reforms undertaken by the Department have allowed credit unions to expand the range of services that they offer, which is something that we must warmly welcome.

The Minister has also rightly and repeatedly stressed that credit unions must operate within strictly defined limits, and we have learned some hard lessons in that area in recent years. Credit unions across the United Kingdom are now registered by Westminster but continue to be regulated here by DETI. As a result of reforms a year or so ago, members' savings are now covered by the financial services compensation scheme and members have access to the Financial Ombudsman Service.

I would also like to acknowledge the changing and expanding role of post offices, which I believe have a similar role to play, especially in rural communities. The Post Office is a well-established organisation and is also well placed to develop a range of services. I know post offices in my constituency that are going through change and offering services that were traditionally offered by banks such as withdrawals, deposits and payments. Those facilities will become available to them. Those expanded facilities, which are so valuable, especially in rural communities, as I said, are the types of services that we want to encourage in our small towns and villages across Northern Ireland. Whoever is in the best position to provide them, be it the Post Office or, indeed, credit unions, people want the best possible service provision.

The Minister told the House last week that she had had discussions with post offices, and I encourage her to continue with those discussions. The motion also refers to the desirability of being able to provide credit unions with help with their start-up costs. I know that both the Ulster

Federation of Credit Unions and the Irish League of Credit Unions, who recently provided evidence to the Committee, are keen that credit unions should be given financial help to enable them to develop the quality and range of services that they can offer to their members, such as current accounts. To do so will require capital investment in staff and technology.

Those are all issues that need to be looked at carefully and further explored to see how we can best proceed. The bottom line is that people need to have access to as wide a range of reliable and well-regulated financial services as possible. I await further developments with interest.

**Mr McKinney:** I rise as a member of the Enterprise, Trade and Investment Committee. After all that I have heard, I now declare an interest in joining the credit union. We have an exceptionally strong credit union movement here. If I turn the 34% figure into a number, it represents 400,000 members. That is a significant proportion of the population.

Of course, the aims of the credit union movement are close to the hearts of SDLP members, existing only to serve their members and not profit from members' needs. It is a practice as necessary now as when Ireland's greatest, John Hume, assisted in founding the Irish credit union movement and the Northern Irish credit union. However, times change, and, given the increased need, it is imperative that this important work is able to continue to allow credit unions to compete in today's market.

In 2012, my colleague Mark Durkan fought hard for credit unions during the debate on the Financial Services Act in Westminster in order to ensure that they could build on their potential, because, perversely, while our credit unions have a much stronger base than Britain's 2%, they are historically much more restricted in the services that they can offer. The effort that was invested in that process was another demonstration of the situation that Northern Ireland finds itself in vis-à-vis these institutions, as both the major management decisions of the banks and the legislative requirements imposed on them are made elsewhere. Of course, the credit union management is based here and focused on the needs of local members, but the disinterest from London in taking decisions to aid credit unions and savers in Northern Ireland is palpable.

Credit unions have a hugely important role to play, as we have heard, especially at this time of recession, in providing people with a safe place to save their money and the ability to access affordable credit as a safe alternative to loan sharks and payday loan companies. I urge any of you, and I think that my colleague Mr McGlone outlined this, to freeze-frame your television when one of those adverts comes on and look at the interest figure: it is something around 4,000%.

That is, in my view, tantamount to usury. Maybe we cannot do much about that, but we can do more by promoting credit unions as best we can.

Credit unions could also play a part in filling the gap caused by bank branches closing across much of the North. It is happening everywhere. Three banks are closing in the area round my office in south Belfast. You do not have to go very far around the North to see a bank closure. However, credit unions can help to close such gaps only if they are enabled.

In Great Britain, the Government have provided the funding that we have been hearing about to help to offset the high start-up costs of operating current accounts and the ongoing costs of maintaining them. Frustratingly, however, the London Government claim the reason for excluding Northern Ireland from that funding scheme is that our local credit unions are well established. It is, in effect, punishing the people of the North for the self-help that they administered at a time when little help was forthcoming from elsewhere. This is from a party whose stated "Big Society" aims are to encourage people to take an active role in their community, support co-ops, mutuals, charities and social enterprises. Without that support, it is even more important that we bring forward bespoke support for credit unions in the North.

In May 2012, it was the Minister's stated aim to grant similar freedoms to Northern Ireland credit unions to allow them to continue and build on their existing valuable role. The opportunity to provide additional mainstream savings products would make credit unions more competitive in the financial marketplace and enable them to reach a wider audience, especially at a time when major banks are walking off the pitch. Therefore, I also look forward to the introduction of the credit union Bill, which the Minister promised for the 2013-14 session. The SDLP has a wealth of experience serving credit unions and their members and will have an active part to play in scrutinising such legislation to ensure the best possible outcome for savers and borrowers in Northern Ireland.

**Mr Douglas:** I rise as a member of the Enterprise Committee to support the motion. I also declare an interest, because I have a Dundonald Credit Union T-shirt. *[Laughter.]* The large network of credit unions, spearheaded by the Irish League of Credit Unions and the Ulster Federation of Credit Unions, is testimony to the great voluntary work that goes on across Northern Ireland. That large network of credit unions is the envy of other jurisdictions, and this debate presents a unique opportunity for the Assembly and the Executive. I do not think that it is an issue for the Department of Enterprise, Trade and Investment alone; a cross-departmental response is required.

Over the years, my experience has been with the Ulster Federation of Credit Unions, which has done a tremendous job since 1995. It has over 50 members, having started from a very low base. I record my appreciation of the work that credit unions carry out across Northern Ireland and especially in many of our most needy communities. Forty-two credit unions, for example, operate in the 12 highest-ranked wards in the index of multiple deprivation for Northern Ireland. That is no coincidence, with the overwhelming need for access to affordable credit being driven by those communities. There is a need, a demand and support for credit unions in those communities.

All Members see in their offices that many families across Northern Ireland struggle to make ends meet. According to credit union research, many households are at crisis point. Families struggle to pay bills and, as was said, fall victim to moneylenders and illegal loan sharks, who are the scourge of society. At the end of 2012, a credit union tracker survey focused on high-cost credit. It showed that moneylenders proved to be unrelenting predators on people who were struggling financially, with those admitting to borrowing in

that way rising to 6% of Northern Ireland consumers. What an indictment.

In March 2010, the Enterprise Committee noted the disparity between what credit unions in Great Britain and those in Northern Ireland can do, and it considered options for reducing the gap in flexibilities. The Committee rejected the option of maintaining the status quo and recommended that Northern Ireland credit unions be permitted to expand their range of services to include, at the very least, the services that credit unions in Great Britain can currently offer.

#### 6.45 pm

When the growth fund — the modernisation fund for credit unions in Great Britain — was started, credit unions in Northern Ireland were not regulated by the Financial Services Authority. When we look at the level of support provided in the rest of the UK, we find that several dedicated funding streams exist to assist the expansion of the movement. In 2012, it was announced at Westminster that the Government would take forward the findings of a credit union expansion feasibility study and the Department for Work and Pensions would invest something like £38 million in credit unions until March 2015. That fund and others apply to credit unions in England, Scotland and Wales but not Northern Ireland.

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

**Mr Douglas:** Yes.

**Mr McKinney:** Does the Member accept that, in total, between income tax, corporation tax and property tax, the credit union movement here contributes something just shy of £7 million to the annual tax pot?

**Mr Speaker:** The Member will have a minute added on to his time.

**Mr Douglas:** I thank the Member for his intervention. I agree with him: there is no doubt that that is good value for money, given the work that credit unions do across Northern Ireland.

As I said, those funds applied in England, Scotland and Wales but not in Northern Ireland. That has nothing to do with the Barnett formula or the block grant; it is about the British Government giving England, Scotland and Wales help and support. We all know what happened in Scotland, where credit unions received a total of £1.3 million from the Scottish Government's third sector enterprise fund. That investment will help credit unions to upgrade their facilities, extend their services to a wider range of people and continue to expand and develop as thriving social enterprises. That is exactly what our Northern Ireland credit unions aspire to.

The Welsh Government recently announced funding of £1.2 million. Another example of financial support provided in the rest of the UK is support for rates. GB credit unions can apply for discretionary rate relief from their local authority. That compares with credit unions in Northern Ireland, which are liable for the full amount.

The motion calls for financial support to expand credit unions' services. It is also about fairness and equality and about credit unions being treated like their counterparts in the rest of the United Kingdom. It is important that credit unions in Northern Ireland be supported by the Executive

in their attempts to fill the void left by bank branch closures, particularly in rural areas, and in the continuing fight against payday lenders. I agree that the Assembly and the Executive should make every effort to ensure that credit unions in Northern Ireland are not disadvantaged but are given the same assistance as credit unions in the rest of the United Kingdom to develop their services.

**Mr Dallat:** At the outset, I acknowledge the presence of the Minister and her officials, which is an indication of how seriously she takes the subject. She has been consistent all along, and I will say more about that later. I have no doubt that the people from the credit unions who are present in the Public Gallery will also appreciate the presence of the Minister to hear the debate.

The main thrust of the motion is to provide financial assistance to enable credit unions to develop their current accounts. I want to develop another reason that the Assembly should act, not in the long term but immediately. Credit unions in Northern Ireland have more than £1 billion in assets, but fewer than half of those investments are out in loans to members. That is not a criticism of the credit unions. At the same time, it puzzles me that loan sharks, payday lenders and others who charge exorbitant interest rates operate in the same parishes, villages and towns, ripping off the most disadvantaged people, who can least afford to pay rip-off loan charges. Why is that? Why are so many people ignoring the very competitive 1% a month charge by credit unions and allowing themselves to be exploited by those who charge, as we heard, 4,000% and more, with no insurance protection and no loan interest rebate? I was a director of a credit union for more than 30 years, and those were the best years of my life. In fact, I had no other hobby. I cannot be certain of the answer, but I feel strongly that, if credit unions had the capacity to operate current accounts, they would instantly be more attractive to the thousands of people who have yet to discover the advantage of being a member of a credit union.

The Department of Enterprise, Trade and Investment can be proud of its history of involvement with the credit union movement. If only those overseeing the banks had been so meticulous, we would not have had the financial mess that caused so much misery to so many people. From experience, I want to put on record my personal thanks to the officials who worked tirelessly with credit unions for many years to ensure that they were run properly. They did it in such a way that credit unions did not feel threatened but were encouraged to become the best. I know that when responsibility passed to the Financial Services Authority there was a great sense of loss, but, today, that gap can be filled again by the Minister, who, as I said, has an excellent understanding of credit unions and, I believe, a genuine commitment to the movement.

No organisation can stand still; if it does, it stagnates and begins to decline. Credit unions are part of the cooperative movement and are too precious for us to allow that to happen. Given the experience and goodwill that exists between the credit unions, the Minister and her Department, the time is surely right to create a renaissance for this wonderful movement, which, as we were told, began in Germany. It is interesting that it started with two Protestant clergymen who recognised the poverty of their flock. In the first place, it spread to Ireland and was promoted by the Catholic Church, but now, of course,

credit unions are enjoyed by everyone. I should not even mention religion.

Today, financial institutions operating at arm's length will go to any length to sell loans but at a dreadful price. The credit union, as we are told, is a not-for-profit organisation. It does not exploit people, but, for whatever reason, has less than half of its money out on loans to members. The motion identifies what I believe are some of the reasons for that, and I ask the Minister and the Department to take the bold step of investing resources in credit unions that want to move to the next stage of their development so that their appeal will be to many more people, including those who are currently being exploited by loan sharks.

As mentioned earlier, the first phase of the credit union movement was when my former party leader, John Hume, travelled the length and breadth of Ireland to build up credit unions at a time when banks would not lend money. Today, some of those financial institutions cannot lend enough, but, of course, the consequences are the same for those who cannot afford it.

Mr Speaker, I am delighted to have taken part in the debate, and I look forward to success. Earlier, we had paper bags and brandy balls, and now we have real action.

**Mr Agnew:** I rise to speak on behalf of the Green Party of Northern Ireland, as a member of the Committee for Enterprise, Trade and Investment and, indeed, as chair of the all-party group on cooperatives and mutuals. I also declare an interest as a member of Bangor Credit Union.

With banks rationalising their on-street retail away from many rural areas, deprived areas and even some town centres, credit unions are very much at the heart of the community and are part of the community. When you speak last in a debate, it is often difficult to say anything new, and I thought that I had one piece until Mr Douglas spoke. The fact that we have 42 credit unions in our 12 highest areas of multiple deprivation is testament to the ethos of credit unions. They are not-for-profit organisations and are there to serve the community and provide a service to it. As I said, they are there to be part of the community.

The challenge we face as a society from the loss of many retail banks from our high streets and our rural areas is an opportunity for credit unions to expand their services. It is also a challenge to them, no doubt. As mentioned, the start-up cost is estimated to be around £70,000. I assume that that is for quite reasonable things such as upgrading IT facilities and systems and reskilling staff.

The model, which is a very responsible one, has a very low rate of interest — 1% — and a very low-risk portfolio of investments. That contrasts with our high street banks and the irresponsible lending that we have seen in recent years. I do not doubt that we will see it again because I am not convinced that we have necessarily learned the lessons of liberal credit. I expect the banks to rebuild and go down that line again.

We should commend the model of the credit unions, but that model restricts their ability to invest in upgrades. Therefore, we should recognise at government level that they provide a valuable service and offer support, particularly given that we are asking them to fill the gap left by high street banks and, indeed, as many pointed out, to be part of the solution to the problem of payday

lenders. A legislative solution may or may not be found at Westminster, but we cannot hope for that. We have to educate consumers and support credit unions in offering an affordable alternative to extortionate credit.

Financial capability is a big issue in Northern Ireland. The Minister and her Department, along with other Departments, are working with the likes of the Consumer Council, Advice NI and Citizens Advice to look at how we can better educate our communities in financial capability. As part of that, we have to look at how we can increase the very laudable rate of 34% membership of credit unions in Northern Ireland.

I ask the Minister to work with her Executive colleagues, as the motion suggests, to provide the assistance that credit unions need to meet the challenge on behalf of their members and wider society. The money required was mentioned: as a proportion of departmental spend, it is not vast. It is the sort of money that might be looked at during monitoring rounds and suchlike. I ask the Minister to act as soon as she can. As mentioned, she has been supportive of the credit union movement. I welcome the broad consensus achieved on the motion today.

**Mrs Foster (The Minister of Enterprise, Trade and Investment):** First, I apologise for not being in the Chamber at the start of the debate. I told the Business Office that I would not be available later this evening, but I managed to get out of a commitment as I wanted to be here for the debate. I apologise to the Chair of the Committee and the others who spoke before I arrived. However, I listened with interest to the rest of the contributions and join Members in acknowledging the valuable contribution of the credit union movement in providing affordable credit.

I listened with some interest to Mr Dallat talking about the origins of the credit union movement. I asked my colleagues behind me whether they thought that it was two Anglican ministers in Germany, but they were not too sure. I think that they probably were. In any event, we know that the credit union movement goes right across Northern Ireland, regardless of religion or, indeed, any political affiliation. It is long-established and soundly based. It developed rapidly during the 1960s and early 1970s when credit was less readily available, and it met an expanding social need for affordable borrowing among those who might otherwise have been financially excluded. Often, the location of the first credit union in an area was a response to local problems of deprivation, debt or, indeed, financial exploitation or as a way to meet a local need not met by the existing financial infrastructure in the area.

#### 7.00 pm

I listened carefully when a number of Members talked about payday lenders and loan sharks. Unfortunately, the reality is that some payday lenders are operating where credit unions are located. That is a matter of grave concern, and one wonders why it would be the case. Why would members of a community that has access to a credit union feel the need to go to a payday lender or loan shark?

We are taking action on money management skills through, as I think Mr Agnew mentioned, the financial capability strategy, which the Executive are involved in, to try to equip consumers with the appropriate information so that they can make informed choices about debt and

manageable levels of debt. We also continue to fund Advice NI to provide free debt advice through Debt Action NI. I was very pleased to visit its premises recently to see the very good work going on in Advice NI.

In an increasingly sophisticated financial sector, the basis and range of services that credit unions provide have developed and evolved, while still retaining their self-help ethos and position in the marketplace, where they are not and do not seek to be in direct competition with other financial institutions. With 169 credit unions, many with sub-offices throughout Northern Ireland, no one is more than a few miles away from an affordable source of credit.

Members will know, and it has been alluded to today, that the regulation of credit unions in Northern Ireland, in common with those elsewhere in the United Kingdom, is now the responsibility of the Financial Conduct Authority and the Prudential Regulation Authority (PRA). The range and type of services to be introduced by Northern Ireland credit unions and an assessment of the ability of any particular credit union to provide those services is a matter for those organisations, acting as dual regulators.

I think it is right and proper for Members to acknowledge the work carried out by my staff with credit unions over many years. Some of them are in the Box today, and it is right that we acknowledge the work that they did.

I am glad to be able to report that, while regulation is no longer the responsibility of my Department, the feedback from the movement is that Northern Ireland credit unions have adjusted well to not only the initial change of regulator to the Financial Services Authority but the successor dual regulatory regime operated by the FCA and the PRA.

Some challenges of course remain, irrespective of the regime. Foremost among those is that of succession, or the shrinking pool of willing volunteers to serve as directors and other key officers of credit unions, particularly for those with smaller memberships or those located in more remote locations. I know that the representative bodies are looking at that issue and that the Irish League of Credit Unions has successfully brokered the merger of a number of its affiliates. While that means that the number of credit unions on the live register will be fewer, the membership of the Northern Ireland movement will remain by far the highest in the UK and one of the highest in the world.

Different percentages have been bandied about today in the Chamber. My statistics are that in and around 40% of the Northern Ireland working-age population are members of a credit union. The Department has long recognised that the movement is an integral and, more than that, important part of the social economy, and indeed contributes significantly to the wider economy through employment and competitive lending, and by engendering that very important self-help ethos in the community.

There has been significant progress in reform of the credit union sector since the Enterprise, Trade and Investment Committee published its 2009 report on the role and potential of Northern Ireland credit unions. The Committee's report made a number of legislative and non-legislative recommendations. Recent reforms undertaken by the Department have allowed our credit unions to expand the range of services that they offer, ensured that members' savings are covered by the Financial Services Compensation Scheme and given members access to the Financial Ombudsman Service.

It is essential that credit unions operate within the most appropriate legislative framework. Following on from the reforms I have outlined, it is my intention to introduce a credit union Bill to update the legislation governing Northern Ireland credit unions later this year. Work is well under way on that Bill. It will grant credit unions greater scope to offer more operational flexibility and expand the scope of their activities.

A full consultation was undertaken last year. The final policy proposals, based on the outcome of that consultation, are now subject to Committee and Executive approval. As I said, the plan is to introduce the Bill in the current legislative session.

We continue to be the registration authority for credit unions in Northern Ireland until such time as that role also transfers to the PRA and the FCA. It is important that a distinction is maintained between the Department's statutory role and the provision of financial assistance to the credit union movement. Currently, we are not responsible for providing such financial support to the credit union movement. Actually looking into the issue with regard to my legal power to make money available, I see that it may be a challenge given the role of other Departments, including DSD, in issues.

I am aware that Department for Work and Pensions funding is being made available to address the particular needs and profile of the credit union movement in Great Britain, where only around 1% to 2% of the population has accessed the service of a credit union. Of course, as I said, that is not the case here, where the figure is around 40%.

Earlier, I heard somebody refer to the big society. I think that it is fair to say that we have been doing the big society since the 1960s. The mainland is really only catching up in respect of the big society. I made the point to the Secretary of State who was over here not so long ago that we in Northern Ireland really get the social economy and the whole ethos of self-help.

The two main credit union trade bodies previously acknowledged that the movement in Northern Ireland is already highly developed. Virtually all of the population of Northern Ireland meets the qualifying criteria for membership of one or more credit unions located throughout Northern Ireland. The development of any new services, together with the associated investment, will be a commercial decision for the board of each credit union in response to demand from members.

We are, of course, concerned about the issue of high-cost lending and access to basic banking services for consumers. We hope that the draft financial capability strategy will deal with those issues, as I said earlier.

I understand that the Irish League of Credit Unions met some of my Executive colleagues to discuss the role that the credit union can play in the context of developing more services. I understand that that engagement has continued in recent months. The proposal to provide current account and transactional services will obviously be of considerable interest in that context.

To conclude, I continue to give my support to the valuable work of the credit union movement in Northern Ireland. I commend the innovation that has been shown in the proposal to pilot current account and transactional banking services in response to the impact of bank closures and,

indeed, in some areas, post office closures. Mr Anderson referred to the fact that post offices sometimes provide services for banks. That is absolutely right, but sometimes there are neither post office nor banking services, so the credit unions are very important.

With regard to funding — I think that the point was made by the Chairman — I am not in a position today to provide the financial commitment that is sought in the motion. However, when we receive and consider a fully developed business case to support the proposal and look at it across the Executive, that is something that we of course will look at and take into account along with issues such as state aid approval, which of course is always there in the background as well.

I am very happy to support the credit union movement.

**Mr Flanagan:** Go raibh maith agat, a Cheann Comhairle. At the outset, I declare an interest as a member of Tempo-Brookeborough Credit Union in Fermanagh, which, like many other credit unions across Ireland, is in the process of merging with a nearby credit union to respond to the challenges that face the sector.

I very much welcome the opportunity to contribute to this very important debate. I thank all Members for their contributions. The provision of financial support to credit unions has the potential to bring large numbers of people who are currently unbanked and, therefore, financially excluded into the world of mainstream financial services. That fits nicely into some of the work that the Minister and her Department are doing to improve people's financial capability. Given the high and growing rates of credit union membership, this brings the opportunity to provide a change in culture to vulnerable and financially excluded communities.

I commend the Minister and agree with her sentiments about her officials, who have made considerable progress in improving the role that credit unions can play in our society and have undertaken considerable direct consultation with the credit union trade bodies. I thank the Irish League of Credit Unions and the Ulster Federation of Credit Unions for their input into the debate and for coming to brief the Committee, as well as briefing me and the Chair in an informal meeting some time ago.

Large numbers of bank closures, especially in isolated rural communities — although, as Mr McKinney said, this issue is not isolated to rural communities — bring the potential to increased financial exclusion in those communities. Allowing credit unions to fill that void can not only prevent that from happening but introduce to financial services more rural dwellers who are currently financially excluded.

I want to speak about some of the problems that we face with the banks. There is behaviour going on in the banks that can only be described as disgraceful. At present, they encourage as many people as possible to move to an online system of banking and then use that as an excuse to close rural branches and cut jobs. They have outlandish charges for consumers who go into an overdraft without authorisation to pay direct debits.

In my case, the Bank of Ireland charged me £168 this month for four failed direct debit payments. I will also be subject to a fee of around £20 for each account by the companies trying to take that money, the total amount

of which was less than £100. By the way, a Cheann Comhairle, I still have to pay back the £100 as well. So it charges you £21 for a request to go into an unauthorised overdraft, and then it charges you £21 when it turns down your request. Those excessive charges are a disgrace and must be challenged.

The Office of Fair Trading attempted to deal with that issue some years ago, but, unfortunately, the banks refused to budge. That issue and the reluctance of high street banks to offer any kind of flexibility to customers through short-term loans and informal overdrafts has resulted in a surge in demand for super-high-interest legal payday loans.

Credit unions were originally formed to address the needs of vulnerable people whose financial difficulties were being exploited for profit. The first two credit unions in Ireland were based in Dublin, and the third was in Clones in County Monaghan. As some Members said, the first credit union to open in the North was Derry Credit Union, which opened in 1960. At that time, bank lending was limited to those with substantial collateral or guarantees. That drove vulnerable people into the clutches of unscrupulous high-interest lenders — a situation that sounds very familiar today. That is something that I am suffering from myself with a 50% APR credit card. I am plugging for a pay rise from Sinn Féin, a Cheann Comhairle. *[Laughter.]* Credit unions are inherently a good thing. A bit like nourishment in schools, which we debated last week, everybody agrees that they are a good thing. It is a very good service. It is provided for the community by the community within the community.

Many vulnerable people do not trust mainstream financial services, but people trust credit unions. Credit union members have high levels of satisfaction with their credit union services. Where the banks look at a customer or a potential customer and see an opportunity for profit, credit unions look at a member or a potential member as a person in the community and see an opportunity to improve that person's financial well-being.

Credit unions do not need these services to survive. They have been surviving and growing very well for over 50 years without them, so seeking such services has no real inherent benefit for credit unions. This is not about self-interest. It is about the best way to serve communities. That is what has driven credit unions since they were first founded. Communities, and the individuals within communities, need credit unions to have those services now more than ever. Supporting credit unions to widen their range of services will mean that many more people can become financially included in a supportive and trusted environment. At a time when trust in banks and high-interest lenders is at an all-time low, a supportive and trusted environment is precisely what those people need.

Credit unions command the confidence of people in the local community. I am struck, as I am sure that the Minister is, by the fact that, once a year, on International Credit Union Day, the 'Fermanagh Herald' and 'The Impartial Reporter' feature a large number of ads and testimonies from credit union customers paying tribute to their local credit union service. I never cease to be amazed by the good work that goes on and by the dedication of the committed volunteers in the credit union structure locally, as members of subcommittees and governance structures and as members of either of the two trade bodies that represent all the credit unions here.

## 7.15 pm

Credit unions have a very developed structure and are very well-run organisations. The key purpose is about giving; it is not about taking. People do not go into a credit union to help to run it for their own benefit; they do it to help the local community. Information is kept confidential and people trust that, which is important. Credit unions are very easy to access compared to high street banks. Credit unions are willing to be flexible to meet the needs of an individual, and they are an essential part of the fabric of every community.

This investment will allow credit union branches to offer a much greater range of services, including current accounts, direct debits, ATMs and credit cards, as well as the possibility of installing and maintaining cash machines in rural areas. The investment will allow for the creation, not the promotion, of over 120 jobs, and that is a point that we touch on a lot in here. We can help the credit unions to create over 120 jobs across the North, and that is not something that we should take lightly.

Credit unions are full of highly skilled and highly trusted individuals who can help people, particularly the vulnerable, to obtain better financial capability skills and to manage their finances better. That is well worth the investment. It is not a particularly large sum of money with regard to the money that the Executive have to spend. The Minister said that she may be constrained, but we are hopeful that she may be able to confirm that the Executive are not constrained and that funding can be provided from somewhere in the Executive if the Executive take that decision. We are asking the Minister to work with her Executive colleagues to deliver in this regard.

In my final two and a half minutes, I will cover some of the points that Members raised. Most Members spoke about the problems of bank closures and the wider problems of banks. Gordon Dunne, Mickey Brady, Sandra Overend, Sydney Anderson and Fearghal McKinney spoke about bank closures and how that is increasing the need for credit unions with modern banking services. Mickey Brady said that the credibility of banks is at an all-time low, and Sydney Anderson outlined the problems that many people were having with their banks.

The benefits of credit unions have been a tenor through the debate. Many Members recognised the valuable work of credit unions, the high level of membership, the trust that people have in credit unions, the local focus that credit unions have, their very positive ethos and the way in which they encourage people to save.

Sydney Anderson highlighted the fact that credit unions are an integral part of our community in helping and supporting local people. Fearghal McKinney highlighted the fact that credit unions bring in around £7 million a year between various taxes and rates bills. Trevor Lunn introduced a note of caution and highlighted the need for credit unions to stay true to their ethos if they were allowed to expand. The Committee has developed a close working relationship with the credit union movement, and I am sure that all Committee members would agree that we have every confidence that they will stay true to their ethos.

Sandra Overend, Fearghal McKinney, Gordon Dunne and Sammy Douglas focused on payday lenders and their use of aggressive advertising to attract vulnerable customers. Sammy Douglas and John Dallat mentioned the scourge of

illegal loan sharks and the misery that they bring to many communities. John Dallat highlighted the need for urgent action to help people to get away from high-cost payday lenders.

Steven Agnew compared the actions of payday lenders with the low and affordable interest rates of credit unions. Credit unions lend based on the ability to pay a loan back based on an historical ability to save — a point made by Gordon Dunne. That is very different from the reckless actions of payday loan companies, which often throw out money without even doing a credit check or looking at an individual's ability to pay.

Other Members spoke about the benefits of funding credit unions to fund those services. However, the main point that I want to get across is that we fully support the motion, and we would like the Executive to provide some financial support to credit unions to allow them to provide those much needed additional services.

*Question put and agreed to.*

*Resolved:*

*That this Assembly acknowledges the valuable contribution of the credit union movement to providing affordable credit; and calls on the Minister of Enterprise, Trade and Investment to work with her Executive colleagues to provide appropriate financial assistance to Northern Ireland credit unions to cover start-up costs to enable those credit unions that want to expand their range of services to include current accounts, in order to enable more people to avail themselves of banking services, to fill the gap left by widespread bank closures and to make a greater difference to communities across Northern Ireland, especially the most vulnerable and those in rural areas.*

## Adjournment

### Creavery Primary School

**Mr Speaker:** Item 6 on the Order Paper is the Adjournment debate. Members may know by now that the topic will not be debated this evening and will be rescheduled. However, as it still stands in the Order Paper as an item of business, I ask Mr Clarke to indicate formally that it will not be debated.

**Mr Clarke:** Not moved.

**Mr Speaker:** I am grateful to the Member.

*Adjourned at 7.19 pm.*



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# Northern Ireland Assembly

Friday 28 February 2014

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

*Members observed two minutes' silence.*

## Assembly Business

**Mr Allister:** On a point of order, Mr Speaker. In view of your rejection of all amendments tabled, can you give an assurance that representatives of all parties in the House will be called to speak in this important debate?

**Mr Speaker:** I assure the Member that I will try to get as many Members in as possible. I will say something at the start of the debate about that issue.

## Private Members' Business

### Judgement in the Case of R v Downey

**Mr Speaker:** Having been given notice by not fewer than 30 Members under Standing Order 11, I have summoned the Assembly to meet today for the purpose of debating the motion that appears in the Order Paper.

The Business Committee has agreed to allow up to two hours for the debate. The proposer of the motion 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.

Looking at the point of order that Mr Allister raised and because there is an extensive list of Members who want to make a contribution, I will apply very strict time limits to Members this afternoon. I expect Members to police their own timings, but, if they do not, I will police the timings. I ask Members for their cooperation because, as I said, quite a number of Members want to make a contribution. If that is clear, we can move on.

**Mr P Robinson:** I beg to move

*That this Assembly notes with grave concern the detail contained within the judgement of Mr Justice Sweeney in the case of R v Downey; expresses disgust at the heretofore deliberately hidden actions of the British Government and Sinn Féin revealed in the judgement of issuing these letters to those described as "on-the-runs" and the detrimental consequence of those acts to justice; further notes the undermining impact such disclosures will have on recent discussions on dealing with the past; and calls on the British Government to urgently and effectively address the gross injustice to the many victims who will suffer further because of these shameful actions and wider damage to the rule of law and to take swift action to rebuild confidence and trust by conducting a judge-led inquiry.*

At its very heart, this issue concerns public confidence in the administration of justice and the rule of law. It deals with the trauma of victims and relates to the right of the Assembly to have knowledge of matters that are within its devolved competence.

The outcome of the Downey case was morally outrageous and an affront to justice, but, more than that, it exposed to the full glare of public attention a scheme that had been agreed well over a decade ago between Sinn Féin and the United Kingdom Government. It was followed by outrage, which, I have to say, was not manufactured or synthetic; it was real. It was outrage felt by victims and those in

the political process that they had been bypassed by the British Government and Sinn Féin.

What do we want to happen as a result of where we are now? We want to find out who knew what and when about letters being made available to on-the-runs (OTRs). We want to be sure that what happened in the Downey case never happens again. We want to be sure that the recipients of the letters cannot rely on them to avoid questioning or prosecution on the basis of information or evidence that is now or may later become available.

There have generally been three approaches to the issue. The first has been an attempt to confuse. There is the claim that everyone, including the general public, knew about the secret letters and the process. Of course, everybody in the general public knew that there were on-the-runs. Everybody in the general public was well aware that Sinn Féin had been pressing the Government on the issue. Everyone was aware that Tony Blair and others had indicated that there was an anomaly. However, I do not believe that anybody in the House other than Sinn Féin was aware that there was an administrative process and the provision of letters of comfort to on-the-runs. It is no surprise that local parties were not told anything about the deal, because, in the court judgement, it is stated that Mr Adams expressed this view:

*"it would be better if there was an invisible process for dealing with OTRs".*

That may, indeed, explain why this was done in secret. On 'The Nolan Show' on television, the representative for North Belfast Mr Kelly admitted that unionists were kept in the dark because, if they had known, there would have been a crisis.

The second approach to dealing with the issue is to ignore the central issues and attempt to use the matter for cheap party political purposes. There are those who may wish to hide in the cupboard and whinge, but they secured absolutely nothing from the Government. *[Interruption.]*

**Mr Speaker:** Order.

**Mr P Robinson:** Why is it that those who make the most noise often accomplish the very least?

The third approach, which is that of my party and, I am glad to say, of others, is to use the apparatus that is available to get questions answered, to get to the truth, and that is the approach that we will seek to take.

Let me make it clear that this British Government/Sinn Féin scheme is and was wrong. Many people considered that it had the impact in the Downey case of providing an effective amnesty. The scheme has the impact of doing what Parliament refused to do and doing it in a clandestine and inequitable fashion. This incident raises fundamental issues that demand answers. We now have a judge-led independent inquiry. The terms of reference give the judge the role of making recommendations about any related matter that is drawn to the attention of the inquiry. That gives each of us the opportunity to draw issues to the attention of the inquiry.

It is essential that we get to the truth of all that went on in order to restore public confidence, which has been so seriously damaged by this murky deal. I heard one always-negative politician say that it will simply be a paper exercise. I would be very surprised if an inquiry into the

provision of 200-plus letters did not involve looking at government papers. However, the terms of reference make it clear that the judge has the ability to take evidence from those involved in government, the police and elsewhere. That obviously includes victims.

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

**Mr Speaker:** Order. The Member should not persist.

**Mr P Robinson:** Contained in the judgement is also evidence that the royal prerogative has been used in a number of cases, so it appears that some people's republicanism has its limits. The royal prerogative of mercy, of course, is used for those who have committed criminal offences. Therefore, we are talking not just about people whom there is no police desire to question or prosecute but about people who have been convicted in the courts and have been allowed to go free or people who have escaped and have now returned, covered by a pardon.

This was not just an omission by the Government of the day; it was a deliberate deception. The Democratic Unionist Party made its position on OTRs clear before, during and after the St Andrews Agreement. Indeed, when there was some speculation in the media that the Blair Government had given Sinn Féin some assurances on the issue, Dr Paisley wrote to the Prime Minister in the following terms:

*"In the past concessions which were made to republicans in order for them to be persuaded to meet the standards which apply to all other political parties have been destabilising to the process. I would like your reassurance that no such concessions have been made to republicans on this occasion. In particular, you will recall — from St Andrews, and before — the importance that we place on no measures being taken of any kind to allow OTRs to return free from the fear of arrest. At that time you assured us that no action would be taken in this area. This is in stark contrast with the undertakings which Gerry Kelly has publicly indicated that you have given to Sinn Fein. For the avoidance of any doubt I would be grateful if you could once again clarify the position."*

The answer that there were no plans to legislate and no amnesty would be introduced was a deliberate deception. It was a deception by omission, for the Government could easily at that stage have indicated that an administrative process that included giving letters to OTRs was under way.

Let me deal with the status of the letters. The public concern about the letters related to the extent that the recipients could avoid questioning or future prosecution. The inquiry must satisfy the public that never again will any individual be able to use such a letter as a get-out-of-jail card, but we must also ensure that no investigation is hindered or questioning prevented by anything in these letters. The Secretary of State's agreement states:

*"We will take whatever steps are necessary to make clear ... in a manner that will satisfy the Courts ... that any letters issued cannot be relied upon to avoid questioning or prosecution for offences where information or evidence is now or later becomes available".*

That makes it clear, in all cases, that the letter — I understand that there are many variations of the OTR letter — cannot be used as a free pass. If the Secretary of State's statement is implemented, the letters cannot be relied on to avoid justice. The letters would have no substance or status in any court in the future. If the Secretary of State's statement is not implemented, we will be returning to these issues.

The outcome of the inquiry must be to ensure that nobody can ever again evade questioning, prosecution or justice because they hold such a letter. Furthermore, we need a clear explanation of why devolved Ministers were kept in the dark about a process that was still ongoing — as we heard today, it is still ongoing, even today — after policing and justice powers had been devolved to this Assembly. Indeed, it appears that the fag end of this process is still going on. There can be no more basic requirement for any government Minister than to be made aware of matters that relate to their individual responsibilities as Ministers and collectively as an Executive.

The impact of the recent revelations on the leaders' talks process has yet to be fully assessed. However, for me, it is clear that we were kept in the dark over key issues of which it would have been necessary for us to be aware during those proceedings. It is already clear that proposals that have been considered will now have to be seriously re-evaluated.

Mr Speaker, I commend the motion to the House.

**Mr M McGuinness:** Go raibh maith agat, a Cheann Comhairle. I have spoken previously about my frustration at the failure to date of the parties to agree a way forward on dealing with the past. Again, I believe that issues regarding the past are being used to poison the present. Our efforts need to be refocused on the proposals that were published by Richard Haass and Meghan O'Sullivan and that have been under discussion by the party leaders for the past two months.

#### 12.15 pm

I am frustrated that the stability of these institutions has been irresponsibly threatened this week and that a sense of crisis has replaced the focus that is much needed to get agreement on issues relating to the past. I am frustrated that those historically opposed to the peace process and to power sharing are being allowed to chip away at the process by using legacy issues as a vehicle to pursue their negative and rejectionist agenda. I have never kowtowed to the actions of so-called republican dissidents. I am frustrated that those on the extreme loyalist fringe are able to shape the behaviour of the two main unionist parties by using these issues at a time when there is a crisis in our A&E services and our most vulnerable are under threat from proposed Tory welfare cuts. I am frustrated that we are here discussing a motion that is as irresponsible as the threat to collapse the Assembly.

Today's recall and motion are about the upcoming elections and political posturing in unionism. Frankly, I believe that the people deserve better. Politicians are elected to lead, and the peace process has been built on strong political leadership. Political leaders have stepped out of their political comfort zone and taken risks for peace. At many times throughout this process, I could have walked away. I could have threatened to resign. I have not

done that. I have sought solutions and agreement, and we have progressed to where we are today because of those agreements. The peace and political process needs to be defended, protected and promoted by all political leaders; it certainly does not need to be threatened.

As the peace process developed, a large number of legacy issues were thrown up. Some have been successfully resolved; many others remain outstanding. One such legacy issue is the OTRs. The British and Irish Governments, at Weston Park, made a commitment to resolve the issue. I quote their statement:

*"Both Governments ... recognise that there is an issue to be addressed, with the completion of the early release scheme, about supporters of organisations now on cease-fire against whom there are outstanding prosecutions, and in some cases extradition proceedings, for offences committed before 10 April 1998. Such people would, if convicted, stand to benefit from the early release scheme. The Governments accept that it would be a natural development of the scheme for such prosecutions not to be pursued and will as soon as possible, and in any event before the end of the year, take such steps as are necessary in their jurisdictions to resolve this difficulty so that those concerned are no longer pursued."*

Yet, seasoned politicians in the House have appeared on the media in recent days pretending not to know this. The scheme being used is not an amnesty, and it is not some get-out-of-jail-free card. It seems to me that some here, who have for years been beating a law and order drum, now have difficulty accepting the word of the British Attorney General about the legality of this scheme. Dominic Grieve has said that the process to resolve some of the OTR cases was a lawful process, so the political and peace process is brought to the point of crisis for no good reason. This is irresponsible. It is knee-jerk politics. I believe that we need to move quickly from the events of the past few days. Let us step up to the plate and start grappling with the real issues, not manufactured ones. There are issues and real crises in our society. If we are to get really serious about delivering for victims and survivors — I am — and if we are really serious about delivering for communities and Orange Order parades — I am — if we are really serious about having — [Interruption.]

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

**Mr M McGuinness:** If we are really serious about having a mature debate about flags, symbols and identity — I am — there is no alternative but to return to the Haass blueprint and build on that progress.

**Dr McDonnell:** I want to remind the House that we find ourselves in a difficult place, a place that we should not be in, a place that could and should have been avoided and perhaps in a crisis of some sort that we did not need. Only six weeks ago, I stood here and stated that I believed that progress could be achieved in the Haass process but progress must be achieved for the benefit of victims and survivors in dealing with the past as a whole.

Civic society, particularly victims and survivors with substantial engagement and input into the Haass process, proved to be the strongest part of the Haass process. Victims yet again demonstrated a strong desire for

resolution of the issues. It is for victims and survivors that I feel and for victims and survivors that we must deal comprehensively and ethically with the past. If disgust is expressed in the Chamber today, it must be for and on behalf of victims. They have already suffered so much, and the revelations of the past few days compound much of the trauma. In the Downey case, we must all sympathise with the victims and survivors of the Hyde Park bombing. Family and friends of those killed and, beyond that, all victims and survivors deserve our sympathy. Their grief has been provoked yet again by the situation that has arisen.

I will summarise. There seems to have been some sort of arrangement in 2000 for a temporary ad hoc scheme to deal with an anomaly in terms of people who were on the run, were wanted for questioning or thought they were wanted for questioning. That worked in a small way. Then, in 2005, the British Government attempted to legislate for a side deal that they made with Sinn Féin regarding the on-the-runs, and, for many people, that was a trade-off for the many in the security forces who had serious questions to answer about some of their behaviour here. Peter Hain claims — if we can trust him — that, having asked for and approved the legislation, Sinn Féin was then pressurised by the SDLP to oppose it. Newton Emerson even tells a slightly different version of that story in yesterday's 'The Irish News'. To many out there, there are hints of secrecy, and, in the mystery of some of those deals, there are hints of some sort of collusion.

The way the British Government got round this is worth noting in some detail, because they showed how cynical they were and the cynicism that they embraced. The cynicism we were up against was Peter Hain and the British Government working with Sinn Féin to demonstrate contempt for our parliamentary democracy and antipathy and disdain for victims. The structures of government must be and must be felt to be fully accountable to our people. Power must ultimately and fundamentally lie with the people on the street: the citizen. That is far from the place that we find ourselves in today. As my colleague Mark Durkan said yesterday, we did not work so hard to end a dirty war just to end up with a dirty peace.

We do not even yet know all the details of all the issues involved, and the great difficulty is that we do not even know what other secret deals have been done. We do not know the exact parameters of the discussion. However, we now must know if there are any other secret deals and who they are with. It is impossible to have a proper informed debate on issues that have not been fully disclosed. We must know and get all the information, and we must achieve honesty, openness and transparency around all the issues, starting by rejecting any possibility of secret deals, going forward. It is imperative that we do all that we can to engender trust, given the damage that has occurred through recent developments. We cannot allow the potential to address the past on a comprehensive and ethical basis to be lost. If one thing has come out of the fallout from the Downey judgement and its consequences, it is the reiteration that the past can only be properly addressed on a comprehensive basis and that this must be progressed urgently. We cannot allow highly unethical dealings to result in the collapse of our institutions or to undermine the good work done to create reconciliation in our society. Parties to the Haass and O'Sullivan talks and the British and Irish Governments respectively must

re-engage and act decisively on addressing the past. Otherwise, it will come back to bite us again and again.

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

**Dr McDonnell:** We must all continue to strive to embed the trust and build a stronger, more prosperous and better shared future in Northern Ireland.

**Mr Nesbitt:** All citizens are subject to the law, but some citizens are less subject than others. George Orwell coined the original phrase as a warning. "Don't go there", he said. We have gone there.

The scheme is perverse. You expect a loved one to phone the police and say, "Do you have any evidence about who committed the murder?". You do not expect the murderer to be able to phone the police and say, "Do you have any leads that would end up with me going to prison?". It is a perversion of justice.

Listening to Radio Ulster this morning, I was amazed to hear the Justice Minister say that he is baffled by what is going on. He is in charge. Let me remind the House that, at Hillsborough in 2010, this party argued against the devolution of policing and justice. We said that it was a bad idea and that the time was not right. Now we discover that we were right.

All citizens are protected by the National Crime Agency (NCA) — *[Interruption.]*

**Mr Speaker:** Order.

**Mr Nesbitt:** — but some citizens are less protected than others — *[Interruption.]*

**Mr Speaker:** Order.

**Mr Nesbitt:** — because of mistakes. Let us remember also that, during those talks at Hillsborough, Sinn Féin sat knowing about the letters. It was not just during Haass nor the meetings of party leaders over the past two months.

As recently as Monday, Martin McGuinness encouraged me to sign up to the historical investigation unit — a second police force with full police powers and no operational accountability to anybody. I knew that IRA weapons were beyond use evidentially, but I did not know what he knew: that operatives had a get-out-of-jail-free card. Let me be clear: for the Ulster Unionist Party, not only is Haass over but the meetings of the party leaders are over. They are over because of Sinn Féin and because of bad faith.

We are here for the benefit of 1·8 million —

**Mr Speaker:** Order. The Member should not point.

**Mr Nesbitt:** Thank you, Mr Speaker. We are here for 1·8 million people, not 200. Sinn Féin is going to risk the whole thing for 200 people. We do not even know who they are. We have a fair idea, and we have a fair idea of what they have done, but only they know. It is selfish and greedy. Of course, it is selfish. Sinn Féin — the clue is in the title: Ourselves Alone. It is greedy because, having got the prisoners out, it could not help itself in going for the on-the-runs.

All citizens are subject to the law — *[Interruption.]*

**Mr Speaker:** Order.

**Mr Nesbitt:** — but some less so than others in this country.

Paragraph 126 of Justice Sweeney's ruling makes it clear that John Downey was wanted not just for Hyde Park but in connection with a bomb in Enniskillen in 1972, in which two members of the security forces died. Is he making himself amenable to the police this weekend to clear his name? No, he is going partying.

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

**Mr Nesbitt:** I will give way.

**Mr Kinahan:** I know that many of you will know that this is very, very personal to me. When I was asked for a photograph of Lieutenant Daly, one of my best friends, I did not have any because he was blown to pieces.

Last night, a tweet was put out by Mr Weir saying that we had "a victory for victims". We also heard last night that Mr Downey will not face prosecution. Tell that to the Blues and Royals families, tell that to the Royal Green Jackets families, tell that to any of those who were hurt by the 187 on-the-runs and many more.

All that we seem to be getting through the inquiry is something that will clear up misunderstandings. Let us get back to the rule of the law and to a process that brings in justice.

**Mr Speaker:** I ask the Member to bring his remarks to a close. Interventions should be short.

**Mr Kinahan:** Thank you. Let us have decency and integrity.

**Mr Speaker:** The Member has a minute added to his time.

**Mr Nesbitt:** I thank Mr Kinahan and acknowledge how difficult it has been for him over the past number of days. I know that he has been in touch with the families whose loved ones were murdered in Hyde Park at that time.

I heard Sammy Heenan on Radio Ulster this morning as well. He is a man who lost his father; I think that he was 15 when his father was shot. His father went out to work; the IRA were waiting for him; snuck up from behind; put him down on his knees; and put two bullets into the back of his head. Sammy Heenan does not think that this is a great victory for victims.

So, where do we go? We need answers, and we need an end to the scheme. It is not just a question of no more letters or whether the letters were mistakes. There should be no letters on the face of the planet in this matter. No comfort. If you are on the run, tell us why and come back and sort it out through the courts. Have the courage to come back and stand over your actions.

### 12.30 pm

This inquiry, we fear, is unlikely to cut it. It is not what we were told to expect, but we will input and demand that it looks at how this scheme came about, not just at how it was operated. If there is more, if there have been more dirty deals, tell us now because we took risks for peace. Sinn Féin and others just took and continue to take —

**Mr Speaker:** I ask the Member to bring his remarks to a close.

**Mr Nesbitt:** — and the Ulster Unionist Party says this in conclusion: enough is enough.

**Mr Ford:** There are many questions that need to be answered. We will, perhaps, see some of them coming

from the judge-led inquiry, but we do not yet know how the appointed judge will interpret his terms of reference. The Alliance Party will set out questions that we believe need to be answered by the inquiry. We will seek to use it to restore confidence, but I —

**Mr Kennedy:** I am grateful to the Member for giving way. I appreciate that he is speaking as leader of the Alliance Party, but in respect of his ministerial responsibilities on policing and justice, will he undertake to make a full ministerial statement to the House at the earliest opportunity? Will he also confirm that none of the letters was used or was attempted to be used to provide defences against charges in Northern Ireland on his watch? Further, will he indicate that he is able and prepared to revoke and rescind the applications in the system?

**Mr Speaker:** The Member has an added minute. Once again, interventions should be short; they should not be statements.

**Mr Ford:** Mr Speaker, I may answer some of those points in what I say. I would, perhaps, have to seek your advice as to whether I could make a ministerial statement on something that is not my ministerial responsibility.

It may be that the inquiry will produce some answers that will give reassurance, but yesterday I met some members of the Northern Ireland Affairs Select Committee of the House of Commons. Most of the members from Great Britain were there as was the Member of Parliament for Belfast East. It is unclear whether that Committee believes that it will be satisfied with the inquiry. It may wish to set up its own inquiry. It is entirely appropriate that any further parliamentary inquiry should be conducted by the House of Commons Committee because this is a Northern Ireland Office, not a devolved, responsibility.

In making it clear that this is not an issue for the Department of Justice, let me remind Mr Nesbitt of one thing about the devolution of justice: if we did not have justice devolved here, this matter would be entirely the responsibility of the Northern Ireland Office, and we would have no opportunity in this House to discuss it.  
[Interruption.]

**Mr Speaker:** Order.

**Mr Ford:** We would have even less accountability than the problems that we have at present because as Minister —

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

**Mr Ford:** Briefly.

**Mr Allister:** I am obliged. The Member said that it is not a devolved issue, but if it is not a national security issue, and we have been told that it is not, how would it not be a devolved issue once policing and justice is devolved? If the situation is that someone in the NIO is usurping the Minister's position, when is he going to the High Court to quash the decisions made —

**Mr Speaker:** I must ask the Member to finish. Order.

**Mr Allister:** — since he took office?

**Mr Ford:** He misunderstood briefly. It is clearly not the Department of Justice's responsibility because it is a Northern Ireland Office scheme. I had an acknowledgement this morning from a senior official of the Northern Ireland Office that, contrary to what was

being said by the NIO over the past couple of days that the issue was now devolved, they confirmed that they bear responsibility for the five cases still in the system. That is the absolute situation. It has nothing to do with the Department of Justice, and, as long as I am Minister of Justice, this tawdry scheme will in no way be related to the Department of Justice.

Today, it is inevitable that the House will vent its anger over the scheme on behalf of itself, party colleagues and, as Mr Kinahan just did, on behalf of victims, and not just the directly affected victims in Hyde Park but those who were victims throughout and who feel that they have been let down by the justice system. However, the question has to be: what next?

Mr Nesbitt said that the Haass process and the party leaders' process are over. I am glad that Mr Robinson used slightly more muted language. The reality is that, whatever emerges from whatever inquiries there may be, at the end of the day responsibility comes back to the Assembly, the five parties in the Executive, Ministers collectively and the House collectively to do something about dealing with the outstanding issues.

We can easily criticise; we have done, and will do, a lot of criticism on this issue. However, we bear responsibilities to change Northern Ireland for the better. We have a duty to address the outstanding issues that have not yet been addressed by the Haass process or dealt with by the party leaders.

We have to ensure, for the needs of victims and the moral obligation that we owe them and the legal obligation that we owe the Council of Europe, that we put in place measures to deal with the issues of the past in an inclusive way that treats people equally. We also have an obligation to build a better future for the people of Northern Ireland. We have an obligation to deal with issues such as parading and flags, which have caused so much trauma and turmoil over the past 15 or 16 months.

It is simply not good enough to say that we put the blame today where the blame lies, with the Northern Ireland Office, on this issue. Whatever our differences this afternoon, we have to see whether we can build something different and a different, shared future for all our people. I am not sure whether it will be possible to get together in four-party talks over the next few weeks. Even if Mr Nesbitt wishes to absent himself, I do not believe that the rest of us should give up on our responsibilities. It may not be possible to get that in place while the inquiry is ongoing, although I believe that it should be. I am certainly committed to continuing that process.

If we cannot do it, maybe we need some way of engaging the wider public. Perhaps we, as an Executive, should formally put the Haass paper out for public consultation to hear what the people of Northern Ireland, including victims, think of it to help to shape the discussion when we get there. We need to ensure that we have a process that means that we can come together. Some day, whether it is next week or in three months' time, we will have to —

**Mr Speaker:** Please bring your remarks to a close.

**Mr Ford:** — return to this issue. We have a duty to build a shared future for all our people. That duty looks more difficult today, but it is all the more necessary today.

**Mr Givan:** At the heart of this issue are victims of terrorist violence and everyone in society being equal before the law and equally subject to the law. The secret deal that took place between Sinn Féin and the Blair-led Government, which was continued by the Conservative and Liberal coalition, to provide letters of comfort to republicans on the run was a denial of natural justice.

The Belfast Agreement was a betrayal of victims, but at least it had democratic legitimacy. This party campaigned ferociously against that agreement. The Ulster Unionists, the Alliance Party and others campaigned ferociously in favour of releasing prisoners and inflicting pain and hurt on victims who watched those people walk from jail. We campaigned against it, but ultimately the people voted for it in a referendum. This, however, had no democratic legitimacy. It had no basis in statute. It was an act of treachery on the part of the Government, who engaged in a dirty deal with republicans.

Of course, Peter Hain shamelessly comes on and says that it was necessary to buy off the Provos and necessary to deny these victims the opportunity or even the basic hope of ever getting justice, so that there could be peace. The denial of natural justice can never be justified.

**Mrs D Kelly:** I thank the Member for giving way. Does he now share our revulsion, and understand the revulsion of many in the nationalist community, that the British Government paid their informers and allowed agents of the state to wilfully murder Catholics and others? We share your anger at this dirty deal.

**Mr Speaker:** The Member will have a minute added on to his time.

**Mr Givan:** Here we have the irony that republicans, on the one hand, were given a de facto amnesty yet want to pursue people who served in the British Army and the Royal Ulster Constabulary. Is it any wonder that, when the deal put forward at Parliament was reneged on, Sinn Féin got its letter from Tony Blair to say, "I am going to get this sorted out before I leave office"? Sinn Féin knew that it had a deal with him but wanted to keep pursuing the state forces that they make all these allegations against. Therein lies the hypocrisy.

Imagine the Sinn Féin response if it had been announced three days ago that British soldiers involved in Bloody Sunday and other state actors, as they want to call them, had been given letters and a special scheme had been set up. Imagine the response of the Pat Finucane Centre, Amnesty International and the Relatives for Justice, all of whom have been silent when it comes to republicans, of course. The hypocrisy in it stinks to high heaven. This party was right to oppose it and take a stand against it.

We then have the doublespeak. Theresa Villiers said that it was a Labour scheme that she inherited and is now a devolved matter. Of course, we found out that 38 people had received such letters after it became a devolved matter. They continued with the scheme.

Alex Maskey said that unionists knew about it. Gerry Kelly said that it had to be kept a secret because there would have been a crisis. Basil McCrea said that he knew about this four years ago but kept it secret. I think that Members know that, if he knew something of that nature for four minutes, he could not keep it secret. What we can do in this inquiry is let him tell us what he knew. Did he tell his

colleagues in the Ulster Unionist Party at the time? Let us have the inquiry so that we can ask David Trimble and Reg Empey what they knew. The inquiry will ask anyone who has information. We are not afraid of the truth; others are afraid of it.

There are people putting up a smokescreen. When Martin McGuinness is running about like Corporal Jones in "Don't panic, don't panic" mode, who is he really telling to calm down? I suspect that it is the comrades in the IRA that people on the Benches opposite are trying to calm down. They now know that the actions taken by my leader and this party have made these pieces of paper null and void.

Let me read into the record exactly what the Northern Ireland Office has said:

*"We will take whatever steps are necessary to make clear to all recipients of letters arising from the administrative scheme, in a manner that will satisfy the Courts and the public, that any letters issued cannot be relied upon to avoid questioning or prosecution for offences where information or evidence becomes available now or later."*

Cut through the distraction and the smokescreen and that is the fundamental issue that this party has now secured.

Others would say, "Let us go back to direct rule". My party leader and this party have used devolution to get the result that the on-the-runs are now again on the run. We have used devolution to get an inquiry and to let us get to the truth. *[Interruption.]*

**Mr Speaker:** Order.

**Mr Givan:** Then we will see who is creating the smokescreen — *[Interruption.]*

**Mr Speaker:** Order.

**Mr Givan:** — and the noises that they are now trying to throw up and distract us with. Let us have it on the record. All of us should be thankful. Mike Nesbitt never threatened to walk away from the Executive and David Ford never threatened to walk away from his post, but my party leader put his job on the line. He has got the end result, and we should all be thankful for it. *[Interruption.]*

**Mr Speaker:** Order.

**Mr G Kelly:** Go raibh maith agat, a Cheann Comhairle. Sinn Féin will vote against the motion. There seems to have been a lot of amnesia, historical revision and downright untruth peddled over the past couple of days. Let me put the record straight.

This was first raised in 1999 by Sinn Féin. There was a public announcement on 29 September 2000 that 21 named individuals were no longer being pursued. These are things that people seem to have forgotten. At Weston Park in 2001, it was described as an "anomaly". An implementation group was set up after that. In 2002, John Reid raised the issue in the British Houses of Parliament at Westminster. At Leeds Castle, a joint declaration was made in April 2003. Peter Hain wrote a letter to all MPs on 20 July 2005 and followed it up with a statement to Westminster on 13 October 2005. In that statement was the need to deal with the OTRs. As we now know, at the Policing Board, which the DUP, the SDLP and, I presume, the Alliance Party were involved in, it was raised in 2007.

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

**Mr G Kelly:** No, I will not. The Eames/Bradley report, which everybody read, I presume, since it was rejected — *[Interruption.]*

**Mr Speaker:** Order.

**Mr Ford:** On a point of order, Mr Speaker. Is it in order for the Member to erroneously state that Alliance was on the Policing Board at the appropriate time? He may do that on the BBC, but he has no right to do it in the Chamber.

**Mr Speaker:** Order. The Member has that on the record. Mr Kelly has the Floor. Let us move on.

**Mr G Kelly:** Further to that point of order, Mr Speaker, if I can do that, that is not what I said, but anyway.

The Eames/Bradley report in 2009 was rejected by the DUP and others, and I presume that they all read it before they rejected it. It said that 200 names had been put forward, of which 150 had gone through the process. Peter Robinson says that he knew nothing about the process. However, in 2010, at the Policing Board again, the assistant chief constable started an answer by saying:

*"There is an ongoing process to resolve those individuals who mostly refer to themselves as 'on-the-runs'."*

Perhaps they did not hear that either.

**12.45 pm**

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

**Mr G Kelly:** I am not going to give way.

In Jonathan Powell's book — *[Interruption.]* If I may continue, Nigel Dodds and the First Minister were mentioned because they said that it was acceptable as long as it could be blamed on David Trimble. In the past few years, I understand, Arlene Foster and other elected representatives sat through a trial of Gerry McGeough —

**Mrs Foster:** You are right we did.

**Mr Speaker:** Order.

**Mr G Kelly:** — that was based entirely on the issue of OTRs as well, but you are saying, of course, that you did not know about it. *[Interruption.]*

**Mr Speaker:** Order.

**Mr G Kelly:** No one, at this point, believes the unionists and particularly the DUP. Let us go through it, because Paul Givan has started this off. The DUP was against absolutely everything. It was against the release of political prisoners, it was against demilitarisation — *[Interruption.]*

**Mr Speaker:** Order.

**Mr G Kelly:** It was against Patten and the new beginning to policing — *[Interruption.]*

**Mr Speaker:** Order.

**Mr G Kelly:** It was against the Good Friday Agreement, it was obviously against on-the-runs, it is against the Irish language and, since we talked about it supporting things that were democratically agreed to, it has not moved on human rights. It is against human rights, it is against equality, it is against the bill of rights and it is against the Civic Forum, all of which were agreed in the Good Friday Agreement.

In terms of the letter —

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

**Mr G Kelly:** A Cheann Comhairle, I will not.

Nobody seems to have seen the letter, or at least that is what they allege. Let me read it and put it into the record. I will put it into the Library shortly:

*“The Secretary of State for Northern Ireland has been informed by the attorney general that on the basis of the information currently available, there is no outstanding direction for prosecution in Northern Ireland, there are no warrants in existence, nor are you wanted in Northern Ireland for arrest, questioning or charge by the police.*

*The Police Service of Northern Ireland are not aware of any interest in you from any other police force in the UK. If any other outstanding offence or offences come to light, or if any request for extradition were to be received, these would have to be dealt with in the usual way.”*

Everybody now knows what the letter actually says. What this is, and I will put it in the Assembly — *[Interruption.]*

**Mr Speaker:** Order. The Member must be heard.

**Mr G Kelly:** As for the issue of knowing the names, let us talk about the process. Although the process is concentrated on over 180 names, I can remember similar things happening many years ago. An individual comes forward and asks, “Am I being sought for anything?”. They give their name and date of birth, and word comes back, as it did in these cases, saying, “No, we are not looking for you”. That is confidential between the individual and those involved, so I do not even think that it is legal to make demands to know the names of those involved. *[Interruption.]*

**Mr Speaker:** The Member should bring his remarks to a close.

**Mr G Kelly:** We will vote against the motion. We should not be debating this matter; we should be dealing with the issues that Haass dealt with.

**Mr Poots:** I will hopefully bring a little sense to the debate after the last contribution.

In Northern Ireland this week, people felt a sense of betrayal, they felt a sense of anger and they felt a sense of distrust because their trust had been broken. The fact that this process started way back in around 2000 or 2001 without reference to Her Majesty’s Parliament, this Assembly or the general public was a grievous breach of trust.

The fact that legislation could not be passed at Westminster on the issue was a clear demonstration that the public and Parliament rejected any notion of giving on-the-runs a free licence or a get-out-of-jail-free card. The fact that Tony Blair, Peter Hain and others in government went into a one-sided immunity process that was offered to Provos and former Provos, while their representatives vigorously pursued everyone else so that they should be held before the law, is hugely damaging to confidence in the community. Thus, we are at the point at which we arrived this week, when our First Minister indicated that he would step down if something was not done, quite rightly so.

Mr Hain told us that this was necessary for the peace process. This is the Mr Hain that Mr Allister, for example, wanted to reign all-powerful in Northern Ireland. This is the Mr Hain who, snake-like, got up this week in the House of Commons to defend the dirty actions in which he was engaged and whom people such as Mr Allister wanted to continue to support.

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

**Mr Poots:** In Northern Ireland —

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

**Mr Speaker:** Order. The Member should not persist. *[Interruption.]* Order.

**Mr Poots:** If there was ever a demonstration of someone getting it wrong on an issue, it was so clear this week when we heard about the dirty deals that Mr Allister was prepared to allow Mr Hain, Mr Blair and others to engage in on behalf of the people of Northern Ireland. *[Interruption.]*

**Mr Speaker:** Order. Let us not have debate across the Chamber.

**Mr Poots:** I would be very happy to give way if Mr Allister was going to admit that he was wrong. I know that he does not have the guts to do that.

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

**Mr Poots:** I will, certainly. *[Laughter.]*

**Mr Weir:** The Member referred to Peter Hain. This is the Peter Hain who, on ‘The Nolan Show’ this week, started to refer to the released terrorist prisoners as political prisoners until he corrected himself mid-sentence. That is an indication of where Mr Hain is coming from on this.

**Mr Speaker:** The Member will have an added minute.

**Mr Poots:** I am happy to give way to a Member who was able to achieve the quota.

As I was saying, others may put their trust in Blair, Hain, Jonathan Powell and Alastair Campbell. We trust ourselves to deal with these issues, and we trust our party leader to deal with this issue. That is why we stand here in a stronger position today: we have an devolved leader who is able to take actions and take the right stand. *[Interruption.]*

**Mr Speaker:** Order.

**Mr Poots:** What is important today is that, where people have done wrong and evidence exists that they have done wrong, they can be questioned, charged, tried, convicted and imprisoned for their wrongdoing. As a result of the Belfast Agreement of 1998, which was supported by colleagues on my right, justice was dealt a hammer blow. That process, however, allowed Gerry McGeough to serve just two years for the attempted murder of our colleague, Sammy Brush. That was bad enough, but for the Northern Ireland Office, with Her Majesty’s Government and, indeed, the PSNI, to engage in a process that does not even bring people to court or question them is a further compounding of damage to trust in the community that justice will be done. Thankfully, as a result of the intervention of the DUP leader, these letters no longer have the resonance that they had in court earlier this week. *[Interruption.]*

**Mr Speaker:** Order.

**Mr Poots:** Gerry Kelly may cling to the letters just as vigorously as he clung to the bonnet of the Land Rover, but they are now as robust as the case that he took against the PSNI on that Land Rover issue. I welcome the fact that the DUP took a stand on the issue, that former Provos and existing Provos can now be arrested, charged and convicted and that we can have justice once again after it had been denied.

**Ms J McCann:** Go raibh maith agat, a Cheann Comhairle. If this week and this debate have highlighted anything, it is the importance of the need to deal with the past, not just for people in the Chamber but for the people in our communities who expect us to deal with it. Put simply, if we do not deal with the legacy issues from the conflict, they will continue to impact on the present and threaten the future for us all.

Today's debate has once again illustrated that there many different and competing narratives about the past and many different perspectives on what happened. That, aligned with the different political allegiances and the divisions that still exist in our society, adds to that complexity. We have an opportunity to create a society in which conflict and division can become confined to history and in which reconciliation and respect can be the future for our children and young people. Let us be clear: that is what people in our communities want, no matter what people in here want.

So the legacy of the past must be dealt with if we are to progress to the type of society that those people want, and the Haass and O'Sullivan proposals offer a way forward. Alongside colleagues from other Executive parties, we spent much of the latter part of 2013 engaged in these negotiations. We came into the negotiations with a firm view that progress could be made and that the legacy issues in particular had for too long been used by some to try to undermine the very peace process that has brought an end to the conflict and created these political institutions.

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

**Ms J McCann:** No, I am not giving way.

I find offensive and a bit rich the suggestion made by some on the opposite Benches in recent days that we did not approach the Haass process with anything other than an intention for it to succeed. It is particularly rich when it comes from people who have so far rejected the proposals — *[Interruption.]*

**Mr Speaker:** Order.

**Ms J McCann:** — and it is arrogant to claim otherwise. Make no mistake about it: it was the parties opposite that tried to dilute and undermine the very mechanisms that would get those victims and survivors the truth that they needed and want. They tried to dilute well-thought-of issues like the Coroners' Courts.

Again, the needs of victims are central to all of these proposals and should be central in our minds today. *[Interruption.]*

**Mr Speaker:** Order.

**Ms J McCann:** No party can claim to represent all victims and survivors. We need to remember that the relatives of

all of those who died in the conflict experience the same loss and the same pain, as do the many thousands who were left with physical and emotional injuries. Regrettably, the human suffering that so many still experience cannot be changed or undone, and all those who were part of the conflict must bear the responsibility for that hurt and that pain — all the actors in the conflict.

No one should be treating the past as some sort of contest that can be won or lost, or using the grief and the pain of victims to score cheap political points. That is wrong. If today's debate and the political posturing of recent days demonstrate anything, it is that these issues are not going to go away and need to be dealt with.

I have not heard unionists or anyone else put forward an alternative to the Haass proposals, so we all have a decision to make. Are we to continue as we have done, allowing our troubled and difficult past to hold back the potential that exists in building a new future for our children and our grandchildren, or are we finally going to tackle these issues in a comprehensive and sensible way? That is the choice that we have to face. I do not and will never share your narrative of the conflict or the views of the orange state that existed here after partition. Likewise, you will not share mine.

**Mr Speaker:** Order. Let us not have a debate across the Chamber. *[Interruption.]* Order.

**Ms J McCann:** No one is asking that we should, but that does not mean that we cannot agree on a way forward that can gain support from victims and survivors and break the cycle that sees issues like this used to contaminate the political process time after time.

This Assembly has much more useful and productive work to be getting on with, and all that this debate is doing, to people watching outside, is giving succour to those who oppose the peace process, those who oppose equality and those who oppose power sharing. I ask all parties in this Chamber today to be serious about dealing with the past, to be serious about dealing with the very real concerns and needs of victims and survivors in our society, and to work together, because there is a huge responsibility on us all to work together to bring the Haass proposals forward and to deal with the legacy issues once and for all.

**Mr A Maginness:** One of the most important principles in modern government is transparency, and that is a very good guiding principle, particularly for a divided and fearful society such as ours.

In relation to on-the-runs, no transparency was shown whatsoever by either the British Government or, indeed, Sinn Féin. We have talked a lot about collusion in this House, and rightly so. Here was an act of monumental collusion between the British Government and Sinn Féin. Their secret postal service was a specially devised system to, as it were, bring relief to their IRA members. It was not done for the good of the peace. It was not done for the peace process. It was done for the selfish individual interests of Sinn Féin. That is the reality of the situation.

1.00 pm

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

**Mr A Maginness:** Yes.

**Mr Hussey:** Apparently, IRA stood for "I run away". We have 187 men or women who did run away. What were they running away from? Clearly, they are suspects, and they have a case to answer.

**Mr Speaker:** The Member has a minute added to his time.

**Mr A Maginness:** Let me progress my argument. It was a clandestine process. There is absolutely no doubt about it. Indeed, 'The Irish News' yesterday referred to it as being the next best thing to an effective amnesty. Where was there concern shown for the victims of the Troubles in all of that by either the British Government or Sinn Féin? Let us remind ourselves that Peter Hain introduced a Bill, the Hain Bill, to deal with the on-the-runs. That Bill was designed to undermine the rule of law, because, effectively, if you had been found guilty, you were immediately released.

**Mr McGlone:** I thank the Member for giving way. What people in the community are asking about is what other shabby deals there have been with members of the security forces and British Army. What other shabby deals have there been with security forces here and, indeed, with British agents like Frederick Scappaticci? How many people were sacrificed in order to protect those people? Those are the questions that are being asked.

**Mr Speaker:** I must ask the Member to finish.  
*[Interruption.]* Order.

**Mr McGlone:** It is often said that justice is truth in action. I think that it is about time that victims heard all the truths.

**Mr A Maginness:** I thank the Member for his timely intervention. I agree entirely with what he said, but let me get back to the history of this particular process.

Mr Kelly is a very deficient historian, it seems to me. Hain introduced his Bill, which was thrown out because of extensive opposition from the SDLP and others. The fact is that that Bill was regarded by most people as a monstrosity. Despite the fact that public opinion and political opinion was against the Bill, the British Government reverted to the administrative scheme that had been in place for some time on an ad hoc basis. They put it on a systematic basis and institutionalised it. That is the problem, as I see it. That is represented by Operation Rapid, which was introduced in February 2007.

The preferential treatment of IRA men regarding their potential criminal liability was and is appalling. It is totally insulting to reasonable, law-abiding people who play by the rules of society. How can it be acceptable to make an exception for those people involved in such serious activities? All of that attempted dirty dealing was done under the guise of, according to Mr Hain, the peace process, at a time when the IRA had decommissioned its arms. It does not seem to me to be a credible explanation. Mark Durkan MP saw through the cynicism of those deals and warned about the dangers of making them. He said that we do not end a dirty war to end up with a dirty peace. The days of side deals, shabby deals and secret deals should be well and truly over.

What the on-the-runs affair attempted to do for political expediency does not help to bring about a sustainable peace —

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

**Mr A Maginness:** — and healthy, open and accountable politics. In dealing with it, let us not pull down the House. Let us maintain the valuable institution that it is, and let us work to make better politics.

**Mr Elliott:** I suggest that one question on the public's lips today will be this: why are we here? I can give some answer to that. We are here because of deceit; we are here because of bad faith; and we are here because of an underhand process. Included in that process were some people here, namely from Sinn Féin. I believe that that process was unacceptable and unfair. But why are we here because of on-the-runs? Who are the on-the-runs? I accept, first and foremost, that some of those classified as on-the-runs may have no charges to answer and may not be guilty of any offence. However, let us be clear that there are those on the run who are murderers and bombers who killed innocent people in this society. That is the reality. Those people would not have asked for a type of amnesty if they did not have charges to answer. Why did they not come back, as former Ulster Unionist Party leader David Trimble recommended, to face the courts? That is what they should have done; they should have stood up in court to the charges issued against them.

**Mr McGimpsey:** Thank you, Mr Elliott, for giving way. Does the Member agree that, right now, it is vital that we have a list of those individuals who applied for the exemption, together with the crimes for which they have asked excuse, not least for the benefit of the victims but also because of the possibility that we could be talking about Members of this House, Dáil Éireann, the House of Commons and the Northern Ireland Executive?

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

**Mr Elliott:** Thank you very much, Mr Speaker.

I agree with Mr McGimpsey. It is vital not only that Members know those names but that the wider public know who they are dealing with and that the victims know who may be on the run who might have had responsibility for the murder or injury of their loved ones.

I move on to the crucial issue of victims. I listened to the weasel words of Mr McGuinness, the deputy First Minister, and Miss McCann. How much thought did they give to victims when they asked for the immunities or letters of comfort? How much consideration did they give to the people who were suffering because their loved one had been brutally murdered? We heard Danny Kinahan say that he no longer has a photograph of his friend.

I agree with Mr McGimpsey that the letters need to be rescinded; nothing less will do. If Sinn Féin Members are so exercised about victims, I challenge them today to ask the people who have the letters to rescind them voluntarily. That will prove something to the real victims. That will prove to those victims that Sinn Féin and its comrades are really keen to make amends and to help the suffering of those victims. If Sinn Féin does not make that call and progress that, it will be letting victims down and proving that it is continuing in bad faith and mistrust. That is a challenge to Sinn Féin that I hope will be answered. If that does not happen, the letters need to be rescinded.

I listened to many commentators on the radio this morning. There is no clarification at present as to the basis and justification of the letters. Let us be absolutely clear: the only way to satisfy and end the debate is that the letters be

rescinded. People who got the letters should be written to immediately and told that their letter is no longer valid.

It is unfortunate that some people here have tried to put the blame on the Ulster Unionist Party. I hear that. Let us not forget that some people did have the right to protest against and object to various deals.

That is their absolute right. However, let us not forget that we had a new deal and a fair deal, and we heard at the end about all the concessions that came after 2005. Did they? How many letters have been issued since 2005? Numerous letters have been issued, including Mr Downey's letter, which was issued in 2007. That was long after the Ulster Unionist Party was no longer the biggest party in the Chamber. *[Interruption.]*

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

**Mr Elliott:** Clearly, what people need to realise is that to be open, honest — *[Interruption.]* People may shout.

**Mr Speaker:** Order. The Member's time is gone.

**Mr Elliott:** Let them stand up for the responsibility —

**Mr Speaker:** Order.

**Mr B McCrea:** The First Minister opened the debate with a phrase that, I think, went along the lines that those who speak loudest often have least to contribute. The threatened resignation of a First Minister is not a trivial matter. In the past few days, I have been struck by the ferocity of Mrs Foster's opinion. I also note that, on 5 November 2012, the First Minister proposed a motion on Councillor Sammy Brush of the DUP. That debate was rancorous and ill tempered and covered many of the issues that are being debated today. I have to say to Mr Alban Maginness that I find his position today to be inconsistent with the position that his party took on that day. In her winding-up speech on that motion, Mrs Arlene Foster stated that its opponents relied on two points: the Weston Park agreement on OTRs and the use of the royal prerogative of mercy. Those issues were debated and dealt with.

What is really surprising for me — perhaps the First Minister would have been looking at it — is that there was an ongoing legal process. I am surprised that people did not look at Mr Justice Treacy's approach to that on 2 March. He would have been pleased that the Secretary of State's decision not to use the royal prerogative was upheld, thereby saying that the argument that they were making was not correct. He might also have been interested in paragraphs 27, 28 and 29. They state that Mr McGeough relied on:

*“assurances by a senior member of Sinn Féin, Mr Gerry Kelly, in or about 2001, that he would not be arrested or charged if he returned to Northern Ireland.”*

However, he:

*“was confronted in cross-examination with a letter dated 22 January 2003 from the Northern Ireland Office to Mr Kelly where it was clearly stated that the applicant would not be immune from charge or arrest if he returned to Northern Ireland.”*

So the proposition that is put forward by the people opposite is not consistent.

Why would Mr Kelly have made those statements? Why would he have come along? You can look to the House of Commons in July 2002, when the then Secretary of State responded to a question from Quentin Davies about 32 individuals who had been informed — *[Interruption.]*

**Mr Speaker:** Order.

**Mr B McCrea:** — over the previous two years that they were not wanted for arrest and a further 25 persons who, the prosecuting authorities and police had confirmed, would not face fresh charges. Mr Nesbitt, that was during the time when Mr Trimble was First Minister. It is an issue that you have to address. When you withdraw from Haass, perhaps you could consider withdrawing Mr Danny Kennedy from the Executive if you feel that strongly. *[Interruption.]* This is the line of information presented at the Policing Board — *[Interruption.]*

**Mr Speaker:** Order.

**Mr B McCrea:** It outlined, as Mr Paul Givan brought up, an ongoing process with regard to on-the-runs. Mr Givan asked me a question. My answer to him is this: why does he not ask his party's board member Mr Tom Buchanan? It was his question that was answered. It was made clear in the statement by the assistant chief constable that there was a process. It outlined what would happen. It is consistent with what has been said. They did not pick it up. *[Interruption.]*

**Mr Speaker:** Order.

**Mr B McCrea:** Questions can be asked about why neither they nor anybody else picked it up. There is certainly an issue about constructive ambiguity — *[Interruption.]*

**Mr Speaker:** Order.

**Mr B McCrea:** That constructive ambiguity, which may have been necessary to get us to a certain place, is now at the root of the destruction of this process. It is something that we have to tackle.

The statements from former Secretary of State Peter Hain that suggested that there was some sort of underhand scheme are not helpful. That is not the way to go forward. The real issue in all of this is that we have strayed too far from the principles of the Good Friday Agreement. That is what we should go back to. The DUP has said that it opposed the Belfast Agreement. That is fair enough, but it was voted for by the majority of people and has democratic legitimacy. It is what we should abide by.

1.15 pm

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

**Mr B McCrea:** I will indeed.

**Mr McCallister:** Does the Member agree that not only has the DUP — *[Interruption.]*

**Mr Speaker:** Order.

**Mr McCallister:** — about the Belfast Agreement, it is here because of the Belfast Agreement? Mr Elliott asked why we are here today: we are here because of the Belfast Agreement. However, Sinn Féin has to know that this is what the new Ireland that it wanted and got with the Good Friday Agreement looks like. The Alliance Party has to face up to the fact that this —

**Mr Speaker:** I must ask the Member to finish. Order.

**Mr McCallister:** — is what propping up tribal politics looks like.

**Mr Speaker:** Order. I call Mr McCrea. Interventions should be short, not statements.

**Mr B McCrea:** Thank you, Mr Speaker.

The only way in which to deal adequately with the past is to examine, publicly and transparently, the proposition put forward by the Attorney General. We must draw a line under the past. We must adequately resource survivors. We must have a public debate about the fact that such an arrangement will include agents of the state and those whom some call terrorists. The Haass talks and today's debate prove that the alternatives do not work. Politicians must have the bravery to tell victims and the public that the only alternative to Larkin is, at best, a continuation of this divisive debate —

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

**Mr B McCrea:** — and, at worst, a return to violence. This is the time for politicians to tell the public the truth.

**Mr Wilson:** Issues have been raised here today about why we are here and where we go from this. The first argument made was that this is all about posturing and that, somehow or other, because there are elections coming, we have to raise the temperature. If it were about posturing by this party, why was the same anger expressed across parties in the House of Commons on Wednesday? Indeed, all the parties from Northern Ireland that were represented in the House of Commons on Wednesday showed exactly the same anger during questions and during the statement by the Attorney General. That is a representation, I believe, of the rightful anger of people who were victims of terrorists and now find that a dirty deal has been done with those terrorists. I have to say that, if he cannot understand the difference between posturing and genuine anger, the deputy First Minister and his party have no chance of ever resolving the issues of the past. If all that he sees in this is some kind of political stunt, he does not understand one ounce of the hurt that he, his party and his associates have caused here in Northern Ireland.

This should concern all the parties in the House. Had it not been for the stance that the First Minister took on this, there would have been a clear signal to the current Government in Westminster and to Governments after that that you can walk over the democratic institutions in Northern Ireland. That is what they have done: the Justice Minister was kept in the dark about what was happening; the First Minister was kept in the dark; and the Executive were kept in the dark. Of course, the public were kept in the dark, and even the House of Commons was kept in the dark. This was an essential step.

The second argument was that we all knew about it. The Secretary of State has made it quite clear that no one was informed about it. She did not inform the Justice Minister or, indeed, the First Minister about it. Sinn Féin itself has admitted that it did not want anybody to know about it. They wanted it kept secret.

I heard references to the Policing Board. Perhaps Mr McCrea and those who refer to the Policing Board ought to read what the assistant chief constable said when he

addressed the Policing Board. This is what he said: first, there would be an investigation of the individual and, if there was evidence, it would go to the Public Prosecution Service. He then said that, if the test for prosecution was passed, there would be further investigation of the case, powers of arrest would exist, bench warrants could be applied and, in the case of prison breaks, the Prison Act would apply. There was no indication there that there was some kind of amnesty for those who were on the run. Maybe if — *[Interruption.]*

**Mr Speaker:** Order. Let us not have debate across the Chamber.

**Mr Wilson:** With regard to whether people knew about it, it is clear from those involved that, of course, there was no knowledge. However, I have one thing to say to the Justice Minister, and the question was posed by Mr Elliott and others: who got the letters? Since the police would have had to do a report before a letter like that was sent out, surely he, as Justice Minister, has the right to ask the Chief Constable now to give a list of all the people whom the police made a report on. He could then make a statement to the Assembly on who had received the letters.

**Mr Ford:** I am grateful to Mr Wilson for giving way. I think he is asking me to interfere in the operational issues of the Chief Constable. The House needs to be very careful about politics interfering with those duties. The fact is that this issue was being carried forward by the Northern Ireland Office, and he should ask his questions in the House of Commons.

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

**Mr Wilson:** I think that, even in his own speech, he made it clear and Members of his party made it clear that this has moved from being an operational issue to being a very serious political issue. Therefore, I believe that he has the ability and should pursue that particular issue. I believe that that is one way of satisfying many of those who have been affected by this.

The third argument put forward is this: as a result of the announcement yesterday, the First Minister has had a climbdown. I find that extremely odd, given that, first, he asked for an inquiry and he got an inquiry. I remind the House what the Secretary of State said on the radio this morning: the inquiry will have the right to get all government papers, call people and even find out and have a list of the letters that have been granted. I believe that the Justice Minister can get that. Secondly, those who have received the letters will be contacted.

I believe that Mr Allister, for different reasons, wants to believe that this is posturing. He wants to have a grievance that he can continue to pick at.

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

**Mr Wilson:** We want to have the grievances dealt with so that those who have been hurt by this can have answers to their questions and relieve the hurt that they have felt. I believe that we have got a good result as a result of the decisive action taken by the First Minister. *[Interruption.]*

**Mr Speaker:** Order, Members.

**Mr Maskey:** Go raibh maith agat, a Cheann Comhairle. Like my party colleagues, I came here today having said all this week that we do not believe that there is a crisis and that this crisis has been largely manufactured. I know

that Sammy Wilson referred a few minutes ago to how seriously his party views the matter. Then again, Mr Poots got up, and he is the Minister for one crisis after another, so I realise that maybe we are in a crisis here.

**Mrs Foster:** Hilarious, hilarious.

**Mr Speaker:** Order, Members. Order.

**Mr Maskey:** There have been quite a number of hilarious comments and performances this week. When you listen to all the comments this week from a number of unionist political party leaders and representatives and others also represented in the House, you see that there has been a lot of collective amnesia, as Gerry Kelly described it earlier.

The fact is — it has been proven with one piece of evidence after another and one example after another — that there were briefings, public statements by Prime Ministers and Taoisigh and publications such as the Eames/Bradley report — page 121, I think, although I stand to be corrected if needs be. That report was published and rejected by the parties across the Chamber. One would presume that, if you reject something, you have probably read it, but maybe that is not the case. Clearly, the figure of 200 people described as on-the-runs was referred to quite explicitly in the Eames/Bradley report. Therefore, with regard to the collective amnesia around this place about the on-the-runs, which has been dealt with, referred to and ventilated well and truly on quite a number of occasions over the past several years, no party in the House and no person in politics, never mind in wider society, can honestly say that they were not aware that the issue of on-the-runs was being dealt with and resolved.

I do not know how anybody can work it out in their mind and seriously say that they were aware that a process was under way, they understood that, they were briefed to that extent but they did not know how it was going to work out. As Martin McGuinness said the other day, they could have asked. We have minutes on the record of DUP members asking questions of people such as Assistant Chief Constable Drew Harris. I was at that meeting. When those members — *[Interruption.]*

**Mr Speaker:** Order.

**Mr Maskey:** When those members had the chance to ask further questions, they did not do so. You have to ask yourself, "Why?". Was it a matter of choice? Was it a matter of "Hear no evil, see no evil"? The facts on the record demonstrate clearly that those who say that they were not aware of the process clearly were. I believe that the arguments that those from the DUP in particular have been putting forward — not only them but others — are completely threadbare. I think that they have been exposed to the public.

That takes me to another point that I want to make. When we are dealing with the cases of, let us say for talk's sake, the 187 people who have received the letters, it has to pale into insignificance against the backdrop. All of this is historical. All of this is about dealing with the past and has a context. None of these things were imagined by anybody. We are talking about 187 people or 200 people against the backdrop of 25,000 people from my community, including people such as me, who served 140,000 to 150,000 years between them. We served the time. *[Interruption.]*

**Mr Speaker:** Order. The Member must be heard.

**Mr Maskey:** We served the time, unlike the many members of state forces and others who were involved in murder, in killing citizens and in collusion. They were involved in the murder of many citizens, including Pat Finucane, an internationally renowned lawyer. Here we have members of the British Crown forces, such as Ian Thain, being convicted of murder, serving a sentence of one year or two years, walking out of prison and being promoted. We have parties in the House proclaiming to be law-and-order parties, and they want a judge-led inquiry. You had the Saville inquiry; you had the Widgery report years ago; you had the de Silva report; you had the Stevens inquiry; and you had the Stalker report. You ignored every one of them. You pretended that none of that happened. A lot of it happened on your watch. You people do not like to hear it, but people in your society — *[Interruption.]*

**Mr Speaker:** Order.

**Mr Maskey:** The final point that I want to make is simply this: we have the opportunity, as parties, to implement the Haass proposals —

**Mr Speaker:** The Member should bring his remarks to a close.

**Mr Maskey:** — unlike Mike Nesbitt, who took a get-out-of-Haass pass. We have a responsibility to deal with all the victims, not only those we choose to represent: all of them. The implementation of Haass is the way to do that.

**Mr Bell:** Today in this devolved British Parliament, we say sorry. We say sorry to Lieutenant Anthony Daly; we say sorry to Trooper Simon Tipper; we say sorry to Lance Corporal Jeffrey Young; and we say sorry to Staff Corporal Roy Bright. We say sorry to them in this British devolved Parliament because they have experienced the gravest of grave injustices. We, the British people, have failed you; we have failed your families; and, in the name of a British Government, we have failed to deliver for you your human right to justice.

Let no one be mistaken about this. There was the announcement of a judge-led inquiry, and those who have letters are now aware that their letters will no longer satisfy the courts and they can no longer avoid being questioned or prosecuted. That, my friends, is only the beginning. As Churchill said at the end of El Alamein, this is not the end, and this is not the beginning of the end. The announcement of a judge-led inquiry and the announcement that your letters will no longer satisfy a court that you cannot be held for questioning or prosecution is only the beginning of the end.

**1.30 pm**

The deputy First Minister has not seen fit to be here for most of this debate. I will not —

**Ms Ruane:** On a point of order, Mr Speaker. The deputy First Minister was here for most of the debate.

**Mr Bell:** Well, I think we will record the empty seat — *[Interruption.]*

**Mr Speaker:** Order. Let us not have debate across the Chamber.

**Mr Bell:** We will record the empty seat, in the same way that Frank Hegarty's family has an empty chair.

The reality is that those who were murdered by those with no respect for human life and the rule of law have, quite literally, got away with murder. That needs to be investigated. I repudiate the deputy First Minister when he says that it is not a get-out-of-jail-free card. I repudiate it on the basis that he also gave Frank Hegarty's mother a letter or a message of comfort. What a misnomer it is to call it a letter of comfort, because the inquiry has to establish whether there was a perversion of the course of justice.

The House of Commons is free, as part of the British Parliament, to compel witnesses. I would like our own Justice Committee to look at what appears to be the ultimate in collusion between the British Government and IRA terrorists. British citizens are entitled to know how the Queen's royal prerogative of mercy was used to pardon the murder of British citizens. How can the royal prerogative of mercy be used for people who have not been brought before a court and convicted for escape from jail? How can we have a pre-trial or a pre-pardon for those who have not been convicted?

Minister of Justice, 38 of these letters were sent out under your watch. That is the reality under this coalition Government, which coincides with the same period as the devolution of policing and justice. Since the time when the coalition Government came to power, 38 of those letters have been sent out.

The inquiry will also have to establish who delivered these letters. Was the person who delivered these letters released on licence? If they were, did they know the fugitives from justice, and is that not itself a criminal offence? The inquiry will also have to ascertain what many of us wanted to ascertain: is the person who delivered the so-called letters of comfort the same person who pumped bullets into the head of John Adams in the Maze prison?

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

**Mr Bell:** That is why we need Amnesty International, the Northern Ireland Human Rights Commission, the Finucane Centre and Relatives for Justice to come and tell us —

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

**Mr Bell:** — what the situation is for what a representative — Mr Speaker, I conclude —

**Mr Speaker:** I call Dr Stephen Farry. The Member's time is up.

**Mr Bell:** — said was nothing short of the bastardisation of justice.

**Dr Farry:** First of all, I have to correct the record in relation to the comments made by Mr Bell towards the end of his speech. The 38 letters were not sent out under the watch of the Justice Minister. It may have happened chronologically at the time when justice was devolved, but the Northern Ireland Office has belatedly made it clear that that was not the case. Indeed, the Member's own party colleagues have also made it clear that that was not the case. So that is a red herring which we have to put to bed entirely.

It is important that we focus on the future as part of this debate, but it is also important that we reflect on some of the challenges and, indeed, lessons that should be emerging from what has transpired. First, we have a duty to acknowledge that we have a responsibility to the people

in our society who are victims and survivors. We also have a wider duty to address the past in a comprehensive manner. It is not something that we can sweep under the carpet, as NI21 would wish.

Devolution is important. I believe that it is making a real difference, but the successes of devolution are being drowned out by a succession of political wrangles and, indeed, the fallout from unresolved issues in relation to our past. It is important that we show the people of Northern Ireland that we are capable of governing and delivering on their behalf. Indeed, whether it was real or exaggerated, we have to reflect on the fact that we came close this week to these institutions being placed in serious peril or being taken away from us and, indeed, from the people of Northern Ireland. That points to a wider challenge, which is to ensure that this political process is based on solid foundations. As devolution transpires, if anything, we should be seeking to strengthen those foundations. However, whenever we have side deals, anomalies in our process or, indeed, what used to be called "constructive ambiguities", we will find that they will all catch up with us one day. We cannot tolerate them in our process, because they will eventually undermine it.

It is as clear to Alliance today as it was a decade ago that the issue of the so-called on-the-runs was an anomaly. However, it was an anomaly that could be addressed only through a clear and transparent process. It was one that was somewhat analogous to the early release of prisoners, which was a process that, I appreciate, some people found rather unjust. Nonetheless, it is important that we tried to seek formal convictions for people who committed offences. It is also important that people go on licence or, if the opportunity presents itself, that they serve some time for the offence. That is consistent with the spirit of justice and with what happened with the early release of prisoners.

Most of us have accepted that we have a peace process in Northern Ireland. It has, in the main, been a successful process over the past 20 years. *[Interruption.]*

**Mr Speaker:** Order.

**Dr Farry:** That has required a degree of flexibility and compromise from many of us. However, the lesson must be clear that carve-up politics gets us nowhere. Carve-up politics is something that is not part of our peace process. It is no part of any solution and is something that we have to tackle seriously. Even today, we continue to be enticed by carve-up politics. We must move away from all that.

Today we have the opportunity to begin to put right what has gone wrong in the way that the issue of the OTRs has been handled over the past decade. However, we cannot escape our wider duty to deal with the past. If anything, the necessity to put in place a comprehensive process is clearer than ever. The status quo is simply not an option. We cannot wish this away. We are bearing huge costs as a society, and those are only set to escalate in the coming months and years. We have a duty to victims, whose demands for truth and justice continue to go unaddressed as the clock ticks, and, indeed, as survivors pass away without benefiting from either of those outcomes. We also have a political imperative to address something that can imperil our political institutions.

**Mr Givan:** I thank the Member for giving way. This morning, Seamus Close said that David Ford was washing

his hands of the current arrangements through which the NIO is taking this scheme forward. Will the Member encourage his party leader to identify whether the NIO is acting legally by continuing with this process, if that is indeed what it is doing?

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

**Dr Farry:** I am grateful for that, Mr Speaker. I think that the review that has been announced will take care of that issue. However, the Minister of Justice has not washed his hands of the issue; he has made it extremely clear that this process should not be happening. As far as he is concerned, he will have nothing to do with it and nor will the Department of Justice.

Returning to the point that I was making, I think that, when the OTR review has been brought to a conclusion, we will have to think about how we return to the issue of how we deal with the past. I believe that the Haass proposals on the past were sound, and they have moved the agenda forward significantly. I understand people's feelings about perceptions of bad faith, but I do not believe that the proposals with respect to the past have been fundamentally contaminated by what has happened. They remain sound.

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

**Dr Farry:** If anything, the proposals on immunity, which really reflect what the people of Northern Ireland feel today, are on a much stronger footing than what has happened with the process for the OTRs over the past decade.

**Mr McNarry:** The First Minister said that he was not prepared to remain while he was kept in the dark, and I am glad to see that he has obviously seen the light today. I never thought of him as a quitter but more as a fixer, and I say this to him: when you eventually go, make sure that what you leave behind is fixable. In other words, let us fix this mess and clean up whatever other residue is lurking undiscovered.

This is acutely a national issue that involves our Parliament and all the people of the United Kingdom. The first known victims caught up in the twisted collusion between Ministers and Sinn Féin are the families of the Blues and Royals slaughtered in Hyde Park. Their shock is expressed by Christopher Daly, who said "justice has been thwarted". His was a dignified reaction to an appalling decision that rocked all victims of Provo atrocities across our country.

Who could believe that a Government — I suppose we could — but who should believe that a Government, whether under Blair's or Cameron's watch, could contrive such deceit or stoop to such depravity in agreeing to such a dirty deal that effectively turned the law on its head. The whole nation is outraged, and rightly so. This was a scheme designed for the Provos only; it is called betrayal, and now we know who has been betrayed. This House did not sign up to it, and its Executive did not discuss it. Now, however, we can speak up for those who feel more betrayed than we do: we can speak up for the victims.

To do so — this is crucial — the House needs to exonerate itself from any culpability for actions carried out in its name. Consequently, I ask what the Policing Board MLAs were thinking of when, in April 2010, Assistant Chief Constable Drew Harris told them:

*"There is an ongoing process to resolve those individuals who mostly refer to themselves as 'On the Runs'";*

a process, he said that was being worked out:

*"over the last number of years and it continues ... to be available".*

I can see no record of gasps of horror and no indignant interrogation demanding an explanation of just what the process encapsulated —

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

**Mr McNarry:** In a minute, Peter. There were no cries of "foul" on hearing that the process had been going on for years.

**Mr Weir:** I thank the Member for giving way. If the Member reads the full transcript of what was said in a public session that is reported verbatim, the Assistant Chief Constable goes on to highlight that the process is one of examining whether there is evidence against someone, then issuing bench warrants if that evidence could lead to a prosecution. That was what was referred to in that meeting. Indeed, there was no mention of any form of letters or any administrative process.

**Mr Speaker:** Mr McNarry has an added minute.

**Mr McNarry:** I take the Member's point. I have the transcript and have read it. What I did not hear — I continue on this theme — was anyone demonstrating or asking, "Has this been running for years?" or saying out loud, "Well, this is the first time I have heard about it". Did they agree with it? Is that why the silence was there? Or did they not really comprehend what they were being told? Did they, consequently, tell no one else about it? I believe that, through the inquiry, we will find out soon enough exactly where we lie.

These episodes need to be fully explored. What is more, such an inquiry needs, as I have said, to do a job for the whole country under the United Kingdom umbrella. I support the motion because it represents to me the righting of a great wrong done by Her Majesty's Government — a despicable wrong. This House cannot slacken in its resolve to put that right. It is inevitable that more will spill out if the inquiry does its job. As I said, we need to fix and clean up what has been a betrayal by our Government.

There is no anomaly here. There is only a dirty deal that was not done in the name of thousands of law-abiding people throughout the United Kingdom; nor was it done in my name. It must be removed.

**1.45 pm**

**Mr Allister:** The affirmation that justice in a democracy must be done and must be seen to be done is not just a catchphrase; it is a fundamental principle that underlies the operation of a judicial system. The sordid arrangement that the Government perfected with the spokesmen and representatives of murderers, terrorists and some of the vilest criminals goes to the very heart of undermining our judicial and justice system. It subverts not just the political process but the judicial process, and those who perfected it were the British Government and the IRA through its surrogates, Sinn Féin. Of course, it is made worse by the fact that it was kept secret. It was something done in secret, behind closed doors, to be kept secret, and it has

done great despite not just to the justice system but to the citizens who rely on that justice system, particularly the innocent victims who plaintively believed that, one day, they might get justice while not knowing that some of the victim makers were walking around free of that threat and obligation.

It is made worse by the fact that, in Operation Rapid — well named, perhaps — we now have evidence that it, too, was perverted. Mr Baxter, the senior police officer who headed up that inquiry, appeared before the Northern Ireland Affairs Committee in November 2009 and said:

*“You see, you would have to be so naive to think that the Secretary of State, and his predecessors, sits in Stormont Castle and does not tamper with policing.”*

Lady Hermon, with great surprise, said:

*“Tamper with policing?”*

Mr Baxter replied:

*“Yes, I would use the word ‘tamper’. One of my responsibilities before I retired was to conduct a review of on-the-runs, that is persons who are outside the jurisdiction. I can assure the Committee that there was an extremely unhealthy interest by officials in the Northern Ireland Office about prioritising individuals who were on the run and about ensuring that they were cleared to return to the North.”*

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

**Mr Allister:** Yes, I will give way.

**Mr Copeland:** Thank you. Given the comments that you have just made, do you agree that a case could be put that those involved in the creation, administration and execution of some of these manoeuvres could be guilty of perverting the course of justice?

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

**Mr Allister:** Indeed. It indicates the political interference and the meddling, and the secret deal was so important that the Secretary of State was prepared to bastardise the policing system in this manner.

On Wednesday, the First Minister said:

*“I want a full judicial inquiry into all of these matters so that we can see who knew, when they knew and what they knew. Those are vital questions to be asked and answered. I want to know who the 187 people are that received these letters ... I want to know who they are, what crimes they were believed to have committed.”*

He ended by saying:

*“I want all of the letters rescinded.”*

When he said that, I supported him because, at that point, he was threatening — *[Interruption.]*

**Mr Speaker:** Order.

**Mr Allister:** — to do the right thing if he did not get it. *[Interruption.]*

**Mr Speaker:** Order.

**Mr Allister:** He established two resigning matters. *[Interruption.]*

**Mr Speaker:** Order.

**Mr Allister:** He established that there had to be a public judicial inquiry and there had to be a rescinding of the letters. What did he get in his climbdown? He got none of that. He got an administrative investigation.

A public inquiry under the Inquiries Act 2005 is something in which witnesses can be compelled — *[Interruption.]*

**Mr Speaker:** Order. The Member has the Floor.

**Mr Allister:** — to give evidence under oath, in which they can be cross-examined and in which those who have interests, like the victims, will be represented. *[Interruption.]*

**Mr Speaker:** Order. The Member must be heard.

**Mr Allister:** Where those who have interests, like the victims, will be represented and will be entitled to cross-examine. There is none of that in the behind-closed-doors, secret review. It will not, it seems, even be in public. There will be nobody capable of being compelled to attend and no one required to give evidence under oath. It is a farce and a whitewash.

As for the demand that the letters be rescinded, I think that Mrs Foster was on the run herself yesterday after saying on ‘The Nolan Show’ that the rescinding of the letters was a resigning issue. Now we find that — *[Interruption.]*

**Mr Speaker:** Order.

**Mr Allister:** — all the Secretary of State —

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

**Mr Allister:** — had to do was repeat what is in the letters. Read paragraph 123 of the Downey judgement. It is already there.

**Mr Speaker:** Order. The Member’s time is up.

**Mr Allister:** If those letters are now worth nothing —

**Mr Speaker:** Order. I call Mr Attwood.

**Mr Allister:** *[Interruption.]* If those letters are not worth the paper that they are written on —

**Mr Speaker:** Order. The Member should take his seat.

**Mr Allister:** — Downey could be convicted. If the First Minister is right, Downey should still be prosecuted.

**Mr Speaker:** Order, order.

**Mr Allister:** *[Inaudible.]*

**Mr Speaker:** Order. Before I call Mr Attwood, I warn the Member at the back. He may be trying a publicity stunt so that he gets thrown out of the Chamber. *[Interruption.]* Order. The Member will know the work that we have done at the Table to try to get every Member in to make a contribution, and he should not abuse it. I call Mr Attwood.

**Mr Storey:** On a point of order, Mr Speaker. Will you clarify whether a deal was done with the Member so that, although his amendment was not accepted, he would get a speaking right in the House?

**Mr Speaker:** Order. Let me make it clear that that is not the case. I do not do deals with Members. *[Interruption.]* Order. Let me further say that any Members asked to make a contribution in the House should not abuse their position. I call Mr Attwood.

**Mr Attwood:** Thank you, Mr Speaker. On Monday night, some Members went out of town and met victims. What they told us, to use their words, was that they felt marginalised and that the past had been sanitised. Let us be under no illusions: the past number of days have confirmed their worst fears. There was a conference on Tuesday in the Stormont Hotel, at the end of which many other victims felt that they had more strength and confidence. Let us be under no illusions: those victims and survivors have less confidence and strength today. Added to that, how must the families in Britain feel? How must the families of soldiers Bright, Daly, Tipper and Young feel and our own Danny Kennedy?

**Some Members:** Danny Kinahan.

**Mr Attwood:** Danny Kinahan. My apologies.

What are the conclusions that we draw from these events? The first is that the truth will out and that it has taken 14 years for what was agreed between Tony Blair, Jonathan Powell and Sinn Féin to come out. Let us learn the lesson of that and let us know about any other deals. In the week when a person in the Republic of Ireland was convicted of offences relating to money stolen from the Northern Bank, let us know what arrangements, if any, were entered into in respect of republican or loyalist criminality.

You cannot rage against some deals if you do not rage against all deals. Let us be very clear: there are other deals at the heart of the British Government that have seen the suppression of the truth in the affairs of this part of the world. At the heart of the British Government, at the heart of the security system and at the heart of the British Army, there is suppression of the truth about the murder of Patrick Finucane.

That is another deal at the heart of our political process. For those who rightly rage against the deal that was done between Sinn Féin, or the IRA, and the British Government, you must also rage against those other deals that see truth suppressed and victims denied justice.

What is the second lesson to learn from the past week? It is that we have to go back and deal with the past in a comprehensive way. We heard the advice and voices of Mr Nesbitt and Mr Robinson today calling for a stop to or a slowdown in Haass. You heard the other voices from the SDLP, the Irish Government, the Alliance Party and Sinn Féin that we should speed it up.

This is a critical moment when, despite what may have happened in the past, we stand in solidarity with victims and survivors or we let that all go up in a puff of smoke. Let us deal with the past in the fullest basis, not on the narrow basis of the on-the-runs and not in a partial, selective, limited, self-serving, secret, piecemeal and unethical way of dealing with the past, which will always come back to us.

Thirdly, let us be honest with ourselves that there has been a failure of politics over quite a number of years, that our politics is stuck and that people are alienated from this place and the politics of this place. Although we must apply ourselves to deal with all the issues that remain unaddressed in the implementation of the Good Friday Agreement, let us also recognise that we need the help of the two Governments. Let the party leaders in their meeting next week — and there should be a meeting next week — work through how we are going to work with the two Governments.

**Mrs D Kelly:** Will the Member agree that we have to have a conclusion, show courage and help those victims who now feel so betrayed by what has happened?

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

**Mr Attwood:** I agree completely with the Member's comments. However, this is the point: if the British Prime Minister was prepared yesterday to take a baby step in response to the requirements of the First Minister — the First Minister who acted like the Duke of York and led his troops to the top of the hill and led them down again — and was prepared to apply his mind in even that minimum way to deal with this crisis, he and the Taoiseach, with the assistance of the American Government, should apply their minds to help us to deal with all the other issues.

We have been found wanting. *[Interruption.]*

**Mr Speaker:** Order.

**Mr Attwood:** If we are not to be found wanting in future, not only must all the deals come out and we have a comprehensive way to deal with the past that is ethical, we must recognise that the two Governments should now step in with us to resolve all the unaddressed issues.

**Mr Speaker:** I call on Arlene Foster to conclude on the motion. The Member has 10 minutes. *[Interruption.]* Order.

**Mrs Foster:** Since the Downey case judgement became public, there have been many attempts to confuse, aided and abetted by some schoolboy journalism over the past couple of days. However, some of us are not interested in, "he said, she said". We are interested in the truth.

I listened to the usual tripe from the deputy First Minister about mainstream unionism being influenced by the fringes. I expected that line because there is nothing new under the sun. However, what I did not hear was one word of acknowledgement for the victims of terrorism from the IRA — not one word. Then again, there is nothing new under the sun.

Dr McDonnell told us that there was collusion, and there was collusion, between Sinn Féin and our Government. That is so painful to say. Our Government were involved in this dirty, dirty deal. That is the collusion that took place.

What is also true is that we do not have the full parameters of what was put in place. That is why it is so important that the inquiry that has been announced will take any related matters into account. For clarity, that means that anyone can come forward with information, be they a victim of criminal violence or the special adviser of the former First Minister David Trimble — so Mr McNarry will be able to come forward with any information that he has. Indeed, Mr Allister can come forward as well.

## 2.00 pm

I want to address Mr Allister's point about me being "on the run" yesterday. First, I find it beneath contempt that he would liken me to an on-the-run. A victim of IRA violence was on the run apparently. That is OK, Jim; you have to answer that. Secondly, if he wants to know where I was yesterday, I will tell him: I left the Executive meeting, which finished after 4.00 pm, went home to see my children for two hours and then to an Orange event in Enniskillen District Orange hall. I am quite happy to tell him that that is

where I was. He can check with one of his colleagues who was at the same event.

**Mr Poots:** He could not see. He was in the cupboard.

**Mrs Foster:** Yes, he might have been in the cupboard, that is right.

I will not take any lectures from a man who does absolutely nothing to hold the IRA to account — absolutely nothing. He stands outside and rants and raves, yet does not come forward and help. Instead of trying to hold them to account, he sits in the back cupboard and says nothing.

**Mr Allister:** At least I did not bring them into government.

**Mr Speaker:** Order. The Member should not insist. Allow the Member to continue.

**Mrs Foster:** This process, which started back in 2000-01 — in fact, Gerry Kelly said today that it started back in 1999 — developed in an underhand and dirty way. It was a dirty deal to give a get-out-of-jail-free card to cowards who could not face the criminal justice system, even though the Belfast Agreement meant that they would face only a maximum of two years. They are such brave soldiers that they could not even come forward and put themselves before the justice system.

We have heard from the postman of the letters of the scheme's genesis. He referred to a number of documents, some of which, such as the joint declaration of 2003, do not even mention on-the-runs. I look forward to him pointing out the reference to on-the-runs in that document. As always, do not let the facts get in the way of your spin.

I welcome the presence of some victims of criminal terrorism in the Public Gallery. I acknowledge that, for them, this is a very painful day and has been a very painful week. Sinn Féin got a dirty deal and special treatment for its members. Of course, some of us remember very well that, after the Enniskillen bomb, we were told that we would get special treatment and that no stone would be left unturned to find who had perpetrated that awful atrocity. Instead, it was Sinn Féin that got special treatment in a very different way.

We welcome the announcement of the judicial inquiry and the Secretary of State's clarification on the letters, but that is not the end. I want to make the point very clearly today that we will be pushing, monitoring and making sure that we get the answers. We give that assurance to the victims of violence and to the Northern Ireland public as a whole.

Justice is often portrayed as a blindfolded woman holding the scales of justice, as all should be treated equally before the law and equally under the law. Today, Lady Justice stands battered and bruised with her head bowed. We need to lift her head up again. We need her to hold her head high again. That is essential to confidence in not just the justice system but the democratic process here in Northern Ireland.

Sammy Wilson said that he finds it difficult to understand how the deputy First Minister does not realise that this is real anger and that it is not manufactured or synthetic. I am not surprised that Sinn Féin does not understand our anger and pain. There has been a lot of pain. I want to say to Danny Kinahan that all of us here today feel his pain — well, some of us do anyway — on his loss.

They have always had a cavalier attitude to the rule of law, but they need not underestimate our continuing determination to rebuild confidence. That must start with the five cases that we learned of this morning. On the radio this morning, the Justice Minister referred to five cases currently with the DPP and the NIO. They must immediately go. They have to be stopped immediately. That will be a mark of how this issue goes forward. We will be asking that question of the Secretary of State very quickly. I make it clear today, from this House, that we are not just dealing with the past, as we learnt this morning; we are also dealing with the here-and-now in relation to this system.

We heard from Basil McCrea that we must draw a line under the past; we must forget about it and move on. But how we deal with criminals and the atrocities that they have perpetrated goes to the very heart of our future in Northern Ireland, the future of my children and that of everyone else's children. The foundations must be solid. At the moment, they are in severe need of reparation, and we have to make sure that that happens in an open, transparent and public way, to ensure that people regain confidence in the criminal justice system. Collectively, we must ensure that that happens.

I hope that the House recognises that the motion is an attempt to do that and that it will support the motion in the name of the First Minister and the rest of my colleagues. I look forward to the vote being a positive one so that we can send out a very positive message to the people of Northern Ireland and, indeed, the people of the rest of the United Kingdom.

*Question put.*

*The Assembly divided:*

*Ayes 58; Noes 27.*

#### **AYES**

*Mr Allister, Mr Anderson, Mr Beggs, Mr Bell, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Campbell, Mr Clarke, Mrs Cochrane, Mr Copeland, Mr Craig, Mr Cree, Mr Dickson, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Dr Farry, Mr Ford, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kennedy, Mr Kinahan, Ms Lo, Mr Lyttle, Mr McCarthy, Mr McCausland, Mr I McCrea, Mr McGimpsey, Mr D McIlveen, Miss M McIlveen, Mr McNarry, Mr McQuillan, 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 Ayes: Mr McQuillan and Mr G Robinson.*

#### **NOES**

*Mr Boylan, Mr Brady, Ms Fearon, Mr Flanagan, Mr Hazzard, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Mr McElduff, Ms McGahan, Mr M McGuinness, Mr McKay, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr McMullan, Mr Maskey, Mr Milne, Ms Ni Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Ms Ruane, Mr Sheehan.*

*Tellers for the Noes: Mr McCartney and Ms Ruane.*

*The following Members voted in both Lobbies and are therefore not counted in the result: Mr Attwood, Mr D Bradley, Mr Dallat, Mr Durkan, Mrs D Kelly, Mr McCallister, Mr B McCrea, Dr McDonnell, Mr McGlone, Mrs McKeivitt, Mr McKinney, Mr P Ramsey, Mr Rogers.*

*Question accordingly agreed to.*

*Resolved:*

*That this Assembly notes with grave concern the detail contained within the judgement of Mr Justice Sweeney in the case of R v Downey; expresses disgust at the heretofore deliberately hidden actions of the British Government and Sinn Féin revealed in the judgement of issuing these letters to those described as "on-the-runs" and the detrimental consequence of those acts to justice; further notes the undermining impact such disclosures will have on recent discussions on dealing with the past; and calls on the British Government to urgently and effectively address the gross injustice to the many victims who will suffer further because of these shameful actions and wider damage to the rule of law and to take swift action to rebuild confidence and trust by conducting a judge-led inquiry.*

*Adjourned at 2.19 pm.*



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# Northern Ireland Assembly

Monday 3 March 2014

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

*Members observed two minutes' silence.*

## Assembly Business

### Public Petition:

#### Ovarian Cancer Awareness Campaign

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

**Mr Lyttle:** Mr Speaker, I thank you for permitting me to present this petition today, which gives the Assembly an opportunity to mark the start of Ovarian Cancer Awareness Month 2014. It also gives us an opportunity to renew our cross-party support for the call for a dedicated ovarian cancer public awareness campaign, which was first made in the Assembly over a year ago this month. As I said, it has the support of all parties.

There are a number of organisations that work to raise awareness of ovarian cancer and, indeed, to respond to this disease. One of those is Target Ovarian Cancer, and we are delighted that the CEO, Frances Reid, joins us in the Assembly today. We know that Angels of Hope, another inspirational organisation in Northern Ireland, works on these issues. Indeed, the Northern Ireland Cancer Registry and the Northern Ireland Cancer Network do great work as well.

This petition and call for a dedicated ovarian cancer awareness campaign is inspired and driven by the tour de force that is Una Crudden. Una has achieved the no-small feat, which few others manage to achieve, of uniting the Assembly and all parties around this just cause. She is a tireless campaigner and a courageous lady, given her own battle against this disease. I must congratulate her now on her new title of 'Belfast Telegraph' Woman of the Year for 2014.

It is not acceptable that, in a recent survey, only 3% of women felt confident of identifying the symptoms of ovarian cancer, which are frequent and persistent abdominal pain, frequent and persistent bloating, difficulty with eating and feeling full quickly. With early detection, the survival rate can be as high as 90%; however, in Northern Ireland, that survival rate is around 36% at the moment. That is simply unacceptable. We renew our call, and the call of the petition, on the Minister to implement a dedicated campaign to empower women in Northern Ireland to know the symptoms and to access the treatment that they deserve.

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

**Mr Speaker:** I will forward the petition to the Minister of Health and send a copy to the Chair of the Health Committee, Maeve McLaughlin.

## Executive Committee Business

### Public Bodies (Abolition of the National Consumer Council and Transfer of the Office of Fair Trading's Functions in relation to Estate Agents etc) Order 2014

**Mrs Foster (The Minister of Enterprise, Trade and Investment):** I beg to move

*That this Assembly consents to the Public Bodies (Abolition of the National Consumer Council and Transfer of the Office of Fair Trading's Functions in relation to Estate Agents etc) Order 2014 in the form of the draft laid before the UK Parliament on 5 December 2013.*

It may be helpful for Members if I give some background leading to the tabling of the motion and how the order affects Northern Ireland. In 2011, the UK Government launched a consultation document entitled 'Empowering and Protecting Consumers', in which it proposed a number of reforms to the current institutional arrangements to ensure that consumer advice, representation and enforcement were delivered effectively and efficiently. This draft order, laid in Westminster on 5 December 2013, is the second such order flowing from that consultation, and it will finalise the remaining changes proposed in the consultation.

The order will abolish the National Consumer Council (NCC) and transfer almost all of its functions, apart from its responsibilities for postal services in Northern Ireland, to Citizens Advice and Citizens Advice Scotland. The NCC's functions relating to postal services in Northern Ireland will be transferred to the General Consumer Council for Northern Ireland (GCCNI). Members will be aware that postal services are reserved to Westminster. Although responsibility for representing consumers in Northern Ireland has lain with the National Consumer Council, the staff employed by it in that area of work have been located in the General Consumer Council for Northern Ireland premises on the Holywood Road in Belfast. Therefore, the transfer should not result in any disruption in the effectiveness of consumer representation in that area, even in the transition period.

As postal services are a reserved matter, funding for the new role will be provided by the GB Department with responsibility for consumer affairs, namely the Department for Business, Innovation and Skills (BIS). Given the funding stream for that role, the order will make provision that the General Consumer Council for Northern Ireland annual

reports and accounts, which are laid with the Assembly, will also be laid at Westminster.

The order will also transfer the Office of Fair Trading's (OFT) responsibilities for the regulation of the estate agency market and for money laundering by estate agents to the lead trading standards authority, Powys County Council in Wales and Her Majesty's Revenue and Customs (HMRC) respectively. The OFT's responsibility for the estate agency market comes under the Estate Agents Act 1979. Essentially that involves ensuring that unfit persons are not allowed to operate estate agency businesses.

Trading standards departments across the UK already have some enforcement responsibilities under the Estate Agents Act.

Those responsibilities concern the handling of clients' money by agents, the passing on of offers, and declaring any interest that the agent may have in the property or in offering services to potential purchasers.

Transferring the OFT's responsibilities under the Estate Agents Act to a single trading standards department will ensure that all the responsibilities under the Act are carried out more effectively. The Trading Standards Service of my Department will work closely with Powys County Council when necessary.

The transfer of the OFT's responsibility to prevent money laundering by estate agents to HMRC will sit well with HMRC's existing responsibilities to prevent money laundering in a number of other sectors. HMRC has both the experience and capacity to ensure effective compliance with the money laundering regulations by estate agents across the UK.

It is intended that the draft order will come into force in April 2014. Under section 9 of the Public Bodies Act 2011, the consent of the Assembly to the order is required because it will modify the functions of the General Consumer Council for Northern Ireland, and the subject matter of the Estate Agents Act 1979 will be transferred and therefore within the legislative competence of the Assembly.

The General Consumer Council for Northern Ireland is content to take on the functions transferred from the NCC relating to postal services in Northern Ireland.

Members will be aware that my Department recently consulted on the review of consumer representation in Northern Ireland, and the proposed role for GCCNI was outlined in that consultation. When final decisions are taken on the review, whatever they are, I will ensure that the postal services functions transferred to GCCNI by the draft order continue to be discharged under any new arrangements that may be made.

I support the draft order as GCCNI already undertakes similar consumer advocacy functions in a number of other areas in Northern Ireland. The existing staff employed by NCC to deal with the function in Northern Ireland are already located in the GCCNI premises. Moreover, as postal services are reserved to Westminster, the UK Government will fund the council's consumer advocacy work on postal services matters in Northern Ireland.

I am content that the functions of the Office of Fair Trading relating to estate agents will be transferred to Powys

County Council, as the lead trading standards authority, and HM Revenue and Customs.

It is important for Northern Ireland that the Assembly pass the consent motion, as consumers in Northern Ireland will benefit from the integration of the new postal services role with GCCNI's existing consumer advocacy function. The Northern Ireland consumer will benefit, in the same way as consumers in the rest of the UK, from the transfer of the estate agent functions of the Office of Fair Trading to Powys County Council and HM Revenue and Customs. My Department will work closely with Powys County Council when it takes on functions relating to the regulation of the estate agency market.

I commend the motion to the Assembly.

**Mr Flanagan (The Deputy Chairperson of the Committee for Enterprise, Trade and Investment):** Go raibh maith agat, a Cheann Comhairle.

At its meeting on 30 January, the Committee for Enterprise, Trade and Investment considered the Assembly consent motion during an oral briefing from the Consumer Council. Consumer Council representatives informed the Committee that, for postal services, the Consumer Council will have the power to acquire information from a range of regulators, businesses and any person that supplies goods or services in the course of business for the post and mail markets. In its response to the Department's consultation, the Consumer Council asked for the same power to be extended across all its remit. The Committee sought clarification from the Department regarding the planned remit of the Consumer Council and whether the Consumer Council remit would be the same as other consumer bodies in Britain. The Committee considered the Department's response at its meeting on 13 February. The Department stated that, under the Public Bodies Act 2011, there is no scope to amend the Consumer Council's existing functions. Therefore, other than for postal services, the Consumer Council's functions will remain unchanged. The Department further informed the Committee that, as part of the review of consumer representation arrangements, the Department will consider whether any amendments to the powers associated with such representation are required and which body or bodies should exercise them. Having considered the evidence, the Committee was content for the Department to proceed in seeking the Assembly's consent to the order.

I will speak now as a Member representing my party. At the Enterprise, Trade and Investment Committee, we heard that the abolition of the National Consumer Council is not so much an abolition as a transfer of its powers and functions to Citizens Advice in England and Wales and Citizens Advice Scotland. Here in the North, the role of postal and mail markets will transfer to the General Consumer Council. From my point of view, that makes sense. The Consumer Council is ideally placed to take on that role. The two experienced staff who will transfer to the organisation will help with that transition. It makes sense that local mail customers are represented by the Consumer Council. The above-inflation stamp price increase announced by Royal Mail is bad enough, but it is outrageous and ridiculous that Royal Mail expects people posting letters from Garrison to Ballyshannon to pay 88p for an international airmail rate when they can pay a second-class rate of 50p to post the same item to

Glasgow. Differential postal rates exist in other parts of the EU, between the Czech Republic and Slovakia, but Royal Mail has not used that common-sense approach here in Ireland. We know from Consumer Futures research that customers here buying goods online from Britain often face additional delivery surcharges, which, in some cases, exclude the cost of the item itself. It makes sense to allow the Consumer Council to take on those challenges. I look forward to working with it to address that unique local problem.

Post offices are a vital part of the fabric of our towns and villages. In many rural contexts, the post office is the last shop in the village, providing much more than access to postal services. Post offices provide a valued and trusted route to banking and other financial services, similar to credit unions, which we debated last week. The Assembly all-party group on postal services was formed in part because of the concern about the potential impact of the post office transformation programme. Further changes to post office delivery models or locations can have a significant impact on rural or vulnerable urban customers. It makes sense that local customers' needs be represented by the Consumer Council in that regard.

#### 12.15 pm

Although the transfer of postal services to the Consumer Council makes sense to us, the order also raises some concerns. In Committee, we heard that the Scottish Government, although they have approved the transfer order, have published 'Consumer Protection and Representation in an Independent Scotland: Options'. It seems that they have designs on a much more robust system of consumer representation than that which is planned for England and Wales. The Scottish Parliament has sought to explore what the very best consumer protection should look like and has in mind a less fragmented design based on our very own Consumer Council. That contrasts with the situation in England and Wales, where energy and postal consumer advocacy is transferring to Citizens Advice, rail transport will stay with Passenger Focus and water will remain with the Consumer Council for Water. That approach is a bit piecemeal, and the Scottish Parliament has acknowledged that our approach is a much more sensible one.

Some of the written evidence that we received in Committee, including that from Larry Whitty, the Labour peer and former chair of the National Consumer Council, and Mike O'Connor of Consumer Futures, reveals that the model of consumer protection that we have in the North is regarded as being best practice. Although the order supports the abolition of the legal entity that is the National Consumer Council, we will not support any reduction in consumer protection here. It is important to state that for customers who want protection and members of staff in the Consumer Council who are concerned about their future employment prospects.

The transfer of postal services to the Consumer Council adds further protections for local customers to the remit of that devolved body. We want to see the information-gathering powers that the Consumer Council will get in post and mail markets extended right across all the areas in which it operates. Although the transfer order cannot achieve that, the Assembly can look at bringing forward legislation that will deal with that.

In conclusion, a Cheann Comhairle, I want to make it very clear that what is on the table is not going to reduce consumer protection in any way, and that is not a proposition that we will support in the future. We want to see greater powers for the Consumer Council to allow it to continue to do the excellent work that it does to protect customers' needs and to provide customers with a voice.

**Mr Dunne:** I, too, welcome the Assembly consent motion before the House. The Committee looked at the issue and held a useful evidence session with the Consumer Council in January 2014. The motion will give greater powers to the Consumer Council in the post and mail markets. It is positive news for consumer protection in Northern Ireland.

As postage costs continue to increase, the public and businesses are looking to alternative suppliers for postage services. The Consumer Council, with its local representatives, will do a firm job to ensure fair play for customers. The Committee is content with the motion, and I am happy to commend it to the House.

**Mrs Foster:** I thank the Committee for considering the matter in a very timely fashion. I know that it has wider issues that it will want to address with me about the General Consumer Council for Northern Ireland, but this particular order is very specific, dealing just with representation on postal matters.

I am pleased that the Committee had a quick but detailed look at the matter and is happy to support the motion. I ask the House to support it as well.

*Question put and agreed to.*

*Resolved:*

*That this Assembly consents to the Public Bodies (Abolition of the National Consumer Council and Transfer of the Office of Fair Trading's Functions in relation to Estate Agents etc) Order 2014 in the form of the draft laid before the UK Parliament on 5 December 2013.*

## Rates (Regional Rates) Order (Northern Ireland) 2014

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

*That the Rates (Regional Rates) Order (Northern Ireland) 2014 be affirmed.*

As Members will be aware, the order is brought forward annually and stems from the Executive's agreed Budget, which was originally brought to the Assembly back in March 2011 and covers the four-year period from 2011 to 2015.

The regional rate helps to supplement Northern Ireland's share of relevant public expenditure. It helps to provide additional revenue over and above the block grant, helping to fund departmental expenditure on hospitals, roads, schools and other essential public services and investment. To underline the significance of the rating system, over £1 billion is now collected in regional and district, domestic and non-domestic, rates. Taken together, the domestic and commercial regional rate is around £640 million in the next rating year.

I will turn to the breakdown of rate bills. The regional rate represents just over half of a typical bill, with the other half being made up of district rates, which are set independently by local councils.

When the four-year Budget was agreed, the Executive pledged that the regional rate would be frozen in real terms until 2014-15 — the next rating year — to provide certainty and stability for businesses and households in order to allow them to plan and manage their finances. Thankfully, economic conditions are improving, but there are still many challenges ahead. My Executive colleagues and I want to do whatever we can to make sure that the conditions for economic growth are in place in Northern Ireland.

The real terms freeze is adjusted for the effect of inflation. By way of inflationary measure, we are using what is called the GDP deflator, as determined at the outset of a Budget period. The legislation before you today for approval is the simple outworking of that important Budget decision. It will fix two regional rates in the pound for 2014-15: one for households; and one for business ratepayers. The new rates in the pound represent a small increase of 2.7% in the regional rate for the 2014-15 rating year for households and businesses.

The Executive wish to continue the commitment of ensuring that household and commercial budgets are protected, given the continuing economic difficulties being faced across the board. The order represents the best that we can do to balance the interests of ratepayers and the demands of public expenditure.

Some may argue that the regional rate should be reduced to alleviate the pressures of the current economic backdrop that continues to affect domestic and non-domestic sectors. The economic pressures of recent years have been unprecedented, but I firmly believe that the Executive have taken a sensible and measured approach. Any cut in the regional rate would mean a reduction in resources for other areas such as healthcare, education, roads and investment in other essential public services. The regional rate increases were agreed at the start of the Budget period in line with the Executive's projected

expenditure. Holding the regional rate constant in real terms also complements the commercial rating measures introduced since April 2012.

One of the measures included at that time was a levy on large retail premises designed to rebalance the burden of rates on the business sector. The order also serves to fix the additional regional rate in the pound to be levied on large retail premises, otherwise known as the large retail levy. The large retail levy is set at an additional 15% on average to a large retail premises' rates liability, and it also increases in accordance with the non-domestic and domestic regional rate increases. The levy helps to fund the small business rate relief scheme, which now assists around 24,000 small businesses.

Mr Speaker, allow me to move on to more technical matters covered in the draft order. Its main purpose is to give effect to the decisions made during the Budget process by specifying the regional rate poundages for 2014-15.

Article 1 sets out the title of the order and gives the operational date as the day after it is affirmed by the Assembly. Article 2 provides that the order will apply for the 2014-15 rating year through to 31 March 2015. Article 3 specifies 33.91p in the pound as the commercial regional poundage and 0.3986p in the pound as the domestic regional rate poundage. Article 4 specifies 8.98p in the pound as the additional regional rate in respect of large retail hereditaments.

I look forward to hearing Members' comments, and I commend the order to the Assembly.

**Mr McKay (The Chairperson of the Committee for Finance and Personnel):** Go raibh maith agat, a Cheann Comhairle. I will make my comments brief and less technical than the Minister's.

The 2011-15 Budget, which was agreed by the previous Assembly in 2011, proposed that domestic and non-domestic regional rates increases should only be uplifted in line with inflation. As we heard, the purpose of today's rule is to set the rate of uplift for 2014-15. It also provides for the continuation of the levy on large retailers, which was introduced in April 2012 as a measure to rebalance the rating system by funding an extension of the small business rate relief scheme.

The policy proposals contained in the statutory rule were considered by the Committee in January, and we raised no issues with them. In February, we formally considered the statutory rule that is before the Assembly today, along with the accompanying report from the Examiner of Statutory Rules, who raised no points in the technical scrutiny of the rule.

I agree with the Minister that the Executive have taken a common-sense approach to this issue in recent years by only uplifting rates in line with inflation. In my view, that is the proper course of action, given the pressures that households and businesses, particularly small businesses, are under. That said, the Committee agreed to recommend that the order be affirmed by the Assembly. Therefore, we support the motion.

**Mr McCallister:** I want to express some concerns about this. I recognise where the Minister is coming from in following a policy of setting the rates. I welcome the large retail levy, and maybe we should look at whether we can

increase that margin. No Member looking at town centres in their constituency and across Northern Ireland will be in any doubt about the difficulties that many face. Particularly for small rural towns such as Rathfriland and Killeel, which are under real pressure, the level of rates is a major issue. I want an assurance from the Minister that he is doing all that he can to recognise that pressure and that he is looking at whether we have the right balance between town centres and large retail units. Do we need to see whether we can do more to alleviate the pressure on those town centres?

In places, we are building a town-centre economy based almost solely on charity shops. The loss to such town centres of their bigger customers, for example, when a bank branch closes, has a profound impact, not only on the district and regional rate take but on the town itself. We certainly need to see more joined-up government, whether on car parking or the managing of our town centres, to address those pressures. Those are my concerns about the motion. I would welcome the Minister's comments on whether he feels that the balance is right or whether he would like us to do more not just to stabilise our town centres but to start the rejuvenation and regeneration that we all desperately want to see across Northern Ireland.

**Mr B McCrea:** I will just follow up a few points that my colleague Mr McCallister made. The real challenge is that our high streets are full of empty properties and charity shops. Everybody says to us that commercial rents have fallen but not rates. A revaluation does not change the total tax take; it just spreads it out in a different way. Notwithstanding the fact that this has been to the Executive as part of the Budget, I have a question for the Minister: is there no opportunity here to reduce rates dramatically? I know that people will say that we would have to take money from somewhere else. I am not oblivious to the fact that there is only so much money in the pot, but I am sure that every Member has wandered through their town and seen the empty properties and the charity shops. Perhaps the Minister could explain the options, including those that he has considered with his Executive colleagues, for trying to take the burden off ratepayers, particularly the owners of a small commercial property.

In my constituency, I am aware of a coffee shop in Lisburn that has to pay rates of £25,000 per annum, which is quite a lot of money. You would have to sell a lot of cups of coffee to make that amount. There is pressure, and I think that we should be looking at it. I realise, Minister, that you cannot do it in an unplanned way and that rates make a contribution, but surely we should be looking at ways of aligning the rates take with the rental income. People do not really understand that we need to reduce rates to align them with the reduction in rent. Then, of course, we have to work out how to make up the shortfall from other areas.

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

**12.30 pm**

**Mr Hamilton:** I thank all of the Members who have contributed to this important debate, albeit there were few. I am sure that it was a case of quality over quantity. As always, it has been a useful debate, with a range of views expressed. I have already stated that the Rates (Regional Rates) Order (Northern Ireland) 2014 gives

effect to decisions made as part of the 2011-15 Budget. The Executive have aimed to strike a balance between the needs of ratepayers during what remain challenging economic times and ensuring that public finances are sufficient to cover the priorities that we set ourselves.

If I may, I will turn to points raised in the debate. I begin by thanking the Committee Chair, Mr McKay, for his brief contribution. He was right and kept to his word; it was less technical than my contribution, but I think it was only marginally less dull. Nonetheless, I thank him and the Committee for scrutinising this important legislation. He is right to comment, and I agree with him fully, in respect of the Executive and the Assembly having struck a balance over this Budget period. I think that that balance is one that stands the Assembly and, more importantly, this place in good stead.

I turn to Mr McCallister's comments. He mentioned the large retail levy and seemed to express some support for its continuation. I remind the Member that the legislation was passed with a sunset clause, so its natural life will run out at the end of next year. This will be the last year that it will operate. That was the case, in part, because of the revaluation that is ongoing. We will see the result of the revaluation before we make final judgements on various aspects of our rating legislation.

He mentioned the need to have a balance between town centres and big out-of-town retailers. I would point out, and am sure that the Member appreciates — indeed, he referred to DRD and the issue of car parking — that it is not an area that is entirely my responsibility. However, as I stand here, I am responsible for the Rates Order and for the issue of rating in town centres. I know that that has an impact on many retailers. It is an issue of great concern, and there is not a town that I travel to in Northern Ireland in my capacity as Finance Minister where the issue of rates is not raised.

I am proud, however, of the rating regime that we have put in place. I accept that nobody, no matter who they are, likes to pay rates. I do not like paying my rates bill, so I do not expect retailers to like paying theirs, which are more sizeable than mine for my house. We have tried to strike that balance that the Chairman and I referred to earlier, between giving some support through various reliefs and allowances that have assisted greatly in keeping a large number of businesses in place in Northern Ireland that, I think, would otherwise not have been there.

I accept that probably there is little we can do to arrest the decline of many of those big household and brand names of retailers that we have seen removed from our high streets, and while there is nothing that we can do, as a Government, to substitute for the lack of revenue that many businesses have faced because of changes in technology or the impact of large retailers on towns, we have done quite a lot. I remind the Member of the extensive support that we have given through the small business rate relief scheme, which is, in part, funded by the large retail levy. If you take Down District Council area, where he and I have a shared interest, 1,137 properties are currently getting small business rate relief, and that has seen £1.9 million of relief awarded to such businesses in that area to date.

I turn to Mr McCrea's comments. I am glad that he was here, obviously, to add value to the comments made by

his colleague, who has party responsibility for finance. Mr McCrea obviously wanted to just top that up a little bit and add a bit of value. Unfortunately, he is no longer in the Chamber. He mentioned, in his incisive contribution, the revaluation. To clarify for the Enterprise Minister, a touch of sarcasm was added there. He mentioned the revaluation and the need to get rates more closely aligned with rent, and I agree. That is why the revaluation is being done. Obviously that revaluation was postponed — put back a few years — because of the lack of activity in the market and the inability to get a good, firm foundation. It is still an incredibly challenging enterprise to engage in the revaluation at this time, but to have put it off even further, as England has done by a further two years, would have added to the groundswell of opposition, and the annoyance that we are hearing would have reached a crescendo and forced us to do something. So, I am glad that we are proceeding.

He called for a massive reduction in the rate. I reiterate that nobody likes to pay their rates, but a massive reduction in rates would have resulted in a cut in services somewhere, which, to be fair, he identified. However, the one thing that he did not point out was that we might have to move the burden elsewhere, perhaps on to householders or to different types of business. We have, in total, given some £44 million of relief through the small business rate relief scheme, and I think that what we have before us represents a useful and helpful balance that gives certainty. It has given certainty in this Budget period to households and businesses.

In conclusion, I trust that Members will show the necessary support for the order. I believe that households and businesses alike will welcome the minimal increase in the regional rates. It clearly demonstrates that all ratepayers have benefited from the decisions that the Executive have taken. I commend the order to the Assembly and ask Members to affirm it.

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

*Question put and agreed to.*

*Resolved (with cross-community support):*

*That the Rates (Regional Rates) Order (Northern Ireland) 2014 be affirmed.*

**Mr Deputy Speaker:** As there are no dissenting voices, I am satisfied that the necessary cross-community support has been demonstrated.

## Committee Business

### Electricity Policy: Pricing

**Mr Deputy Speaker:** The Business Committee has agreed to allow up to one hour and 30 minutes for the debate. The proposer will have 15 minutes to propose the motion and 15 minutes to make winding-up speech. All other Members will have five minutes.

**Mr Flanagan (The Deputy Chairperson of the Committee for Enterprise, Trade and Investment):** I beg to move

*That this Assembly approves the second report of the Committee for Enterprise, Trade and Investment on its review into electricity policy: part II — electricity pricing (NIA 14/11-15); and calls on the Minister of Enterprise, Trade and Investment, in conjunction with her Executive colleagues, the Northern Ireland Authority for Utility Regulation, the System Operator for Northern Ireland, the Single Electricity Market Operator and the Consumer Council to implement, as applicable, the recommendations contained therein.*

Go raibh maith agat, a LeasCheann Comhairle. The structure of the electricity market is highly complex and highly convoluted. There is a wide range of stakeholders with a variety of views and experiences of the electricity market. There are a number of distinct elements to the electricity market, and each has its own complexities. So, Members will understand that the review of electricity policy has been, and continues to be, a marathon journey for the Committee for Enterprise, Trade and Investment.

I thank all Committee members, past and present, who have been involved in the review for the time and effort that they have put into getting it to this stage. Unfortunately, this is not the end of the journey. I also thank the Committee staff for their Trojan work in delivering such a well thought out and considered report that has secured the whole Committee's agreement. I also thank them for putting up with last-minute amendments and additions. I thank everyone who came before the Committee and presented written or oral evidence. Without their expertise, the report would have been much the lesser. I also take this opportunity to apologise on behalf of the Chairperson of the Committee, Patsy McGlone, who, as a result of attending a funeral, is unable to move the motion.

The electricity tariff for any consumer is made up of generation costs, network costs and supply costs, and the Committee has worked to unravel the complexities in each part. The Committee has found that there is a considerable lack of transparency in generation costs and network costs. Both the Confederation of British Industry (CBI) and the Consumer Council supported that view. Invest NI has also failed in its attempts to get some visibility on charges.

So, when the Committee on behalf of the Assembly, the CBI on behalf of businesses, the Consumer Council on behalf of the public and Invest NI on behalf of the Department of Enterprise, Trade and Investment cannot get visibility on charges, what chance is there for anybody else? For that reason, the Committee has recommended that the Single Electricity Market Operator (SEMO) undertake a review to see how generation costs can be made more transparent and that the Utility Regulator

undertake further work to improve transparency in network charges.

Renewable generators are appropriately rewarded through renewable obligation certificates, so we must ensure that those generators are not overly rewarded on the generation side of the market for the electricity that they generate. There are three elements to the way in which renewable generators are rewarded that raised concerns in the Committee.

First, there is the system marginal price, which is the price bid by the highest cost generator in each half-hour period and the price paid in that half-hour period to all generators bidding into the system, regardless of the cost of generation. That is the key point: all generators receive the same system marginal price (SMP), regardless of how much it costs them to generate the electricity that they sell. The profit they get is the difference between their marginal cost and the system marginal price. So, a wind generator, generating at zero cost, receives the same price for their electricity as a high-cost gas generator. As gas is the dominant fuel in the market, that is the price they get virtually all the time. There are very few occasions when wind or other renewables set the price. When the price of gas increases, the price paid to wind generators increases and, therefore, their profit increases.

Every generator deserves a reasonable rate of return for the electricity that they generate, but we must ensure that the profits made are not excessive and are commensurate with the risks involved. The Committee, therefore, believes that the best way to reduce generation costs is for the Single Electricity Market Operator, which operates on an all-island basis, to decouple the price that is paid to renewable generators from the price of electricity from fossil fuels.

The Committee was told that the system marginal price is a commonly accepted economic model, and perhaps it is. However, in an open market economy, one type of supplier does not get incentivised at one end through a mechanism such as renewable obligation certificates and then get to charge the same price for its product as its competitors that have much higher overheads. The phrase "having your cake and eating it" springs to mind.

Secondly, an element of the system marginal price includes the cost of carbon produced by fossil fuel generators to generate electricity. However, as that is built into the system marginal price, renewable generators, which do not produce carbon, also receive the cost of carbon. The cost of carbon must be separated from the system marginal price to ensure that all generators receive a return on the cost of carbon that is directly linked to the carbon that they produce.

Thirdly, any generator that is available and open to operate on the system receives a capacity payment. Capacity payments constitute around 17% of generator revenue. The Committee questions the need for capacity payments for any form of generation, but especially for wind generation. As wind generation is the least expensive form of generation, it is always put onto the system first. Therefore, wind generators are not waiting around to be called into action. Also, wind is intermittent. If the wind is not blowing, wind generators still receive a capacity payment, even though they do not meet the requirement of a capacity payment to be available.

The Committee has decided that the Single Electricity Market Operator must review the capacity payment mechanism with a view to removing capacity payments from forms of generation such as wind, which neither meet the requirement nor require the payment. The review should also consider the requirement for a capacity payment to be in place for any form of generation.

Another element of generation that adds to charges for consumers are imperfection costs. Those are mostly made up of constraint payments to large-scale renewable generators when the electricity that they produce cannot be used on the system. It cannot be used because the electricity grid needs to be strengthened and because there is not enough interconnection between here and the South and here and Britain.

The Committee agrees that the Planning Appeals Commission must set an early date to reconvene the inquiry into the planning application for the North/South interconnector and that Mutual Energy must work to ensure that a permanent solution to the faults on the Moyle interconnector is put in place at the earliest opportunity. It is a ridiculous situation; we have generation in place and are charging consumers for it, but we cannot use it because we do not have the infrastructure in place, whether that relates to interconnection or to the inadequacy of the grid. That brings me on to the area of the electricity grid and network costs.

There is considerable cause for concern about network costs and the way in which they are apportioned between consumer groups. Network charges constitute around 22% of the domestic electricity tariff. Representatives of the large industrial and commercial sector argue that network charges here are apportioned in favour of domestic consumers and small businesses at the expense of large industrial and commercial consumers. Manufacturing NI has argued that electricity costs for large businesses here are the second highest in Europe; a position that has been confirmed by the Utility Regulator. Manufacturing NI believes that there is a risk that some large companies could leave the North if energy costs continue to be prohibitive. Such a move would have a huge impact on jobs and the economy, both directly and indirectly. It would also have a very significant impact on all electricity consumers, as the network charges that they have been paying would have to be apportioned across all other consumers, thereby increasing electricity costs for everyone.

#### 12.45 pm

There is continuous pressure on businesses to reduce costs. Large industrial and commercial users are no exception, especially if they find that they are paying two or three times as much for their electricity as their sister companies in other parts of the world, as the Committee was told throughout the review. Members will have seen reports recently of Bombardier planning to generate large amounts of its own electricity. Although that is to be welcomed on one front, it raises concerns on another in that if many more large industrial and commercial users took a similar approach and reduced their reliance on the grid, that would cause grid costs to be apportioned across fewer consumers, resulting in increased electricity bills for everyone.

It is essential that network costs be apportioned appropriately and that charges reflect the costs incurred by each consumer group. That is a European directive. We have evidence that in the Oireachtas, a former Minister for Communications, Energy and Natural Resources stated that they were going to transfer some of the costs from large energy users across to domestic customers. So, that is what is happening in the South and is one reason for the large differential between the price that large users pay in the South and the North. There is a problem of a greater difficulty in competitiveness for our businesses here.

The Committee welcomes the work being done by the Utility Regulator in the effective apportionment of costs. However, network costs have to be paid, and reducing costs for one group will result in increased costs for others. About 42% of our population is in fuel poverty, and the reapportionment of network charges could drive even more vulnerable customers into fuel poverty. For that reason, before there is any consideration of a move to reapportion network charges in favour of large industrial and commercial users, work should be undertaken to reduce costs through generation and other means to ensure that no consumer suffers detriment as a result. That can be achieved by accepting and implementing the Committee's earlier recommendations on generation costs.

The large industrial and commercial sector raised concerns about public service obligation (PSO) charges being applied to large businesses. A substantial proportion of the PSO charge results from the sustainable energy programme NISEP, which is due to come to an end in the next two years. Although the Committee considers it essential that such support is provided to vulnerable customers, members question the appropriateness of funding an energy efficiency scheme through the electricity tariff. The Committee believes that a further programme should be put in place to follow on from NISEP to promote and improve energy efficiency for vulnerable consumers but that the Executive should explore how such a scheme could be funded through other means.

As I stated, generators are appropriately rewarded through renewable obligation certificates for the electricity that they generate. However, there is increased need for grid strengthening to enable the renewable electricity generated to get onto the system. The Utility Regulator cautioned the Committee on the need to be careful about adding to network charges. There has to be a balance between strengthening the network and increasing costs to consumers.

The Committee is looking forward to the outcomes of exploratory work being undertaken by the Utility Regulator and NIE to explore the potential use of European regional development fund (ERDF) funding under the 2014-2020 programme for grid strengthening. Although the €50 million being sought would be recovered from consumers, ERDF funding would reduce the overall cost to the Executive by about half. Perhaps the Minister can update the Assembly on progress in that area.

The Committee heard convincing evidence from the MATRIX Sustainable Energy Horizon Panel on its report into intelligent energy systems. This is an area in which the panel believes the North can become a market leader with the appropriate support. As well as providing opportunities for the economy, intelligent energy systems,

or "smart grids", have the potential to reduce the need for grid strengthening by maximising the use of the existing network infrastructure. This must be considered for reducing costs to consumers and for its wider economic benefits. The Department is due to review its strategic energy framework in the very near future. The Committee feels that the review must consider how intelligent energy systems can be fully utilised to reduce the need for grid strengthening and costs to consumers.

A key driver and motivator for the review into electricity prices was last year's announcement of a 17.8% increase in electricity prices for domestic consumers. However, it is not about price increases only. Do we simply accept the narrative that prices have to continue to rise? We are living with high rates of fuel poverty, and, year on year, electricity prices seem to fluctuate widely with huge increases and considerable decreases. Can we expect a considerable decrease later this year or another huge hike in prices? We do not know. It is highly unpredictable. That means that people cannot plan and that hard-pressed families cannot budget properly.

We cannot expect people to live like that from one year to the next. Consideration must be given to putting mechanisms in place to insulate domestic and small-business consumers from wide fluctuations in electricity prices from one year to the next. The regulator must keep a watchful eye on Power NI's hedging strategy.

As electricity prices increase — regardless of fluctuations, the trend is undoubtedly upwards — one way for consumers to reduce their costs is to shop around for the best deal. However, consumers must be made aware of how easy it is to switch. All barriers to switching have been removed. People can save up to 10% in their electricity bills by making a simple phone call or going online to switch supplier. To help people to get the best deal for their electricity, there should be an extensive awareness campaign to inform consumers of the ease of switching suppliers. This can serve only to stimulate competition further in the electricity market.

This debate is taking place at a very opportune time. Electricity markets across the EU are required to comply with rules to increase integration. The single electricity market between North and South must comply by 2016. So the opportunity now exists for the two regulators to reconfigure the single electricity market to match EU requirements and, in doing so, provide the most efficient and effective electricity market to meet the long-term needs of all consumers on this island. For this to be successful, it will require robust oversight by both Governments and both energy Ministers in Ireland. For that reason, the Committee has recommended that energy issues in general, and electricity issues in particular, must be assigned a high priority at meetings of the North/South Ministerial Council. This may require energy to become one of the areas of cooperation under the auspices of the North/South Ministerial Council.

The electricity market is a complex and ever-changing field. The Committee will continue to keep a close watch on developments during the mandate to ensure that the policies being developed provide the best balance to meet the needs of business and domestic consumers. We do not want to be simply reactive to problems. We want to come up with policies and deal with problems before they exist.

**Mr Dunne:** I also welcome the opportunity to speak on this important issue as a member of the Enterprise, Trade and Investment Committee.

Unfortunately, electricity costs in Northern Ireland are amongst the highest in Europe. Real challenges continue to exist for domestic and commercial customers here. Energy costs are one of the major overheads for any business here, particularly our large manufacturing companies, some of which would be keen to expand but are restricted because of having to offset the costs of energy, which are high in comparison with those in other countries throughout Europe.

In today's 'Belfast Telegraph', it is mentioned that we are competing for business with the United States, where energy costs have fallen following fracking for oil and gas. Electricity prices in the EU are double those in the United States and 20% higher than in China. Michelin highlighted a stark example during a visit to the Enterprise, Trade and Investment Committee. We learned that Michelin's monthly energy bills for manufacture are in the region of £1 million, which shows the challenging environment in which it has to work to try to be competitive.

Fuel poverty continues to be a problem for many domestic customers across Northern Ireland. The cost of electricity is subject to regular price fluctuations ranging from a reduction of up to 16% to increases of up to 19% within a four-year period, which, we understand, relates largely to the wholesale cost of generation.

One of the report's recommendations highlights the need for greater transparency in the make-up of transmission costs and network charges, which should involve the work of the Utility Regulator. Generation costs are the main component of the domestic electricity tariff, which makes up around 44% of the domestic electricity bill and is determined through the system marginal price. The Committee recommends that all generators, including renewable generators, should receive a reasonable price for energy output. There is clear evidence that some renewable generators receive higher rates of return at less risk.

There should be a clear distinction between the price paid to renewable generators and the price paid to electricity generated from fossil fuels. That would result in a significant saving to the SMP. The section of the SMP that includes the cost of producing carbon by the generators should be reviewed as it is unfair that renewable generators receive the cost of carbon without producing it during production.

Constraint payment is another issue that needs to be addressed. It occurs when renewable generators cannot offload the energy produced as the grid is not fit for purpose and results in unnecessary costs of generation. That again highlights the real need for the North/South interconnector to be established between the Republic of Ireland and Northern Ireland, which will allow interconnection between GB and the Republic of Ireland. The ongoing delay of a number of years is costing consumers here £7 million a year. Progress on the project is urgently required, and perhaps the idea of local community buy-in for the farmers affected could go a long way to providing a solution. The Fermanagh Trust is an example of how communities can benefit from working

together on energy projects. We saw that recently during its visit to Stormont.

There is clear evidence that our electricity network, which was largely constructed in the 1950s and 1960s, needs to be upgraded. It is in need of considerable investment to improve consumer protection during extreme weather such as last year's heavy snow. Improvement is also needed to support connection to renewable electricity generators. The network charges issue needs to be reviewed to ensure that establishing the cost of network upgrades is carried out in a fair and balanced way for domestic and large commercial users.

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

**Mr Dunne:** Yes.

**Mr Allister:** On recommendation 15, which advocates that energy should now come:

*"under the auspices of the North South Ministerial Council",*

as a subject for cooperation, will the Member, before he finishes, tell the House when it became the policy of his party to expand the influence and subject matters of "North/Southery"? When did that particular U-turn take place?

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

**Mr Dunne:** This is a Committee report, as the Member well recognises, and it does not clearly state that in the report.

The network charges need to be reviewed to ensure that the cost of network upgrades are carried out in a fair and balanced way. I welcome the report. A lot of constructive work has been carried out, and I express my thanks —

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

**Mr Dunne:** — to Committee members, the Committee Clerk and staff for their work on the report. I encourage the Minister of Enterprise, Trade and Investment to work with all the various agencies and Departments in the interests of getting a value-for-money electricity supply across Northern Ireland.

**Mr McKinney:** I welcome the opportunity to speak in the debate and support the Committee motion. The Committee took substantial evidence on the matter, and its recommendations are important and timely.

In considering electricity prices, one key issue, which I suppose is self-evident, is the fuel price itself. The system marginal price is influenced by the price of fuel, and that largely determines the amount that each generator bids into the market. Plainly speaking, if fuel prices increase, generators will increase their prices in order to reflect the rise.

The Committee considered the reasons for increased prices and tariff charges here. We heard that the main descriptor over the past number of years is "instability". In an evidence session, Power NI outlined that that volatility does not produce a good outcome for the consumer, large or small. The Utility Regulator told the Committee that the tariff charges were the result of the situation that Northern Ireland is in with fuel prices. We are challenged by our size, location and dependency on imported fossil fuels.

As we have been hearing, another key issue that the Committee dealt with is transparency. There was some disagreement. The Utility Regulator felt that the electricity market is very transparent, but others, including the Consumer Council, have grave doubts about whether competition is working to the benefit of the consumer and point to a lack of information and transparency as the main reason for that. Let me point out that the contributions from the Consumer Council underscore the important role that that body plays, not just on this issue but on others.

One of the significant focuses of the Committee's discussion was around the system marginal price, as we have been hearing. That is because it exists to strike a balance between making sure that investors get a reasonable but not unreasonable return and, importantly, that consumers get a fair deal. As the Deputy Chair explained, there were many issues around the SMP for wind generators and the amount of revenue that they receive.

### 1.00 pm

The competitiveness of Northern Ireland regarding large energy users was again raised in this section of the Committee's work on electricity. This is of real concern. We heard from the CBI and Manufacturing NI that high electricity charges were having a substantial effect on jobs in the private sector. Furthermore, the worrying statement was made that current policy is resulting in jobs being traded for fuel bills.

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

**Mr McKinney:** I will.

**Mrs D Kelly:** Does the Member accept that the very point that he makes about the high cost of energy and the impact that that has on economic activity puts a greater onus on the Minister to ensure that, regardless of whether it is north, south, east or west, she must get the best price for consumers, whether domestic or business?

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

**Mr McKinney:** I welcome the Member's contribution. It is imperative that we act in this regard. The fact is that the electricity prices that we experience in Northern Ireland have the potential to dissuade large investors from locating here as our costs are among the highest in Europe. In fact, the CBI contends that Northern Ireland has lost several major inward investment projects to the Republic because of these factors.

It is doubly important that we attract large energy users to Northern Ireland as having more large energy users on the grid reduces costs for others. If we continue to harbour large network charges, more and more large energy users may come off the grid and self-sustain. That, then, will increase prices for all others who remain.

In answer to the Consumer Council's concerns that there is no transparency in electricity pricing, one of the Committee's key recommendations is that the single electricity market operator and the Utility Regulator should undertake work to improve the transparency of network charges. The Committee rightly acknowledged that high network charges pose a significant risk to consumers and the economy, and welcomed the work being undertaken by the Utility Regulator in this regard.

We must do all that we can to achieve the best price for the consumer and large energy users on the grid. It is for that reason that I commend the recommendations made by the Committee. It is vital that we retain our large energy users and that we do not do anything, either by commission or omission, that would put the economy here at risk due to those high network charges.

**Mrs Overend:** I appreciate the opportunity to participate in the debate on this important motion brought by the Committee for Enterprise, Trade and Development, of which I am a member.

Much has been made in recent months of the high energy prices paid by domestic customers, and rightly so, especially on the back of a number of years where energy prices have risen steadily and where household incomes have remained stubbornly static. It has been shown that large industrial and commercial customers here pay some of the highest energy costs in Europe. This has a debilitating effect on their ability to be competitive in a world market, which ultimately sees the end user, the consumer, paying high costs. Manufacturing NI successfully highlighted the issue to the Committee some time ago, and I was particularly pleased that everyone agreed about the importance of further examining the high energy costs that our manufacturing base faces, especially in these difficult, austere times.

As politicians, we are often told that we should listen more to those in the business sector in order to properly understand their concerns so that, as policymakers, we can create a better environment to enable our local economy to grow and prosper. In listening to businesses and the various business organisations that presented to the Committee, we recognise that one of the huge costs they bear is electricity, especially considering the 17.8 % increase that came into effect from July last year, which caused us great concern.

Government need to consider the effect of those large energy users who are faced with increasing bills and who then have to consider their options: either to turn away from the grid altogether through generating their own electricity or to leave Northern Ireland and set up and expand elsewhere. Both would have a knock-on effect of adding costs to the rest of the users on the grid.

Manufacturing NI stated that the 22 largest users in Northern Ireland account for 15% of the volume of electricity used. If they were to leave the grid, the cost of that 15% would be passed on to the remaining grid users. Furthermore, it has been said that our high energy prices have been a real deterrent to potential foreign direct investment. Many other European countries, including the Republic of Ireland, have structured their energy policies to ensure that the energy costs paid by large industrial and commercial users are more competitive, especially when compared with Northern Ireland.

The Committee report is lengthy, with a number of recommendations, and although I would like to mention them all, time limits me to a few. I agree with the report that we need increased transparency in the electricity market and in network charges, as was so clearly explained earlier by the Deputy Chair. The report recommends that, as a result of work being undertaken, the Utility Regulator must be in a position to demonstrate how the current apportionment of network charges reflects the costs

incurred by each consumer group, including large and small industrial and commercial concerns and domestic consumers. Indeed, further work should be undertaken to reduce costs through generation and other means. The benefits of effecting positive change will filter through to all users in the medium to long term, ensuring a more competitive and fair energy pricing environment in future.

The public service obligation charge is currently levied across all electricity users, but not everyone benefits from the service. The Committee report recommends further consideration for energy efficiency schemes but requests that the Executive consider how it could be funded through means other than the electricity tariff.

As stated in recommendation 14, more needs to be done by the Department, the Utility Regulator and bodies such as the Consumer Council to ensure that people are given information about switching energy supplier in order to get the best possible prices and that consistent rises in energy prices are reduced.

The Committee found that although it is right to incentivise the renewables sector, it should not be to such a degree that it creates unfair costs for customers, which, it seems, is currently the case. Capacity payments and carbon costs are paid to producers of wind energy, despite the fact that the service is comparatively unreliable and does not produce carbon. This needs to be examined by the Department and the Utility Regulator. The cost of carbon must be decoupled from the system marginal price to ensure that generators receive a return on the cost of carbon that is directly linked to the carbon they produce.

**Mr Deputy Speaker:** The Member must bring her remarks to a close.

**Mrs Overend:** I commend the report to the House.

**Mr Lunn:** I support the report. I sometimes wish that we had a seat on the Committee for Enterprise, Trade and Investment. This is a very complicated and long report, and it would have been helpful to be privy to the various discussions. There has been a lot of input from the Consumer Council and other organisations and particularly, from what I hear, from large businesses.

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

**Mr Lunn:** Yes.

**Mr Flanagan:** I am sure that, if you approached some of the other parties, they would be happy to swap an Executive seat for a seat on the Committee for Enterprise, Trade and Investment.

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

**Mr Lunn:** Mr Flanagan said that so quickly that I did not pick it up. I am sorry. Not to worry; our time will come. *[Interruption.]*

**Mr Deputy Speaker:** Order.

**Mr Lunn:** I said that because the report runs to 570 pages, and I have not had an opportunity to study it all.

I want to touch on some particular recommendations. Recommendation 10 seems to be the big one. It centres on the complaint from large businesses here that they pay substantially more than the European or UK average and smaller businesses. I have a lot of sympathy for them because that is absolutely correct. However, I wonder

what the answer is. The recommendation is that work be undertaken to reduce costs through generation. That is fair enough, but it is also the conundrum: how do you reduce costs through generation, given the state of the market and the fact that we rely primarily on oil for that generation? When I first heard about Bombardier's proposal to generate its own power, I thought, "Hallelujah, this is a great idea", but, in fact, as others including Mr Flanagan said, if too many companies go down that route, it will have an effect on the grid costs, which will have to be reapportioned. That may not be of long-term benefit to anybody.

Recommendation 14 is about informing customers about the ease of switching supplier and the need to shop around. I am not against that at all. I am certainly not going to say anything critical about the Consumer Council, because I think that it does a terrific job. We have seen this issue in various areas in terms of oil prices, gas prices and telephone charges. Everybody is urged to shop around, but if you look at the way the electricity market is structured, if somebody puts their price up this week and people change to another supplier, such as Airtricity or Energia, a few weeks later that company will have to do the same thing. So, I wonder about the overall benefit of shopping around, but there we are. If there are savings to be made, fair enough.

Recommendation 15 is about the European market. I see the European directive that we have to have a single electricity market between North and South by 2016. I heard Mr Allister's comment about the fact that there is a recommendation that it might become one of the areas of cooperation under the auspices of the North/South Ministerial Council. Frankly, I am surprised that it is not already, because this is such an important area, and it ties in to recommendations 7 and, probably, 8, which are about the North/South interconnector. It is plain common sense, this sort of cooperation. It is not just between North and South; this kind of thing is happening across Europe. It is nothing but common sense that if there are savings to be made, we should embrace them and welcome them. So, I really do not understand Mr Allister's reticence about that.

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

**Mr Lunn:** Yes, certainly.

**Mr Allister:** If the Member had listened, he would have realised that I was drawing attention to the fact that a party in this House has long publicly protested any expansion of "North/Southern" through the North/South Ministerial Council, yet its four members on the Committee voted for a recommendation that would do exactly that. That is the point that I am drawing attention to. It is another U-turn on behalf of that party. *[Interruption.]*

**Mr McCarthy:** They know where their bread is buttered.

**Mr Deputy Speaker:** Order, order.

**Mr McCarthy:** They know what side their bread is buttered on.

**Mr Lunn:** You do wonder sometimes why you ask for it. *[Laughter.]* The point that I am making is to commend DUP Members. If they can see the sense of making a commercial decision, and if that involves a bit of North/South cooperation, which, perhaps, instinctively, they are not necessarily in favour of, then why not? It is good sense. We are talking about commercial industrial issues.

We are not talking about politics, or we should not be. I think that I had better leave it at that, Mr Deputy Speaker.

**Mr Frew:** I thank the Member for giving way. The wording of that recommendation, which is in a Committee report, not a DUP report, states that:

*“This may require Energy to become one of the areas of co-operation”*

It does not say that it should or it must. There is great communication and collaboration between the two jurisdictions, not only North/South but east-west.

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

**Mr Lunn:** I was going to mention the east-west Mutual Energy recommendation as well. This thing seems to have been dragging on since time began. It is time that something was done about both issues — North/South and east-west.

**Mr D Bradley:** The Member's time is up.

**Mr Lunn:** I support the motion.

**Mr Frew:** This is an important issue that I have been very keen to speak on, to debate and to do work on in the Committee. I am glad that the Committee has taken up the mantle of energy and, in particular, electricity prices.

Like a lot of Members in this Chamber, I know that this is one of the biggest issues that our companies and manufacturers in particular face on a daily and weekly basis. It is critical that we try whatever we can, albeit limited, in this Assembly, in the Department of Enterprise, Trade and Investment and anywhere else in the sphere of business to reduce the burden and cost on the manufacturers who create wealth and the businesses that create wealth and employment in our communities.

It is very clear that this is as big an issue and as big a debate as the one around corporation tax. The last thing that I want in my constituency of North Antrim is to lose one of the large manufacturing plants that employ up to 1,000 people. That is not just 1,000 people; that is 1,000 families. Furthermore, hundreds of subcontractors are employed indirectly throughout that company.

**1.15 pm**

It is incumbent on us in the Assembly, and of the most significant importance, to debate the issue and come up with recommendations that will then go forward to the Department for it to look on and to make changes so that we can get electricity prices down in this country. It is also the case that, if one of those large plants were to disappear from the skyline of our towns and cities, 1,000 families would be plunged into poverty practically overnight. That is not something that I would look forward to, and it is certainly something that I think is extremely important to bear in mind.

I spend a lot of my time not only trying to promote my area to bring in foreign investment or to create jobs, wealth and employment but helping to retain the jobs that we already have. I must say this: it is shameful that another North Antrim MLA would pluck out one recommendation from a Committee report and try to clobber a party that is doing its best to retain employment.

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

**Mr Frew:** Yes I will; I will give way to the Member.

**Mr Allister:** I can understand the Member's embarrassment. I think that there is much good in this report, and I think that, for the first time, it exposes the renewable energy industry in a way that I greatly welcome. However, all the recommendations are worthy of scrutiny.

The fact is this: although the DUP has a manifesto commitment against expanding North/South bodies and interests, recommendation 15 gives, appropriately enough, a green light to expanding one of the areas of interest under the North/South Ministerial Council to include energy. The Member might try to hide behind the language and say, “It only says ‘may’”. It is anticipating, and it is a direction of travel that conflicts with the manifesto upon which the Member was elected to the House. However, that does not surprise me at all.

**Mr Deputy Speaker:** The Member has an extra minute. May I remind Members that all remarks should be made through the Chair?

**Mr Frew:** Yes. I am sure, Mr Deputy Speaker, that the Member will be so gracious as to allow me the same time as I have afforded him when he speaks. I remind the Member that it says, “This may” and of course we have not heard from the DUP Minister of the Department, so let us wait and see —

**Mr Allister:** What about the DUP Committee members?

**Mr Deputy Speaker:** Order.

**Mr Frew:** Although I represent North Antrim to the best of my ability, is it little wonder that the Member cannot even reach quota in the Assembly elections, as he lets his people down so badly when he cherry-picks for a headline — *[Interruption.]*

**Mr Deputy Speaker:** Order. Can all remarks be made through the Chair, please? Will you return to the debate?

**Mr Frew:** OK, Mr Deputy Speaker, I will take your direction. It is very important that we get this balance right and that we take the burden off our industry and our employers and spread it out evenly. Look at some of the costs and the breakdowns of the costs. Generation costs make up 44% of our costs, and all generators receive the system marginal price in each half-hour period, regardless of the cost of generation. That means that wind receives the same price in every half hour. That is totally unfair and should be reviewed. So, it is more to do with the spectrum of generation and the most costly generator, but wind energy and companies that generate such energy get an abundance of costs or money that way. The cost-of-carbon element is the same. It is unreasonable that wind generators receive the cost-of-carbon element. Then there are the capacity payments. Wind is intermittent and is not always available; therefore, there is not a reliance on a capacity payment to maintain availability when not needed.

It is incumbent on us, and very important, that we have the North/South interconnector in place as soon as possible, because that will reduce the cost.

An element of the electricity tariff is known as imperfection costs. Those are made up mostly of constraint payments. Some renewable generators receive constraint payments

when the electricity that they generate cannot be used in the system.

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

**Mr Frew:** That usually results in the grid needing to be strengthened. It is vital that the North/South interconnector is connected as soon as possible so that the burden can be taken off our industry and off our grid.

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

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

**Ms Fearon:** Go raibh maith agat, a LeasCheann Comhairle. I welcome, as other Members have, the opportunity to speak in this important debate. It is apt to thank the Committee staff for their hard work and all those who gave evidence to the inquiry.

Electricity prices are a huge issue for domestic customers and our business community. Large energy users here face the second highest prices in all of Europe, and that is a serious problem for their competitiveness and for our ability to attract and retain large employers, including manufacturing companies. If this issue is not resolved, we could see some large users taking their business elsewhere or taking themselves off the grid, which would result in the network charges they pay being spread among every other electricity customer.

A piece of work needs to be carried out to determine whether the allocation of costs between large energy users and domestic customers is cost reflective and sits within the directive of the European Commission. Any efforts to reapportion costs from domestic customers to large energy users without reciprocal support from the Executive could have a devastating impact on domestic customers.

Domestic customers also face uncertainty in the prices they pay as a result of hedging strategies, and we have seen prices go up by 17.8% recently. We cannot accept the narrative that the price we pay for electricity will continue to rise and not challenge the policy decisions that cause prices to increase.

The way in which generators are rewarded needs to be looked at in great detail. The fact that generators of renewable electricity will continue to receive increased rates of payment through the single electricity market and the system marginal price while the price of fossil fuels continues to rise is wholly unacceptable.

Information that we have been provided with, and some have already alluded to this, has shown that some firms had a profit margin of 79%. That is an absurd figure, given that over 40% of our homes are in fuel poverty. In proposing a feed-in tariff with contracts for difference from 2017, the Department has acknowledged the potential for over-rewarding renewable generators, but that does not apply to connections that are on the grid before 2017. So, there has to be a way to ensure that customers are protected from over-rewarding.

One of the most galling factors about the recent price hikes for domestic customers was the manner in which other suppliers followed the lead of Power NI and introduced a 17.8% increase. That was despite the fact that a significant proportion of their electricity came from renewable sources, the cost of which had not increased, but the price that they were paid for generating it did. So, they ended

up making more profit out of the arrangement than should have been the case.

The Committee has therefore recommended that a campaign be undertaken to encourage customers to shop around and change supplier if appropriate. Competition is not the solution to the problems we face with electricity prices, and it is probably one of the areas that has the least possible savings for customers. However, it is the only area that is directly within the control of the customer. There are no barriers to switching suppliers, and people need to be made aware of the potential savings that can be made.

As regards the workings of the single electricity market, there appears to be a lack of ministerial oversight in the SEM committee. There is no regular or dedicated forum for energy Ministers, North and South, to discuss issues of mutual concern, and having one would be a useful and welcome step.

**Mr Anderson:** I speak in support of the motion as a member of the Enterprise, Trade and Investment Committee. I also thank the Committee Clerk and the Committee Staff for their assistance with this report.

In our last report, which was presented to the House last December, we considered security of supply. However, as I made clear in my speech on that occasion, security of supply impacts on pricing. Around the time of that debate, the then recently appointed Utility Regulator, Jenny Pyper, said that high prices were here to stay. So, it is imperative that we explore every avenue to reduce costs.

Historically, we have had higher prices in Northern Ireland than the rest of the United Kingdom. The 17.8% increase for most domestic customers from July last year was certainly alarming, and it will have the effect of driving more people into fuel poverty. Following the announcement of the increase, we took evidence from key players such as the Utility Regulator, Power NI and Airtricity.

On the business side, figures released by the Utility Regulator show that, in the first six months of 2013, Northern Ireland's commercial and industrial users were paying the second highest price in Europe for their electricity. It is unacceptable that our hard-pressed manufacturing and business sector, which has been trying its hardest to emerge from the economic downturn for the last few years, is being charged such high prices. Representatives of Manufacturing NI, from whom we heard in the Committee, summed it up well when they said that the recovery of the local economy could be derailed by those sky-high electricity costs. They told us that large companies would not be able to expand and that some might fold, which would result in more jobs being lost. It is as stark as that. The Committee also examined a range of aspects of the issue, and these are summed up in the recommendations of the report.

Recommendations 13 and 14 relate to supply costs. They urge DETI, the Utility Regulator and the Consumer Council to work together to make the public more aware of the availability of options from electricity suppliers. There is a pressing need for a high-profile publicity drive so that consumers can obtain best value and secure the best deals. Many consumers shift suppliers. However, they are not really sure whether they are doing the best thing because, some time later, they find hikes in prices again, and they are left maybe where they were before or worse

off. Continuing variations in electricity prices year on year are also a cause for concern, and we want work to be done in that area as well.

There is also evidence of lack of transparency in relation to competition in electricity generation and network charges. As a Committee, we would like the single electricity market operator to undertake a review to see how generation costs can be made more transparent, and we want the Utility Regulator to do more work on improving transparency in network charges. I know that the Minister and her Department are committed to the development of sustainable energy. The renewable energy sector is part of the broader sustainable energy initiative, and there is little doubt that renewable energy has a beneficial impact, but there is a cost impact as well. Costs flow from the need to encourage and promote renewable energy, which is done via the Northern Ireland renewables obligation and paid for through the electricity tariff.

Costs also flow from the need to reinforce the grid. We were informed that the need to strengthen the grid could be reduced by investment in what are known as smart grids; these are state-of-the-art, digital grids that can save energy and cut costs. All of this is highly technical, but we feel that DETI's review of the strategic energy framework should consider the possibilities offered by intelligent energy systems. If these can reduce costs to consumers, they need to be seriously considered.

The Committee has given much consideration to this important area of electricity pricing, and I hope that our report will focus minds on those issues and, ultimately, lead to reduced costs. I commend the Committee's report to the House.

**Mr Wilson:** It is a welcome change of heart to hear a Sinn Féin Deputy Chairman talk about the high cost of energy and the impact that it has on people in Northern Ireland, given that his party has singularly tried to do all that it can to ensure that energy prices are kept high in Northern Ireland. The interconnector is held back as a result of the attitude of Sinn Féin. When it comes to preventing the exploitation of our resources in the form of shale gas, he proudly leads the way. Of course, it has been the exponent of what the report has shown to be the cause of high energy costs: renewable energy. So it is good to see that there is now a conversion, or maybe this is just Sinn Féin's ability to face both ways on the energy issue as it does on everything else.

Let me come to a number of points about the report. It highlights the fact that energy costs are a huge issue, not only for industrial and commercial users but for ordinary domestic users, with the highest level of fuel poverty in the United Kingdom existing in Northern Ireland. The report highlights the fact that, as a result of how the market works, one of the parts of the energy industry that has added to the costs is the renewable energy industry, with its special treatment of renewables obligations. Special subsidies are made available, and the grid is forced to purchase at a high price from the renewable sector. On top of that —

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

**Mr Wilson:** Yes. I will give way, because this is another man who believes that we should impose a burden on industry and on consumers because of some daft ideology that he supports.

### 1.30 pm

**Mr Agnew:** I thank the Member for giving way, because it is important that we introduce some facts to the discussion. If the Member has read the minutes of evidence of the Committee briefings, he will know that, in the main, gas sets the single marginal price. In fact, when wind energy sets the price, because it has a zero unit cost, it brings the price of electricity down. It is only because of our over-reliance on gas that we have such prices. Gas prices are going up, so gas is driving the price up.

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

**Mr Wilson:** I know that I taught this man his economics, but he has still not learned the difference between marginal cost and average cost. Average cost includes the huge fixed capital costs that are required for wind energy. Indeed, those fixed energy costs are well highlighted in the report, not only the costs of erecting the turbines but the huge costs of strengthening the grid. If it is the cheapest form, why do we have to give the subsidy in the form of renewables obligation certificates?

Other Members highlighted additional subsidies and the fact that the highest marginal cost — not the average cost — sets the baseline, so that gives an extra profit and a windfall to the renewables industry. There are also constraints payments for not producing on certain occasions. In addition, there are capacity payments, even though the capacity of the industry is quite dubious because it varies from one day to the next depending on the wind, but it gets a fixed capacity payment. It also gets the benefit of carbon tax not applying to it. Had it not been for the efforts of the Enterprise, Trade and Investment Minister, who succeeded in preventing carbon tax from being applied in Northern Ireland, it would be far higher. It would have put electricity prices up by 15%, but, of course, the Member supports that because he wants to save polar bears from drowning, so he would like our electricity prices to go up by 15%.

Let us not run away with the idea that, because the report states that renewable energy, in marginal cost terms, is the cheapest form of energy, that means that it is the cheapest form of energy. The emphasis of the report is that, when you take into consideration the subsidies, the strengthening of the grid and the special treatment that is given to the renewables industry, that adds considerably to the cost of energy and impacts in the way that we spoke about.

The only defence that was made was that it increases security — it does not because we do not have security if the wind does not blow — and would reduce costs in the long run. As you well know, as J M Keynes said:

*"In the long run we are all dead."*

In this case, in the long run, we are all bankrupt while we pay the high prices as a result of going for the highest-cost form of energy.

In closing, let me make one point about recommendation 15, which Mr Allister drew attention to. I think that the answer will come when the Minister speaks.

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

**Mr Wilson:** Despite what the Committee report states, it will ultimately be a decision for the Minister. I believe,

as with all such things, that it is best done on a Minister-to-Minister basis rather than through a structure that is moribund and does not deliver anything anyway.

**Mr Douglas:** I rise as a member of the Enterprise Committee to take part in this debate, which, in my view, is on one of the most important issues that the Assembly will debate, because it affects all members of our society, including consumers and ordinary people in the street. It affects small and medium-sized enterprises and larger business, and, as one of my colleagues said, it impacts on farmers.

My colleague mentioned that Jenny Pyper, the chief executive of the Northern Ireland Utility Regulator, said that high energy prices are here to stay and that bills need to be good value for customers. That is what we are about today: debating how we can get good value for customers as well as allowing energy companies to turn a profit. We have no problem with that. Jenny Pyper went on to say:

*"I am afraid that the era of high energy prices is going to be with us for a considerable time, and there isn't any silver bullet".*

We all agree that it is a major issue, for which there is no silver bullet. The Minister, in responding today, will talk about some positive outcomes. She is well aware of the concerns across Northern Ireland.

A synopsis of energy prices in the Northern Ireland energy market in the past decade shows that the regulated electricity price is at its highest since the Northern Ireland Consumer Council began its records in 2002. Power Northern Ireland has increased its regulated tariff by 61% since November 2007, and the average annual bill has increased by £210 in the same period. Since 2009, the average annual price of home heating oil has increased by 62%. Those are the issues that people on the street are talking about. Those are the issues that people want us to raise and deal with. In many ways, they want us to come up with the answers.

Northern Ireland is in a deepening energy and fuel-poverty crisis for consumers. As was mentioned earlier, some 42% of households in Northern Ireland spend more than one tenth of their income on energy, compared with 15% in England. We have the highest level of fuel poverty in western Europe. I was at an Age Northern Ireland conference recently. One of the major issues for senior citizens is deciding whether to eat or heat. That is a big issue, affecting not just senior citizens but many people in our society. We need to address fuel poverty, but we also need to deal with the affordability of heat and light for consumers and businesses.

Figures from the Utility Regulator show that, in the first six months of 2013, Northern Ireland's commercial and industrial users paid the second highest price in Europe for their electricity. We all know that some of those companies spend millions of pounds every year. Electricity in Northern Ireland comes from a single electricity market in conjunction with the Republic of Ireland, yet prices for industrial and commercial customers remain consistently high. They are higher here by some 20%.

Look at the likes of Bombardier, which I visited last week. It is looking at generating its own system, called gasification, and that would mean Bombardier coming out of the grid. The biggest danger from that is that other companies

will look at whether they can afford to build their own generating system or, as is happening in the harbour estate, look to —

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

**Mr Douglas:** — jump on board with Bombardier. That would take them out of the grid as well and mean higher electricity costs for us all. I commend the report to the Assembly.

**Mrs Foster (The Minister of Enterprise, Trade and Investment):** I have listened with interest to the debate. It comes at a time when we should all be concerned about the instability in the Crimea region of Ukraine. That could, of course, have a very particular impact on energy costs, in not just Northern Ireland but the whole of the United Kingdom. For me, as energy Minister, I continue to watch that region with concern and interest.

I share Members' views and concerns about the importance of the affordability of electricity prices for consumers, both businesses and households. I have repeated many times in the Chamber that modern economies and communities cannot function without reliable, sustainable and affordable energy. The phrase "reliable, sustainable and affordable" is the key to all our energy policies. It is the balance between those competing priorities that we need to get right. We can focus on one issue, such as prices, and make various recommendations, but, without balance, we are not going to get it right. Our aim must be to deliver measures that work for today's consumers and future consumers. The balance is currently provided in the Executive's strategic energy framework, from which I quoted. To be fair, I think the Committee has acknowledged that the Executive have got that right.

The Committee has published its views on security of supply. We debated that just a few weeks ago. That, of course, is the reliability part of the balance. Now, we are debating pricing, which covers affordability. The Committee has now decided to look at renewables, which is the sustainability part of the balance. I am reassured that we are all starting from the same place. It should not, therefore, be surprising —

**Mr Agnew:** I thank the Minister for giving way. What does she believe would be the long-term impact on consumers if we followed Mr Wilson's line of argument and did not bring renewables onto the system?

**Mrs Foster:** If you can wait a little longer, I hope to address that in my comments.

As I said, I am reassured that everybody is starting from the same place and that we are looking into those particular parts of the energy mix. We have reached similar conclusions on all the main issues. The Committee has taken evidence from across the energy sector, including the Utility Regulator, the Systems Operator, generators, suppliers and, of course, businesses, as well as their representative organisations. The range and nature of stakeholders clearly shows the competing tensions that energy policy must address. It is a range of stakeholders with which I am familiar, of course, because I, too, frequently meet the same parties to discuss energy issues and take their views.

There is another important point to bear in mind about the range of interests that are involved in energy policy. The Committee will be aware from its research that not all the suggestions fall solely to me or, indeed, to my Department. I also noted that the Committee specifically acknowledges in its report:

*“Electricity policy is an extremely complex and dynamic area of government policy.”*

I am particularly minded to note that the Committee agreed the terms of reference for its pricing inquiry on 27 June last year. On initiating the review, the Committee indicated that it would report to the Assembly with findings, conclusions and recommendations by 25 October 2013. In fact, the Department and I have only recently received the body of the report. It has not been published and we do not have the supporting papers that are referred to, which include Minutes of Evidence, written submissions and research papers.

So, when Mr McKinney says that he received evidence from Manufacturing Northern Ireland that jobs have been lost — not “may” or “will” but “have” been lost — I find it very difficult to counter because I have not seen the evidence that has been given to the Committee by that organisation. I can take only what Invest Northern Ireland tells me about that issue, which is that it has not lost any new projects as a result of energy pricing and that, although energy costs may be higher, it can still offer generous support in other areas to help to balance the effects of energy pricing. I am not underplaying the cost, particularly for large energy users, but I have not got the evidence as yet, so I cannot counter that in the debate today.

The requirement to devote considerable resource over a prolonged period emphasises how complex an area this policy is. So, I am surprised that a motion for debate should be tabled at such short notice. I am not sure what value this will add or whether I can promise to deal with the report in any detail due to the fact that I do not have all the information before me or, indeed, in the Department. However, I can assure the Assembly that I will continue to work with regulators, system operators, owners and generators, businesses, the renewables industry, the European Union and authorities in other jurisdictions to deal with some of the important issues that are touched upon in the report.

The Assembly will be aware that there is only one overarching energy policy for Northern Ireland, which, of course, is the strategic energy framework (SEF). It has four goals: building competitive markets; ensuring security of supply; enhancing sustainability; and delivering the energy infrastructure.

In signing up to the SEF, the Executive acknowledged the challenges of developing our market and that there would be cost implications. It is a 10-year strategy. At an appropriate point, it should be reviewed. It will be, but I must caution that we still face similar challenges. We will still have an obligation to deliver that all-important sustainable energy mix that Mr Agnew and Mr Wilson love to debate in the House. We must ensure that we continue to have security of supply and we must support the requirement for appropriate investment in the grid to ensure that it continues to meet our need.

We have had a successful track record in the implementation of European Union directives. Through appropriate regulation, we have transparency in the setting of gas and electricity prices. However, I take the point that has been made about transparency, particularly with regard to the single electricity market mechanism. We need more transparency. It is a point that I made in private discussions.

#### 1.45 pm

Our small market presents challenges when it comes to competition. Nonetheless, we now have five suppliers of electricity to domestic consumers and eight suppliers to industrial and commercial customers. Competition in the supply of gas is well established in the greater Belfast area, and the gas market in 10 towns outside greater Belfast will be fully open to competition by next year.

We are making excellent progress on the extension of the gas network, with the launch on 6 February of the competitive licence application process for towns in the west. Following delivery of the Enduring Solution project in 2012, which allows unlimited switching, there are no restrictions on the number of customers who can switch electricity supplier.

Work is under way with the regulator to look at cost-effective smart metering solutions, in which I take a particular interest. Working with the regulator and our counterpart Departments and regulatory authorities in London and Dublin, we are progressing arrangements for the redesign of the single electricity market to achieve full market integration. I understand that the regulator has offered to brief the Committee on the consultation paper options for the new market design.

We are starting to see the contribution that renewables can make to the energy mix. In the 12-month period to the end of January this year, for example, renewables accounted for approximately 18% of all electricity consumed. On 17 December — that date is fixed in my mind now — the amount of wind energy on the electricity system surpassed 500 megawatts for the first time, contributing almost 40% of the electricity provided.

I hear the arguments made against wind, such as its cost, and I will look at those very closely when I get the full papers, but I am very conscious that we should not lose sight of the wider economic benefits when we debate the pros and cons of renewables. It is not just all about wind. Look at Evermore’s new £80 million biomass power plant in Londonderry — the first of its kind. We are also starting to see increasing interest in Northern Ireland as a location for solar farms, and I look forward to hearing the Committee’s deliberations on that in particular.

All of this takes place against the backdrop of further regulation and direction from Europe. Interestingly, this debate is one that is being played out elsewhere as well. Within the past few weeks, the Commission published a comprehensive analysis of prices across member states. Some of its findings are relevant to the work in which my Department is involved.

Let us look at some very specific issues. I welcome the Committee’s call for an early date to be set to reconvene the inquiry into the planning application for the North/South interconnector. I have made that point many times. The application submitted by Northern Ireland Electricity

proposes a specific route for the interconnector and a particular solution based on the overheading of lines.

As the Committee recognised the importance of the interconnector from a pricing, security of supply and renewables integration perspective, I assume that it will support its delivery without further delay. I would welcome confirmation of that from the Deputy Chair of the Committee in his closing comments.

Completion of the interconnector would offer savings of £7 million a year to Northern Ireland consumers. That cost is incurred because we pay more than we should as a result of inefficiency in dispatch arrangements and associated constraint payments. So I again call for support in giving this issue the absolute priority that it needs at this time.

I welcome the Committee's support for prioritising work to deliver a permanent solution to faults on the Moyle interconnector. As the Committee rightly identified, current constraints on capacities mean that revenues are being lost, and that, in turn, leads to costs that pass through to consumer bills. We are being proactive in that area, as we are in promoting new technologies to improve the performance of energy systems and give us more options for developing renewable energy.

The MATRIX panel is doing a lot of work on, for example, smart/intelligent energy systems, and we hope that we can push ahead with smart metering in the future.

We have commented on proposals for energy storage solutions put forward under projects of common interest arrangements. I am aware that one similar proposal has been designated such a project, so we hope that we are successful in that.

My Department works closely with the Utility Regulator in a lot of areas, but particularly on smart metering. So I invite Members to consider that we are already progressing that issue, and I hope that they recognise that.

In June last year, I launched the Consumer Council's report, 'Power to Switch', which outlined the extent to which consumers are aware of switching opportunities. The Assembly will be interested to hear that one of the key findings was that 96% of electricity customers knew that they could switch. The report also found that after implementation of the Enduring Solution project, the average increase in consumer switches rose from 6,000 a month in the period January-May 2012 to 10,000 in June-December 2012. By the end of September 2012, the Consumer Council reported that 135,000 domestic electricity customers had switched supplier, and I take good comfort from that.

The development of the strategic energy framework involved comprehensive consultation, and its delivery very much requires collaboration. One of the principal aspects of collaboration is the single electricity market (SEM), which, as the House knows, has been in place since 2007. The Committee seems to be recommending decoupling aspects of price arrangements in the SEM. That will have implications for generators, not just in Northern Ireland but in the Republic of Ireland. Policy has been developed in that jurisdiction, as it has in Northern Ireland, around SEM, and commercial investments are being made within the structures that are in place.

If we decouple price arrangements for generators participating in Northern Ireland, that will send a very

negative message from an investment point of view to investors and, in all likelihood, drive investment out of this jurisdiction. For any Northern Ireland generators continuing to bid into the single electricity market, it would also mean disadvantage in revenues. In fact, work is already under way on the next stage of the single electricity market. When we look at issues like capacity payments, which the Committee raised, we need to recognise this context.

Markets are being redesigned across Europe to meet the European Union target model, and a number of member states are either looking to continue to incorporate capacity mechanisms in their markets or to make the case to the Commission that they should be accommodated. In all of this, we have to look at the European context because of the state aid regime and the need for state aid approval. So, whilst I recognise the calls that have been made in and around decoupling, we have to look at it in the wider context.

We do, of course, engage on a North/South and east-west basis. I recently had a very informal meeting with Pat Rabbitte to talk about the North/South interconnector and other related matters. We have extensive engagement with counterpart Departments, official to official. The inclusion of energy under the auspices of the North/South Ministerial Council is a matter that is neither within my gift, nor one that I will support. Where any specific requests for briefings are made, my Department responds accordingly.

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

**Mrs Foster:** No, I am not going to give way. We have heard enough of you today.

**Mr Deputy Speaker:** Will the Minister draw her remarks to a close, please?

**Mrs Foster:** Before concluding, I want to mention two further pieces of work in which my Department is involved. The first is an examination of network charges and how they are allocated across consumer groups. In its report, the Committee supports the work that we have already begun, and I very much welcome that. I have noted that the Committee wants to see something brought forward to the benefit of large industrial and commercial consumers in particular, but that has to be put in the context of all other consumers.

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

**Mrs Foster:** I think that they need to take that into consideration when they call on us to do something for the large energy users. However, this is an ongoing issue, and I am happy to have further discussions with the Committee when we get the full amount of papers.

**Mr Deputy Speaker:** As Question Time is due to commence at 2.00 pm and some 15 minutes has been allocated to conclude and wind up the debate, I propose, by leave of the Assembly, to suspend at this time. The debate will return after Question Time, when Phil Flanagan will conclude and wind up the debate.

*The debate stood suspended.*

*The sitting was suspended at 1.54 pm.*

*On resuming (Mr Speaker in the Chair) —*

2.00 pm

## Oral Answers to Questions

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

#### St Patrick's Day: Washington

1. **Mr McGlone** asked the First Minister and deputy First Minister whether they will be attending any events in Washington as part of this year's St Patrick's Day celebrations. (AQO 5657/11-15)

**Mr P Robinson (The First Minister):** We will begin our upcoming trip to the United States on the west coast with a number of investment engagements including meetings with existing investors such as HBO and Seagate. We will also meet a range of potential investors, as well as attending the closing of the Cinemagic festival. As part of the programme, we will officiate at the opening of Invest Northern Ireland's new office in San Francisco, which is further evidence of our sustained success in engaging positively with US business.

Our visit to Washington DC continues to be an important part of the calendar of overseas events that we undertake each year. I can think of no other devolved Administration that enjoys the access that we get to the White House or the Speaker of the House of Representatives. This will be the seventh year that Northern Ireland's First Minister and deputy First Minister have represented the Executive in Washington.

On Friday 14 March, we will host the Northern Ireland Bureau breakfast for 250 contacts from the greater Washington area. That audience will include Members of Congress, members of the Obama Administration and business executives. Later that morning, we will have a private meeting at the White House. Of course, that will be before travelling, as we have in previous years, to Capitol Hill for the Speaker's St Patrick's Day lunch.

As with all our overseas visits, the deputy First Minister and I will ensure that our time outside Northern Ireland is used to maximum benefit.

**Mr McGlone:** Gabhaim buíochas leis an Chéad-Aire as an fhreagra sin. I thank the First Minister for his response. I ask the Office of the First Minister and deputy First Minister whether there will be dialogue concerning the Haass process with political representatives in America or, indeed, the American Administration, given the added impetus and focus on it in recent times, particularly in respect of victims.

**Mr P Robinson:** When we speak to political representatives in the United States, I would be very surprised if they did not have an interest in the current circumstances in Northern Ireland. We will be ready to share with them our views of what progress has been made to date and the difficulties that we now face. We have always had a good relationship with those in the Republican and Democratic parties in the United States,

and we have always been very happy to meet and talk with them. I do not think that either of us will be reluctant to give an update, because there is a genuine interest in the United States that Northern Ireland should continue to make progress.

**Mr Spratt:** Given that the new Invest Northern Ireland office is opening in San Francisco, is the west coast now a key target area for increased investment in Northern Ireland?

**Mr P Robinson:** Yes. Obviously, we feel that there is much more that can be done on the west coast of the United States. We have always been pushing our case and have had a presence on the west coast, but we now see that there would be real value in upping our game there. We already have a relationship there with one of our major employers, Seagate. We have built up a very considerable relationship with HBO and, indeed, a number of film companies on the west coast of the United States. One of the agreed pushes in our Programme for Government concerns the creative industries, the heart of which is on the west coast of the United States. That vindicates the decision of Invest Northern Ireland and the Executive of pushing for more investment on the west coast. Literally hundreds — we hope, before long, thousands — of jobs in Northern Ireland will be created through that process.

**Mr Allister:** The First Minister's partner, the deputy First Minister, set 17 March as the deadline for agreeing to his demands on Haass. The Minister's colleague Mrs Foster has, rightly, said that Haass was built on deceit. If it has been built upon deceit, what future has that process and what, now, is the point of it?

**Mr P Robinson:** I think that we have already superseded the Haass process; we are into a set of leaders' meetings. I do not think that anybody in the House will be satisfied with the status quo on the three issues that were discussed during the Haass process: the past, parades and flags. I am certainly not satisfied that the status quo is satisfactory in any of those three areas, and I agree with many Members who indicated during Friday's debate that, no matter what happens, those issues have to be addressed. If we do not address them now, they will have to be addressed at some stage. Whether or not you do it under the aegis of the Haass talks, which, in my view, are completed, the issues will not away and are being taken up in the leaders' process. I believe that the outcome of that process must be satisfactory to the overwhelming majority of people in Northern Ireland and not just to one political party in the House.

**Mr Speaker:** Question 2 has been withdrawn.

#### Social Investment Fund

3. **Mr Cree** asked the First Minister and deputy First Minister how many of the 89 social investment fund projects submitted by the steering groups were located in the North Down constituency. (AQO 5659/11-15)

7. **Mr Gardiner** asked the First Minister and deputy First Minister when the new directions project in the southern zone of the social investment fund will commence. (AQO 5663/11-15)

**Mr P Robinson:** Mr Speaker, with your permission, I will answers 3 and 7 together.

On 10 February, we announced that £33 million will be invested in 23 projects aimed at tackling poverty and deprivation through improved community-based services and facilities. Those first 23 projects had been identified as priorities by steering groups in each local area covered by the nine social investment zones. Draft letters of offer have issued to the successful projects, including the New Directions project in the southern zone. Those offers will be finalised following completion of verification and governance checks that are now taking place in agreement with lead partners on the conditions of offer. Lead partners will then take forward the procurement to deliver the outcomes described in the project proposals that had been approved. At this point, it is not possible to estimate precisely how long the process will take and, therefore, it is not possible to give a commencement date for any project. We are keen to ensure that projects are fully established and under way as soon as possible, and our officials will provide support to the lead partners to ensure that that is the case. To that end, a conference for all lead partners has been arranged for 10 March. We anticipate significant progress towards delivery after that event.

Five of the projects under consideration will be based in or serve the North Down constituency. In the south-eastern social investment zone, the early intervention project, the youth intervention project and the community-led employability project will operate on a zone-wide basis and therefore take in the North Down constituency area. Two of the capital projects — the community sports cluster and the community housing cluster — will include capital works in the constituency. Funding of all projects is subject to all necessary approvals being made.

**Mr Cree:** I thank the First Minister for his response. Can he clarify when all the projects will be approved? Is there a date by which the money must be spent?

**Mr P Robinson:** I will take those questions in reverse. No, we have ring-fenced the funding, so the overall £80 million will be available when the projects come forward to deal with it. The zones know the quantum within which they will work. In the case of North Down, an indicative fund of about £8 million is available. The zone itself has put forward the projects that it wants to move forward with in that area.

That takes me to the first question. The Department has to go through the economic appraisals. It has been the view of many in the Chamber that consideration of those matters has to be robust. We have to make sure that we are getting value for money and that the business cases stand up to scrutiny. It is proper that we make sure that we get those issues right. The answer has to be, "As soon as is practical and possible".

**Mr Gardiner:** Is the Minister aware of the local concerns about the consequential impact on the Kilcluney community hub and Lurgan YMCA should the Youth Justice Agency not lease accommodation from Lurgan YMCA?

**Mr P Robinson:** I am not sure that everybody in the House will be aware of the precise details to which the Member refers, but I understand that there is wide support for the scheme. There is some concern locally about the arrangements, and there may be some delay locally because of questions arising from it. We are keen to make progress on the scheme, and if my Department can give any assistance, we would be happy to do so. Indeed, we

would be very happy to talk to the Member if he thinks that there is some way we could usefully help.

**Mr Speaker:** Question 4 has been withdrawn.

## Victims and Survivors Service

5. **Mr Douglas** asked the First Minister and deputy First Minister for an update on the independent assessment of the Victims and Survivors Service. (AQO 5661/11-15)

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

**Mr Bell (Junior Minister, Office of the First Minister and deputy First Minister):** Following our request for an independent assessment of the Victims and Survivors Service, the Commissioner for Victims and Survivors appointed a multidisciplinary team of independent experts to progress that work. The independent assessment focused on the individual needs review process along with the policy framework and any wider issues around service delivery, such as communication, including interactions with clients and groups.

On 14 February, Commissioner Stone presented us with the full assessment reports along with her advice on the four main areas of work of the Victims and Survivors Service. We welcomed that advice and the 55 recommendations in the reports, which will help to shape what we do and how we do it. We remain committed to progressing work on the implementation of the recommendations over the coming months. The reports have been published on the OFMDFM website.

**Mr Douglas:** I thank the junior Minister for his response. I am sure that he will agree that last week was a particularly traumatic time for victims and survivors. Will he inform us of the timescale for the implementation of the 55 recommendations?

**Mr Bell:** I certainly do agree, and our thoughts and prayers are with the victims and survivors, particularly as many were re-traumatised by the information that we received last week.

We moved very swiftly to put the review in place and asked for a short turnaround time for the report. In other words, we got the report in a couple of months and intend to turn it around in a couple of months. We want action to be taken swiftly and urgently to address the concerns of victims and survivors.

The 55-plus recommendations are very welcome, and I believe that they will significantly improve the service that we give to victims and survivors. Some of the issues had already been identified to us, and those have been addressed through the programme board that we set up immediately on hearing the concerns that had been raised.

We obtained the report in a matter of months and are working closely with the Victims and Survivors Service board and our team in OFMDFM. We want the recommendations to be implemented as quickly as possible over the next couple of months.

## Magdalene Laundries

6. **Mr Maskey** asked the First Minister and deputy First Minister when they will bring forward their plans to assist people who were in Magdalene laundry-type institutions. (AQO 5662/11-15)

**Mr P Robinson:** In light of the McAleese report into Magdalene laundries and representations that were made to us, we appointed a senior civil servant to research and draft a scoping paper on Magdalene laundry-type institutions that operated in Northern Ireland to inform us of the potential actions that we might be able to take. We continue to consider the options that the paper set out.

Under the terms of reference for the inquiry into historical institutional abuse, any woman who entered a laundry before she was 18 years of age may contribute to the inquiry, including recounting her childhood experiences to the inquiry's acknowledgement forum and having those experiences acknowledged. However, we recognise that there were women who were over 18 years of age when they entered Magdalene laundry-type institutions and that there is a need to provide them with a forum at which those issues can be addressed and their experiences acknowledged.

**Mr Maskey:** Go raibh maith agat, a Cheann Comhairle. I thank the First Minister for his response. I also want to acknowledge the good work on those matters and the fact that the issues are complex and difficult for many victims and survivors.

Is the First Minister in a position to elaborate further on the type of forum that may be envisaged?

2.15 pm

**Mr P Robinson:** To the best of my knowledge, some women who were under the age of 18 at the time have already made contact with the historical institutional abuse inquiry (HIAI), because it was institutional abuse. No doubt, they will be able to have acknowledgement and recognition as part of that process.

We have not as a Department, as best I understand it, had anyone over the age of 18 at the time come to us to give details that we might pursue, although I think that we were informed that Amnesty International has had at least two cases come before it. We are trying to make some assessment of the extent to which it is an issue that needs to have an inquiry. Even if there is not to be an inquiry, a strong argument can be made for some kind of acknowledgement so that people can come forward. That might require us to be more proactive in making a call for people to come forward, because it may not be until that call is publicly put out there that people will come forward to give us the details, which, to date, we have not been given.

**Mr A Maginness:** I note what the First Minister said and the progress that is being made, but has he had discussions with the Southern Government on the Magdalene laundries to see whether there are any schemes there that may be helpful for us in managing the process?

**Mr P Robinson:** When we were setting up the HIAI, we had contact with Administrations that had gone through the same kind of process. If we reach the stage at which there is a justification for having an inquiry — this fits into matters that we have dealt with over the past number of days — there are many types of judicial inquiry. They take very different forms depending on the outcome that you want. It depends on whether you want one done quickly or not. In the case of the HIAI, it will be several years down the road. In the case of inquiries set up under the Inquiries

Act, it could be many years down the road. If the necessity is to get a quick result, you may have one type of inquiry. If we get to the stage of there being justification for having an inquiry, we can look at the type of inquiry that you would have.

**Mr Kinahan:** Will the First Minister clarify the Department's position regarding whether it will support an historical abuse inquiry for all the victims of abuse who do not have access to the current process chaired by Sir Anthony Hart?

**Mr P Robinson:** I do not believe that there are any cases in which there is no access, except those confined by date, which was agreed in the legislation that we put through the Assembly.

The big issue in the terms of reference for the Magdalene laundries case is that, legally, anyone who was over the age of 18 was not forced to be in the laundries. Therefore, there is a different set of circumstances. If people were under the age of 18, they can go through the existing HIAI procedures. Again, I point out that, to the best of my knowledge, we have had no one from the over-18 category approach the Department, although Amnesty has indicated that it has two such cases.

**Mr Speaker:** Question 7 has already been answered.

## Sexual Orientation Strategy

8. **Mr Brady** asked the First Minister and deputy First Minister when they will publish the sexual orientation strategy. (AQO 5664/11-15)

**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 have asked officials to commence public consultation. The strategy will be published once the consultation process is completed and will aim to promote an environment free from harassment and bullying, to tackle homophobia in all forms, including violence and abuse, and to promote equality of opportunity for lesbian, gay and bisexual people.

**Mr Brady:** I thank the junior Minister for his answer. As you are aware, there was a debate and a motion passed in the Assembly in December. Can the Minister assure us that the consultation will be wide-ranging and inclusive of all the relevant stakeholders?

**Mr Bell:** Yes, I can. I can do so on the basis that I have had a number of discussions with our officials in OFMDFM, who have communicated with all the groups right across the board. I am very pleased that the information that I have is that all the groups are responding. I like the fact that our officials have done this with sensitivity, tailored questions and provided means for groups to answer over the web in order to get the full amount of consultation and feedback to inform the strategy.

**Mr D Kelly:** Mr Speaker, you will be well aware that this matter has been on the agenda since you entered office in 2007. There have been repeated questions with the same answers that it will be shortly, next year or in a few months. Yet, there is still no sexual orientation strategy.

Will the junior Minister confirm or deny that the hold-up in publishing the strategy is because of religious beliefs among some of his own party members?

**Mr Bell:** The important thing is that we have a strategy that addresses the needs that I outlined. It should ensure that people — whatever their background, sexual orientation, ethnic minority, political belief or religious belief — all have equality of opportunity. I have spoken out a number of times against anybody being subjected to violence, intimidation or bullying, not only in this job but in previous jobs on the Policing Board.

I am getting a lot of very positive feedback from the groups responsible, which is important. OFMDFM has responded to those groups and, as I said in my previous answer, tailored the consultation to get the maximum input from them. When we have that, we will publish. As I said, it is important that everyone — regardless of their skin colour, their status in respect of religious belief or sexual orientation — has equality of opportunity and that no one is subjected in any way to abuse, violence or bullying.

### OFMDFM Committee Liaison

9. **Mr Nesbitt** asked the First Minister and deputy First Minister for an update on the liaison arrangements between their Department and its statutory committee. (AQO 5665/11-15)

**Mr P Robinson:** I am a little surprised that the Member, as Chair of the OFMDFM Committee, felt it either necessary or appropriate to use a question for oral answer to ask us about liaison arrangements between his Committee and our Department. Liaison between the Committee Clerk and our Assembly liaison officer takes place on an almost daily basis to schedule business in a way that reflects the Committee's requirements and our need to ensure that the information that we provide is accurate, relevant and reflects a shared view on the subject.

We are aware, through publicity that the Committee has given to the matter, that the Member, in his role as Chairperson, has concerns about the effectiveness of the arrangements. The Member will be aware that the head of the Northern Ireland Civil Service, in his position as permanent secretary of OFMDFM, will be meeting him and his Committee colleagues on Wednesday this week to discuss these matters further.

**Mr Nesbitt:** I thank the First Minister. He will be aware that I am trying every avenue to try to resolve issues that are highlighted by the fact that, since the summer recess, there have been 38 occasions, across 20 minutes, of either cancelled briefings or late papers and that, over a longer period, the Department's average response rate to queries is 58.8 days —

**Mr Speaker:** I encourage the Member to come to his question.

**Mr Nesbitt:** — with the record standing at 299 working days. Is the Minister satisfied? If not, what actions is he taking?

**Mr P Robinson:** First, I think that the Committee is doing the right thing by meeting the head of the Civil Service, who is the permanent secretary of OFMDFM, to look at these issues and how they might be resolved more efficiently and effectively. There needs to be some

understanding that there is a requirement on departmental officials to ensure that, when they give answers, those answers are full and accurate. On many occasions, it takes them time to establish that.

Let us be absolutely honest about it: there is always a further difficulty in a Department that has two Ministers who are required to give approval. Any request for information goes through two sieves as opposed to one. Clearly, if OFMDFM was a one-Minister Department, there could be quicker answers. We need to look at those issues to see whether they can be resolved more speedily. Let me say to the Member, who is the Chairman of the Committee, that I am happy to meet him about those issues. I am pretty sure that the deputy First Minister would also be happy to meet him to see whether, in particular cases, we can resolve them more expeditiously.

**Mr Moutray:** I welcome the fact that Ministers regularly attend the Committee and that junior Ministers have attended on a number of occasions recently. Will the First Minister confirm that he and the junior Ministers will continue to make themselves available to the Committee?

**Mr P Robinson:** Of course we will. Although there are formal processes, which, in many cases, would be the most satisfactory way of dealing with issues, I am sure that we can also talk informally about those that may be of concern. However, I think that the thrust of the Chairman's question was about information being supplied to the Committee. The flow of that information is his concern, and we want to look at ways in which that can be dealt with more expeditiously.

### Attorney General: Appointment

10. **Mr Milne** asked the First Minister and deputy First Minister for an update on the appointment of an Attorney General. (AQO 5666/11-15)

**Mr P Robinson:** I think that it is something of a record to get this far down the list of questions. I confirm that, as the deputy First Minister informed the Assembly on 27 January, consideration is under way of the options for filling the position of Attorney General after the current term ends in May 2014.

**Mr Milne:** Go raibh maith agat, a Cheann Comhairle. The First Minister has answered my question and my supplementary.

**Mr Speaker:** Mr Attwood, you caught my eye this time.

**Mr Attwood:** Thank you, Mr Speaker, and I apologise that I did not get on my feet as quickly as I should have done earlier. Will the First Minister explain why his answer today is, essentially, the answer that the deputy First Minister gave in January and that he gave in October 2013? The Attorney General is the chief legal adviser to the Executive. We were told in October that a decision would be taken within a few weeks. Can you reconcile all of that?

**Mr P Robinson:** I take it as a compliment that the Member indicates the Department's consistency in the answers that he gets from the deputy First Minister and me. Of course, there comes a time when the issue has to be resolved, but that has to be done on foot of our consideration of a report on the role of the Attorney General for Northern Ireland — not the person, the office — and what changes, if any, we will make to it. We have had discussions in the Executive

on what changes there should be in the role of the office, and anyone likely to hold the role of Attorney General needs to know the conditions that might apply to the post. I think that only fair.

**Mr Campbell:** Will the First Minister confirm that, in establishing who the next Attorney General will be, consideration will be given to ensuring that the person and their office will examine the legality of any administrative scheme, such as the one we discussed on Friday, and whether it should be established and run through the NIO or the Justice Department of the Assembly?

**Mr P Robinson:** The office of the Attorney General is independent. It is not for us to determine how the Attorney General approaches those issues. However, the Executive have the role of drawing to the attention of the Attorney General issues on which they may need his advice. Indeed, I assume that any Minister of the Executive can do that, and some may already have been asking those questions.

**Mr Speaker:** That concludes the period of listed questions to the First Minister. We move to topical questions.

### On-the-runs: Administrative Scheme

1. **Mr Buchanan** asked the First Minister and deputy First Minister whether they accept that, at no point, was the Policing Board made aware that letters were being issued to those who were on-the-run or that subsequent use could be made of them, given that, over the past few days, there have been allegations that the Policing Board was made aware of the on-the-runs administrative scheme. (AQT 801/11-15)

#### 2.30 pm

**Mr P Robinson:** As he is a member of the Policing Board, I think the Member is probably in the best position. I assume from his question that he is making it very clear that the Policing Board was not made aware of the details of the administrative scheme. The accusation essentially came from Mr Denis Bradley, and it soon became known that Mr Bradley himself had not been made aware of the exercise of the royal prerogative of mercy in some of those cases and therefore had to publicly acknowledge that he had been kept in the dark about some aspects of on-the-runs and how they were being dealt with.

The bottom line in this matter is that everyone in the community was aware that there were on-the-runs; everybody was aware of the fact that Sinn Féin was pushing for something to be done on the issue; and everyone was aware of the fact that the Government had acknowledged that there was an anomaly. However, the documentation available includes the minutes of the Policing Board meetings and the comment in Jonathan Powell's book where he indicated, wrongly but only technically wrongly, that there were references made in the joint declaration — in fact, there was no reference in the joint declaration, but there was in a separate paper on on-the-runs. The reference in the separate paper was to legislative proposals coming forward. Indeed, I have a copy of a letter from the Prime Minister to the leader of the party, Dr Paisley, at that time — I am happy to place it in the Library of the House — that makes it clear that the references in the Jonathan Powell book, which he was right to make and which are accurate, relate to legislation being brought forward that we indicated we would oppose.

In fact, in the House of Commons, we tabled something like 50 amendments, and we opposed that legislation at every stage.

**Mr Speaker:** The Minister's time is gone.

**Mr Buchanan:** I thank the First Minister for his response. How does he respond to Peter Hain who, over the weekend, suggested that senior politicians in Northern Ireland should have been aware that the scheme existed, on the basis that everyone knew that the on-the-runs issue needed to be resolved?

**Mr P Robinson:** He is right, of course. Everyone knew that the Government had indicated that the issue had to be resolved. Of greater concern is the fact that, if one looks through Hansard, one finds that on 11 October 2006 I asked Mr Hain:

*"Is the Secretary of State aware... Although we welcome the earlier answer from the Minister of State that no legislation is to be brought before the House, will the Secretary of State reassure the House ... that no other procedure will be used to allow on-the-run terrorists to return?"*

Mr Hain replied: "There is no other procedure". That is a clear indicator.

Later, in March 2007, Lady Hermon asked almost precisely the same question about whether there was any other consideration, and Mr Hain says, "None." Those are, in my view, are contrary to the facts laid down in the Downey judgement, where it shows that, even back in September 2002, some four or five years before the two questions were asked, 174 such applications under the scheme had been brought forward and that, in 2002, at least 61 people had been told that they could return. The process was clearly under way in 2002, never mind 2006 or 2007, and therefore the answers given in the House of Commons were inaccurate.

### On-the-runs: Administrative Scheme

2. **Mr I McCrea** asked the First Minister and deputy First Minister whether they believe that there was any authority for the Northern Ireland Office to continue to operate the administrative scheme for on-the-runs after the devolution of policing and justice in April 2010. (AQT 802/11-15)

**Mr P Robinson:** This touches on the issue raised by my friend the Member for East Londonderry. I do not claim to be a lawyer, but, even with the fact that I have been a lawmaker for probably the best part of 35 years, when I look at the negotiations that were held on policing and justice it seems clear to me that matters relating to the PSNI, to prosecutions and to other matters suggest that responsibility for this issue should have been transferred in 2010. If that is the case, there is no legal authority for the PSNI to respond in the way that it did and certainly no authority for the NIO to issue letters. I think that that is a matter that the inquiry judge will want to look at, and it may well be that the Attorney General will want to look at it. We will certainly take the matter up with the PSNI, and arrangements have been made to have meetings with the PSNI and with the Secretary of State on these issues. The authority to take up an issue does not lie somewhere out there to float around between the NIO and the devolved Administration as to who wants to take it out; authority is laid down in law on whose responsibility it is.

**Mr I McCrea:** If, in fact, the powers were devolved, will the First Minister detail what he believes the implications could be for any letters issued by the Northern Ireland Office at that time?

**Mr P Robinson:** I very much understand the view expressed by the Justice Minister — it is a healthy position for him to take — that he certainly would not want to be dealing with these matters and would not give any approval. Of course, it would not be up to the Justice Minister whether his Department had responsibility for those matters. If it had that responsibility, the Justice Minister would certainly have my support and that of my colleagues and, I believe, of the Ulster Unionists and the SDLP, in that he would not continue with such a scheme. That would call into question the immediate invalidation of the 38 letters that were dealt with in the post-devolution issues, although they may well be dealt with anyway under the new arrangements as set out in the Secretary of State's statement.

One way or the other, however, it is the purpose of the inquiry and of the undertaking given by the Secretary of State to ensure three things about the on-the-runs letters: that they do not stop anyone being prosecuted; that they cannot be regarded as a means to avoid questioning; and — this has not been given a lot of attention, but it is of massive importance to victims — that the letters do not constitute to the PSNI any reason why the people who have received them should not be pursued, why there should not be active consideration of their cases and why those cases cannot in future be examined to push for new information so that, if there are any further facts, the PSNI can question people and, where they have evidence, prosecute.

### Organ Donation: Soft Opt-out System

3. **Mrs Dobson** asked the First Minister and deputy First Minister whether the Health Minister's recent one-year consultative delay has made it impossible for the Executive to introduce a soft opt-out organ donation system before the end of this mandate, given that organ donation is an issue that unites the First Minister and deputy First Minister and commands overwhelming public support. (AQT 803/11-15)

**Mr P Robinson:** As someone who carries a donor card and, having spoken to the professionals, recognises that it is enormously valuable for them to have the maximum number of organs available and that it saves lives, I will support any effort to increase the number of people who might come forward and volunteer to make organs available under the scheme. So, although I have enormous sympathy for her proposal, I do not recognise it to be the only way that we can increase the number of organ donations.

The Minister has a responsibility on the basis of medical advice to inform himself and to have available to him the most up-to-date and best information about the impact of any particular set of proposals. Of course, the Member has a Bill coming before the House that can circumvent any other proposal by the Minister or in any other Bill to get the view of the Assembly. I think that there is wide support for her Bill. I do not know when it will come to the House or whether she has ironed out all the issues relating to it. However, if it comes to the House, I and some of my

colleagues will support it, and others will have a view that there is a different and better way of doing it. I, for my part, will support either the alternative Bill or her Bill. I will do anything that I can to increase the numbers.

**Mrs Dobson:** I thank the First Minister for his answer and welcome his support for soft opt-out. I wrote to the First Minister and deputy First Minister on 20 November last year asking for a meeting with them, given their personal support, but I have not received a response. Will the Minister prioritise a meeting with me on an issue that has so much potential to save lives and, for once, deliver a good news story from the Assembly to the transplant charities and all the members of the public out there who back it?

**Mr P Robinson:** I see no reason why such a meeting should not be set up and set up quickly. If the Member wants to walk round to my office, I will join her in getting a date set in the diary for such a meeting.

### Amnesty for Offences

4. **Mr Hilditch** asked the First Minister and deputy First Minister how they view the position of the Member for Lagan Valley Mr Basil McCrea who has indicated that he believes that a line should be drawn under the past and there should effectively be an amnesty for offences committed before 1998. (AQT 804/11-15)

**Mr P Robinson:** I have already made my views known on the issue. I think that anyone who is a victim of terrorism-related criminality would feel outraged that somehow there should be a line drawn under the execution and hope of justice in their case. It is all right for those of us who have not faced losing a member of our family, though, in Northern Ireland, there are few who have not been touched in some way by terrorist activity. To suggest that people should have closed off the option of justice is abhorrent to me.

The Member argues it on the basis of what is in the public interest. I agree with one of the Attorneys General, who, in the course of the judgement on the Downey case, indicated that, in his view, it would always be in the public interest that those who, it is believed, have been responsible for terrorist crimes should be prosecuted.

**Mr Hilditch:** I thank the First Minister for his answer. Further to that, the Member for Lagan Valley has also argued that victims will not be able to get justice in the future and, essentially, it would be better if they realised that. How does the First Minister regard that argument?

**Mr P Robinson:** I have never regarded the Member for Lagan Valley as a seer or someone who had some ability to look into the future with any degree of accuracy. The fact is that some people have been brought to the courts on information that has been gathered subsequently. The issue here is whether there always remains the hope for justice on the part of the victims and the fear of justice on the part of the perpetrators.

### On-the-runs: Sinn Féin Response

5. **Mr Wilson** asked the First Minister and deputy First Minister, given the smug and insensitive response from Sinn Féin to the on-the-runs issue, with anger from the general public and victims of terrorism in particular at the dirty deal that was struck between Sinn Féin and

successive UK Governments on runaway terrorists, what implications this will have on the leaders' talks about flags, the past and parades. (AQT 805/11-15)

**Mr P Robinson:** First, I will say to my friend that anybody who suggests that the reaction from unionist political leaders was in some way manufactured or synthetic does not understand the feelings in the unionist community. I have to say that I have not had more letters on any other subject over the last number of years than I have had on this issue. People are outraged on a number of levels. They are outraged at the implications of one-sided justice. It damages the whole justice system that particular circumstances are available for one set of those who have been responsible for crimes and not for another. That was drawn into the most bold relief by the fact that the removal by the then Government of the legislation dealing with on-the-runs was on the basis that Sinn Féin had withdrawn its support because it did not want soldiers to enjoy the same privileges as terrorists would have. That is an outrage in any society.

In respect of the second part of the Member's question on the Haass talks, I have indicated that I believe that the issues that are ranged by the Haass talks are issues that have to be dealt with. I do not believe that it is possible to reach conclusions on the issues relating to the past until we have the inquiry outcome, although that does nothing to stop us looking at the issues relating to parades or the commission to deal with flags and identity. The purpose of the matters relating to the past, for us, was to ensure that there was access to justice for those who had not received justice for the loss of their family members. That indicates that we need to be sure that everyone is susceptible to investigation, inquiry and prosecution.

2.45 pm

## Education

**Mr Speaker:** Lord Morrow is not in his place for question 1.

### St Louis Grammar School

2. **Mr McKay** asked the Minister of Education what work his Department has planned for St Louis Grammar School, Ballymena. (AQO 5673/11-15)

**Mr O'Dowd (The Minister of Education):** During the 2014-15 financial year, the following minor capital works schemes are planned and have been given approval, in principle, to proceed for St Louis Grammar School, Ballymena: the replacement of four mobile classrooms with two double modular classrooms and a basic refurbishment of the canteen to include improvements to ventilation and the application of biocide paint and other health and safety matters. In addition, the following scheme is under consideration: a new canteen, fire-risk and emergency lighting works and home economics accommodation. Under the school enhancement programme, St Louis Grammar School, Ballymena, has applied for the refurbishment and extension of the existing convent building to provide a creative and expressive arts facility, including music, drama, art and moving image and media studies. The scheme is at economic appraisal stage, and no decision has been taken regarding funding.

**Mr Speaker:** Question 15 has been withdrawn as well.

**Mr McKay:** Go raibh maith agat, a Cheann Comhairle. I start by thanking the Minister for recently accompanying me to St Louis Grammar School in Ballymena. Further to the Minister's answer, can he indicate when an announcement on the school enhancement programme will take place? Will St Louis Grammar School in Ballymena be included?

**Mr O'Dowd:** I hope, in the next number of weeks, to make a public announcement about all the schemes under the school enhancement programme. I think that there were 51 in total, and I hope to make an announcement on them in the very near future. I cannot be specific about Ballymena, but I assure the Member that we are progressing matters as quickly as possible.

**Mr Allister:** In view of the fact that what the Minister has had to refer to manifests a growth demand for that grammar school, does he acknowledge that his assault on grammar schools, his attempt to put down such schools and the attempt to destroy such an offering of education fly in the face of parental demand, which manifests itself, ultimately, in the need for more buildings at such grammar schools?

**Mr O'Dowd:** Perhaps the Member should do a bit more research before picking a question off the top of his head. I approved an additional grammar school this morning. It is a new, non-selective voluntary grammar school in Lurgan. The title "grammar" has nothing to do with selective education. A grammar school is a management type of school that can charge fees to its pupils and parents, although there is no legal obligation on the pupils or parents to pay the fees.

The accommodation at St Louis is replacement accommodation. The accommodation that is being replaced is not fit for purpose, and I do not believe that any child should be taught in it. That is the programme of work at play. I also understand that, in the Ballymena area, proposals are being discussed on how we move forward, particularly in the Catholic sector, to a system that meets the needs of all the pupils in it. I await the outcome of those discussions.

**Mr Storey:** Following on from the Minister's comment on those discussions, what implication will any proposals that he makes in future announcements have on the proposals regarding the amalgamation of St Louis, St Benedict's and St Paul's? What discussions have those three schools had to ensure that there is maximum benefit, given the fact that there are concerns about the long-term future of grammar school provision in the maintained sector in Ballymena?

**Mr O'Dowd:** It depends on what the Member defines as grammar school provision. I will not repeat my comments to Mr Allister, but you know fine well what "grammar school provision" means.

I am not privy to all the discussions between the three schools, but I assure the Member that any expenditure plan by my Department will take into account future plans on the way forward and will ensure that whatever investment we make, particularly in capital infrastructure, will be there to serve the community going into the future.

**Mr Speaker:** This is a constituency issue, which is why I am keen to call Members from that constituency.

**Mr Swann:** As we are talking about the planned development of schools in Ballymena, can I ask the Minister for an update on Castle Tower?

**Mr O'Dowd:** I do not have the full details in front of me — this is turning into topical questions — on Castle Tower, but, in my last discussions with officials, it was clear that it was progressing well and that discussions on moving towards building programmes for the school were going in the right direction.

### Irish-medium Education

3. **Mr Milne** asked the Minister of Education for an update on the work of the advisory group on the strategic development of Irish-medium post-primary education. (AQO 5674/11-15)

**Mr O'Dowd:** Gabhaim buíochas leis an Chomhairle as a cheist. I set up an Irish-medium post-primary advisory group to look in detail at how to deliver viable and sustainable Irish-medium post-primary education that is high-quality, meets the needs of pupils and commands the confidence of parents.

I understand that work is progressing well and that the advisory group has met on 14 occasions since last August. It has met key stakeholders from the sector, including school governors, principals, teachers, other educationalists and Irish-medium cultural and linguistic specialists. I am also pleased to report that it has sought the views of parents in preschools and primary schools through a questionnaire. It has also gathered evidence from the neighbouring jurisdictions of Scotland, Wales and the South of Ireland. I expect the advisory group to submit its final report and recommendations to me in the coming weeks.

**Mr Milne:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire go dtí seo. I thank the Minister for his answer. Will he comment on the requirements that the statutory duty to facilitate Irish-medium education places on his Department?

**Mr O'Dowd:** My Department takes its statutory duties to encourage and facilitate the development of Irish-medium education very seriously and will continue to do so. One of the main ways in which the Department discharges its statutory duty is through the Irish-medium education review. The ongoing implementation of the recommendations of the review continues to contribute greatly to the vibrancy and success of the Irish-medium sector. Although significant progress has been made, I am keen to identify where more needs to be done to develop this important area further and to ensure that the education in the sector is of the highest quality.

**Mr Campbell:** Given the relatively small number of pupils who attend post-primary Irish-medium schools, will the Minister be mindful of relativity, proportionality and equity when he looks at capital investment in controlled schools compared with that in Irish-medium schools?

**Mr O'Dowd:** I am confident that I can stand over my previous two announcements on capital build. I have ensured that every sector has been treated on the basis of equality and that every sector has been given the resources that I have to deliver. I have significantly reduced capital resources from Westminster, but I assure the Member that I will continue to deliver my functions on the basis of the legislation that governs them, including

equality and my legal duty to encourage and facilitate Irish-medium education.

**Mr McGlone:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire chomh maith. Iarraim ar an Aire cur síos a dhéanamh ar an dóigh a bhfuil forbairt Gaelscolaíochta á déanamh trí ionaid agus sruthanna i scoltacha iarbhunscolaíochta. Will the Minister tell us the extent to which the development of Irish-medium education is being encouraged through the establishment of units and streams in our post-primary schools?

**Mr O'Dowd:** Gabhaim buíochas leis an Chomhairle as a cheist. We have a significant number of post-primary Irish-medium units throughout the North. At the end of the day, it is up to schools and the sectors to develop those. It is not the Department's role to establish any school in any sector, but we have a significant number of units in primary and post-primary education. They are very successful and provide good education through the medium of Irish to the young people involved. It is hoped that, in some of those places, numbers will grow to the point at which there will be a stand-alone full-immersion Irish-medium sector. It is one way of growing the Irish-medium sector, and it is a way that I will continue to support.

**Mr McCarthy:** Can the Minister tell the Assembly why he has a special advisory group on Irish-medium schools — there is nothing wrong with that — when he does not have a similar one for integrated education?

**Mr O'Dowd:** The group looks at a specific area of Irish-medium education, which is its provision in post-primary education. There has been a failure over a number of years to develop post-primary provision, particularly in Derry city and south Derry. I have asked the group to look at that area specifically.

The Member will be aware that we have a significant number of post-primary integrated schools scattered across the North, and, as we do in the Irish-medium sector, we support groups to facilitate and promote integrated education. This group was set up specifically to look at the challenges of teaching through a second language. I await the outcome of the report. If the Member believes that I should set up another body to look at the challenges faced by the integrated sector in establishing more post-primary schools or if there is a lobby that believes that, I am more than happy to look at that.

### Dromore Central Primary School

4. **Mr Hazzard** asked the Minister of Education for an update on the newbuild for Dromore Primary School. (AQO 5675/11-15)

**Mr O'Dowd:** I announced a newbuild for Dromore Central Primary School in June 2012, and an economic appraisal for a new school at a cost of £10.8m was approved on 23 May 2013. The new school is to be sited at Mossvale Road, and it is for a 20-classbase school to accommodate a projected long-term enrolment of 730 pupils. The new school will also have a further two special needs rooms. The design and construction procurement have advanced, and, on 11 December 2013, an invitation to tender was issued. Unfortunately, following the tender evaluation, the preferred bidder withdrew. The tender assessment for Dromore PS has been rerun, and a new contractor, Tracey Brothers, has been appointed. All parties are working

towards the project being on site by the end of March or early April this year.

**Mr Hazzard:** Go raibh maith agat, a Cheann Comhairle. I thank the Minister for confirming that construction will start in the near future. Will he outline whether there has been a successful conclusion to other site issues attached to the project?

**Mr O'Dowd:** This particular build programme has proven to be quite challenging. I note that Mr Campbell's interest in the controlled sector is so much that he is leaving the room as we discuss a controlled sector school. That suggests that his interest is maybe not that keen.

The site of the new school has presented difficulties and challenges, including contaminated ground at the front of the site, underlying peat, the need to culvert an existing stream and the need for a pumping station owing to the site's topography. That has resulted in above-normal costs for external works associated with the site, including playing fields, flood alleviation works and remedial treatment for the contaminated land. All those issues have been taken into account and now form part of the design work. As I said, I hope that the contractors will be on site by the end of this month and certainly in April.

**Mr Craig:** I welcome the fact that the Minister is continuing with the project of a new primary school in Dromore. As he well knows, it has been an ongoing issue for almost 15 years now, and the existing school is bursting at the seams. Can the Minister comment on the fact that the Southern Board underestimated the difficulties with the proposed site, and can he assure the House that the new contractors will continue with the project despite the difficulties with the site?

**Mr O'Dowd:** I cannot make specific comments about the challenges faced by the site. I understand that the initial tender had underestimated some of the construction required at the site, and that is why it withdrew. I am glad to say that that resulted in only a small delay to the project going on site.

Building programmes can prove to be very difficult; for example, you come across issues in site examinations that you may not have estimated in your initial appraisal of the area. The site has proved to be quite challenging, but I am glad to say that we have now overcome all the hurdles. We just need to get the contractors on site and start the school being built. Whatever lessons have to be learned from the project should be learned to ensure that the next project that we move to is put on site even more quickly.

## Education: Parental Involvement

5. **Mr D Bradley** asked the Minister of Education, in addition to his Department's advertising programme, what plans he has to involve parents more actively in all aspects of their children's education. (AQO 5676/11-15)

3.00 pm

**Mr O'Dowd:** I fully recognise that parental involvement in children's learning is a key factor in improving children's academic attainment and achievements as well as their overall behaviour and attendance. That is reflected in the Department's guide for boards of governors, which highlights the important role that governors have in

ensuring that schools engage parents in their children's education and in the work of the school.

My Department has in place and will continue to implement various interventions to support parents to be actively involved in all aspects of their children's education. Those include £2 million this year and in 2014-15 for a community education initiatives programme, which supports parents in communities with high levels of educational deprivation to get their children ready for school and supports them through all phases of their education; additional annual funding of £1.2 million through the extended-schools initiative for programmes to involve parents in their children's learning and in school life; and an expansion of the Sure Start programme from the top 20% to the top 25% most disadvantaged wards to enable many more parents to become actively involved in their children's educational, health and social development. I have also allocated £24.8 million in 2013-14 and £25.7 million in 2014-15 for the programme.

Regarding the nurture units that were recently launched, there is £420,000 this year and £490,000 next year for 10 units. Proposals in the special educational needs (SEN) framework also examine that matter, and the range of programmes and initiatives outlined will directly support parents in becoming and remaining actively involved in their child's education.

**Mr D Bradley:** Go raibh míle maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as ucht a fhreagra. Ba mhaith liom ceist a chur air i dtaobh páistí nach bhfuil sé ar a gcumas freastal ar scoil agus ar mhaith leo ceachtanna a fháil tríd an chóras físe.

I thank the Minister for his answer. What progress is being made in respect of the demands of some parents whose children are confined to home and are unable to attend school? What progress is being made with regard to negotiations with the trade unions to ensure that distance learning can be engaged in by those children in their homes?

**Mr O'Dowd:** Gabhaim buíochas leis an Chomhalta as a cheist. I have established a working group consisting of the unions and the management side to overcome whatever difficulties or perceived difficulties there may be with some of the unions, particularly regarding Elluminate.

I believe that Elluminate is a very good resource. It is there to meet the needs of the children who, for whatever reason, cannot attend school and wish to be kept up to date with their education and, indeed, have a legal entitlement to be kept up to date with their education. I do not want to go into the detail of the discussions, because I believe that they are at a sensitive juncture at this time and that we are close to agreement on the matter. I wish everyone well in those discussions and hope that they come to a speedy resolution to ensure that the young people who require those services receive them in the future.

**Mr Newton:** Involving parents in children's education is obviously vital. When will the Minister allow the parents of the Newtownbreda and Knockbreda pupils to become involved in their children's education via the South Eastern Education and Library Board through the appointment of public representatives and political representatives to the board?

**Mr O'Dowd:** That falls into the old equation of when or if the Education and Skills Authority (ESA) ever happens. I was set a Programme for Government target by the Executive to establish ESA. I have done everything within my power to establish it, yet ESA remains as elusive as ever. *[Interruption.]* There are some comments coming from Mr Storey, which I cannot make out, but I assume that they are not supportive of ESA.

**Mr Speaker:** Order. Members should not debate across the Chamber. The Minister has the Floor.

**Mr O'Dowd:** Does the Member want to be a member of, or appoint councillors to, the South Eastern Education and Library Board? What shape will the South Eastern Education and Library Board be in after the review of public administration (RPA) and the change to councils? That is another large chunk of work in the absence of ESA that the Department has to take on.

Before I decide to reconstitute the South Eastern Education and Library Board, I am going to have to work out what boundaries it will have, along with all the other boards. Then, if we move towards the appointment of councillors, we will appoint the councillors, but the councillors who will be appointed in those circumstances will be there to be leaders, not followers.

**Mrs Overend:** Parents and guardians are the single biggest influencing factor on a child's life. Does the Minister accept that many parents who do not place a high value on schooling had such a poor experience of education themselves that they simply cannot bring themselves to engage with the educational establishment again? What is the Department going to do to reach out to that group in particular?

**Mr O'Dowd:** Much of the work that I read out in response to the original question from Mr Bradley targets hard-to-reach parents and communities. The Member is correct in many ways: most difficulties come from parents who had a poor educational experience themselves and therefore do not value education.

I have launched a public advertisement campaign to encourage all parents to become involved in their children's education and to make broader society realise that education does not begin and end at the school gates. Despite our highly qualified and highly motivated teachers and school staff, unless parents and communities are involved in their children's education, it will not succeed. I have been issuing that important message over the past two years and hope to expand on it. Also, the programmes that I read out to Mr Bradley involve direct contact with parents and families who, for whatever reason, do not understand the need for and benefits of a good education for their child.

## Teachers: Health and Well-being

6. **Mrs McKeivitt** asked the Minister of Education what action is being taken to address the health and well-being of teachers to ensure that they can manage the stress and pressures associated with their profession. (AQO 5677/11-15)

**Mr O'Dowd:** I am aware of the health and well-being issues faced by teachers in our schools today and the importance of addressing them if we are to retain a committed, motivated and healthy teaching workforce.

In 2011, a strategy for teacher health and well-being was agreed between management and teacher sides of the teachers' negotiating committee. The strategy aims to create throughout the education sector a culture that openly values teachers, promotes their health and well-being, and reduces, where practicable, the potential for work-related stress.

A number of initiatives, agreements and services have been introduced to support the strategy, including a range of schemes to improve the flexibility of teachers' working patterns, a 24-hour confidential telephone counselling service and new policy statements on measures to combat the bullying and harassment of and violence and abusive behaviour against teachers, as well as a revised workload agreement. My Department, together with the employing authorities and the teacher unions, continues to consider health and well-being issues through the teachers' negotiating committee joint working parties.

Most recently, my Department, in conjunction with the employing authorities, developed a regional strategy for the management and promotion of teacher attendance. The purpose of the strategy is to bring consistency of approach to how teacher attendance is managed by employers across the education sector. It is intended to help employers to monitor, control and improve attendance levels by complementing existing policies and procedures. I intend to publish the strategy later this month.

**Mrs McKeivitt:** I am delighted that the Minister has acknowledged the bullying that can go on in some schools. Does the Minister have any plans to introduce a mentor system for all newly appointed principals?

**Mr O'Dowd:** Part of the qualification for headship involves the networking of trainee heads and training with appointed heads in schools, particularly schools outside your normal sector. I understand that a system currently operates whereby a board of governors or managing authority can appoint a mentor to a newly appointed head if they believe that it would be beneficial. A mentor can be of great benefit. Taking on a headship or a leadership role can be quite challenging for the first time, so it is very useful to be able to contact someone whom you trust and ask them for advice.

## Education and Skills Authority

7. **Mr Lunn** asked the Minister of Education, in light of the Governing Bodies Association's withdrawal of its opposition, for an update on the implementation of the Education and Skills Authority. (AQO 5678/11-15)

**Mr O'Dowd:** The Education Bill cannot advance to Consideration Stage without the agreement of the Executive. That remains outstanding. In seeking to reach an accommodation, I have proposed a number of amendments, in particular, measures to retain and develop school autonomy in employment matters. Without agreement, however, I must soon commit to, and invest in, an alternative future. Local government reform may force the issue, as I must have in place by April 2015 new legislation supporting a reconfiguration of education and library board territory to align with that reform.

**Mr Lunn:** I thank the Minister for his answer. He will be aware that the Governing Bodies Association's decision has come as something of a surprise after its years of

opposition. Can he assure us that it has not come about as a result of a deal that we are yet to be made aware of between the major parties, which may or may not be to the detriment of our children?

**Mr O'Dowd:** I can assure the Member from the outset that I would not enter into any deal that would be to the detriment of our children. The only agreements that I will enter into are ones that I believe will help to improve the education outcomes of young people or do not act in a way that is to children's detriment.

I welcome the fact that the Governing Bodies Association has stepped forward and said that it can move forward with ESA. That followed discussions with the association and its outlining its concerns to me. I have made a significant compromise on the matter. I had to think long and hard about it. However, I believe that I have not compromised the principles of the Bill, nor the principle to which the Member refers. As we are often told, in a coalition Government or Executive, you have to compromise to reach agreement. I have compromised and I have not reached any agreement.

**Mr Storey:** The comments in the House today are at variance with what the Minister, through his permanent secretary, conveyed to the Irish National Teachers' Organisation (INTO) at its conference on Friday. Delegates at that conference were told basically that he was drawing a line under ESA and that they would have to move on. What can the Minister tell this House today? Despite, yet again, letters appearing in the public domain from one element of the education sector — the controlled sector — and despite the fact that it has lost its funding —

**Mr Speaker:** I insist that the Member should finish.

**Mr Storey:** It has lost its funding as of 31 December. It has no representation on the area planning steering group. The controlled sector remains unsatisfied. How will the Minister meet its needs?

**Mr O'Dowd:** You see, this is where we come into political debate and discussion. I resolve one issue — a long-outstanding issue — which I am told is "the issue" that has to be resolved. I resolve it, and the ink is hardly dry on the paper when the door opens and another issue is set on my desk. To me, that is a party or individuals acting in very bad faith. I cannot negotiate that way. I will not negotiate that way. *[Interruption.]*

**Mr Speaker:** Order.

**Mr O'Dowd:** As is necessary, I have made significant changes to ESA over a period of time. I agreed to the heads of agreement published in November 2011. The issue to which the Member refers was not in that heads of agreement. Therefore, when did it become an issue? When did it become a sticking point in ESA? It became a sticking point in ESA after I removed the previous obstacle. After I removed the Governing Bodies Association's concerns, all of a sudden, individuals, parties or a collection of both came forward with another issue. That tells me one thing: they do not want to bring forward legislation that is entitled "ESA" to this House under any circumstances.

**Ms McGahan:** Go raibh maith agat. *[Interruption.]*

**Mr Speaker:** Order.

**Ms McGahan:** Can the Minister remind the Chamber of the importance of securing agreement on ESA, with regard both to savings to the public purse and to the educational well-being of young people?

**Mr O'Dowd:** ESA was initially brought forward as a method to improve the educational outcomes of young people. Second to that, it was to modernise the management layers in our society, and therefore to make savings as well. It is estimated that we could have saved around £20 million per annum if we had had the political will to move forward. That political will apparently does not exist.

We now face the scenario that, with the review of public administration and councils moving to their new numbers and reconfigurations, education and library boards have to be reconfigured to meet those boundaries. That is a significant piece of work that my Department will have to undertake. There will have to be consultation. Legislation will have to be drawn up as well.

There may well be financial consequences for the Department of Education. If there are those financial consequences for the Department of Education as a result of ESA's not going through, and I have to bring forward legislation and redraft and redraw the boundaries around the education and library boards, I will go to the Executive and point out that it is not me who has incurred that cost, but the political failure of certain parties in the Executive. I will expect the Executive to cough up for it.

3.15 pm

**Mr P Ramsey:** I thank the Minister for his responses to date. Does he accept that, certainly in the Western Education and Library Board area, there is low morale and uncertainty surrounding the introduction of ESA? Does he agree with me that the delay in bringing ESA to the Floor has meant that education boards across Northern Ireland have not been able to deliver development programme training for teachers?

**Mr O'Dowd:** I accept that. In a recent meeting with the Association of Education and Library Boards, I accepted its point that morale in our education and library boards is low and that staff have been messed about for far too long. I have agreed to deal with vacancy control. I have received a paper from the association, and we will have discussions with it on the best way forward.

One of the reasons that I came to the conclusion that a compromise is required is that I know that our current structures cannot deliver education in the manner in which we want it to be delivered. I know that personnel working in the education and library boards are not happy about how services are being delivered on the ground. That is why I came forward and said that this can no longer continue. I was prepared to remove the obstacle that everyone told me was "the" issue that needed to be dealt with and that it could not go anywhere else. As I said, the ink was not dry on the document when a new issue was put on my desk, and I was then told that we could not move until that was dealt with.

**Mr Speaker:** Order. That concludes questions for oral answer to the Minister of Education. We will now move to topical questions.

## Shankill Manifesto for Education

1. **Mr Humphrey** asked the Minister of Education for an update on the Shankill manifesto for education, which colleague Nigel Dodds, the Member of Parliament for North Belfast, presented to him along with the Greater Shankill Partnership. (AQT 811/11-15)

**Mr O'Dowd:** The most specific element of the Shankill manifesto for education that relates to my Department and to where to go next is whether to call the Shankill an education action zone. I am close to making a final decision on that.

However, regardless of the decision that I make, the Education Minister declaring Shankill an education action zone will be meaningless unless certain schools, boards of governors and senior management teams in the area recognise that they have a responsibility for the educational well-being of young people in that area. Indeed, schools in the area are showing how it should be done. They are showing the way in which education can be delivered, despite, at times, very difficult circumstances and challenges etc.

So, as I say, I am bringing my deliberations on the Shankill action zone to an end, but regardless of my decision, responsibility has to be taken locally. It has to be recognised that there is no excuse for children failing in education. Every opportunity has to be taken in schools, classrooms and the community to ensure that — this goes back to earlier questions about supporting families — young people are given opportunities at the earliest stages of their education.

**Mr Humphrey:** I thank the Minister for his answer. As someone who is a governor on the boards of two primary schools in the greater Shankill area, I agree entirely with him that there is tremendous onus on governors, principals and management teams to show leadership. I think that many of the schools, if not all of them, have been doing that. I certainly think that there has been a vast improvement in many of them. I appreciate the willingness to establish an action zone, which the Minister talked about here today.

**Mr Speaker:** I encourage the Member to come to his question.

**Mr Humphrey:** Does he have a timescale in mind for when his announcement might come?

**Mr O'Dowd:** I do not have an exact timescale in front of me, but we are talking about weeks rather than months.

## Schools: Capital Spending Plans

2. **Mr Ó hOisín** asked the Minister of Education to detail his capital plans, including for newbuilds and the school enhancement programme. (AQT 812/11-15)

**Mr O'Dowd:** I have made a number of statements about capital in recent times. On 25 June 2012, I announced that 18 schools were to receive facilities as part of a £173 million investment in the schools estate. Of the 18 projects, construction has started on site for three, with a further five expected to be on site by the end of April 2014.

In my capital announcement on 22 January 2013, I said that 22 school projects were to be advanced in planning, representing a further investment of £220 million. The

majority of those projects are at an early stage in planning, and development proposals are principally at economic appraisal stage.

**Mr Ó hOisín:** Go raibh maith agat, a Cheann Comhairle, agus gabhaim buíochas leis an Aire. Given the recent job losses, including those in my own constituency, does the Minister realise the boost that that investment will give to the entire economy across the board?

**Mr O'Dowd:** Gabhaim buíochas leis an Chomhalta as a cheist. Yes, without doubt. Although my primary responsibility is obviously to provide good educational facilities for our young people, I am conscious that any announcement that I make about capital will also benefit our wider economy.

An emergency Executive meeting was called after Wilson's in Larne — I think that it was Wilson's in Larne — lost a significant number of staff. The First Minister and the deputy First Minister tasked all Ministers to go away and look at their budgets to see how they could support the economy. Through the investment that we have made and are making through the school building programme and also through programmes such as the minor works programme and the school enhancement programme, which, when finalised, will inject tens of millions of pounds into building programmes, I hope that we are investing in our economy.

## Common Funding Formula

3. **Mr G Robinson** asked the Minister of Education when he will make an announcement on the common funding formula. (AQT 813/11-15)

**Mr O'Dowd:** The Member will appreciate that the deliberation on around 15,000 consultation responses has taken longer than I expected. I hope to be in a position in the next week or so to inform the education and library boards of the outcome of the common funding formula and then to inform the schools of their budgets for the year ahead. As I stated previously, while there will be significant changes to the common funding formula and the principle of targeting social need will be enshrined within it, no school will lose funding as a result of my changes.

**Mr G Robinson:** In light of the rejection of the Department's consultation on the formula, how will it be confident that the new proposals will have the support of schools and parents?

**Mr O'Dowd:** As I have said in the House on several occasions, the purpose of a consultation is not a ballot. We are elected to make decisions. We have a duty to consult, and I take my duties very seriously in relation to the consultation. Indeed, I have taken considerable time to study the consultation responses. Although there are differing views in the consultation responses, the principle of targeting social need was accepted by many, and I intend to move forward on that basis.

## Common Funding Formula

4. **Mrs D Kelly** asked the Minister of Education whether it is a fact that — to tease out some of his thinking on the changes — schools that, as he will appreciate, have to plan more than one year ahead have been told that they

have to operate within 5% of their budget, with any school that holds any excess losing that funding in subsequent years. (AQT 814/11-15)

**Mr O'Dowd:** It is a fact, but it is not a fact as the result of my changes to the common funding formula. That has been in place for several years — perhaps a decade or so — since changes to local management of schools were introduced. Schools do have to plan within 5% either way of their budget. I think that that is good financial planning.

The Member will be interested to know that somewhere in the region of £40 million of surpluses are out there in the education sector. I believe that that money would be best spent in schools at this time. Of course, each school is monitored as to why it is holding a surplus, and it has to provide explanations to its managing authority. Where those explanations tally, it is perfectly reasonable for the school to be holding a surplus.

**Mrs D Kelly:** Given the change in demographics, how is the Department marrying the information that is available to schools about the number of anticipated entrants over the next two to five years with the funding available to those schools?

**Mr O'Dowd:** One of the issues that has been causing us some thinking in the Department as to how we move forward with the common funding formula is this: next year we will have 3,500 more pupils in primary schools than we had the previous year. There is a significant number of newcomer children among that number and a significant number of children claiming free school meals entitlement. In our post-primary sector, we will be losing 1,700 pupils next year; therefore, there will be 1,700 fewer pupils next year than in the previous year. Those figures do not come as a shock to us; they have been monitored over time, and we expect to see a continuing rise in school numbers as we go towards 2017. That has to be taken into account when I deliberate on the common funding formula and how best to use the resources available to me.

### Irish-medium Post-primary Provision: Derry

5. **Mr Hazzard** asked the Minister of Education to comment on the current potential for establishing Irish-medium post-primary provision in the city of Derry. (AQT 815/11-15)

**Mr O'Dowd:** As I said earlier, I have established a review group to establish how we provide Irish-medium post-primary provision in Derry and south Derry. It is not simply the case of establishing a school; we need to establish a school that has the confidence of parents, that is sustainable moving forward and that provides high-quality education through the medium of Irish, and that is the challenge that I have set the review group.

**Mr Hazzard:** Go raibh maith agat, a Cheann Comhairle. I thank the Minister for his answer. Will he outline the potential time frames once the need for Irish-medium provision has been established?

**Mr O'Dowd:** I hope that the final draft of the report will be with me in the next number of weeks. I want to take time to consider it and the options on the way forward. I will then share the report with the managing authorities to see how they can action it to bring forward development proposals, if need be, in relation to the provision of a standalone school, a unit or whatever it may be, going into the future.

I do not want to reach conclusions ahead of reading the report. However, I want to ensure that whatever decision we come to, parents will have confidence in it and that young people will receive high-quality education through the medium of Irish.

### Youth Clubs: Children with Special Needs

6. **Mr Easton** asked the Minister of Education what directions or guidelines his Department provides to the boards for youth club provision for children with special needs. (AQT 816/11-15)

**Mr O'Dowd:** I do not have the full details in front of me, but I am happy to share them with the Member. We, the Department and I, have equality obligations and, therefore, through the boards, so have the service providers. Any provision has to be accessible and equitable to all our young people.

**Mr Easton:** The Minister may not be aware, but the South Eastern Education and Library board has denied children with special needs access to Ballymagee Primary School in my constituency because there has been a change in the age criterion. Does the Minister agree that it is unacceptable to change the age criterion without first consulting parents?

**Mr O'Dowd:** The Member will understand that I do not have the full specifics in front of me. However, if he wishes to correspond with me on that matter or further discuss it with me, I will be happy to follow it up with him.

### School Absenteeism

7. **Mr McMullan** asked the Minister of Education to detail the steps his Department has taken to address issues around school absenteeism, which was referred to in a recent Audit Office report. (AQT 817/11-15)

**Mr O'Dowd:** In relation to the Audit Office report, I have to give the Public Accounts Committee its place and allow it to study the report in detail. It would be improper of me to respond ahead of that. As a former Chair of the Public Accounts Committee, I do not want to do that either.

The Department has measures in place to ensure that children can and should attend school. In relation to earlier conversations and questions, if a child is to reach their educational potential, it is vital that, first and foremost, they attend school. So, under article 45(1) of the Education and Libraries Board Order 1986, there is a legal responsibility on parents and guardians to ensure that their children attend school. It is also important that we encourage parents to do so and acknowledge why it is important. My Department has a Valuing Education campaign and an 'Attendance Matters' policy document on how, why and in which circumstances support and actions can be taken. There is also the work of the Education and Welfare Service.

**Mr McMullan:** I thank the Minister for his answers. Will he tell me whether the establishment of a single Education and Skills Authority would help to address those issues?

**Mr O'Dowd:** It would certainly ensure that there was no postcode lottery, as all areas would be tackling the problem in the same way and have centralised support for doing so, and learning would be across the board. The truth is that, despite heroic efforts over many years, our

education and library boards are no longer fit for purpose. That is the bottom line. Those who fail to recognise that need to come forward with an alternative. They need to say, "We reject the ESA, but it has taken us 10 years to tell you that. We have agreed to put it into two Programmes for Government before finally realising that we reject it. Here is an alternative".

### St Joseph's High School, Crossmaglen

8. **Mr D Bradley** asked the Minister of Education whether he can report any progress on St Joseph's High School, Crossmaglen, following his kind acceptance of my invitation to visit, I think it was last year, when he saw the need for a new capital project. (AQT 818/11-15)

**Mr O'Dowd:** I am examining proposals from all managing authorities in relation to newbuilds. I am not at this time in a position to announce what those newbuilds will be, but all the managing authorities, including the Council for Catholic Maintained Schools (CCMS), were asked for their priority build programme.

One of the matters to be finalised in south Armagh and Newry is area planning. I encourage the Member to ensure that the allure of the bright lights of the grammar schools in Newry is dimmed somewhat. That will ensure that everyone is operating on a level playing field and that St Joseph's High School, which is a fine educational establishment, is allowed to attract the number of pupils required to move forward and to ensure that there is a newbuild, with future generations taking part in education at that school.

### 3.30 pm

**Mr D Bradley:** I thank the Minister for his answer. He will be aware that area planning in south Armagh is all but finalised, if not complete. After visiting the school, does he agree that there is a pressing need for a new capital project at St Joseph's, Crossmaglen?

**Mr O'Dowd:** Many schools across the board require a newbuild. I am not arguing that St Joseph's or, indeed, many other schools do not require a newbuild. The question that I have to ask is this: when and how do I replace buildings? Replacing buildings with newbuilds and new schools is a matter of priorities. Those are the challenges that I face with a very limited capital budget. However, schools should be conscious that, if I make an announcement in the near future about a capital build programme and they are not included, that is not the end of the story. We are involved in a rolling programme of capital builds, and there will be a number of announcements in the years ahead, as long as we can ensure that the budgets allow it. If, as the Member said, area planning in south Armagh is nearly finalised, it has to include Newry. Again, I ask the Member to take up the challenge of standing up to the grammar schools in Newry and stating that there is a fine educational establishment in Crossmaglen that can provide excellent education for the young people of the area.

**Mr Speaker:** That concludes Question Time.

## Question for Urgent Oral Answer

### Justice

#### On-the-run Scheme: Legal Status

**Mr Speaker:** Mr Paul Givan has given notice of a question for urgent oral answer to the Minister of Justice. I remind Members that, if they wish to ask a supplementary question, they should rise continually in their place. The key word is "continually". The Member who tabled the question will be called automatically to ask a supplementary question.

**Mr Givan** asked the Minister of Justice, given that the devolution of justice powers transferred to the Northern Ireland Assembly in 2010, what steps are being taken to identify the legal status of the administrative scheme operated by the Northern Ireland Office, which continued to provide letters of comfort to on-the-runs after this date.

**Mr Ford (The Minister of Justice):** I am obtaining legal advice on the continued operation of the scheme by the Northern Ireland Office after the date of the devolution of justice powers to this Assembly.

**Mr Givan:** The on-the-runs scheme had no statutory basis and, at the point of justice powers being devolved to the Northern Ireland Assembly, there was no provision placed in law for the Northern Ireland Office to continue its operation. Therefore, will the Minister advise the House whether the NIO has usurped responsibility for a matter devolved to this Assembly and whether the criminal justice agencies, including the Police Service and the Public Prosecution Service, have been complicit in aiding and abetting the Northern Ireland Office's unlawful actions by taking the scheme forward?

**Mr Speaker:** The Member should finish his question.

**Mr Givan:** Furthermore, will he seek a declaration from the High Court to determine who has responsibility for the issue?

**Mr Ford:** I am afraid that Mr Givan is being a little premature. As I said, I am seeking advice on, frankly, a range of issues. He correctly highlighted the fact that there was no statutory basis for the scheme. There would, therefore, be no statutory basis for stopping it or for determining who should continue it. That is the difficulty. I certainly welcome the fact that, after some effort, I obtained an apology from the Secretary of State for the fact that the scheme was originally presented as if it was merely administered in the past by her Labour predecessors, not continued by her and her immediate predecessor since the devolution of justice. Clearly, there are many questions, and it may be that it will not be possible to obtain some answers until the judge-led inquiry reports towards the end of May.

**Mr A Maginness:** I think that it is very prudent to seek advice. Does the Minister agree, in light of remarks made today or perhaps last night by Peter Hain about the soldiers on Bloody Sunday, that he, one of the midwives of the scheme, viewed it as an immunity scheme rather than simply a matter of exchanging information?

**Mr Ford:** I fear that Mr Maginness is tempting me to go beyond my ministerial responsibilities. When I was asked about that by the BBC yesterday, I made quite clear exactly what I think of the ongoing work by Mr Hain. As far as I am concerned, the agencies of the justice system have a responsibility and duty to investigate crimes and, where possible, bring a satisfactory prosecution. In many cases, 30 or 40 years on, it will not be possible to do that, but the key issue is that there should be no question of the agencies failing to carry out the duty that they are obliged to by the law of this region, the law of the United Kingdom and international conventions.

**Mr McCartney:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as na freagraí go dtí seo. I thank the Minister for his answers to date. The British Attorney General gave an opinion to the British Parliament on the legality of the scheme, and I heard the Minister say over the weekend that he is seeking legal advice. Will he share what legal advice he has got on the matter?

**Mr Ford:** I am afraid that the answer is no on two grounds. First, I have not got the legal advice yet, and, secondly, it is a long-standing convention that legal advice is not shared where it is specific to an individual request by a Minister.

**Mr Elliott:** Media reports last Friday indicated that a senior Department of Justice official was aware of the scheme. That has been confirmed by the Minister. If the Department of Justice official was under Civil Service protocol that he could not discuss the matter, how has it now come out that he can discuss it? When did he discuss it with the Minister and when did the Minister become aware of it?

**Mr Ford:** Let us be absolutely clear. A senior official in the Department of Justice today was aware of the issue as an official in the Northern Ireland Office then. That emerged because of mention of a particular document, which, I believe, was a memo from Downing Street to the Northern Ireland Office long before devolution. It was mentioned in the trial that created all the public interest in the issue. The matter therefore became public because it was mentioned in court.

I became aware of it when it was subsequently mentioned to me after the whole issue became public, because I was not closely following the court case in London. However, as has been well acknowledged, it is a matter of the Civil Service code and, indeed, the ministerial code that there should be no follow-across from one Department to another by civil servants. Indeed, on the subject of access to papers from a previous Administration, paragraph 2.29 of the ministerial code states:

*“nor should a Minister seek to ascertain — whether directly from officials or by access to departmental paper which would provide the information — the views of previous Ministers”.*

Therefore, it is absolutely clear that the officials concerned acted properly while they were serving the Northern Ireland Office and that they act properly today as they serve the DOJ. Those were two different interests.

**Mr B McCrea:** In 2010, the Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order amended the Northern Ireland Act 1998 by introducing a new subsection — section 23(2A) — which provided for the royal prerogative of mercy (RPM) to be exercised by the:

*“Minister in charge of the Department of Justice.”*

However, the order also made an exemption, stating that matters relating to terrorism would stay with the Secretary of State.

**Mr Speaker:** The Member must come to his question.

**Mr B McCrea:** Is the 2010 order relevant to the matter at hand?

**Mr Ford:** I simply do not know, however interesting the question may be, whether it is relevant, because we do not know whether or how the RPM was used in any of the cases currently being discussed. However, Mr McCrea correctly highlights the fact that, for terrorism, the exercise of the royal prerogative of mercy remains solely a reserved matter for the Secretary of State. My responsibilities and those of the Department of Justice are related to non-terrorist cases.

**Mr Allister:** If the Minister obtains legal advice that indicates that his functions were usurped, will he give an assurance to the House that he will make an application to the High Court for a motion of certiorari to quash the 38 letters issued on an ultra vires and unlawful basis?

**Mr Ford:** I appreciate Mr Allister's point, but, of course, there might well be a difference between the advice that I would obtain and the decisions of any courts. Receiving advice on something would not necessarily guarantee that something could be quashed.

He should, of course, also be slightly careful. We have all tended to refer to 38 cases. The figure of 38 relates to those cases that have been relevant during the time of the current Conservative Minister and her Conservative predecessor as Secretary of State for Northern Ireland. We do not know whether any other cases were dealt with post-devolution by the last Labour Secretary of State.

**Mr Craig:** Is the Minister aware that, since 2013, no case in this administrative process has been continued by the PSNI because there was “no legislative basis” for carrying it out. Will the Minister make the Chief Constable account for what he has carried out despite there being no legislative basis for it? Will he also seek the Attorney General's advice —

**Mr Speaker:** I urge the Member to finish.

**Mr Craig:** — on those matters?

**Mr Ford:** I would need to be very careful before suggesting that I could hold the Chief Constable to account for anything, and certainly not in answer to a question from a member of the Policing Board. Fundamentally, that is one of many issues that we will seek information on from the inquiry that was announced by the Prime Minister last week and, potentially, from the subsequent inquiry that may be conducted by the Northern Ireland Affairs Committee of the House of Commons. I will have to see exactly what emerges from those processes.

**Mrs D Kelly:** Minister, given that republican terrorism was deemed to be a threat to national security, will you assure the House that all matters in relation to those on-the-run who received letters will not be something that is only investigated by the Select Committee? Will there be openness and transparency around those who have received letters, and who may well be the prime suspects in a number of bombings, particularly those in Birmingham and Guildford in Britain?

**Mr Ford:** I am not sure that I am in a position to guarantee openness and transparency over a process for which I have no control. I certainly believe that there needs to be openness and transparency, whether from the first inquiry or any subsequent potential inquiry. However, it is also clear that, in the Assembly and my Department, we are as yet unaware of what the details are. I suspect that we will have to see what emerges, but it is absolutely clear that there are major questions about the way in which the scheme was established, carried on and misrepresented, leading to the current confusion arising out of the Downey trial.

**Mr Humphrey:** Following on from the Chair of the Committee's earlier question, if the NIO has acted unlawfully, what will the consequences be for the police, the Public Prosecution Service and, indeed, any official in the Minister's Department or across the Civil Service in Northern Ireland?

**Mr Ford:** The Member's question was predicated on "if" the Northern Ireland Office has behaved unlawfully. The only guarantee that I give is that officials in the Department of Justice have not been acting unlawfully, as they played no part in the scheme since devolution. I am not accountable in any way for the PPS, and the Policing Board holds the PSNI to account.

**Mr Speaker:** Order. That concludes the item of business.

## Committee Business

### Electricity Policy: Pricing

*Debate resumed on motion:*

*That this Assembly approves the second report of the Committee for Enterprise, Trade and Investment on its review into electricity policy: part II — electricity pricing (NIA 14/11-15); and calls on the Minister of Enterprise, Trade and Investment, in conjunction with her Executive colleagues, the Northern Ireland Authority for Utility Regulation, the System Operator for Northern Ireland, the Single Electricity Market Operator and the Consumer Council to implement, as applicable, the recommendations contained therein. — [Mr Flanagan.]*

**Mr Flanagan:** Go raibh maith agat, a Cheann Comhairle. Go raibh maith agat as an deis labhairt ar an rún tábhachtach seo. I thank Members for their contribution to the debate. As an Assembly, it is essential that we do all that we can to keep electricity prices from increasing above the rate of inflation year-on-year. That point was made very well by Sydney Anderson. Of course, the Committee's report outlines a very reasonable approach, which, if accepted, should go some way to achieving that.

*(Mr Principal Deputy Speaker  
[Mr Mitchel McLaughlin] in the Chair)*

Regarding network costs, NIE has a very clear monopoly. Sydney Anderson mentioned that there is evidence of a lack of information and transparency on how NIE runs and plans its business. Electricity is an essential part of everyday life, with many aspects lacking competition. It is essential that we have as much transparency in the market as possible so as to ensure that generators, developers, network operators and suppliers all receive an adequate return but are not overly rewarded. The Single Electricity Market Operator, the Committee and the Utility Regulator have key responsibilities in that area.

Although there is some clarity about the price taken by each generator, there is not the same level of clarity about the profit that generators are making, especially low-cost renewable generators. As Gordon Dunne mentioned, wind generators have very low generation costs —

**3.45 pm**

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

**Mr Flanagan:** I will surely, Patsy.

**Mr McGlone:** Go raibh maith agat. Thanks very much, Phil. A key issue, and we all sat through evidence on this, was the considerable lack of transparency. That was highlighted by the Committee, the CBI, the Consumer Council and Invest NI. I presume that you take the view, a Leas-Chathaoirligh, that, in the interest of consumers, commercial and domestic, it is imperative that the Single Electricity Market Operator undertake a review as soon as possible and that the Utility Regulator undertake further work.

**Mr Flanagan:** Go raibh maith agat. Gabhaim buíochas leis an Chathaoirleach as a cheist. I thank the Chairman of the Committee for his intervention and his question. I agree that much more work needs to be done, particularly on transparency and allowing consumers to have a

better understanding of what they are paying for in their electricity bills. We have seen improvements in recent months, but there is still some way to go. I think that the recommendations in the report will deal with the remaining issues.

I go back to Gordon Dunne's point about the difference between low-cost renewable energy generators and high-cost fossil fuel generators. Although renewable generators have high capital start-up costs, they are supported through renewable incentives. Gas prices increase year-on-year at a much greater rate than the rate of inflation and are predicted to increase above inflation year-on-year. So the system marginal price will result in renewable generators receiving an increase in income well above the rate of inflation, without incurring costs above those that they had projected. All generators should receive a reasonable rate of return that is based on their individual investment and risks. However, where there is evidence of potentially unreasonable profits in the future, action must be taken now to prevent that by decoupling the price paid for renewable generation from the price of fossil fuel-generated electricity. I welcome the Department's move to a feed-in tariff with contracts for the difference to deal with issues post-2017, but, as Megan Fearon said, those that come on to the system between now and 2017 still need to be dealt with.

As highlighted by Paul Frew, wind generators do not produce carbon or meet the requirement for capacity payments. These areas need to be looked at as well. The Committee questions the need for a capacity payment for any generator.

The system marginal price is the primary responsibility of the SEM committee. Therefore, the Committee recommends that the Single Electricity Market Operator decouple the price paid for renewable generation from the price of electricity generated from fossil fuels, while ensuring that a "reasonable rate of return" — a phrase that members of the Committee frequently used — is provided to all generators. Nobody is suggesting that electricity generators be forced to operate at a loss. We understand that all businesses are entitled to earn a profit, but they should not earn huge profits on the backs of hard-pressed consumers or businesses that are struggling to remain competitive.

Sammy Wilson, in his usual colourful contribution, stated that renewable energy was adding to costs. Although that may be the case, it is important that renewable energy is being deployed in the long-term interests of consumers. In the first part of this review, the Committee explicitly supported the strategic energy framework target to have 40% of electricity consumed from renewable sources by 2020. What the report says is, "not at any price". The rewards to generators must be reasonable and commensurate with the risks.

Mr Wilson talked about the difference between marginal and average costs. There is also a huge difference between costs and the price paid. That is the problem with renewable generators. It is not that it costs an awful lot more to get them on to the system; the price paid to generators is the problem, and that is what the Committee is looking to get resolved.

Sandra Overend and Fearghal McKinney outlined the impact of high electricity prices on large energy users

and the difficulties created in attracting large energy businesses. That was one of the main reasons why the Committee undertook this important work.

As I mentioned earlier, the South took steps to apportion network charges in favour of large industrial and commercial consumers at the expense of domestic consumers. Large industrial and commercial users here believe that a similar approach should be taken in the North, where domestic and smaller industrial and commercial consumers pay around the EU average for electricity.

Paul Frew said that high electricity prices were a major issue for large energy users and that tackling it was as important or even more important than reducing the rate of corporation tax. High energy prices could result in some businesses not being able to expand to create jobs; some businesses coming off the grid and generating their own electricity, resulting in network charges being increased for all other users, who must pick up the tab; or even some large users leaving the North, with the resulting direct and indirect loss of jobs and employment and consequential economic detriment.

Gordon Dunne gave the specific example of Michelin, which is one of the organisations that presented at the Committee. It suffers electricity costs of £1 million per month and then has to compete with other sister organisations around the world.

However, any attempt to reapportion network charges in favour of large energy users could result in hard-pressed domestic consumers having to pay more for electricity. As Sammy Douglas said, this region, at 42%, has among the highest rates of fuel poverty on these islands. The Committee will not support any changes that could result in an increase in that level.

**Mr Elliott:** I thank the Member for giving way. Is there is anything on the increase in the amount of renewable energy in the grid? We are told that, if renewable energy increases, the consumer price of electricity should go down. However, it is going up as well. I am wondering why that is. While the renewable energy source is going up, should the price of electricity not be going down?

**Mr Flanagan:** I thank the Member for his intervention. One of the main problems is with the make-up of the system marginal price, whereby all generators, regardless of how they generate their electricity, are paid the same price. That is an unfair advantage that some renewable companies have. They get paid the same price as is paid for fossil fuels but also benefit from constraint charges, incentives and things like that. That is an issue that the Committee wants to see resolved.

On the grid infrastructure, that is a piece of work that the Committee will now undertake as part three of the continuing inquiry into electricity policy.

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

**Mr Flanagan:** It is particularly affecting businesses in places like Fermanagh and Tyrone.

**Mr Wilson:** Does the Member accept that the renewable energy sector argues that, if those incentives were removed from the renewable energy sector, it could not possibly operate? All those incentives were deliberately built into the system and passed onto the consumer simply

because you had a sector that could not stand on its own two feet unless it received those kinds of subsidies.

**Mr Flanagan:** I thank the Member for his intervention. I fundamentally disagree with him on this issue. I always wanted to say that I fundamentally disagree with Sammy Wilson. Renewable electricity companies can make money, but a return of 79% is far too high. No company generating electricity should get a profit margin of 79% when it is consumers who pay the bill. We as an Assembly have to look for something to be done to address that issue.

**Mr McGlone:** I will pick up on that very briefly, Leas Chathaoirleach. One of the unusual things about this is that wind companies get paid capacity payments even when they do not have capacity. In other words, the payments continue when the wind is not blowing. Do you not feel that that needs to be rectified or addressed? It is not an incentive. It is rather unusual that a payment is made for something that is not happening, because the wind is not blowing.

**Mr Flanagan:** I thank the Member for his intervention. The Committee has called for a review of capacity payments and whether they are needed in the system in any form. As Paul Frew will happily tell you, if you brought in the North/South interconnector, you would not have that problem. Whether it is appropriate that renewable generators receive capacity payments is one of the things that the Committee wants looked at.

**Mr Agnew:** I thank the Member for giving way; he is being very generous. Can the Member confirm that, at some point or other, every energy industry has received subsidies for energy production? The renewables industry is no different in that regard. In fact, the gas industry is going to receive a £32.5 million subsidy for a gas pipeline to the west.

**Mr Flanagan:** I thank the Member for his intervention. He is well versed in comparing the £32.5 million subvention that the extension of the gas pipeline is getting from the Executive to the £25 million that the renewable heat incentive got from the British Government. That is a point that the Member often makes.

Returning to the reapportionment of charges: when people have to make a choice between feeding their families and heating their homes, it is all the more urgent that we do whatever we reasonably can to slow the ever-increasing price of electricity. However, that is not something that we need to accept. Electricity prices can be brought down if these recommendations are accepted and if we move away from chasing fossil fuels and invest in renewable forms of electricity generation that are actually effective. If a reapportionment of costs is to take place, it needs to be balanced. If you are going to move costs from large energy users to domestic customers, I think that funding will need to be provided to reduce the overall bill that domestic customers pay so that they do not pay a disproportionately high price. So, I think that the Committee wants to see that explored.

A balance has to be struck to protect domestic consumers and small businesses. However, it must at the same time help our vital large energy users to decrease costs. The Committee heard that there are difficulties in attracting data-server centres here because of the high price of energy. So, that is something that we need to address.

**Mr Wilson:** I thank the Member for giving way again. He said that, if we are going to redistribute the costs from the large users to the domestic users, we have to find a way of ensuring that domestic users are not disadvantaged. Is that not the whole point, however? If the charges are lowered for one set of users, they have to go up for the other. So, how does he expect to move charges from one group to another so that no one loses?

**Mr Flanagan:** I thank the Member for his intervention. It brings me to the next part of my speech; you must have got an advance copy of it, Sammy.

The Committee was told at the start of the review that network costs is a zero-sum game, and so it is. However, overall electricity costs are not. It is important that the Committee's recommendations on transparency and generation costs are implemented so that costs can be reduced in other areas before network charges are considered.

Where the reapportionment of charges is concerned, there is an issue with the amount of funding that the Executive can give to large energy users through EU state aid rules. However, no such rule applies to how we help domestic consumers. So, there is no reason why the Executive cannot fill in that funding. Funding is coming out of electricity bills, so if you take that money off bills, there is an argument that the Executive should step in and fill the gap. That is a decision that the Committee has not taken. It is something that we have looked at, and we have called for greater information to allow us as a Committee to take those decisions. As Gordon Dunne said, if it is done sensibly, renewable energy can bring additional benefits to local communities. He highlighted the good work that the Fermanagh Trust is doing to increase the level of community energy that is generated and to bring community benefits from commercial renewable energy development.

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

**Mr Flanagan:** I will happily, Gordon.

**Mr Dunne:** Thanks, Philip, for giving way. *[Laughter.]* Will the Member indicate his support, and perhaps that of his party, for the North/South interconnector? Does he think that community buy-in, such as the initiatives of the Fermanagh Trust, are worth looking at for farmers in the line of the interconnector?

**Mr Flanagan:** I thank the Member for his intervention. Until this point, I have been trying to speak on behalf of the Committee. However, if the Member wants, I will digress from that position for my final minute. We are talking about building a North/South interconnector and about building a road from Derry to Dublin. Why can the two projects not be merged? Why can the North/South interconnector not be built as a part of the A5/N2 project using an underground duct? The duct will already be there. It is completely feasible, and there is no reason why it cannot happen. That is the way that it should happen, and, instead of EirGrid ploughing hundreds of millions of pounds into overhead cables and pylons, why do they not build the interconnector along with the A5, which will be being done anyway?

I will now, hopefully, return to my role as the representative of the Chair of the Committee. Where EU market integration is concerned, I am disappointed that the debate

has largely focused on greater North/South cooperation, which is badly needed on energy. I am pleased to see that the Minister has regular engagements with her colleague in the South, but those need to be formalised because there needs to be political oversight of energy systems across the island of Ireland.

**Mr Principal Deputy Speaker:** Thank you, Philip, your time is up. *[Laughter.]*

*Question put and agreed to.*

*Resolved:*

*That this Assembly approves the second report of the Committee for Enterprise, Trade and Investment on its review into electricity policy: part II — electricity pricing (NIA 14/11-15); and calls on the Minister of Enterprise, Trade and Investment, in conjunction with her Executive colleagues, the Northern Ireland Authority for Utility Regulation, the System Operator for Northern Ireland, the Single Electricity Market Operator and the Consumer Council to implement, as applicable, the recommendations contained therein.*

## Private Members' Business

### Pulse Oximetry

**Mr Principal Deputy Speaker:** This is a cross-party motion, and the Business Committee has agreed to allow up to one hour for the debate. The proposer of the motion will have 10 minutes to propose and 10 minutes to make a winding-up speech. All other Members who wish to speak will have five minutes.

**Mr Swann:** I beg to move

*That this Assembly recognises that pulse oximetry offers a straightforward, cost-effective and non-invasive screening test to detect levels of oxygen saturation in newborns; notes that recording oxygen saturation levels can be an early indicator for a range of medical problems, such as heart and respiratory defects; and calls on the Minister of Health, Social Services and Public Safety to introduce pulse oximetry to screen all newborns for early detection of life-threatening congenital heart defects.*

Thank you very much, Mr Principal Deputy Speaker, and let me declare an interest as chair of the all-party group on congenital heart disease.

#### 4.00 pm

The debate came about because, on 7 February, the all-party group hosted an information session for all MLAs and their staff on what pulse oximetry was, as part of Congenital Heart Defect Awareness Week, which ran from 7 to 14 February. I take this opportunity to thank all the MLAs and their staff who called in to speak with Dr Andrew Sands, who is a cardiac paediatrician from the Royal Victoria Hospital, and the family who were there that day and presented their case on how pulse oximetry could have caused them a lot less heartache than what they experienced. It was also an opportunity for the all-party group to show that we have a wider remit than solely focusing on the future of paediatric cardiac surgery in Belfast.

I am glad that the Minister is here. On behalf of the all-party group, I take the opportunity to pay tribute to Sister Alison Kearney from the Clark Clinic, who is retiring today. Sister Kearney has been a stalwart of Clark Clinic for many a year and has supported families affected over those years. I am sure that we would all like to wish her well in her retirement and to thank her for her work.

This motion is very similar to one that is tabled in another place, and I am glad to see that six Northern Ireland MPs have signed their name to that. It shows the importance of pulse oximetry, the standing that this research has, and what it can achieve across the health services. In very simple terms, pulse oximetry is a measure of oxygen in a child's blood. It is a quick, cheap and non-invasive procedure and something that, if adopted, could help to diagnose congenital heart defects in children who missed being diagnosed through prenatal screening or ultrasound.

As I have said before in other debates on paediatric cardiac surgery, my wife Jenny and I were fortunate that our son Evan was diagnosed with his heart condition prenatally. One in 180 babies is born with a congenital heart defect, and the earlier that detection is possible, the better. Pulse oximetry is one of the things that can be done.

The case now is that mothers and babies can be discharged from hospital six hours after birth. It is important, therefore, that we have a test here that can be put in place in the community and could be carried out by midwives rather than it having to be done in hospital. There would be no need for a mother and baby to be retained in hospital for any longer than necessary.

I am sure that the Minister is aware of the research. Costs of pulse oximetry have been put at around £6 a head. Field tests and cost comparisons have been done in other places that show that there is a cost saving or a neutral cost to the introduction of pulse oximetry. It was trialled in six maternity units across the UK in 2011, when over 20,000 babies were tested using pulse oximetry. Of the 20,000-plus babies that were tested, 53 additional cases were diagnosed. That is 53 cases that would have been missed, either through prenatal ultrasounds or any postnatal physical checks. As I have often said before, it is easy to talk about numbers and statistics, but that is an extra 53 babies — and their families — who had a life-threatening heart condition diagnosed through the simple introduction of this pulse oximetry test.

This is something that I feel passionately about. Pulse oximetry and the measuring of oxygen levels in blood has the ability not only to test for and detect congenital heart disease but to pick up on other conditions, such as transient tachypnea of the newborn (TTN). We see a large number of cot deaths that often go undiagnosed or do not go through full post-mortem. What if pulse oximetry had been introduced to those cases? There might be an argument there that if pulse oximetry were detecting conditions and defects and that prevented even one cot death, it would definitely be worthwhile.

As with every test method, there are drawbacks, and I think that the main one is that of a false positive, where a midwife could carry out a test that could show that a baby does not have enough oxygen in its heart. However, it has been estimated that false positives occur in only 0.8% of cases. Follow-ups have been done with the parents of those children, who were asked whether, having said in the initial panic that they were concerned about what happened, would rather have had their child tested and proved a false positive than not have the child tested at all. In all cases, the parents agreed that they would rather have the test in place to see whether there was any congenital heart defect or anything that pulse oximetry could pick up on.

That is a brief outline of why we in Northern Ireland and our Health Minister should introduce pulse oximetry as part of the postnatal checks that can be done in the community by a midwife. It does not involve stays in hospital that are any longer than necessary. As the parents who attended the information day pointed out, they were sent home needing feeding kits and all sorts of back-up equipment. If the children who were not diagnosed had been diagnosed earlier, a lot of surgical and medical procedures could have been avoided. The earlier the diagnosis, the less the cost to Northern Ireland's health service will be. That is also something that we should look favourably at.

Pulse oximetry has been trialled in six maternity units across the UK, and the research findings and recommendations are there from voluntary and community groups, parents and clinicians alike. As we look to the future of paediatric cardiac surgery provision in Northern

Ireland, whatever that may bring after June this year or whatever the decision may be, pulse oximetry can be added to whatever solution is brought forward at that time because it will save lives and an awful lot of heartache, and it will benefit every family and every newborn across Northern Ireland.

I ask for the support of the House in encouraging the Minister to introduce pulse oximetry as a screening method for all newborns in Northern Ireland.

**Mr Wells:** As Mr Swann eloquently informed the Assembly, this is a simple, cheap and non-invasive test that could have significant results for children born with congenital heart disease. It is not revolutionary. Indeed, I understand that "pulse ox", for short, is already used in Northern Ireland as part of the resuscitation process for babies in Daisy Hill Hospital, which covers my area. However, it is not routinely applied to all babies to check for potential defects.

I understand that Heartbeat-Ni has been campaigning for several years for the introduction of this procedure. Irwin McKibbin told me that his group purchased a pulse ox machine in October 2013 and presented it to the cardiac liaison unit in the Royal Victoria Hospital. It is even more significant that almost every week in the United States of America individual states are adopting this technology in order to screen babies for congenital heart defects. It is telling that a society as advanced as the USA is introducing this procedure; it indicates that it sees the enormous benefits that accrue from it.

The process can detect 75% of congenital heart defects in newborn babies. It is not a fix-all, and there will still be those who are missed. As Mr Swann rightly pointed out, there will be those who will see false positives. However, the benefits so far outweigh any defects in the procedure that it should be considered for all our maternity hospitals in Northern Ireland. It prevents a situation in which a baby is born with a congenital heart defect that is not detected, is taken home and then has to be rushed back to hospital for an emergency procedure. We know that the quicker the problem of congenital heart defects is identified and dealt with, the better the outcome for the child.

I empathise with Mr Swann; there can be nothing more difficult for parents than to have their child diagnosed with this very complicated condition. At least, however, they will have some reassurance that if it is caught early, the outcomes are much better.

The technique measures oxygen saturation levels in a baby, and, as was said, it costs only £6. Any procedure that is so reasonable must be considered for implementation in our health service. Although it may cost £6, the savings that could accrue as a result of an earlier intervention are very significant, and it may be worthwhile for the Department to do a cost-benefit analysis to see whether it is cheaper to carry out the procedure on young babies rather than run the risk of problems down the line. We know that one in 180 babies in Northern Ireland suffers from some form of heart defect.

This is a separate issue from the long-running debate about the future of congenital heart surgery in Northern Ireland or, indeed, on the island of Ireland. We wait with great interest the review initiated by the Minister to see whether we go for a "one service on two site" model, an all-island model entirely based in Dublin, or whether there

is some way to maintain a high level of care and treatment in the Clark clinic in Belfast. The proposal that Mr Swann and others are making can be introduced immediately without waiting for the results of that review and could, therefore, lead to better outcomes for children. My honest view is that, if the procedure saves the life of one vulnerable, ill baby, it is money very well spent.

I have had the privilege — it is a privilege — of becoming a grandfather. My daughter recently gave birth to my first grandson. Every grandfather thinks that his grandson is a mixture of Brad Pitt and Albert Einstein, and I am no different. I am extremely proud of him and am delighted that he was born without any problems of this nature. However, other babies were born in the same hospital who had complications and had to be rushed down to the Clark clinic.

I understand, from first-hand experience, how difficult the issue is for parents. We should lead the way, therefore, as various parts of America are doing, and introduce the scheme. It is very cheap and could save lives.

**Mr McKinney:** I welcome the opportunity to take part in the debate, and I support the motion. I thank the Minister for attending the debate this afternoon. The thrust of the motion is that pulse oximetry screening should be carried out on all newborns so that congenital heart defects (CHD) can be spotted early. That, in turn, will improve the potential outcomes for any baby affected.

The issue becomes more important when we consider the potential dangers if congenital heart defects are not spotted early. CHDs are among the most common types of malformations that may be present in newborn babies, and they are responsible for 3% to 7.5% of all infant deaths.

Often, the first indication that doctors will get that a baby may have a congenital heart problem is when the infant starts to demonstrate the symptoms of cardiovascular collapse. At that point, sadly, it is often too late as the infant may have already gone home and the need for surgery is immediate, as was outlined.

Screening or not, we are told that congenital heart defects will almost always require surgery to correct the initial fault. However, if the CHDs can be detected early, an anticipatory course of action can be taken that greatly increases the outcomes of the infant involved. With that in mind, it becomes imperative that we do all that we can to detect CHDs early. It simply makes sense.

In an external review of screening for congenital heart defects, University College London states that the current screening programmes for CHDs are complex, and sequential strategies are not integrated or particularly successful. The current strategy involves an antenatal ultrasound and physical examination. Unfortunately, both those methods have low detection rates. There is a need for change in this area, and pulse oximetry screening can provide a proven and cost-effective way to improve the outcomes of infants who have congenital heart disease.

As for cost-effectiveness, in a 2012 health technology assessment of pulse oximetry, it was concluded, as was outlined, that the test takes a very short time and costs on average just over £6. I also would welcome the cost-benefit analysis that has been proposed. I am sure that it would greatly inform any future decision-making.

In the meantime, although the price is double the cost of existing tests, pulse oximetry would pick up an additional 30 diagnoses per 100,000 live births. Those 30 diagnoses are significant for cost, as previously they would have gone undetected, which would have led to costly late treatment and, more importantly, a reduced outcome for the infants.

#### 4.15 pm

Therefore, we know that pulse oximetry is a much more effective method of diagnosis for congenital heart disease than the current system of ultrasound and physical examination. We also know that, although pulse oximetry costs more than the current methods of screening in the first instance, it saves substantial future medical costs by diagnosing more effectively, as I described, and avoiding costly late treatment. Furthermore, most of today's discussion has centred on congenital heart problems, but pulse oximetry can also detect respiratory problems, as it measures the amount of oxygen in the blood. That is an additional benefit to this method of screening. It seems logical and prudent that we introduce this screening method across the board.

The equipment for pulse oximetry screening is not new. The system was first developed in 1935, and it began to be commercialised in the late 1970s and early 1980s. It is almost 2015, and we still have not adopted its routine use. Let us not wait any longer.

The SDLP supports the motion and calls on the Minister of Health, Social Services and Public Safety to introduce pulse oximetry to screen all newborns, as it will diagnose better, cost less overall and may increase the quality of life for any infant who possesses congenital heart disease.

**Mr McCarthy:** I support the cross-party motion, and I am pleased to be a co-sponsor of it. I thank our assistant librarian Lynda Conlon for the information contained in her research paper. It is noted on, I think, the first page that Jim Wells, the Deputy Chair of the Health Committee, put down a question for written answer on the subject. As of 13 February, he was awaiting an answer. I am not sure whether he has got that answer.

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

**Mr McCarthy:** Surely.

**Mr Wells:** The answer for the question has come in. The Minister has, as usual, been very diligent in that respect.

**Mr McCarthy:** I am grateful for that answer. The paper also shows that a number of MPs from across the water have asked questions on the issue and that, as I understand it, a consultation took place last autumn, with a recommendation expected early this year. I do not know whether the recommendation has come along yet.

It is the UK National Screening Committee that will advise the Health Minister at Westminster whether pulse oximetry can be added to the routine clinical examination of new infants. Every Member will be in support of the phrase, "Prevention is better than cure" and will agree that the early detection of a problem is half the battle to seeing an improvement. The motion is calling for the early detection of life-threatening congenital heart defects in our newborn babies using pulse oximetry. We know that early investment can reduce cost at a later date.

It is unfortunate that, for whatever reasons, congenital heart defects occur in our newborns. We are aware of the concerns and heartaches experienced by parents and guardians of those babies. If we can analyse the problem early, the chances of survival are so much greater. That is exactly what we must strive to achieve.

As a devolved Administration, our Health Department and its Minister, as I understand it, have the power to introduce pulse oximetry so that every newborn has the benefit of early detection and early remedial action, if required. I am delighted to see that an early day motion tabled late last year at Westminster was supported by our local MPs. The end of that motion is extremely important. It states that getting more conditions diagnosed early could help save money, distress and, most importantly, lives. It further notes —

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

**Mr McCarthy:** — that pulse oximetry tests are:

*“cheap, easy to administer and painless.”*

I will give way if you are brief, Joe.

**Mr Byrne:** I thank the Member for giving way. Does the Member agree that for people such as Cormac McAnallen and, indeed, a young rugby player from Armagh, both of whom died from heart-related disease when they were enjoying their sporting careers, if a diagnosis had been made earlier, there would have been an inkling of the disaster that happened to them?

**Mr McCarthy:** I absolutely agree. That is why it is so important that the Minister listens, takes heed of what we are saying and gives us the lead on doing something.

Given the advantages of the introduction of this simple test for every newborn, what is preventing our Minister from taking the lead and seeing this measure introduced here without delay?

The July 2013 work carried out by Dr R L Knowles and Ms R M Hunter is pretty comprehensive. They concluded that further studies on the clinical effectiveness and cost-effectiveness of using pulse oximetry for CHD have continued to identify it as a viable and cost-effective option for making a timely diagnosis of life-threatening CHD compared with using clinical examination. Given that analysis, what is keeping our Department back?

The health technology assessment of 2012 states that pulse oximetry is a safe, simple, non-evasive, feasible and reasonably accurate test that is acceptable to parents and clinical staff, and has a sensitivity that appears to be superior to that of antenatal screening and clinical examination. Pulse oximetry adds value to existing screening procedures and is likely to identify cases of critical CHD that would otherwise go undetected.

Given the high acknowledgement of the pulse oximetry test by such highly eminent people, it is not unreasonable to ask the Northern Ireland Health Department to support the motion and see early detection of, and early remedies for, CHD in our newborn children.

I fully endorse the Children's Heartbeat Trust and other similar groups that are supportive of any safe procedure that can help identify congenital heart defects as early as possible, as that will allow the most appropriate intervention and will reduce the emergency incidence in patients. The Children's Heartbeat Trust has vast

experience on congenital heart defects in Northern Ireland, and I hope that the Minister and the Department acknowledge that and introduce pulse oximetry at a very early date to save the lives of our babies and infants, and prevent unnecessary worry, concern and anxiety for our parents and families.

**Mrs Cameron:** As a member of the Health Committee and a parent, I support the motion.

The diagnosis of congenital heart disease is very scary for any parent of a newborn baby to receive. It is responsible for 3% of all infant mortality and 46% of deaths that occur in the first year of life. CHD is a broad spectrum term, however, that encompasses conditions from those that are of no function or clinical consequence that may resolve themselves to serious conditions, the treatment for which almost always leads to surgical or catheter intervention.

Sadly, most cases of CHD in infants are only recognised when the infants develop life-threatening symptoms of cardiovascular collapse. Early diagnosis is unlikely to change the treatment plan, but it could be essential to providing anticipatory care at delivery or soon after birth. That could have an impact on the mobility numbers caused by that condition.

We have to be mindful that, as with any screening, false positives are a risk. We must, therefore, continue the other methods of screening that are in place in the antenatal and postnatal periods to ensure that we detect as early as possible those infants who are affected. That includes ultrasound screening and clinical examination. One of the major benefits that this screening offers is that it is completely non-invasive; it can be done at the bedside with the mother present, and the results are available there and then with no need for a period of waiting.

From reading reports in the UK and wider afield, it appears that the medical community are convinced, based on a number of studies, that pulse oximetry is a cost-effective method with real clinical benefits that outweigh any negatives such as false positives. An important observation to note, however, is that in at least one study it was observed that mothers who got a false positive were more anxious after taking part in the screening process than those who received a true negative result; the former were less satisfied with the test and gave slightly higher depression scores. This indicates to me that we also need to put in place a robust support system, not only for people who get a true positive result but for the small numbers who receive a false positive, to support their emotional resilience,

In conclusion, I believe that pulse oximetry is a vital tool in screening for a range of conditions, and I support the motion.

**Mr Poots (The Minister of Health, Social Services and Public Safety):** Pulse oximetry is a simple and non-invasive technique that monitors the oxygen saturation of the haemoglobin — the percentage of blood loaded with oxygen. Pulse oximetry has many uses and is now routinely used in critical care anaesthesia in accident and emergency departments. It is also used in neonatal intensive care units, and there has been research into its potential role in screening for congenital heart defects, which are among the most common congenital anomalies. They affect between 4% and 10% of 1,000 live births and are responsible for up to 40% of deaths from congenital malformations. Congenital heart defects comprise a wide

range of different structural cardiac malformations, which vary in clinical presentation, prevalence and prognosis.

Many congenital heart defects are identified before the baby is born. Some may present immediately at birth, others within a few days or weeks and others after 12 months or more. Whatever the nature of the defect, it is essential that we diagnose babies who have a critical congenital heart defect as early as possible. We need to be able to do this so that we can provide anticipatory care at delivery or soon after birth so that we prevent deaths occurring before definitive management can be initiated and prevent the morbidity that results from cardiovascular collapse.

In Northern Ireland, screening for congenital heart defects is offered antenatally and neonatally. Cardiac defects are looked for as part of the 18-to 20-week fetal anomaly ultrasound scan that is offered to all pregnant women. The scan has variable success in detecting heart defects.

Detection rates vary by defect type, and, indeed, some are not detectable at all in early pregnancy because of their natural history of development. Rates are also influenced by the expertise of the person doing the scan, the standard of the equipment used and maternal body mass index. After birth, all babies are screened for congenital heart defects as part of the newborn physical examination, which is usually done within 72 hours of birth and, ideally, within 24 hours. They are also screened at six to eight weeks of age. Clinical examination involves looking for cyanosis, which is a blue colouring of the lips; listening for abnormal heart sounds with a stethoscope; and feeling the pulses in the groin for decreased or delayed blood flow. Detection rates vary by congenital heart disease subgroup. Defects such as coarctation and aortic stenosis are less likely to be detected before the baby is discharged from hospital.

No single screening test will detect all congenital heart defects equally well. This is because of the natural history of their development and their variable clinical presentation. Antenatal screening appears to detect between 30% and 50% of congenital heart defects, newborn clinical examination may detect between 30% and 60%, and around 25% of defects are not diagnosed before discharge.

Pulse oximetry is now considered as an adjunct to clinical examination. Screening using pulse oximetry involves attaching the probe of the oximeter to the infant's hand or foot. The oxygen saturation is displayed as a percentage, and the examination can be performed or by a junior doctor, a midwife or other health professionals, and the equipment is portable.

A number of studies have used pulse oximetry to screen for congenital heart defects, and their findings are encouraging. Pulse oximetry may identify babies with congenital heart defects that result in cyanosis, but it will not identify defects that are associated only with murmurs or with delayed or absent pulses. It will also identify babies who are cyanotic for reasons other than heart defects, such as lung disease or infection.

#### 4.30 pm

In 2013, the UK National Screening Committee issued for consultation a review of the evidence on adding pulse oximetry to the screening pathway to detect congenital heart disease in newborns. The consultation closed in

December 2013. It is expected that the outcome of the consultation will be discussed at the next meeting of the National Screening Committee (NSC), which is due to be held on Wednesday 12 March.

The NSC review of the evidence raised some important questions that require further consideration. One is that a significant number of babies who have a positive screening result will not have a heart defect. In other words, those babies will be false positives. Although some of them may have a serious illness that is causing their low oxygen levels, clear pathways for investigating non-cardiac causes have not yet been established or evaluated. Another issue to resolve is the timing of the screening test. If it is done at less than 24 hours old, the false positive rate will be higher, but if it is done after 24 hours, some babies may already present with symptoms of a heart problem.

Another question that needs to be resolved is whether the test should be repeated if the result is abnormal, and, if so, after how many hours. The site of the test also needs to be considered. Should it be the foot, the right hand, or, indeed, both? There is also a limitation, which I have already mentioned, in that the screening test will not identify defects that are associated only with murmurs or with delayed or absent pulses.

On the positive side, the National Screening Committee review has found that pulse oximetry is a clinically effective and cost-effective screening modality for detecting critical or life-threatening congenital heart defects. It has the potential to reduce the number of babies leaving hospital before certain types of congenital heart defects are recognised, and so increase the likelihood that those babies will be treated before they become more seriously ill. The NSC review has concluded that, as there are still significant uncertainties about its use in a routine screening context, a pilot or staged introduction may be the best way forward.

A pilot could address a number of key issues. One is the question of who to screen. Some babies will be excluded, including premature babies, those already diagnosed with congenital heart defects and babies with significant malformations. Optimal test procedures need to be defined for oxygen saturation measurement and newborn clinical examination. Those include the timing, the positioning of the oximeter probes, the number of repeat tests that should be undertaken and the relationship between pulse oximetry and clinical examination.

It will be necessary to clarify and test pathways for referral for further investigations after a screen positive result for cardiac causes and non-cardiac causes. Information needs to be developed for parents and health professionals across the antenatal and newborn continuum. A training curriculum will need to be instituted for midwives and others involved in newborn screening using pulse oximetry. A pilot could also help to establish routine data systems for audit, quality assurance and monitoring longer-term outcomes.

In conclusion, the National Screening Committee has done a significant amount of work to assess the potential of pulse oximetry for screening newborn babies for congenital heart defects. The research evidence indicates that pulse oximetry, used as an adjunct to clinical examination, may increase the detection rate for critical

or life-threatening congenital heart defects as a newborn screening opportunity.

At this point in time there remain a number of uncertainties with regard to optimising the screening and referral pathways, and work is in hand to address those uncertainties. So, I am awaiting with great interest the recommendations of the National Screening Committee, and I will consider its recommendations before I make a policy decision on the matter. Given that that should happen in the course of this month, I hope to be able to come back to the Assembly in the not-too-distant future with a position on the matter.

**Mr Ó hOisín:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leat as an seans an t-ábhar seo a phlé.

I thank the chair of the all-party group on congenital heart disease, Robin Swann, for tabling the motion. I declare an interest as vice-chair of the group. I know that we do not always agree on many things, but I assure him that we are united on this issue. I also thank Sarah and the Children's Heartbeat Trust for their presentation on pulse oximetry to the all-party group three weeks ago. I am sure that, at that time, many in the House would not have been aware exactly what pulse oximetry was; however, we are very much clearer on the issue now.

If ever there was a no-brainer for the introduction of pulse oximetry to screen newborn babies in maternity hospitals for the early detection of life-threatening congenital heart defects, this is it. It is a straightforward, cost-effective and non-invasive screening test that detects oxygen saturation levels in newborns. Indeed, it costs as little as £6 for each baby, with an equipment cost of some £100. Those oxygen saturation levels can be an early indicator of heart and respiratory defects.

The test normally detects 75% of all critical cases and almost half of cases with congenital heart defects. That could amount to over 130 babies with major congenital heart defects out of every 100,000 newborn babies. Combining the test with ultrasound and physical examination would identify some 92% of CHDs. Unfortunately, as is now, problems are not being spotted until babies get ill at home, by which time it may be too late to save the child. The test is routine in the United States, but other countries are considering the testing process. The medical director of the British Heart Foundation, Professor Peter Weissburg, said that:

*"This analysis provides a compelling case for the wider use of pulse oximetry to screen for congenital heart defects in newborn babies."*

I and the all-party group think likewise. Like Professor Weissburg, we think that there should be no further delays in the introduction of the testing, and today's debate has illustrated that.

The chair of the all-party group on congenital heart disease, Robin Swann, thanked members of the group for attending the session on pulse oximetry, which the Children's Heartbeat Trust hosted recently. He outlined the simplicity and effectiveness of the test but cautioned against false readings in a small number of cases.

Jim Wells informed the House that pulse ox is already in use for resuscitation in some hospitals here, but he

said that pulse oximetry is not necessarily a fix-all for congenital heart defects. He told us that becoming a grandfather recently reinforced his concerns about the proper detection of childhood difficulties such as this.

Fearghal McKinney told us that the current strategies for detecting CHDs are complex and difficult to monitor. He said that he would welcome a cost-benefits analysis on pulse oximetry. He also said that the technology is not new but was first introduced in 1935.

Kieran McCarthy told the Assembly that the Minister has the power to introduce pulse oximetry, which the Minister clarified somewhat in his own speech.

Joe Byrne referred to several cases of sudden adult death syndrome and said that, if earlier diagnosis had been available, those deaths might have been prevented.

Pam Cameron outlined that 3% of all infant mortality is caused by heart disease and, likewise, 46% of deaths in the first year.

The Minister told us that respiratory and lung defects were detectable by pulse oximetry. He outlined and detailed the consultation process and said that further clarification was needed. He explained some of the limitations of the screening test but said that he might consider a pilot or some other way of introducing screening. I thank him for that.

I think that, altogether, this has been a fairly positive debate. I know that the all-party group will be keen to bring back the results of the debate to the various interested parties. I hope that the House will support the motion.

*Question put and agreed to.*

*Resolved:*

*That this Assembly recognises that pulse oximetry offers a straightforward, cost-effective and non-invasive screening test to detect levels of oxygen saturation in newborns; notes that recording oxygen saturation levels can be an early indicator for a range of medical problems, such as heart and respiratory defects; and calls on the Minister of Health, Social Services and Public Safety to introduce pulse oximetry to screen all newborns for early detection of life-threatening congenital heart defects.*

## Fiscal Powers

**Mr Principal Deputy Speaker:** If the business on the Order Paper has not been disposed of by 6.00 pm, in accordance with Standing Order 10(3), I will allow business to continue until 7.00 pm or until the business is completed.

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 in which to make a winding-up speech. All other Members who wish to speak will have five minutes.

**Mr McCallister:** I beg to move

*That this Assembly notes the ongoing debate concerning the nature of devolution in the United Kingdom; and calls upon the Northern Ireland Executive to approach the UK Government to request a joint commission to review the case for the devolution of fiscal powers to the Northern Ireland Assembly and also for this commission to make recommendations that would improve the financial accountability of the Northern Ireland Assembly and the performance of the local economy.*

*(Mr Speaker in the Chair)*

Devolution is changing right across the UK. I certainly have huge concern that we, in this Assembly and Executive, are being left behind in those changes. There was the election of the Scottish National Party to Government in Edinburgh in 2007 and its re-election in 2011. There is the upcoming referendum in September 2014 on Scotland staying in the United Kingdom. There have been different commissions, such as the Calman and Silk commissions. All of that suggests that devolution is moving on. Dr Esmond Birnie, chief economist at PwC, has stated that:

*“we are behind the curve, and we are likely to lose out.”*

That is something that should concern all in the Assembly.

Very often, Northern Ireland politics can be extremely insular and divisive. We probably do not have to look much further back than a couple of days ago to see that. Transfers from the UK Government have largely protected us from some of the worst outworkings of that reality. However, the opportunity costs are incalculable. For NI21, to ignore the wider debate on devolution and to stick uncritically to the path of corporation tax alone is not in the best interests of Northern Ireland.

The Labour Party, Liberal Democrats and Conservatives are all vying with each other to out-promote “devo plus” after the Scottish referendum. We are ill-prepared to ask for anything over and above corporation tax. That is a mistake. To devolve corporation tax, one of the most volatile taxes, alone, without properly examining other options when we have the window of opportunity presented to us, I believe, would be a serious blunder.

Let us look at some of the issues around the Barnett formula. There is growing debate around the mechanism by which the UK Government distribute money amongst the three devolved regions of the UK. The Barnett formula has actually had considerable longevity. Historically, it has been a benefit to those regions. However, thanks to the

work of Holtham and others in Wales, it looks particularly as though the Welsh are losing out compared with Scotland and Northern Ireland.

If we consider a different calculation of relative need, with the growing population in Northern Ireland, the likelihood of further tightening of public spending and the warning that health and education funding may be no longer ring-fenced by London, the guarantee that Northern Ireland will always benefit from the Barnett formula in future is, at best, questionable. Alan Trench, a renowned devolution specialist, states that:

*“The assumption that ‘Barnett is good for Northern Ireland’ therefore needs treating with a degree of scepticism.”*

Northern Ireland needs a commission to ensure that its needs are met and its voice is heard in the wider Barnett debate. Equally, if additional fiscal powers might help us to manage changes to the Barnett formula in the future, we would be ill-advised to miss an opportunity to properly examine them. To be forewarned is to be forearmed.

I spoke at length about accountability during the Budget debate. The Minister will know my concerns. Indeed, I think that he shares some of them. Northern Ireland severely lacks fiscal accountability. At present, over 90% of what the Government here spend is funded by the block grant, which is provided by the UK Government from UK wider revenues.

### 4.45 pm

The Executive regularly resemble an inefficient distribution centre as opposed to a Government accountable to local taxpayers and voters. That lack of accountability, coupled with our dysfunctional institutions, which see everyone, bar a few MLAs, in government, allows our politicians undeserved security. If there were more accountability for raising revenue and decision-making on spending local taxpayers' money, politicians would be forced to become responsible, mature and better decision-makers.

The number one reason why foreign companies —

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

**Mr McCallister:** Yes.

**Mr Allister:** The Member advocates a substantial gamble, because, having acknowledged the dysfunctionality of the House — we can all think of many examples of the logjam — he says that the answer is to give the House more powers. Surely, the House needs to walk before it can run. Given how the House has conducted itself in government, this is the last place that you should give tax-raising powers to, is it not?

**Mr McCallister:** I am grateful to Mr Allister for that. He will be aware that, at the inaugural NI21 party conference, we set out what we feel was a road map for how to start to normalise politics. Part of that is about having an opposition, moving tax-varying powers here or setting up a commission to look at the possibility of bringing tax-varying powers here. That is because it is time that the Assembly took responsibility and started to look as though it were fit for the 21st century. That is the big challenge facing the Assembly.

Devolving powers would bring economic benefits and opportunities to this region, which has historically

underperformed compared with the rest of the UK; it would also help the Northern Ireland Executive to improve our economic performance. It is important that we examine this and get it right.

To date, our Executive have achieved the devolution of air passenger duty for long-haul flights, and they are to be commended for that. However, the pursuit of the power to vary corporation tax has, so far, been unproductive. During the recent Budget debate, the Minister said that affordability and economic benefit are reasonable tests for whether to devolve taxes. Subtracting the fact that that ignores the accountability argument, if the Minister were to test corporation tax against those criteria, I am not convinced that it would score as highly as some of the other options.

With Northern Ireland being one of the most successful regions outside London in attracting foreign direct investment, and given that the UK national Government have cut the rate of corporation tax, it is becoming less clear whether the devolution of corporation tax would have the game-changing effect that many hope for. The big challenge for the Minister on corporation tax is its volatility, meaning that the Executive would be unsure of annual revenues. On top of that, — I warned of this in the Budget debate — Northern Ireland has weak regionalised data for corporation tax, which means that we would be starting from a difficult position. None of those issues alone is reason not to pursue corporation tax, but they certainly are reasons to examine all our options and to seek a devolution package for Northern Ireland.

Our small and medium-sized enterprises (SMEs) are the backbone of our economy. A key economic objective for Northern Ireland —

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

**Mr McCallister:** You will have to be very brief.

**Mr Wilson:** I will be brief. Given that the Member has ruled out corporation tax for its volatility, and given that most other taxes are equally volatile, which taxes would he like to see devolved?

**Mr McCallister:** Of all the Members on the DUP Benches, the former Finance Minister, Mr Wilson, has been the leading sceptic on corporation tax. What I said is that we should have a commission to look at corporation tax, income tax and stamp duty — all those things in the mix — in a proper, structured way. This is not about taking a piecemeal approach, which is often how the Assembly does its business and approaches its policymaking. Rather, it is about making a proper fist of looking at this and how to manage it. There are other taxes. Income tax is significantly less volatile than corporation tax, and the Member knows that.

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

**Mr McCallister:** I am almost out of time.

The DUP amendment is an acknowledgement of the work that the Executive are already involved in. However, neither I nor NI21 believe that it goes nearly far enough. It is not in the real interests of Northern Ireland to have such a narrowly focused debate. The issue of solely waiting for the autumn for a review to see what way the Scottish vote goes — I hope that it votes to stay within the UK — means

that we are constantly kicking the decision on corporation tax further and further into the long grass.

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

**Mr McCallister:** I support the motion and oppose the amendment.

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

*Leave out all after "notes" and insert*

*"the recent devolution of air passenger duty for direct long-haul flights, the recent derogation from the carbon price floor, and the Executive's continued pursuit of the devolution of corporation tax powers; further notes the commitment in the 'Building a Prosperous and United Community' document agreed between HM Government and the Executive to 'examine the potential for devolving specific additional fiscal powers'; and welcomes the commitment of the Minister of Finance and Personnel to report back to the Executive on this issue by autumn 2014."*

We have heard NI21's comments on fiscal powers, none of which shows any solutions as to how we can or cannot raise some of the additional moneys that would be removed from us should we go down the route that it proposes. Scotland has had devolved tax-raising powers since 1999 and has never used them at any time.

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

**Mr Girvan:** No, I have just started. I may let you in later.

I appreciate that we need to emphasise our private sector to ensure that it grows and becomes a key area in our economy. One of the tools that is vital to help with that is the movement that we made on the small business rate relief programme, which we had powers to deal with and to raise some of the moneys through the rates that were gathered from the large retail sector.

The work of the previous Minister of Finance and our current Minister of Finance, in conjunction with the Executive, in lobbying for air passenger duty (APD), which came about to protect one of our only long-haul links, had a modest impact on our block grant — somewhere in the region of £2.5 million to £3 million. As a consequence, we have been able to attract an additional long-haul flight to Egypt. Those are small areas where the Executive have been able to use some of their powers to ensure that we deliver.

The amendment mentions some of the positive gains, but some Members, who do not necessarily understand it, mentioned going down the route of "devo max". Although I appreciate that some Members might have some fiscal understanding of exactly where things come from, others are sadly lacking in being able to identify that we are heavily dependent on the United Kingdom —

**Mr McCallister:** I am grateful to the Member for giving way. I have two points. If he is talking about varying tax, where would he find the money to cut corporation tax in line with his party policy? Also, does he not accept that devolution is changing across the rest of the country and that we are behind the curve on this?

**Mr Girvan:** I appreciate that devolution might have changed in some areas. I do not want to predict how devolution will work out in the Scottish referendum.

I will go back to the Member's question on corporation tax. The Treasury's figures indicate £950 million. I have a table here somewhere that shows a reduction on our corporation tax revenue benefit in the past number of years, and it was quite a bit less than was presented. It was £950 million, but, from 2007-08 to the present, there has been a 37.6% reduction. If we had had that figure attributed as a reduction from our block grant, we would not have been in a position to go back to the Treasury to ask for additional moneys, because we are not getting the revenue generated. Everything in its measure, but we have the possibility of working on last year's figures, when somewhere in the region of £437 million of corporation tax was generated in Northern Ireland.

I appreciate that we think of the benefit of having corporation-tax varying powers as being to attract inward investment. The Member said that we have punched above our weight in getting foreign direct investment. That is one area in which we have to keep selling Northern Ireland and attracting in new business. After all, doing so will create wealth in our communities. Taxes will be paid as well.

On state rules, I appreciate that some people want to go as far as getting rid of APD from every flight. The British Treasury should look at dealing with APD nationally to ensure that we are not putting the United Kingdom, which includes Northern Ireland, in a difficult position. Air passenger duty was brought in as a carbon tax, which is one reason that some of these additional moneys were brought forward. I have not seen investment in those areas to ensure that that happens.

If APD relief goes on short-haul flights, it could cost in excess of £90 million. As it stands, we have some figures that I want to have a wee look at. They are on our departmental spends per capita compared with other regions of the United Kingdom. Something that is glaringly obvious is that we are the highest receipt area per capita. Some people say that it is not a case of like for like. I will use just one example, which is health. The closest region to us in health spending is Wales, working out at £103 per capita, while we spend £111. I know that some people will want to take issue with that, but we still have a higher spend than any other region of the United Kingdom.

It would be wrong for us to grab and use all tax-raising powers. We have to assume that we are going to get some indication on the likes of corporation tax.

**Mr B McCrea:** Will the Member give way?

**Mr Girvan:** Yes.

**Mr B McCrea:** The Member states that he thinks it would be wrong to grab as many tax-varying powers as possible. What is he afraid of? His is the biggest party, and it has the Minister of Finance. Surely you are going to do something good with the powers.

**Mr Girvan:** As the Member is obviously aware, as soon as we start to break the link with the United Kingdom on that matter —

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

**Mr Girvan:** — we will lose a large section —

I will give way, yes.

**Mr Ross:** Does the Member agree that one of the most disturbing aspects of both contributions by NI21 thus far

is that neither of the two men has outlined precisely which powers they would seek to devolve and, more importantly, what they would do with them. It is not good enough to say that you can have all this great change from getting the powers without indicating whether you intend to lower taxes or raise them. To do either involves a cost. NI21 has not outlined to the public where they would pay for the devolution of fiscal powers.

**Mr Girvan:** I believe that there is no point in devolving some of the powers unless we are going to use them. In using them, we would have to make the difference up between what we receive from the block grant and what will be taken off us. As a consequence, people in Northern Ireland would pay a greater amount of tax. It will increase our tax, no matter what way you want to look at it.

Through negotiation, we got Northern Ireland identified as a unique region, and we do not have the carbon price floor that was being brought forward. I felt that that was of benefit to business and the economy in Northern Ireland. It would have had a major impact on trying to attract inward investment. It would also have had an impact on businesses that are currently here; their energy costs would have gone through the roof. That had no cost to our block grant.

#### 5.00 pm

Some people want to go down the "devolution max" route. I can see how NI21 would definitely end up with a bankrupt country, never mind the companies in this country, by pursuing the route it is recommending. The wide majority of the general public pay 20% tax and start to pay tax on earnings over £10,000. I think that it would be looking to increase all those tax brackets. It would have to reduce the level where you start to pay tax, and the amount of tax that you have to pay would increase.

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

**Mr Girvan:** It probably would be very good from my point of view, with an election coming, if you say you want to increase taxes, but I support the amendment. As such, I look forward to hearing the rest of the debate.

**Mr McKay:** Go raibh maith agat, a Cheann Comhairle. On behalf of Sinn Féin, I support the motion. I suppose that the motion tries to bring us onto some of the ground that Scotland and Wales have trod through the Calman and Holtham commissions. While Sinn Féin would have gone much further, the motion seems relatively easy to support because all it talks about is exploring the area further. I do not think that there is any harm whatsoever in supporting that. The amendment notes what has been done in this area but does not support or propose any action. That is why we will support the motion.

In the past few years, Cardiff, Edinburgh and Belfast, to a lesser degree, have dipped their toe into the area of fiscal devolution. Of course, the Westminster Treasury will always use figures to discourage any investigation of that area, beneficial or not. We, as elected representatives, are here to represent our constituencies. Part of our job is to challenge and to act in the best interests of our constituents. The Treasury should be no exception to that. I find it extraordinary that many Members seem to defer to the Treasury regardless of what it says, especially given the fact that it has a political agenda as well.

Fiscal policy from Westminster does not act in our best interests. In many ways, it acts in the best interests of the south-east of England in particular. Policies do not come forward that are tailored to our needs in living on a separate island and the fact that there are different policies in place in the South.

Devolution is evolving. That is pretty obvious, and we need to evolve with it. Scotland has gained greater fiscal powers, such as the power to vary income tax and stamp duty. The proposer of the motion referred to Alan Trench, who has made a number of presentations locally. He proposes that we should go for the devolution of income tax here, rather than corporation tax. I disagree with him; I think we should go for both but, all in all, it is certainly an area we should explore further, and the motion covers that. Wales —

**Mr Wilson:** Will the member give way?

**Mr McKay:** Yes.

**Mr Wilson:** Maybe Sinn Féin will enlighten us. If income tax were devolved to Northern Ireland, what would its policy be? Would it wish people to pay more income tax or would it wish to reduce the income tax burden?

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

**Mr McKay:** The party opposite seems to be repeating itself. The fact is that it depends on when income tax is devolved. There will be a different economic environment in two, three or four years, so it would not make sense to put in place a position now when we do not have the power to change it. Regardless of what the powers are, we have to tailor particular fiscal policies to the needs of the people we represent, at a particular time, and taking into consideration the economic circumstances of the time. In five or six years, hopefully, we will be in a better place economically and, therefore, would take a different approach to any fiscal policymaking.

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

**Mr McKay:** Briefly.

**Mr Ross:** Two years ago, Sinn Féin proposed that we should devolve fuel duty to Northern Ireland. Obviously, it wanted to do that to tackle high energy costs for consumers. At that time, Sinn Féin argued that it would reduce the rate of fuel duty. Does it still hold the position that it would seek those powers and reduce fuel duty in Northern Ireland, even though we know that, for every penny it would reduce it, it would cost between £17.5 million and £18 million?

**Mr McKay:** For every change in policy on taxation, there is a reaction in the market and in how consumers spend. If, for example, it reduced cross-border shopping for fuel, there would be more money in the economy in places such as Armagh and Derry. All that has to be considered fully. I am glad that the Member made an intervention because there is the issue of hauliers as well. A policy position is being put in place that will damage hauliers who travel across the border. That is not good for our economy, North or South, and, if we had powers locally to deal with that, we would deal with it differently from Westminster.

The naysayers will say that it will cost too much and that we should put the issue on the long finger. As mentioned, if we take that approach, one of the first tax streams to be shelved will be corporation tax. However, the Assembly

collectively is prepared to take a calculated risk on corporation tax. The reluctance even to touch the smaller taxation stream of APD seems strange in comparison, especially given its effect on tourism and the advantage that it gives to Dublin Airport every single day. We need a more balanced approach to that.

The DUP position is, "Wait, and the British Government will do away with air passenger duty across the board." So we wait and wait and wait, and nothing happens. Then we go back to the DUP, and it says, "Wait a while longer". We wait and wait and wait, and Westminster still does not do anything, because it is not acting in our best economic interests.

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

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

**Mr Ross:** Will the Member not agree that the position outlined in our amendment is consistent with the position of the deputy First Minister prior to the G8 summit last year?

**Mr McKay:** We might agree with the position that you are outlining, but it is just a position; it does not do anything. The Assembly should be about action, and that is why we prefer the original motion.

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

**Mr McKay:** We will support the motion. It is common sense politics, and we need more of that in the House, especially when it comes to our local economy.

**Mr D Bradley:** Go raibh maith agat, a Cheann Comhairle. Éirím le tacaíocht a thabhairt don rún. I support the motion from NI21.

Having promoted this idea during many a Budget speech over the past couple of years, including the most recent one, I am glad of some further support for it. A commission of the nature outlined in the motion would provide for an evidence-based argument for the devolution of further fiscal powers. What is there to fear from that? It would offer an independent assessment of how further devolved powers would provide additional tools to encourage job creation, protect the most vulnerable and support first-class front line public services.

One tool in the economic toolbox that the DUP included in its amendment is, of course, corporation tax reform. The SDLP supports that and is keen for that reform to be implemented and the rate reduced to 12.5%. However, we believe that corporation tax is not the only useful tool and that it would work better if other measures were introduced to complement it. There are other sound, useful tools, many of which we have previously articulated, such as landfill tax, motor tax, enterprise zones, Crown Estate assets, new borrowing powers and the ability to issue bonds. Such devolved powers would enable us to stand on our own two feet and move away from the current processes, which largely involve tinkering around the edges of spending.

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

**Mr D Bradley:** Yes, of course.

**Mr Wilson:** His argument seems to be that devolving fiscal powers will enable us to protect front line services. How much would we have to put up landfill tax and motor vehicle tax to compensate for the loss of, say, £300 million

for the devolution of corporation tax so that we had the money to replace that which was lost in the financing of public services?

**Mr Speaker:** The Member has a minute added to his time.

**Mr D Bradley:** If the Member asks the question, he obviously does not have the answer. The motion proposes that we set up a commission to review all possibilities and provide for an evidence-based approach upon which we can make judgements. That would provide an opportunity for us to use our finances in a way that, like corporation tax, could boost the local economy, improve the lives of people here and shape our own bespoke economic future.

I also welcome the recognition in the motion that the financial accountability of the Northern Ireland Assembly can be improved. I have highlighted that issue before, and, indeed, I raised it during the most recent Budget debate. In our economic paper, 'Partnership and Economic Recovery', we promoted the idea of a Westminster-style Public Accounts Committee permanently interrogating the cost of government here. Rather than creating an additional bureaucratic cost, I suggest that, in this case, we would be wise to spend a little money to make savings. As well as making savings, we should engender further openness and accountability about how we spend increasingly limited resources.

It is also worth noting that the Committee for Finance and Personnel produced a report in response to the Executive's review of the financial process in Northern Ireland. To the best of my knowledge, very few, if any, of the 15 key conclusions and recommendations of that report have been implemented. That inaction is unfortunate, given that the proposals included some very useful measures, such as a clearer analysis of overall cost implications; a simplification and harmonisation of budgets, estimates and resource accounts to increase transparency; a greater level of detail to provide meaningful information on key areas of public spending; and clear and visible linkages between budget allocations and the Programme for Government. I believe that those are hugely worthwhile proposals if we wish to deepen democracy, strengthen the equality and character of government and make our structures of government fully accountable to our people.

Finally, I believe that the Assembly should support the motion, as making our region and this island more prosperous should be a primary objective of this and all future Governments in Northern Ireland. Ar an ábhar sin, tacaím go láidir leis an rún. Mr Speaker, I support fully the motion.

**Mr Cree:** The Ulster Unionist Party is totally committed to improving the performance of our local economy. We have a long track record of promoting policies that help to boost the economy. Indeed, it was the Ulster Unionist Party that pioneered the issue of the devolution of corporation tax-varying powers, because we were persuaded that it would bring about a clear financial benefit to Northern Ireland, as it has done in the Republic.

We are committed to growing the private sector locally and to tackling the local unemployment rate, which, historically, has been higher than in many other areas of the United Kingdom. We remain particularly concerned at the desperately high youth unemployment rate — 23.8% — and are conscious that we must do all in our power to

facilitate economic recovery and prevent the creation of a lost generation.

The key question is just what other measures we could and should put in place to help the economy and to help generate economic growth and prosperity. Clearly, corporation tax is the first priority. Other taxes are being considered by the Executive, and they have undertaken to report back by the autumn of this year. The reports of the Calman and Silk commissions will have been studied as part of that exercise, and it is interesting to note that those commissions have not really produced any changes in their respective constituencies.

Income tax is perhaps the largest tax that we can consider, and it is estimated at some £3.5 billion. However, there would be a similar cost to the block grant if it were to be devolved. Lesser taxes could be considered, but the guiding principle must be that there is a direct net benefit to the Northern Ireland economy.

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

**Mr Cree:** Yes.

### 5.15 pm

**Mr Allister:** Apart from the sheer economics of it, would the Member not agree that there is an ideological and, indeed, constitutional issue at stake, which is that a common taxation policy lies at the heart of the equilibrium of the Union and in the benefits to its people on the very simple principle that you pay the same taxes and can, therefore, expect the same benefits? Once you start tinkering with the taxes, you equally have to forgo the equality of benefits. Is that not right?

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

**Mr Cree:** Thank you very much. The Member is right, and I will touch on that shortly. However, just to follow on from Mr Allister's point, there is a certain irony in the party that proposed the motion calling for more powers to be devolved to the Assembly, given that it has in the past stated — I know that its members know this — that the Assembly was something of a dysfunctional basket case. With that in mind, one must ask why it wants to give it more powers.

Our economy is paramount. We have had some 16 major economic reviews and strategies since the mid-1950s, but our economy still lags behind those of many regions in the United Kingdom. If we are being honest, tax-varying powers in Northern Ireland means tax-raising powers. Put simply, some parties here are economically illiterate and are ideologically wedded to the concept of tax and spend. There is simply no appreciation of spending what you earn. For them, economic policy is simply all about asking London for more money. If such a mentality was to be given the right to vary tax locally, I fear that there is only one way in which that would go: tax increases.

The fact is that we are a regional economy in the United Kingdom, and we receive a substantial net transfer of funding from the UK Exchequer of some £10.5 billion. Of public spending here of £23 billion per annum, regional taxes raise about £12 billion or £13 billion. As was the case with the devolution of corporation tax-varying powers, we must be mindful of the implications of the Azores judgement. I do not think that anyone has mentioned that yet, but it would have some influence on this. We must also be mindful that a local variation in income tax could prompt

the Westminster Government to break parity and impose a regional variation on public sector pay and, perhaps, on welfare benefits.

I am also wary of the notion that devolved fiscal powers will improve Assembly accountability, as the motion states. Our experience shows us otherwise. That would be of little use to someone whose benefit or pay had been cut as a result. Being told that the equality of their democracy had been improved would be cold comfort if they had less money in their pocket. I will say again that the Ulster Unionist Party is committed to improving the performance of the local economy and to benefiting all the citizens of Northern Ireland.

Where additional fiscal powers are concerned, I believe that the onus is on the Assembly and the Executive to demonstrate that they are capable of exercising the powers that they already have. We need corporation tax urgently. Other taxes may be devolved in the future, provided that there is a defined and economic benefit to Northern Ireland. In the meantime, we need to see progress on rebalancing the local economy and the take-up of R&D tax credits, training credits and national insurance breaks. I support the amendment.

**Mrs Cochrane:** I welcome the opportunity to speak on this important topic. At first sight, the motion has merit. There are few serious Parliaments across the world without significant tax-varying powers. Taking on further responsibility may provide the Executive with better flexibility in responding to the economic and social challenges that we face in Northern Ireland. Indeed, the Alliance Party has always been a supporter of greater fiscal devolution. That is because it has the potential to increase the efficiency and responsiveness of government. However, we are realistic in our approach and do not believe that full fiscal autonomy is an option.

Our motives for having fiscal devolution should be to make sure that we have the tools to deliver our policy aims. For example, housing policy is devolved, and stamp duty is a key part of the set of tools that are used to improve the availability of housing. It perhaps makes sense, therefore, that we should have control over that tool. The same is true for taxes such as landfill tax. Waste management is devolved, so perhaps the fees for it should be, too. However, fiscal devolution comes at a price, which is a reduction in the block grant. Although we would like to be more radical in the longer term, our priority should be to seek the devolution of tax powers where there is expected to be a clear benefit to the people of Northern Ireland. For example, we supported the devolution of APD on direct long-haul flights as a means of lowering the tax on flights into Northern Ireland but are taking a slightly different approach to short-haul APD powers, as those costs could be in the region of £60 million to £90 million without the potential for sufficient benefits in return. There are also sometimes better options short of devolution of a power that would not result in a block grant reduction. The proposed amendment gives an example of the derogation of the carbon price floor.

I move to the proposal to set up a joint commission to review the case for devolution of fiscal powers. First, I want to point out that the Alliance Party supports the devolution of the power to vary the rate of corporation tax. I understand that these negotiations are well-advanced. No matter the outcome of today's debate, I want to ensure that

discussions on corporation tax remain on a freestanding basis. We do not want this issue to be delayed by it being transferred to a commission.

Secondly, we need to consider whether there is a need for such a commission. Others have already highlighted the Calman and Silk commission reports. Those set out key issues in determining whether it would be appropriate to devolve specific taxes to a devolved Administration. Indeed, many of their conclusions were similar; for example, not devolving national insurance as it funds UK-wide welfare schemes.

Just to be clear, I am not saying that we should not have a joint commission and that we should just accept the findings of the Calman and Silk inquiries. Indeed, they concluded that the devolution of corporation tax powers was too complex, yet we are still supportive of pursuing this power. I am simply saying that, given that there is already a commitment for the Government and Executive to examine the potential for devolving specific additional powers, a joint commission may not be necessary at this stage.

The 'Building a Prosperous and United Community' document stated that work, including examining the potential for a corresponding and ongoing increase in the Executive's annual capital borrowing limit, proportionate to any additional revenue-raising powers and consideration of wider issues of affordability should be undertaken by this autumn. I would be interested to know how that work is progressing before supporting the setting up of another commission at this stage. No doubt the Minister will be able to provide some detail on that in his response.

In conclusion, for most governments, a successful economic policy leads to more people in work and more trade, which leads to more tax receipts. This process ensures that successful economic policies are rewarded and the Government are held to account each year through the tax take.

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

**Mrs Cochrane:** No, I just want to conclude; thank you.

This does not happen in Northern Ireland. The Executive's budget is unrelated to the success of its economic policy. Currently, we face no financial penalty for failing to stimulate our economy fully. If we are to take on greater tax-varying powers, we must ensure that we build the shared future required for our economic policy to be given the greatest chance of success. I support the amendment.

**Mr McQuillan:** I will speak on the motion, brought to the House by NI21, as a member of the Finance and Personnel Committee and a Member for the constituency of East Londonderry. I reject the motion in its current form and support the amendment.

The issues detailed in the original motion are of immense importance and should not be taken lightly. When devolution was rolled out across the United Kingdom in 1998, Scotland was the only region to be granted substantial fiscal powers. These powers, called the Scottish variable rate, offered a mechanism to vary the basic rate of UK income tax by up to 3p in the pound. It is important to point out that this power has never been used despite its being in force since the Scottish Parliament was opened in 1999. One has to question why the Scots are asking for more powers when the power has never been used.

In Northern Ireland, we were given the limited fiscal power of being able to set the regional rate. That power has been used to the benefit of domestic ratepayers across the Province and has resulted in Northern Ireland having the lowest regional rate in the UK.

Discussions regarding the devolution of corporation tax powers have been happening here, with many in the House in favour of it. Discussions have also occurred regarding devolving powers on air passenger duty from London to our Executive in aid of competitiveness.

We must be mindful that the rate of taxation has a significant direct and indirect impact on the population at large, as it puts either more or less money in people's pockets and affects the standards of public service provision.

In Northern Ireland, we need to be cautious when asking for more powers as any variation we make to taxation would impact on the amount that we get from the block grant. If we used the powers to cut rates of any sort, that would have an immediate impact on publicly funded services from health to education, as funding for those services would have to be cut to take account of any reduction in our budget. We, therefore, need to be aware of the impact of taking on fiscal powers before committing to it.

There has been, and still is, a lot of focus on the benefits of having fiscal powers, which I do not dismiss. However, in relation to growing the economy, that ignores other options available to us over which we already have power: building the infrastructure by building better roads; educating our children and young people to a higher standard for the job market; and ensuring that a skills base exists in order to attract viable, sustainable investment.

The positive PR in granting further fiscal powers could be short-lived; perhaps as short-lived as the positive PR behind NI21 on its establishment last year. As ever, the devil is in the detail. Any additional powers will need to be carefully thought through before we proceed with them.

**Mr McCallister:** Will the Member give way on that?

**Mr McQuillan:** No, you are all right. *[Laughter.]* I welcome our Executive's commitment to the devolution of corporation tax powers and the support that exists for us to have air passenger duty — *[Interruption.]*

**Mr Speaker:** Order.

**Mr McQuillan:** — powers to aid competitiveness in our regional airports. I support the amendment. *[Interruption.]*

**Mr Speaker:** Order.

**Ms Boyle:** Go raibh maith agat, a Cheann Comhairle. I support the motion. A recent report by the Resolution Foundation highlighted the fact that the North of Ireland suffered worst in the recession; incomes fell by 10%, compared to a fall of 3.3% in the south of England. Welfare reform could result in a projected loss of up to £750 million from the local economy; that is equivalent to £650 a year for every adult of working age. The financial loss to the North, per adult of working age, is substantially larger than anywhere in Britain. Derry, and indeed Strabane in my constituency, will be hit very hard, and generally across the North, the poorest people in the poorest areas will face the largest losses.

Last November, Mike Penning visited us with the sole intention of renewing pressure on the Assembly in respect of welfare reform. At present, the British Government use financial pressures to try to force through welfare reform, with no account taken of particular circumstances or the financial challenges that will be imposed on the North if those reforms are implemented as they stand. Penning made specific references to British taxpayers footing the bill for welfare reform, implying that taxpayers in the North make no contribution to the British economy. That is an ongoing position flaunted by political unionism and the British Government. It is an insult to our citizens.

Almost all political voices in the North want corporation tax transferred to the Assembly, but our united demands have been deflected by the London Government. The question must be asked whether this is the spirit in which the Good Friday Agreement was entered into. There is no doubt that much has changed in the 15 years since the Good Friday Agreement was signed. However, the prosperity promised in it has yet to be realised and, 15 years on, we must ask whether the full economic potential of the agreement has been unleashed. In other words, have people benefited economically from the dynamic of change that it set in place? The answer is an obvious no, and that needs to change.

That means empowering the Assembly to have its own levers to bring about change and to set an economic policy decided in Ireland for the benefit of people who live on this island. Our current funding model is not sustainable. The British Government have recognised that the same model, which applies to Wales and Scotland, requires change. The full transfer of fiscal powers to the Assembly is a necessary step in allowing us to deal with the realities of people living here. That is our job, and we should be fully empowered to do it. However, we need the necessary tools to grow and steer, and this makes more sense than leaving our economic future in the hands of the British Government, who are not directly accountable to our local electorate for economic results and delivery. Our economy accounts for just 3% of that which is overseen by the British Government, and, let us face it, the Tory Government are more interested in serving the 97%. The price of their choices will be paid by struggling families with reduced incomes, increased costs and additional charges for years to come. We are still waiting for the British Government to provide us with the exact figures for all the revenue generated in the North. We will know the true economic picture here only by demanding full fiscal powers and taking control of our own economy. Only then will we be able to fashion policies and programmes tailored to our specific needs.

### 5.30 pm

Over 100,000 people have left the North in the past four years in search of a brighter future. Exports are central to any economic strategy, but when did we decide that that meant exporting our own people? We deserve a better future here. There is a better and fairer way. I believe that all of us, regardless of religion or politics, want a better, peaceful, stable and sustainable future, economically and politically, for our children and future generations.

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

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

**Ms Boyle:** I will.

**Mr McKay:** I thank the Member for giving way. One of the problems here is the fact that it is all about maturity. With a lot of issues, whether welfare reform or others, it is about crisis politics. It is the same with the Haass proposals. Does the Member agree that, in moving forward economically, we need mature politics and not the crisis politics that the unionist parties are trying to inject into the issue?

**Mr Speaker:** The Member has a minute added on to her time.

**Ms Boyle:** Thank you, a Cheann Comhairle. I absolutely agree with the Member's intervention.

We owe it to the people of the North of all traditions and origins to explore every avenue and idea to deliver the best possible future for all. I ask that every Member support the motion, to support democratising our economic future —

**Mr Speaker:** The Member should bring her remarks to a close.

**Ms Boyle:** — and to support the unleashing of the economic potential that has been kept down by old-school thinking and outdated politics.

**Mr Ross:** My position is not to oppose the further devolution of any fiscal powers. I think that it would be wrong to do so. Likewise, I find it absolutely bizarre that some Members say that they want all fiscal levers devolved to Northern Ireland without outlining what they are and what they would do with them. The last contributor talked about "mature politics": it is not mature politics to argue for something without outlining what the costs of doing so would be and what you would do with those powers if you got them.

What we need to do in the House —

**Mr Wilson:** Will the Member give way on that point?

**Mr Ross:** Certainly, yes.

**Mr Wilson:** Since half of the last speech was about justifying the bizarre stance that Sinn Féin has adopted on welfare reform, does the Member think that the most daft aspect of Sinn Féin's policy is that it wants fiscal powers so that it can hand money back to the Exchequer?

**Mr Speaker:** The Member has an extra minute added to his time.

**Mr Ross:** Absolutely. Even in recent weeks, we heard about the cost to the public purse of its refusal to address welfare reform. Sinn Féin talks about prosperity, but removing that sort of money from our block grant is delivering anything but prosperity.

We need to apply a very simple test when we talk about the devolution of fiscal powers. We have to address which powers we are talking about when we talk about fiscal powers. Let us be more specific about what we are talking about. We need to outline exactly what we would do with those powers if we got control over them in the Assembly, and we need to outline clearly the benefits to Northern Ireland. I listened carefully to Mr McCallister's 10-minute opening speech, and in those 10 minutes, I did not hear any mention of the specific powers that he would seek for Northern Ireland, what he would do with them and what the costs would be.

**Mr B McCrea:** Will the Member give way?

**Mr Ross:** I heard him ask my colleague how we would pay for corporation tax, but I did not hear him say which powers he would specifically seek for the Assembly and what he would do with them.

I will give way. Maybe the leader of the party will explain that.

**Mr B McCrea:** I want to check whether the Member, having listened to my colleague, has also read the motion. The motion calls for a commission to investigate what powers might be devolved and how they might be devolved. In fact, Mr Bradley said that we need an evidence base before we make a decision.

**Mr Ross:** I would have thought that, if you were declaring that it was a good idea to devolve additional powers, you would have some idea of what those powers might be. I thought that that would have been a fairly simple starting point. Likewise, I think that you would argue that you knew what to do with them.

Let us look at the specifics that we have dealt with —

**Mr B McCrea:** Will the Member give way for a second time?

**Mr Ross:** No, I will not give way, because time is moving on. The Member will be making a winding-up speech, and I am sure that he will enlighten us all.

My colleague Mr Girvan talked about some of the fiscal powers that are devolved to the Assembly, at a time when we are at an economic disadvantage compared with the Irish Republic, in particular, because we share a land border.

Specifically, we talked about air passenger duty for long-haul flights. There was a specific problem with losing the direct flight to New York. We identified the power that we would require, we identified that it would cost us in the region of £3 million per annum to do so, and we clearly identified the benefit to Northern Ireland. I heard a lot about sensible politics. That is an indication of sensible politics, where we are pragmatic about looking at specific fiscal powers.

I also listened to other Members talk about APD devolution for short-haul flights. That is less clear, and when it comes to connectivity, it is important that we examine all the issues and we have clearly identified that. However, if the cost is to be around £90 million a year, more careful consideration is needed of whether, in the end, it will be a benefit to Northern Ireland.

I listened to some of the contributions from Members, and I must say that I was confused by some who have assumed that, if we devolve powers, it will be a top-up to the block grant. That is deeply concerning. If anything, the system that we have at the moment is a top-up, because Northern Ireland raises less than it spends. Therefore, the Westminster Government top it up. That is why, as a unionist, I think that economically we are much better off staying in the United Kingdom. I am sure that even the signatories to the motion will agree with that, unless they have moved so far away from where they began their political careers.

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

**Mr Ross:** I will, yes.

**Mr Wilson:** Does the Member also accept that there is a further top-up in so far as all the taxes that we have mentioned so far are so volatile that, if we had to bear that

volatility year to year, it would cause chaos in the Budget? It is only because we have a block grant that ignores that volatility that we can have some certainty about public finances.

**Mr Ross:** Even Mr McCallister acknowledged that point when he talked about the volatility around corporation tax. If that is his view, why on earth would he want to devolve all the fiscal arrangements when he would have that uncertainty in the Budget? *[Interruption.]*

**Mr Speaker:** Order.

**Mr Ross:** We have listened to other Administrations around the United Kingdom. During the Budget, there was a debate on whether we should have an annual Budget rather than one that is set over a number of years. The Scottish Government and the Welsh Administration have both pointed out that Northern Ireland is in a better position because we have certainty over four or five years. They are envious of that. Why on earth would we want to give that up and bring more uncertainty into the system? That is not sensible politics, nor is it something that will bring prosperity to people in Northern Ireland.

As one Member said earlier, we do not always have to look to devolution to settle some issues. The carbon price floor is a prime example. That could have had, from a constituency perspective, a catastrophic impact on the power stations in East Antrim and, regionally, on energy costs across Northern Ireland. Again, the Executive took a pragmatic approach. We looked for a derogation from that, which was very successful.

In conclusion, why do we not need a commission?

**Mr Speaker:** The Member must bring his remarks to a close.

**Mr Ross:** Just before the G8 conference, our national Government outlined the economic pact and about having an investigation.

**Mr Speaker:** The Member's time is up. I call Dr Alasdair McDonnell.

**Mr Ross:** That will report back on increased fiscal powers.

**Mr Speaker:** I know that Dr McDonnell is keen to make a contribution, but time has beaten us. The Member has two minutes. If he takes an intervention, he will have no more time added to his time.

**Dr McDonnell:** More time will be added?

**Mr Speaker:** No.

**Dr McDonnell:** Thank you for your concession, Mr Speaker. I deeply appreciate the opportunity to have even two minutes. I welcome this very useful debate, because we in the SDLP have long held the belief that the Assembly and the Executive must take more responsibility and pursue, through devolution, a significant deepening and widening of all the economic and fiscal powers at our disposal. We are happy to support the motion, as we agree that further devolution would be best achieved through consensus across the Chamber by agreeing with the London Government to the establishment of a commission in the style of Calman or Silk and allowing such a commission to map a better way forward.

It should be stated, however, that that proposal is not something new. It has been around, and we have supported it, for a long time. More recently, during the

Budget debate of the past few weeks, we were criticised for demanding greater ambition and for stating that things can and should be done a little bit better in some ways. I do not think that any of us should oppose the idea of looking at how things can be done better and how we might become more efficient and effective.

We published in 2009 a document called 'New Priorities in Difficult Times', which raised the prospect of greater tax-varying powers. Just think what we could have achieved if, then, we had sat down and lobbied London as a collective. I have heard the arguments across the House, but I worry that some parties, influenced by a conservative and cautious nature, are rejecting the argument for a fresh look at how we handle things. We know that we will work together on corporation tax. I would like to think that it is not too far away.

We have made the cohesive argument around corporation tax, and we appreciate that. I am very glad to be able to say that we feel that this would be a massively important step to set the local economy on a new upward trajectory and allow us to do many things that we want to do.

**Mr Hamilton (The Minister of Finance and Personnel):** Despite the lateness of the hour in the working day, I have enjoyed the debate, and, in some ways, I wish that it had gone on longer because I sense that there were a few contributions to come that might have enlivened things a little bit.

I speak in opposition to the motion and in support of the amendment. In doing so, I know that I risk the wrath of some Members who will dismiss me, as the Member who spoke previously did, as conservative and cautious. Perhaps Members who are less charitable than that Member might condemn me as being absolutely against the principle and thrust of the motion. So, for the record, I support examining the devolution of more fiscal power to the Assembly.

I have supported and do support the actual devolution of powers to the Assembly, but, as many Members pointed out, I do so on two key conditions. The first is important, and, in some cases, it is an overriding principle, which is that it is affordable. The second key condition, to support Mr Cree in what he said, is that it produces some defined economic benefit for Northern Ireland or, indeed, gives us an economic advantage.

To be fair to Mr Bradley, he gave a very long list of powers that he would like to have seen devolved, but he gave no argument about what he would do with them, and he gave no argument for the economic benefit of a landfill tax, car tax or whatever it might be. However, I support the devolution of powers —

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

**Mr Hamilton:** Yes, very briefly.

**Mr D Bradley:** I thank the Minister for giving way. I mentioned some possibilities of powers that might be transferred, but I also said that we should act on the basis of an evidence-based approach. Obviously, before we would agree to the transfer of any powers, there would have to be a net economic benefit, or, at least, a more than reasonable chance of that. We certainly would not contemplate transferring powers that would lead to a loss —

**Mr Speaker:** Order.

**Mr Hamilton:** That is at least a helpful contribution in that an acid test for the SDLP is that it must have a net economic benefit for Northern Ireland or an identifiable benefit over time.

I support the exploring and devolving of further fiscal powers to the Assembly where it has a clearly definable economic benefit because we can have one of those economic levers. We can manage and influence the performance of our economy, and we can affect social policy. As I think Mr Ross mentioned, we can do so in a way that helps us to compete with our neighbour, the Irish Republic. One of the reasons why we pursue the devolution of corporation tax is because they have a different rate and are able to have an advantage over us. That support is manifest in the economic pact agreed between the First Minister and deputy First Minister and the Prime Minister before the G8 in June of last year. A commitment was contained in that document, which I will read explicitly. It states:

*“The Government and Executive will examine the potential for devolving specific additional fiscal powers.”*

Our clearest commitment is not just to consider further tax devolution but to seek the devolution of corporation tax. As Members will know, we expect a decision in respect of that by autumn this year. While I will never argue that the devolution of corporation tax will be a silver bullet for Northern Ireland's economy, it will mark a step change. It will allow us to attract further foreign direct investment, and Mr McCallister rightly and justifiably pointed out that Northern Ireland is doing very well in attracting foreign direct investment. I hope that he will agree that it is not usually in respect of profit centres. Therefore, the wages that come with that and the spend in R&D and so forth is not where we would want to see it, or any economy like ours would want to be in. Of course, a reduced rate of corporation tax could encourage indigenous businesses to grow. It could also help to utilise the investment that the Executive have made in skills, infrastructure and telecoms, and it would, above all, hang a big sign over Northern Ireland that says that we are open for business.

**5.45 pm**

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

**Mr Hamilton:** No, I will not. Let me make some progress. So it is hugely important for Northern Ireland, and, because it is hugely important and in a different league in many regards, we should not be distracted by other taxes that, objectively, would have nowhere near the same transformative power for our economy.

It is worth pointing out that the Scots and Welsh are looking at other taxes, in many cases only because the Government in Westminster have explicitly ruled out corporation tax, so it is not on the table. I make no apology for being cautious when considering corporation tax. It is a major step for the Assembly. The question is this: should we take two or more leaps at the same time? I think that the answer is no.

Let me touch on a couple of other taxes that were mentioned. APD is another example of where we are prepared to pursue tax devolution. It came at a small cost, £2 million to

£3 million, and had a defined economic benefit in that it allowed us to keep the direct New York flight.

I agree with many of the comments that Mr Ross made about short-haul APD, which, initially, would cost £60 million but rise to £90 million very, very quickly. It would have a serious impact on our Budget, and it is my belief that it would not lead to any reduction in prices for consumers in Northern Ireland. One might want to attract routes to key hubs such as Paris, Frankfurt or Amsterdam, but you would have to exempt flights to Fuerteventura, Lanzarote and Tenerife. I am not sure what the economic benefit for Northern Ireland would be.

The carbon price floor was mentioned by a couple of Members. At a cost of some £40 million, a derogation rather than devolution was secured on that, which was to the benefit of Northern Ireland's electricity generators and, of course, kept electricity bills down in Northern Ireland. However, instead of that £40 million hitting our block grant, we got a derogation. The lesson there is that we should not always rush to devolution and that other options are available to us.

I agree with the proposer of the motion that the nature of devolution is definitely changing and that more powers are being sought by other jurisdictions. However, we have to examine critically the motivation of Scotland and Wales, which is somewhat different from ours in Northern Ireland. In Scotland, it is very much about independence and showing that it is independent. In Wales and, to an extent, Scotland, it is an attempt to show political maturity, even if it is not justified.

I do not agree that we are falling behind either devolved region. Wales's borrowing powers came only with developing a new revenue stream. It is very much in line with our old reinvestment and reform initiative (RRI) scheme, aspects of which we rejected and renegotiated before coming back to this place in 2007. So, in many respects, Wales got the deal that we turned down back in 2007.

Look at income tax in Wales, which has been given no flexibility whatsoever across rates. There is something called the lockstep, whereby, if you increase tax for those in the higher band, you have to increase it for those in the lower band; if you reduce it for people in the lower band, you have to reduce it for people in the higher band. So you do not have the sort of flexibility that you might want to have from having the power to vary income tax. That, as the news will show, is tearing the Welsh Tories apart. They have a dichotomy of views on whether they should pursue it.

Our affordability and economic benefit tests are, I think, a far more mature approach. Just because the Scots and the Welsh do something does not mean that we should. That, at its core, is the essence of devolution.

That leads me neatly on to the question of cost and affordability. Devolving tax powers is not a cost-free option. Some MLAs seem to think that the block would remain unaffected if further fiscal powers were devolved. In devolving further powers, you cast aside the certainty that comes with the block grant.

The situation in Northern Ireland is that we have almost Scandinavian levels of tax receipts without having Scandinavian levels of taxation. You would also, potentially, ditch the favourableness of the block grant and the Barnett formula, a favourableness that led to

our receiving a £10.5 billion subvention in 2010-11 and means that, according to Her Majesty's Treasury's figures, we have 21% more than the average of UK identifiable expenditure. You replace that with a volatility that is built upon a small and immature tax base.

Michaela Boyle quoted a report from the Resolution Foundation. She said that Northern Ireland was the region that was worst hit in the UK by the recession. But that same impact has not been had on our Budget, because of the protections that we receive because of the fiscal union that we have in the United Kingdom.

Some might say — indeed, some have already said — that the same arguments stand for corporation tax. Let me outline a few facts and figures. The 2012-13 HMRC figures, which in respect of corporation tax differ from some of the figures that we have been working off, show that £467 million was the figure attributable to Northern Ireland, some 4.6% of the total raised in Northern Ireland. Through devolution, we have the potential to increase that take over time. It is not as big a tax in revenue terms as some others. Devolving it would produce economic benefits, and, whilst it has a price, many of us would argue that that is a price worth paying.

Compare that to income tax. The receipts in 2012-13 from Northern Ireland were £2.649 billion, some 25.6% of the total tax take. So, that is much bigger, and devolving it would not have the same economic advantage. Volatility on 4.6% when it comes to corporation tax is a lot different to volatility on income tax of 25.6%. The volatility between 2007-08 and 2009-2010 meant that there was a fall in income tax receipts in Northern Ireland of some £419 million, which is the entire cost of devolving corporation tax. The same could be said for other taxes, including stamp duty and landfill tax, and it is unlikely that either would have a huge economic impact. If you were to devolve income tax on top of corporation tax and stamp duty and landfill tax, a third of our tax revenue would be subject to that sort of volatility.

That takes me to the question that was begged by many Members but not answered by any on the other side: what would you do? A clear course of action on corporation tax and APD has been outlined, so there is a very clear and defined objective. What would you do with income tax? Would you put it up and have Northern Ireland be less competitive? Would you take it down and have less revenue? If so, what public services would you cut as a result? If you want it, you must want it for a reason, like corporation tax or long-haul APD.

Mr McCrea — Mr Basil McCrea, given that there is another McCrea in the House — is on record as saying:

*"Initially we do not see wholesale change to the level of income tax".*

That is the worst of all worlds, because you subject yourself to the volatility without any economic benefit per se, and you incur administration costs for the pleasure of having devolution, in the same way that we know was the case with corporation tax.

I turn in the final few moments that I have to the issue of a commission. In many respects that is a pointless pursuit for those who tabled the motion, because their minds are made up. Although they have been a little bit more coy today, they are on record as saying that they would pursue

the devolution of more fiscal powers, including income tax and stamp duty. So, in many respects, their minds are made up on the issue.

The economic pact outlines a way forward. An initial assessment is being done of a range of taxes. That will conclude by the autumn and will consider things like the EU law, which may restrict devolving some powers. It will look at international comparisons; recent and proposed UK policy changes; various Northern Ireland options that might exist; and the work of the Calman, Holtham and Silk commissions. It will consider advantages and disadvantages, including issues around tax evasion and the scope for tax avoidance. It will look at those administrative costs and, critically, it will look at the cost to the block grant and, by extension, the impact on public services.

So, the question might be, "What value a commission?" In my view, the timing is wrong: we must not be seen to be losing sight, or actually lose sight, of our number one objective, which is the devolution of corporation tax. It would be costly and time-consuming, and work is already being done, albeit in a different way.

What, in terms of the fundamentals, is there different from Wales and Scotland? If they have done their work in their various commissions, there are lessons for us to learn without having to go down the same line ourselves. I suspect that a commission here would not conclude differently on many things to the commissions in Scotland and Wales. For example, things like the conclusions on land-based taxes, with their limited scope for distortion, are the easiest devolved, and things like national insurance would not be appropriate for devolution.

So, in conclusion, there is no need for a commission: there is a commitment in the 'Building a Prosperous and United Community' document — a document signed and agreed by the First Minister and the deputy First Minister — to examine the potential. Further tax devolution to the Assembly should certainly be considered, but it should be considered carefully and cautiously only if it does not detract or distract from corporation tax, only if it is affordable and only if it gives us an economic advantage.

**Mr Weir:** At the start of this debate, I think that many of us wondered what was really behind NI21's proposal. It seemed that one argument that the proposer used was that devolution is changing across the UK so we should automatically follow it. That seems to be somewhat the logic of the lemming, in that, if you see a string of people throwing themselves off a cliff, you should do it because they are. So, from that point of view, there seems to be no particular rationale or reasoning behind it.

Similarly, the Minister, who was the previous Member to speak, showed the weakness of the argument that a commission is necessary. The key test for the devolution of fiscal powers should not necessarily be ideological but should be on the basis of a clear evidence base that shows that there should be particular, discrete changes that will be to the benefit of Northern Ireland. Consequently, for example, measures have been taken and are being taken on that front. Mention was made in the debate and in the amendment of the devolution of air passenger duty on long haul flights, which is specifically targeted. The issue did not require any particular change in fiscal powers but was a derogation on the carbon-price floor and, indeed,

there was an evidence base and a structured focus on corporation tax. So, given that, this is already happening from a focused point of view.

That position was adopted in the economic pact, and I have to say that this calls into question the thinking of not only NI21 but the party opposite. It has opposed the amendment, yet the amendment is the essence of the economic pact that was agreed not simply by the Executive but directly by the deputy First Minister. So, it seems very strange that it is opposing this. I can understand —

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

**Mr Weir:** I have only five minutes, and I want to plough on.

I can understand NI21's excitement at its first opportunity to propose a motion. That is because it comes from that rarity for NI21 — a policy position. I appreciate that that is somewhat like the great auk or the dodo, in that some people might feel that it is extinct. To be fair, however, it has produced a policy position. The level of ignorance of that position may be highlighted by the fact that, in addition to corporation tax, it talks about capital allowances and R&D tax credits being devolved. Those are part of corporation tax devolution. That may be unknown to the boffins in NI21, but we should at least congratulate them on making a proposal.

So, if it is not needed — indeed, it is not necessary — the only reason that this could be put forward is as part of a wider agenda that says that fiscal powers should be devolved. With the best will in the world, there is no point setting up a commission unless you believe that it will lead to further devolution and to further transfers. I think that that is the essential weakness in the motion.

There is an economic illiteracy about the idea of a simple transfer of fiscal powers. That is perhaps not surprising, but it seems to be borne out by that party. Sadly, like the Trojans, it finds itself in the position of needing to be wary of gifts from Greeks. It seems that the party opposite has an almost ideological pursuit of bringing the Trojan Horse of economic illiteracy and, indeed, ideological Irish republicanism to the Assembly's door. It is knocking the door, saying, "Let us in". NI21's proposal seems to be based on the assumption that some in the party opposite outlined some sort of golden new dawn that will apply to Northern Ireland if only we could get our hands on fiscal powers.

One of the Members across the way rightly talked about struggling families, but let us actually face the reality. The fiscal deficit and subvention that is here in Northern Ireland is somewhere in the region of £10 billion. I know that the Members opposite have put a plethora of questions to try to chip away at that, but we are dependent on our relationship with the rest of the United Kingdom.

However much some Members opposite may want to close their eyes to that, that is the reality.

## 6.00 pm

If we go down the road of breaking up the fiscal union and having complete control over our fiscal powers, how soon will it be before, on any issue, the answer of the Westminster Government is simply, "Raise that additional money yourself. Raise income tax up to an unsustainable level"?

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

**Mr Weir:** "Cut social security benefits beyond the level that they are at present". That is the kind of economic despair that the Members opposite and the proposer of the motion propose for us.

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

**Mr B McCrea:** I like some of the people in the DUP — I like them — and it gives me something of a difficulty. Not all of them, but some of them, and I know that it is not necessarily reciprocated. *[Interruption.]*

**Mr Speaker:** Order.

**Mr B McCrea:** It is disappointing that we have not been able to have a discussion and debate, because I understand some of the points that the Minister made. We could explore those things. He is not going to thank me for this, but, of all the Members who spoke, the mover of the amendment, Mr Paul Givan, and I get on really well.

**A Member:** Girvan.

**Mr B McCrea:** Girvan, sorry. I even get his name wrong. There you go. But Paul and I know each other, so the problem that I have with Paul is that he is a nice guy. *[Interruption.]* He brings forward an argument that I just cannot bring myself to have a go at because he is such a nice person, but, when you listen to it, it is absolute tosh. *[Interruption.]*

**Mr Speaker:** Order.

**Mr B McCrea:** If anybody was going to bring forward an argument that we should see whether we can support corporation tax, he did not really do a very good job of it. That is the real problem. There is a massive contradiction in your position. All the time I heard you say, "Volatility, volatility, volatility" and then you say, "We are going to do corporation tax". When we were looking at the figures, we could not work out how much corporation tax we actually pay. Corporation tax is the most volatile tax there is, yet we seem to be hell-bent on devolving it. For my part, I do not think that corporation tax as a stand-alone entity will be a good thing or will solve our problems. I would prefer to see, as my colleague brought forward, a wide-ranging review about the taxes that we might want to do.

I was asked by Mr Ross if I could name some of those things. Here it is from Esmond Birnie. The UUP may remember Esmond Birnie. He was an MLA here. He said that there are four taxes with high feasibility:

*"landfill tax, stamp duty, air passenger duty (APD) and income tax, but only in the case of the latter two would there be high impact."*

So, there are taxes that we could look at and should look at. We should find a way to go forward.

Here are some of the fundamentals. The person who made the most telling contribution to the debate is one of the people who was not able to speak. Mr Allister was the one who actually stood up and said, "Do you know what, this is really an ideological battle. This is about whether we are strengthening the union or weakening the union". The argument that we put forward is that the union is changing. No matter what result comes out from Scotland in September, there will be a massive transfer of fiscal powers to Scotland, and Wales will be right behind saying,

"We want that, too". The only region that will not have some independent look at it to see whether we should not have something similar — the region that first started talking about the potential —

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

**Mr B McCrea:** If you are quick, Jim. Just let me finish and then I will bring you in.

The region that first started it was Northern Ireland. We will not have our own independent commission. What are we afraid of? What is so bad that you cannot get an independent voice to have a look at it?

I will give way to Mr Allister.

**Mr Allister:** As I am less of a nice guy than Mr Girvan, you might have less difficulty disagreeing with me. Surely, one of the points is that, when you are a region within a greater country, which requires a net contribution — in other words, you raise a lot less than you spend — you always need to be very careful what you wish for in fiscal powers because you have to make it up out of your block grant.

**Mr B McCrea:** I agree, and I am glad that you got the opportunity to come in. The Westminster mood is supportive of fiscal devolution across the UK. The sting in the tail is an implicit commitment to reforming the Barnett formula. We do not know how that will affect us; we do not know what the reforms will be. However, we should look at it to find out what we can do in its stead and what will happen if that happens.

The question asked is this: do we need a plan B? Mr Cree talked about economic illiteracy. Mr Esmond Birnie, when talking to the Committee, said that we do and that, in fact, there has always been a plan B. He said:

*"As far back as 2002, the Milford Group think tank, supported by the Business Alliance, political parties and the then first and deputy First Ministers, had begun to lobby Westminster for devolution of fiscal powers to boost productivity, international competitiveness and inward investment through aggressive tax breaks for investment in R&D, skills and export development."*

Those are the things that we were looking at before we went down the route of corporation tax.

Mr Wilson is the great downer on corporation tax. He hates it when I agree with him, but I have to say this to him: you need to be really careful that you are doing the right thing.

When it comes to increasing foreign direct investment — we already have the second highest foreign direct investment after London — the way to get more of it is through skills. I really do not know why the Assembly would not take the opportunity to consider things. Dominic Bradley said that what we are looking for is an evidence base. Why not have a discussion? Why not open it up to the Assembly and others? Why not debate it? The truth will out. Let us do that.

I will move on to another issue. We were talking ideology, and Mr Allister came into it. I do not think that it threatens the link with the Union. We vary other taxes: prescription charges and tuition fees, among others. Somebody said that it is the very essence of devolution. We are a unique region, so we should have the powers to do it properly.

I have looked at the Calman and Silk commissions. The argument that comes back is this: "Why do we need our own; surely, they have already done all the work for us?" Why does this place always have to be tail-end Charlie? Why do we always have to wait and see what the others are doing? Why do we always have to be cautious? Why do we always have to be easy?

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

**Mr B McCrea:** I am sorry. I have already let somebody in, Alastair; I cannot give way.

People ask whether it is a dysfunctional basket case. Yes, we said that; we agree. The way to turn it around and change it — *[Interruption.]*

**Mr Speaker:** Order. All remarks should be made through the Chair.

**Mr B McCrea:** Thank you, Mr Speaker.

There is a very solid axiom: no taxation without representation. However, you can turn it round: no representation without taxation. We should have local taxes coming in. The more local taxes that we raise and the more control we have, the better and more honest this place will be — *[Interruption.]*

**Mr Speaker:** Order. The Member has the Floor and is making a winding-up speech on the motion.

**Mr B McCrea:** Thank you, Mr Speaker.

There is a real reason why we want to do this.

I listened to the Alliance contribution and was surprised. Perhaps its Members mock us with faint praise. They looked at the motion and said initially that it had some merit; they said that they agreed with various things; that we could look at stamp duty and do this and the other. Having agreed with us on all those points, they said, "By the way, we are going to vote for the amendment". I do not understand that —

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

**Mr B McCrea:** — particular position.

**Mrs Cochrane:** I will explain it to you.

**Mr B McCrea:** Mr Speaker, you know that I normally give way, but if other people will not give way, we will not give way. *[Interruption.]* So, we have here — *[Interruption.]*

**Mr Speaker:** Order.

**Mr B McCrea:** We have here some points. When we get to the issue of fiscal powers, the challenge that comes at us — I think that it was Mr Ross who came back with it — is this: "Please tell us what you would do". What we would do is have a commission. A commission — *[Interruption.]* A commission would outlast — *[Interruption.]*

**Mr Speaker:** Order.

**Mr B McCrea:** A commission would outlast this government. You need something that gives a long-term strategy to investigate the way that we —

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

**Mr B McCrea:** I cannot but give way to the Minister.

**Mr Hamilton:** I want to tease things out on that question. If, when house prices were rising and rising at the tail-end

of the previous decade, the Assembly had had power over stamp duty, which you have advocated it should have, would you have advocated a sizeable increase in stamp duty, which would have increased house prices even further? Is that something that you would have supported?

**Mr B McCrea:** I will reiterate the point: our motion calls for a commission to look into all those issues and have a proper debate. We reject — *[Interruption.]*

**Mr Speaker:** Order.

**Mr B McCrea:** We reject the amendment because the people opposite have their eyes firmly closed and their heads stuck firmly in the sand. It is the blind leading the blind. They have no confidence. They cannot take it on. They are not able to give leadership on the issue. I do not know what you are afraid of.

**Mr Speaker:** The Member must bring his remarks to a close.

**Mr B McCrea:** I do not know why you cannot take it on. *[Interruption.]*

**Mr Speaker:** Order.

**Mr B McCrea:** Let me tell you this: you will return to the issue of fiscal powers, and you will regret the stance that you have taken today.

*Question put, That the amendment be made.*

*The Assembly divided:*

*Ayes 45; Noes 41.*

#### AYES

*Mr Anderson, Mr Beggs, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Campbell, Mr Clarke, Mrs Cochrane, Mr Craig, Mr Cree, Mr Dickson, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Elliott, Mr Ford, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Kennedy, Ms Lo, Mr Lyttle, Mr McCausland, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Mr McQuillan, 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 Ayes: Mr McQuillan and Mr G Robinson.*

#### NOES

*Mr Agnew, Mr Allister, Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mr Dallat, Mr Durkan, Ms Fearon, Mr Flanagan, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Mr Lynch, Mr McAleer, Mr McCallister, Mr McCartney, Ms McCorley, Mr B McCrea, Dr McDonnell, Mr McElduff, Ms McGahan, Mr McGlone, Mr McKay, Mrs McKeivitt, Mr McKinney, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Milne, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr Rogers, Ms Ruane, Mr Sheehan.*

*Tellers for the Noes: Mr McCallister and Mr B McCrea.*

*Question accordingly agreed to.*

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

**Resolved:**

*That this Assembly notes the recent devolution of air passenger duty for direct long-haul flights, the recent derogation from the carbon price floor, and the Executive's continued pursuit of the devolution of corporation tax powers; further notes the commitment in the 'Building a Prosperous and United Community' document agreed between HM Government and the Executive to "examine the potential for devolving specific additional fiscal powers"; and welcomes the commitment of the Minister of Finance and Personnel to report back to the Executive on this issue by autumn 2014.*

*Adjourned at 6.22 pm.*



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# Northern Ireland Assembly

Tuesday 4 March 2014

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

*Members observed two minutes' silence.*

## Executive Committee Business

### Licensing of Pavement Cafés Bill: Consideration Stage

*Moved.* — [Mr McCausland (The Minister for Social Development).]

**Mr Speaker:** Members have a copy of the Marshalled List of amendments detailing the order for consideration. The amendments have been grouped for debate in the provisional grouping of amendments selected list. There are two groups of amendments, and we will debate the amendments in each group in turn.

The first debate will be on amendment No 1 and amendment Nos 3 to 13, which deal with changes to the process of revocation, suspension or compulsory variation of a pavement café licence, as well as technical amendments to the Bill. The second debate will be on amendment No 2, which deals with an additional condition that is proposed to a pavement café licence.

Once the debate on each group is completed, any further amendments will be moved formally as we go through the Bill, and the Question on each will be put without further debate. The Question on stand part will be taken at the appropriate points in the Bill. If that is clear, we shall proceed.

#### **Clause 1 (Meaning of “pavement café licence” and other key terms)**

**Mr Speaker:** We now come to the first group of amendments for debate. With amendment No 1, it will be convenient to debate amendment Nos 3 to 13. Members should note that amendment No 11 is consequential to amendment No 1 and therefore will not be called if amendment No 1 is not made. In addition, amendment Nos 5, 6, 7 and 9 are consequential to amendment No 4 and therefore will not be called if amendment No 4 is not made.

**Mr McCausland (The Minister for Social Development):** I beg to move amendment No 1: In page 1, line 10, after “market” insert “area”.

*The following amendments stood on the Marshalled List:*

No 3: In clause 14, page 11, line 26, leave out from “any” to “with” and insert

*“the licence holder has persistently failed to comply with any condition of the licence”. — [Mr McCausland (The Minister for Social Development).]*

No 4: In clause 19, page 13, line 23, leave out subsection (1) and insert

*“(1) Before deciding to revoke, suspend or make a compulsory variation of a pavement café licence, a council must (subject to subsection (1D)) notify the licence holder in writing of its proposal to revoke, suspend or vary the licence.*

*(1A) A notification under subsection (1) must state—*

*(a) the grounds for the proposed revocation, suspension or variation; and*

*(b) that representations in writing relating to the proposal may be made by the licence holder to the council until the end of a period specified in the notification.*

*(1B) Any period specified under subsection (1A)(b) must be at least 21 days beginning with the date when the notification is sent unless the council considers that there are particular circumstances which make a shorter period necessary in the public interest.*

*(1C) In deciding whether to revoke, suspend or make the proposed variation of the licence the council must take into account any representations made by the licence holder within the period specified under subsection (1A)(b).*

*(1D) If it considers that there are particular circumstances which make it necessary to do so in the public interest, a council may decide whether to revoke, suspend or make a compulsory variation of a pavement café licence even though no notification has been given under subsection (1).*

*(1E) Where a council decides to revoke, suspend or make a compulsory variation of a pavement café licence, the council must give notice in writing to the licence holder of the revocation, suspension or variation.”— [Mr McCausland (The Minister for Social Development).]*

No 5: In clause 19, page 13, line 25, leave out “this section” and insert “subsection (1E)”. — [Mr McCausland (The Minister for Social Development).]

No 6: In clause 19, page 13, line 30, leave out from “this section” to “the notice” in line 31 and insert

*“subsection (1E) may provide for the revocation, suspension or variation to take effect on the date when that notice”. — [Mr McCausland (The Minister for Social Development).]*

No 7: In clause 19, page 13, line 36, at end insert

*“(4A) A notice under subsection (1E) may be withdrawn at any time before the revocation, suspension or variation takes effect.” — [Mr McCausland (The Minister for Social Development).]*

No 8: In clause 19, page 13, line 37, leave out

*“a council has suspended a pavement café licence, it”*

and insert

*“a suspension of a pavement café licence has taken effect, the council”. — [Mr McCausland (The Minister for Social Development).]*

No 9: In clause 19, page 13, line 41, leave out “(4)” and insert “(4A)”. — [Mr McCausland (The Minister for Social Development).]

No 10: In clause 21, page 14, line 37, at end insert

*“(2A) Where a pavement café licence is granted or renewed and a period is specified under section 5(5) (a) in the licence, the licence holder may appeal against the council’s decision to specify that period.” — [Mr McCausland (The Minister for Social Development).]*

No 11: In clause 30, page 18, leave out lines 30 to 32 and insert

*“‘market area’ means a place where a person has a right (exercisable at particular times) to hold a market or fair; and in this definition ‘right’ means a right acquired by virtue of a grant (including a presumed grant) or acquired or established by virtue of a statutory provision;”. — [Mr McCausland (The Minister for Social Development).]*

No 12: In the schedule, page 22, line 9, leave out line 9 and insert

*“in Article 69J(2), the reference to the premises”. — [Mr McCausland (The Minister for Social Development).]*

No 13: In the schedule, page 23, leave out lines 32 to 39 and insert

*“(f) where a pavement café licence is in force, trading carried out in the area covered by the licence, if the trading—*

*(i) takes place at a time when that area has temporary furniture on it that under the terms of the licence is permitted to be there at that time;*

*(ii) is done in the course of a business which is carried on by the licence holder at the premises specified in the licence;*

*(iii) relates to the supply of food or drink in or from those premises for consumption on that area; and*

*(iv) does not involve a contravention of the conditions of the licence.” — [Mr McCausland (The Minister for Social Development).]*

**Mr McCausland:** I am pleased that the Social Development Committee was able to reach consensus on all 12 proposed amendments in the group. I thank its Chair and members for their helpful and constructive scrutiny of the Bill.

The more significant amendments address concerns raised by Members at Committee Stage. I am also bringing forward a small number of technical amendments relating to issues that were raised with the Committee by key stakeholders.

Amendment No 1 and the consequential amendment No 11 are technical in nature. These amendments would modify the reference to “a market” in clause 1 and the

related definition in clause 30. As previously drafted, the Bill provides an exemption for areas where historic rights to hold a market exist. The purpose of these amendments is to clarify that the exemption applies whether or not the market is actually taking place.

Amendment Nos 3 to 9 are more substantive. They address concerns raised by the Social Development Committee about the wide-ranging nature of the powers being given to councils to revoke or suspend a licence. Amendment No 3 would amend clause 14, which sets out the circumstances in which a council may revoke a licence. There was concern that a strict interpretation of this provision could result in a licence being revoked for a minor breach of any licence condition imposed under clause 6. I am proposing to amend clause 14 to allow for revocation only where the licence-holder has persistently failed to comply with the conditions of the licence. Members will wish to note that the amendment would also apply to suspension in accordance with clause 15(2). In practice, we expect that councils will, in most situations, adopt a “three strikes and you’re out” policy, and the severity of breaches will also determine whether the licence should be suspended or revoked.

Amendment Nos 4 to 9 would introduce an additional safeguard against inappropriate use of the powers to revoke or suspend a licence. This would involve amending clause 19, which sets out the administrative steps a council must take when it decides to revoke, suspend or vary a licence. The effect of these amendments would be to place a duty on a council to give the licence-holder advance notice of its intention to revoke, suspend or vary a licence, and the grounds for doing so. The licence-holder would be given an opportunity to make representations to the council within a specified period before a final decision is taken. In most instances, the minimum notification period will be 21 days. However, a council may specify a shorter period if there are particular circumstances that make it necessary in the public interest.

The notification procedure I am proposing to introduce under this series of amendments should minimise formal appeals later at a court under clause 21. More importantly, the procedure will provide greater transparency in the decision-making process and ensure that a council is in full possession of the facts before a decision is finally taken. I am grateful to the Committee for raising this important issue with my officials.

I mentioned clause 21, which provides for an appeal to a Magistrates’ Court in respect of a wide range of licensing decisions taken by a council. Amendment No 10 would make a minor change to this clause by extending the right of appeal to a decision to limit the duration of a licence under clause 5. This amendment was welcomed by the Social Development Committee.

I have already spoken about amendment No 11, which is consequential to amendment No 1, relating to market rights.

Amendment No 12 would make a small technical amendment to paragraph 2 of the schedule. Paragraph 2 would insert a new Part 5A into the Licensing (Northern Ireland) Order 1996 to extend the area where alcohol may be consumed to include a pavement cafe area. The amendment clarifies that any authorised pavement cafe area associated with licensed premises would come within

the scope of the closure powers available to the police under the Licensing Order.

Finally, amendment No 13 would amend paragraph 3 of the schedule. Paragraph 3, as presently drafted, provides an exemption from the street trading licensing scheme for properly authorised pavement cafes. This is another small technical amendment, which would tighten up the existing wording to prevent inappropriate trading in a pavement cafe area when in operation.

Mr Speaker, that concludes my comments on the amendments I have tabled. However, with your permission, I would like to very briefly address other recommendations in the Social Development Committee's report, in particular those linked to the guidance my Department is preparing to assist councils with scheme implementation.

The Committee recommended that the guidance address a number of issues to safeguard the interests of pedestrians, particularly those with disabilities. Although the Bill as currently drafted contains a number of such important safeguards, I confirm that the guidance will address the issues raised by the Committee. Indeed, the guidance will place strong emphasis on putting the access needs of pedestrians at the heart of the licensing regime. The guidance will also address other specific recommendations arising from the Committee's scrutiny.

In closing, I seek the Assembly's approval for the amendments on the basis that they are non-contentious and will enhance the licensing framework laid out in the Bill.

**Mr Maskey (The Chairperson of the Committee for Social Development):** Go raibh maith agat, a Cheann Comhairle. On behalf of the Social Development Committee, I thank the Minister and his officials for responding regularly to the Committee's concerns during its deliberations on the Bill. We had quite a number of briefings and discussions with the Minister and his officials, and I place on record our gratitude to the Minister for ensuring that that happened. I thank the Minister for bringing Consideration Stage to the Assembly. I appreciate that this stage is mainly to consider the amendments, but, with your indulgence, a Cheann Comhairle, I will also briefly speak about some of the issues considered by the Committee.

During Committee Stage, the Committee received 24 written and eight oral representations from stakeholder organisations and received regular written and oral briefings from the Department throughout its consideration. The Committee welcomed the Department's proactive approach in keeping the Committee well informed about the progress of the Bill and providing detailed briefings. Represented stakeholder groups included local councils, hospitality and tourism organisations and groups representing those with visual and other physical impairment. The Committee is of the opinion that their views were appropriately heard, well relayed to the Department and, to some extent, taken into consideration.

On behalf of the Committee, I can say that we were generally content with the response of the Department to our concerns and those raised by others throughout Committee Stage. That is evidenced in our report, and I thank the Minister for his positive action to address those concerns through the group 1 amendments, which, as a Committee, we fully support.

As all Members are aware, pavement cafes are now a familiar sight in many of our towns and villages. More often than not, they bring vibrancy to an area and are generally regarded as a positive development, yet there are no measures in place to regulate them. So the Bill is required for one key reason, which is that there is currently no legislation to regulate the operation or development of pavement cafes. As a result, we are left in the unacceptable position in which Roads Service primarily operates a toleration policy as long as pavement cafes do not hinder the free flow of pedestrians or vehicles or compromise public safety.

The Committee therefore supports the mandatory licensing scheme for pavement cafes that the Bill will introduce and notes that support was also, in the main, evident among stakeholders. Importantly, the introduction of a mandatory licence will ensure that pavement cafes are well managed and suited to the local area. The Committee considers that a well-managed licensing system will encourage the continued use and development of pavement cafes and ensure that they are of an agreed standard and will not negatively impinge on streetscapes and thoroughfares.

Before moving on to the specific amendments, I would like to mention a key issue raised by stakeholders. The amendments do not necessarily refer to the issue, but the Minister has given some assurance on it. Of particular concern to the Committee were issues raised by the RNIB, the Guide Dogs for the Blind Association and the Inclusive Mobility and Transport Advisory Committee (IMTAC). The issues were about the potential for pavement cafes, if poorly managed, to restrict the free movement of pedestrians, particularly those with mobility issues or visual impairment, and the need for safeguards to address those concerns.

As I noted, the operation of pavement cafes is currently unregulated and there are few existing safeguards for pedestrians, whether visually impaired or, for example, pushing a pram. The Minister, in his response to the Committee and again this morning, provided assurance that DSD guidance on the regulations that will implement the Bill will put the needs of pedestrians, including those with disabilities and mobility needs, at the heart of the licensing regime.

We believe that that is key to the legislation's success. The Minister also noted in his response to the Committee:

*"The guidance will have to be taken seriously by councils."*

Although the Committee of course accepts his assurances, perhaps the Minister could further advise how his Department intends to ensure that councils will take that guidance seriously on implementation of the Bill and establishment of the regulations and the guidance.

#### 10.45 am

The Committee is assured by the fact that any business owner applying for a pavement cafe licence will be required to submit a detailed design of the proposed pavement cafe area. There will also be a number of statutory consultees when a pavement cafe is proposed, including Roads Service, which should help to ensure that

proposed plans are appropriate and not at all detrimental to the vicinity or pedestrians.

I will now move on to the group 1 amendments. Amendment No 1, which relates to clause 1(2)(b), proposes that, rather than “market”, the Bill will refer to a “market area”. Members will note, as has been said, that it also relates to amendment No 11 to clause 30, which deals with the definition of a “market area”. That addresses some concerns that councils had regarding how a market is defined and clarifies that areas that have historical rights to hold a market or fair will be excluded from the licensing scheme. The Committee is content with that revised definition.

Amendment No 3 relates to clause 14, and amendment Nos 4 to 9 relate to clause 19. Those amendments address the Committee’s concerns about the circumstances in which a licence may be revoked or suspended by a council, an issue raised by a number of stakeholders. During its discussions, the Committee felt that the original wording of clause 14(1)(d), which states:

*“A council may at any time revoke a pavement café licence if it is satisfied—*

*(d) that any condition of the licence has not been complied with,”*

could mean that even very minor breaches of licence conditions could result in a licence being revoked. The Committee is content that the Minister has adequately addressed those concerns in the proposed amendment and would further draw Members’ attention to the Minister’s letter to the Committee, on page 243 of the Committee’s report, which states that “in practice” the Department’s expectations are that councils will adopt a “three strikes and you’re out” approach. The severity of the breaches will also determine whether the licence should be suspended or revoked.

Amendment No 4 relates to clause 19 and proposes quite a substantive change to that clause. Again, the Committee was concerned about the wide-ranging nature of a council’s powers to revoke or suspend a licence.

Regarding new subsection (1A) of clause 19, the Committee welcomes the Minister’s decision to include a requirement on a council to give a licence holder notification of its proposal to revoke, suspend or vary the licence, which will include the grounds for that proposal. Important for the Committee is the provision for a licence holder to make representations to the council within a determined period. The Committee feels that that is necessary to ensure that the process is transparent and that the council is in full possession of the facts before a decision is taken on the status of the licence. In addition, it may prevent an appeal under clause 21, which should reduce bureaucracy.

The Committee notes that amendment No 4 would also provide the council with powers to revoke, suspend or make compulsory variation of a pavement café licence without prior consultation — that is in subsection (1D) — but accepts that that would be in circumstances where there are clear health and safety issues requiring immediate action to prevent the public from being exposed to that risk.

Amendment Nos 5 to 9 relate to clause 19 and are technical changes that stem from and are consequential to amendment No 4.

Amendment No 10 relates to clause 21, which refers to appeals, particularly on the duration of a licence. The issue of the duration of a licence caused some confusion during the Committee’s consideration of the Bill, largely because the Bill must comply with the EU services directive, which implies that there should be no time limit on the licence. However, clause 5(5)(a) states that the licence shall remain valid only for:

*“such period as is specified in the licence” .*

A council must, therefore, provide justification for limiting a licence, and that justification must also comply with the EU services directive.

The amendment would extend the right of appeal of a licence holder against a council’s decision to limit the duration of a licence under clause 5. Given the potential confusion over justifiable reasons for limiting a licence, the Committee welcomes that additional right of appeal. I also note that the Minister has previously advised the Committee that the Bill is going through the EU notification procedure, so perhaps the Minister could update the House on that process and what it means.

We have already dealt with amendment No 11. You explained, a Cheann Comhairle, how that is consequential to earlier amendments. Amendment No 12 is a technical amendment.

Amendment No 13 amends the Street Trading Act 2001 to allow an authorised pavement café to trade without the need for a street trading licence. The Minister has also tightened up the wording to address concerns that the Committee had about inappropriate trading in a pavement café — in other words, to ensure that it is essentially for food and drink sales.

The Committee did not consider the group 2 amendment and, therefore, does not have a formal position on it. I will not address that as Chair of the Committee.

All of us in the House will be familiar with the proliferation of pavement cafés in our constituencies and across a number of towns and villages and will no doubt have seen the benefits that they generally bring by creating a vibrant atmosphere in public spaces. However, it is only right to also recognise that the current approach of general tolerance of pavement cafés leaves business owners in a position where they could create pavement cafés that are detrimental to an area or inappropriate to the location or may even impede people’s mobility. Although we would all encourage vibrant and well-populated town centres, it is vital that they remain accessible for all to enjoy. Regulation is a way to retain and encourage the current burgeoning pavement café culture whilst ensuring that town centres remain accessible and enjoyable for everyone using them. It is difficult to say, but the wider public may not really notice the impact of the provisions of the Bill. However, they are necessary, as has been stated, were requested by stakeholders and require this legislation.

It may be said that the Bill is not controversial. It has broad agreement and does not capture the headlines, perhaps because it is not controversial. Nevertheless, we believe that it is important. Throughout the Committee Stage,

members had constructive engagement with stakeholders and the Department. Largely, there was significant support for the content of the Bill, and, where this was not the case, the Committee is content that the Department has proposed amendments to effectively address any issues. The Committee believes that this provides effective regulation of these facilities.

On that basis, the Committee is content to support the group 1 amendments.

**Ms P Bradley:** I welcome the opportunity to speak at the Consideration Stage of the Licensing of Pavement Cafés Bill. I support group 1: amendment No 1 and amendment Nos 3 to 13.

In Northern Ireland, we already have a bustling cafe culture, particularly in Belfast, and year on year that continues to grow. That is why it is essential that we have legislation that offers protection to traders, users and statutory bodies. In May, we go to the polls to elect members of our new councils, with them taking full control in 2015. Many powers are being handed down to the new councils, and we must ensure that any legislation proposed by the Assembly is fit for purpose, enabling councils to regulate and control, in this instance, the use of public areas. This legislation, as amended, will give the councils the necessary legislation.

As the Chair commented, we saw many stakeholders in Committee through witness sessions. For me, what was particularly pertinent was the witness session from the partially sighted and those without sight. I also welcome the Minister's comments that the access needs of pedestrians are at the heart of this scheme.

I support the amendments tabled by the Minister for Social Development.

**Mrs D Kelly:** I endorse the comments of the Committee Chair. He gave a wide-ranging account of the consideration of the amendments and the briefings held with departmental officials and other stakeholders. As Ms Bradley has said, it will help our tourism and hospitality trade and, I hope, bring our town centres back to life.

There was wide consultation. We listened carefully, and I hope that councils will take seriously their responsibility in ensuring that pavement cafe requests are mindful of the needs of persons with visual disabilities and impairment. There is not much point in labouring the contribution, except to say that we welcome this.

**Mr Copeland:** I too welcome and endorse the comments of the Chair of the Social Development Committee. I also welcome the progress of the Bill. As Northern Ireland's cafe culture continues to grow, it becomes increasingly important that the Assembly put in place the structures to facilitate growth and to introduce a degree of control into an uncontrolled system.

The Ulster Unionist Party is content to support all the amendments in the group, and it is to be welcomed that the Minister has, on this occasion, listened to the concerns of the Committee and brought forward welcome changes.

Well-managed pavement cafes are a strength, and many of our streets should strive to have them. It has been proven that they can contribute greatly towards urban regeneration, and their impact on certain aspects of the Belmont Road is worthy of note.

Unsurprisingly, organisations working for and on behalf of people with disabilities came to the Committee and raised concerns about the Bill. It is vital that the Department follow up on the assurances that were made and that the needs of people with mobility and sight issues in particular are placed at the heart of the licensing scheme.

Amendment No 3 addresses the "one strike and you're out" approach, which was never fair on paper, especially in a new Bill. The new clause, as amended, will still give the new councils the authority to chase businesses that are in contravention of the licensing scheme, which is the purpose of good legislation. I ask the Minister in his closing comments to tell us how we will ensure that this is evenly enforced across the board.

On amendment Nos 4, 5, 6, 7, 8 and 9, we welcome the acknowledgement from the Minister that clause 19 needed to be changed. As I said, a "one strike and you're out" system was never fair. However, it is also possible to have the powers to revoke or suspend licences, and they might not have been fairly or evenly enforced across council areas. So a standardisation of approach is welcome. I welcome the Minister's acknowledgement that there were problems with parts of the initial draft of the Bill and his tabling of amendments that justify the role of the Committee with regard to the Bill.

Amendment No 10 to clause 21, which extends the right of appeal on a decision and allows it to be made to the council in the first instance, is to be welcomed. It is also preferable that DSD has acknowledged that businesses should be allowed to continue to trade during the consideration of an appeal.

With those comments and caveats, we are content to support the amendments and the clauses under discussion.

**Mr Dickson:** I thank the Minister for bringing the Bill to the House and thank the Chair of the Committee for the way in which he described the work of the Committee. I share the general welcome for the Bill and the thanks to the Minister and the Department for taking into account the representations that we received on various issues.

I am content with all the amendments in the group. I draw attention to amendment No 3. As others have said, a "three strikes and you're out" system seems a fairer way of dealing with someone who has persistently failed to comply with the condition of the licence.

I do not intend to debate the amendment that I have tabled, but I encourage the House to see how amendment No 3 neatly weaves into what I intend to propose later today.

**Mr Clarke:** I support the amendments. As one of the newest members of the Committee, I have to say that it was good to get down to business rather than being bogged down in some inquiry into a BBC report that was launched some months ago. The BBC has failed to come to the Committee to give evidence on that.

We are here to talk about pavement cafes. I welcome the Bill; it is a relevant piece of work by the Committee. As we all know, in many of our towns and villages there has been an unregulated system, which can get out of control. I welcome the work of the Department and the witnesses.

One of the things that struck me — someone touched on this — was the representation from the organisation representing the partially sighted. It is interesting that we

sit down as able-bodied people to consider the legislation, but, as people who do not suffer from partial blindness, we do not appreciate the difficulties of the partially sighted community.

The presentation that that organisation made was most touching, and I am glad that consideration has been given to the evidence that it submitted.

#### 11.00 am

Many of our towns and villages have by-laws on on-street drinking, and I am glad that it has been clarified that that cannot mean an extension of pubs onto the streets. I am not against anyone enjoying an alcoholic drink, but there is a place for it, and by-laws should be protected. I am glad that that piece of work on the Licensing of Pavement Cafés Bill has been covered. I support the Minister's amendments.

**Mr Brady:** Go raibh maith agat, a Cheann Comhairle. The Chair has covered the Committee's position, but a number of briefings from officials on the Bill were very useful. The officials took on board, as did the Minister eventually, the Committee's views on the Bill. That is a positive development. As the Chair said, there are a number of pavement cafes already in our constituencies, so regulation is overdue.

As other Members said, we heard evidence from partially sighted groups and representatives from the Guide Dogs for the Blind Association. They expressed righteous concerns about, for instance, the width of pavements — there should be 1.8 metres minimum clearance — and the fact that some of the furniture would be close to the crossings and tactile pavements that they rely on when approaching crossings. The Minister has also clearly said that plans for design will have to be put forward.

Another concern was that councils will be responsible for the administration and enforcement of the legislation. There were concerns over how uniform that will be. I would appreciate it if the Minister could give those organisations with concerns some reassurance, because they felt that councils may take a less than uniform approach. We have 26 councils at the moment, which will become 11, and the Bill will give them an opportunity to enforce this much-needed legislation. I support the amendments and appreciate the fact that the Minister has taken on board the Committee's views.

**Mr F McCann:** Go raibh míle maith agat, a Cheann Comhairle. Like everyone else, I support the amendments and the passage of the Bill. For many years in a former arena, that of Belfast City Council, one of the things that we had argued for was the growth of a cafe culture. It was rightly pointed out that Roads Service had the primary responsibility and that it was managed in a haphazard way. I believe that the development of a cafe culture will add to the city.

I agree with what the rest of my colleagues said about the blind and partially sighted, but what came to light during the evidence sessions is that there are other people who negotiate the footpath, such as young mothers and parents with prams. They also need to be taken into consideration.

One issue that came up time and time again concerned the type of street furniture that might be used and the fact that there needs to be some uniformity. You can go into

a town or a village and see that people have put a bit of effort into arranging the furniture outside their business but that there are other places that leave a lot to be desired. If we are to create a good cafe culture, the furniture has to play a part in that.

**Mr Maskey:** I thank the Member for giving way. I want to reiterate some of the concerns raised, which Mickey Brady covered as well, by people with visual impairments. I want to place on record on behalf of the stakeholders who expressed concerns that they regard the regulations as having a light touch. I asked the Minister to address some of the matters later, but those stakeholders put an important and compelling case to the Committee. They have concerns about the siting of pavement cafes close to traffic lights, and so on. They also want the criteria for the minimum width of footpaths to be adhered to in the licensing, asking for it to remain at 1.8 metres. I know that the Minister will be bringing forward regulations in that regard, so I just wanted to put it on record that the stakeholders, particularly those with visual impairments, made very compelling arguments to the Committee.

**Mr F McCann:** We have an opportunity here if we get it right. There needs to be a strong connection between the councils and those who will be putting the street furniture out so that they can come up with a design that will allow us to compete with some of the major cities in Europe. I support the amendments.

**Mr McCausland:** I thank the Chair of the Social Development Committee and other Members for their contributions to the debate on my proposed amendments. It is clear that there is broad agreement across the House for these amendments, and I am grateful for that. The Bill provides a regulatory framework that will allow pavement cafes to operate in ways that benefit business, enhance our town and city centres and have due respect for other street users.

A number of points were raised by Members, and I hope that I manage to cover them all in the next little while, but, if I miss anything, I will follow it up in writing. Alex Maskey mentioned EU directive notification. The answer to that is simply that the notification period ended in January and no comments were received in that regard.

The guidance was also mentioned. The truth of the matter is that it is guidance; it is not a vague hint or a casual suggestion. People will be expected to follow that guidance and, if it needs to be amended in due course, that can be done on the basis of experience.

How will the scheme be enforced across the board? Councils will have a statutory duty to implement the scheme. They can refuse a licence only if they have good reason to do so. A licence would automatically be granted under the EU services directive if a council fails to consider it in a reasonable timescale. The legislation will be backed by DSD guidance which, as I said, will have to be taken seriously. It cannot simply be ignored by councils.

Quite clearly, councils will want this to work. It is to the benefit of councils and to the community and the areas that they represent that it does work. Therefore, we should place confidence in councils that they will implement the legislation and follow the guidance in a way that benefits all concerned. We will see in due course how all this works out, but I think that we should have confidence in the new councils in that regard.

The issue of access was also raised and whether DSD guidance will address pedestrian access for the disabled. Yes, it will place a strong emphasis on protecting pedestrian access for disabled people when licensing decisions are being made.

As was mentioned earlier by a Member, the operation of pavement cafes is currently unregulated. The statutory licensing scheme will change that and put the control and management of this unregulated activity on a firm legislative footing. Councils must consult Roads Service on new applications, and Roads Service will advise on location, the impact on pedestrians, the flow of pedestrian traffic in an area and, therefore, the appropriate footpath width. In this matter, again, DSD guidance must be taken seriously by councils.

I will conclude by saying that there is a general acceptance that this is the right direction of travel. Well-designed, sensibly located pavement cafes can add value to the street scene. They can boost visitor numbers and contribute to the economic and general well-being of local communities. Over the past few days, I met people with business concerns in different parts of Belfast, one of whom commented on the lack of footfall in a particular area and the fact that, in the evening, the area is dead.

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

**Mr McCausland:** Yes, I will give way.

**Mr McCartney:** On the point that you are making about adding to the streetscape: last year, in Derry in particular, with the City of Culture, it was one of the things that people identified. If there had been more street cafes or street facilities, it would have enhanced the year. So I welcome the work that you are doing.

**Mr McCausland:** The experience last year in Londonderry as the United Kingdom City of Culture did a lot to exemplify the benefits that can flow from this type of provision. I was commenting on two groups of people with a business interest. One group said that in their particular part of the city in the evening, it was like a desert and there was no one about. That is not good. The other group was made up of businessmen who were keen to develop a hotel in the old Scottish Mutual building behind the City Hall. They commented on the potential to have a much more vibrant frontage on the pavement right in the heart of the city in a way that would complement the core hotel development. So, this is a good thing, and I think that people recognise that.

The Bill incorporates a new statutory licensing scheme to be administered and enforced by district councils. It puts it in local hands, and key stakeholders have been calling for that. So, it is what people have been asking for. Councils will be able to impose a range of licensing conditions. They can vary, suspend or revoke the licence depending on the circumstances. I think that we have struck the right balance in the legislation.

As I have said already, other questions might have been raised by Members that have not been addressed. If that is the case, officials will review the proceedings, and we will respond in writing.

*Amendment No 1 agreed to.*

*Clause 1, as amended, ordered to stand part of the Bill.*

**Mr Speaker:** No amendments have been tabled to clauses 2 to 5. I propose, by leave of the Assembly, to group the clauses for the Question on stand part.

*Clauses 2 to 5 ordered to stand part of the Bill.*

#### **Clause 6 (Conditions of licence)**

**Mr Speaker:** We now come to the second group for debate. There is only one amendment, and that is amendment No 2, which deals with an additional condition proposed to a pavement cafe licence.

**Mr Dickson:** I beg to move amendment No 2: In page 4, line 41, at end insert

*“(1A) A pavement café licence must include a condition requiring the licence holder, so far as is reasonably practicable, not to display in the area covered by the licence anything that would be detrimental to good relations between persons of different religious belief, political opinion or racial group.”.*

I thank the Minister for bringing the Bill to us and for some of the general comments that he has made about the benefits of the Bill to Northern Ireland. I wish to make it clear at the outset that the vast majority of businesses that I have come in contact with and spoken to through my time as a local councillor and now as a Member of the Assembly want to lead the way in tackling sectarianism and helping to develop a shared and peaceful future for everyone. As well as having a genuine desire to build a united community for the sake of current and future generations, most businesses realise that a divided society further reduces their customer reach and prevents them from achieving their full economic potential.

The risk of public space being subtly used to exclude some members of society is inappropriate in a modern Northern Ireland. My amendment seeks to make sure that the use of licensed public space does not in any way contribute to that.

The amendment will not affect the current bricks and mortar premises of bars and cafes because they are already covered by fair employment, goods and services and equality legislation, but I believe that when a public space is being licensed to a private vendor, we have a duty to ensure that the licensed space is shared and open to all and covered by the same equality duties. I do not want to see any pavement cafe becoming an outpost for the display of emblems designed to mark out territory or intimidate people. I want them to be open, welcoming spaces and good for business.

#### **11.15 am**

When I questioned departmental officials at the Committee on 21 November, they confirmed to me that a full equality impact assessment was not carried out; rather, and important as these issues are, what took place was just a screening exercise that focused on access for pedestrians and those with disabilities. An official tried to provide reassurance that the councils would take good relations into account when deciding whether to grant a licence, but when I asked whether it was required to contain that in the legislation, I was told no. That day, discussion focused largely on material surrounding a licensed area, such as kerbstones, lamp posts etc, and the Committee, rightly, took the view that offensive material outside the licensed area would be beyond the control of the licence holder

and outside the scope of the Bill. I do not dispute that. However, my amendment focuses on the licensed area, which would be under the control of the licence holder and, therefore, under the influence of the local authority granting the licence. The failure to recognise that that might impact on good relations in an area is, quite frankly, astounding. The official's evidence sums it up better than I can. He said:

*"We did not really see the Licensing of Pavement Cafés Bill as a vehicle for trying to improve shared spaces;"*

Given all the equality and good relations guidance, combined with T:BUC and other strategies that make clear the responsibilities of all Departments to maintain and promote shared space, it is disappointing that the Department that is responsible for urban regeneration and public realm schemes etc does not think that the licensing of pavement cafes in our towns and cities has any good relations impact. They did not even consider the matter. That is quite clear from the evidence given by officials. That begs this question: are references to shared space in documents such as T:BUC there just to tick boxes — to create a facade that we are really dedicated to moving this country forward?

I am not interested in creating shared future smokescreens. I want the real thing for everyone. That is why I have tabled this amendment, which places a requirement on the licence holder not to allow the display of material likely to be detrimental to good relations. My intention is that these areas, which remain public space but which are used by private businesses, are licensed on a basis that they cannot detract from our desire to ensure that space is shared, open and welcoming to all. I believe that that is firmly in keeping with the recent shared future strategies. Together: Building a United Community contains the objective of moving from contested to shared spaces. It states:

*"we will: ... Enhance Good relations scrutiny by placing it on a statutory basis"*

and makes clear that the maintenance and protection of shared space is a cross-cutting responsibility for the entire Northern Ireland Executive.

It also outlines a vision of:

*"A united community, based on equality of opportunity, the desirability of good relations and reconciliation - one which is strengthened by its diversity, where cultural expression is celebrated and embraced and where everyone can live, learn, work and socialise together, free from prejudice, hate and intolerance."*

That is what I want, Mr Speaker. I want our public realm to offer spaces where culture can be celebrated legitimately, free from threat and intimidation. If we are serious about removing racist graffiti and paramilitary emblems from our streets, we should not tolerate their display in a public area under licence from a local authority.

I turn now to the content of the amendment. It is not designed to be burdensome on applicants. It uses the phrase "so far as is reasonably practicable", which should protect licensees from inadvertent displays of materials by clients, allowing time for removal of graffiti etc. The passage of amendment No 3 clarifies that revocation of

a licence will only be for persistent offenders — a term that is, as we know, interpreted as having been warned three times. That is useful, because it will indemnify licensees from displays made in error or made without their knowledge.

The phrase "detrimental to good relations" is also established in the Northern Ireland Act 1998. Indeed, section 75(2) imposes a duty on public authorities, including district councils, to have regard to the desirability of promoting good relations between persons of different religious belief, political opinion or racial group. Therefore my amendment has an established meaning and should not present difficulties for those interpreting it during the application process. I genuinely believe that it will not be burdensome to comply with. It simply requires a responsible attitude to the displaying of divisive material. The amendment will ensure that the few businesses that may like to engage in divisive displays or inappropriate activity cannot use public space to do so.

**Mr I McCrea:** Will the Member give way?

**Mr Dickson:** Yes.

**Mr I McCrea:** I have been listening to the Member. Unlike other Members, he had the opportunity to discuss this in Committee. He referred to what pubs, cafes or whatever should not display, but can he give us an idea of what he has seen displayed in pubs or cafes that would be included?

**Mr Dickson:** It is less about what pubs and businesses display — the reality is that pubs, cafes and other businesses know what is good for business and, therefore, want to create a welcoming space — and more about what is put there by others, such as graffiti on walls of premises and, as we debated in Committee, the space outside or inside the licensed area. If you are sitting inside the licensed area at a pavement cafe, there is a general duty and responsibility on the cafe owner and the licensee to ensure that the footpath below you and the space around you are free from graffiti or racist remarks.

The practical outcome will be that the display of material that is divisive or racist within the licensed area will have to be removed by the owner, which is the very point that I was coming on to, so I thank Mr McCrea for raising it with me. The amendment would not cover material outside the licensed area. Clearly, that is not the responsibility of the cafe owner. However, we must renew our efforts to tackle these displays through other means. Indeed, local authorities should use their general powers to encourage good relations within the community. Nor would the amendment cover the unauthorised display of material by clientele that was beyond the control of the licence holder. As made clear in the earlier discussion on amendment No 3, only persistent displays would be contrary to the licence condition.

In my view, the amendment should not penalise sports clubs or sports fans watching games, as sporting emblems and team colours are not themselves sectarian, divisive or racist. It is only when offensive material is brought into the mix that good relations are compromised. Offensive displays in which sporting symbols are used as a veneer for sectarianism are completely different. The same logic applies to other establishments where cultural identity is legitimately celebrated. That would be protected under article 10 of the Human Rights Convention, whereby

material designed to intimidate would of course not be permitted.

I believe that the amendment is workable, implementable and will make a modest contribution to creating shared spaces, with all parts of Northern Ireland accessible to everyone. That is what the House should aim for and aspire to. One of the pillars on which a shared future will be built is that of shared space, where cultural identity can be celebrated and no one should feel uncomfortable or intimidated by sectarian or racist symbols. Symbols or emblems that demarcate or attempt to demarcate a territory, or make it seem like an area is not accessible to the whole community, are at the core of the problem. Any potential for public space to be used to exclude sections of our society should not be overlooked. The legislation may represent a relatively modest change, but it should not escape our relentless effort to build that united community.

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

**Mr Dickson:** I will.

**Mr Allister:** Will the Member explain to the House why he is being so selective? He is exercised to make sure that there is nothing that could offend on a religious, political or racial basis. However, take, for example, a gay bar. He has no restraints to place on what can be displayed on the pavement if a gay bar is exercising its rights under the legislation. We know from some of the gay pride parades just how offensive some of the posters can be to the Christian community. Why is the Member being so selective and not extending any restraint to others? Can he explain that?

**Mr Dickson:** I have no difficulty, Mr Speaker. He referred to a particular style of bar. Acts of public offence, nudity or indecency would equally be covered by all this legislation, and I have no difficulty at all in encompassing that in it. This is about creating shared and welcoming spaces; it is not about denying people the opportunity to display whatever it is they are inviting people into. However, that has to be done within the bounds of decency and the equality legislation as it applies in Northern Ireland.

**Mr Allister:** Will the Member further give way?

**Mr Dickson:** Yes.

**Mr Allister:** Is it not the case that the public order legislation would already apply to these public places and that, therefore, the idea that this amendment is needed to protect against matters that involve evoking public order situations, perhaps by inappropriate displays, is something that the criminal law already covers?

**Mr Dickson:** I do not have the advantage of Mr Allister's legal knowledge or qualification, but it seems to me that, at the end of the day, it is also a matter of proportion. Whenever we are dealing with matters of sectarian emblems or graffiti, those are perhaps not matters of public order. There is, of course, a scale and a breadth of issues that have to be dealt with. Mr Allister is quite right to say that things might be displayed that would clearly provoke public order incidences. However, this is about dealing with low-level, small-scale issues. It is about getting it right and about encouraging business owners of cafes and bars to try to create a welcoming space for their clientele and not making it exclusive to one community or one group or another. That is what I am trying to encourage in this modest amendment. Therefore, I encourage Members to support my amendment and, in

doing so, to make it clear to the public that this Assembly is determined to ensure fair, equal and shared use of space in Northern Ireland.

**Ms P Bradley:** I will speak against the amendment. It is not that I do not agree with the content of the amendment; I certainly do. However, I feel that it is not necessary, as the legislation has already provided for what the Member said. Through this legislation, councils will have the powers to set what is acceptable and to take the necessary steps to revoke the licences of anyone who is not abiding by their standards. Furthermore, councils are made up of elected members from almost all parties in this Chamber, and councillors and council bodies are more than able to identify and act upon any licence holder who is not meeting the good relations policies in their district areas. Therefore, I cannot support this amendment.

**Mr Maskey:** Go raibh maith agat, a Cheann Comhairle. On behalf of Sinn Féin, I oppose Mr Dickson's amendment. Similar to the previous Member who spoke, we are clearly not hostile to the intention behind the amendment. Mr McCrea raised the point about the issue being discussed in the Committee. It was raised at the Committee as we were going into clause-by-clause consideration, and, therefore, the Committee did not have a formal proposition at that stage to debate or discuss. So, Mr Dickson raised it briefly, and there was a fairly short exchange on it. As I said, our party is not opposed to, if you like, the intent behind this amendment, but we do not think that it is appropriate. We do not believe that the Licensing of Pavement Cafés Bill is really the place to deal with a shared future, and, as Members indicated previously, significant and substantive laws are already in place by which the issue would be dealt with. Mr Dickson has, I think —

**Mr Dickson:** I thank the Member for giving way. It concerns me that we have general comment from one party, as well as another on the other side of the House, saying that it is understanding of and sympathetic to the issue but that it is not prepared to carry through what is, in reality, a general duty that is already on local authorities. If that general duty is there, I do not see why we should not use this legislation as an opportunity to reinforce the requirement for good relations. That is because this is about shared space and about something that we can practically do in the community. There is a lot of talk in this establishment about people's aspirations.

Here is a very modest little opportunity for us to reinforce the value of good relations to everyone, particularly when it comes to the use of shared space.

**11.30 am**

**Mr Maskey:** I thank the Member for trying to clarify his position, but, again, the point I made on behalf of Sinn Féin is that we do not believe that this is necessarily the appropriate place to try to tackle difficult issues like the shared future. The Member will be well aware that it is actually quite difficult even to define some of those matters. The Member referred to sports emblems and so on, which, he says, in themselves are not necessarily sectarian or problematic. Would you define someone sitting in a cafe with a Rangers scarf or a Linfield scarf as a problem? I do not know. What has been said very clearly is that there is a time and a place for all of those things.

The legislation essentially has as light a touch as is appropriate. It is really to enable economic development in and around our towns and villages and many of our main streets. It is about assisting businesspeople to expand and grow their businesses in a way that meets the public's needs, both in terms of patrons or customers and in terms of the issues that we have referred to relating to those with particular types of impairment like visual impairment. It is about trying to regulate all of that in a modest way. It cannot be expected to deal with the wider, more contentious and controversial issues, which — I have already made the point — are dealt with in other elements of the law and are central to many of the discussions held in the Assembly and the Executive, on which the Member's party is represented.

We believe that most businesspeople — I think that the Member made this point — know what side their bread is buttered on, without a pun, given that it is for cafe licensing.

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

**Mr Maskey:** Yes.

**Mr Dickson:** The Member has made reference to what businesses know. Businesses know very well what their responsibilities are inside the bricks and mortar of their premises, whether it is on the delivery of goods and services or in relation to how they treat their employees or, indeed, how they treat their customers. All I am asking is that, under the general aegis of good relations, that be expanded to the outdoor space as well. In fact, I think that it is essential that what goes on inside a business and is well regulated under various pieces of equality legislation should also apply to outdoor spaces.

**Mr Maskey:** Again, I thank the Member for his intervention. To conclude on my party's behalf, we are not actually hostile to the intent behind the amendment. We do not think that it is particularly workable. I do not think that the Member has put forward a clear enough or compelling argument, notwithstanding what he has said.

**Mr Clarke:** You would nearly think there was an election coming.

**Mr Speaker:** Order.

**Mr Maskey:** Well, the Member has expressed his views, and he is well entitled to do that. I do not think that he has made a compelling enough argument that would enable our party to consider supporting the amendment. As I said, we have no problem with the intent behind the amendment, but we think that there is other legislation in place. We do believe that there is an awful lot more work that needs to be done in respect of a shared future and how we respect each other, notwithstanding our cultural and political differences, but that is a bigger job of work. It is not a job for this Bill, which is a modest Bill to enable economic development to proceed.

**Mr Humphrey:** I am grateful to the Member for giving way. Before coming to this place, I worked in Belfast City Council and was the vice-chair of Belfast Orangefest. People will have their own view on 12 July, but the Orange Order worked with the traders in Belfast, the Chamber of Commerce, Visit Belfast, the council and government — including DSD, led by the SDLP — to encourage people into the city centre to watch the parade, to sit there and have a meal and a drink or whatever, then watch the return parade. That worked very successfully. The truth

of the matter is that, on that day, people celebrating their culture will be dressed a certain way. My concern is that Mr Dickson's amendment would mean that people would feel uncomfortable doing that, and I do not think that they should.

**Mr Dickson:** I thank the Member for his intervention. *[Laughter.]*

**Mr Maskey:** It is my intervention; I am speaking.

**Mr Speaker:** Order. Mr Maskey has the Floor.

**Mr Maskey:** I thank the Member for thanking another Member for intervening on my speech. I will not take any further interventions.

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

**Mr Maskey:** I certainly will. *[Laughter.]*

**Mr Dickson:** So direct were the Member's remarks — he even turned to face me rather than the Member he was attempting to address — that I was completely drawn into the scene that he described for us. The short answer is that the event that he describes is a genuine event, as we can all discern. That is what good relations are all about. Good relations are nuanced and about discerning those things that can be achieved in an open and welcoming way and those that we all know are wrong. There are many occasions when things are wrong and we know that they are wrong. We have the ability to discern.

**Mr Maskey:** I again thank the Member for his intervention. The concept of a short intervention is very interesting, but I have yet to witness one.

I want to conclude my remarks on behalf of Sinn Féin. I am not hostile to the intention behind the amendment, but I do not think that it is workable. The Member certainly has not put forward any compelling or clear argument as to how it might work. The issues that he addresses are dealt with in other legislation. It needs to be better dealt with in legislation and through a wider and more inclusive conversation in society. However, this is not the place to do that.

**Mrs D Kelly:** On behalf of the SDLP, I fully appreciate the comments of others who insist that the intention behind the amendment is covered elsewhere in legislation. However, the proposer was at some pains to point out that we should make it more explicit and give a lead in the House on how we can endorse shared space and expect certain standards of behaviour in those areas that are clearly shared space. The SDLP is happy to support the amendment. I think that there should be more positive messages —

**Mr F McCann:** Will the Member give way?

**Mrs D Kelly:** I will.

**Mr F McCann:** Do you not accept that, in the likes of Belfast city centre — which I frequent, now and again, to partake in a couple of drinks with my friends — there is an unwritten rule among many owners of bars and other establishments that certain types of materials cannot be worn? If you try to make it a restriction, you will lose the battle rather than win the hearts and minds of the people who use the place.

**Mrs D Kelly:** Mr McCann said that it is an unwritten rule. Indeed, the proposer and others talked about self-

regulation because business owners know what is best. The amendment is not about what potential customers might seek to wear or not wear. We would all like to see those wearing Linfield scarves and those wearing Celtic scarves sitting down together sharing a cup of coffee. However, the amendment is not aimed at the customer — the proposer can clarify that — but at the business owner. It is about sending a positive message on the standards of behaviour that we, as an Assembly, expect to be abided by in public.

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

**Mrs D Kelly:** I will.

**Mr Maskey:** We have all agreed that there is a proliferation of cafes. Can the Member give us an example of where that standard has been abused by any businessperson? Nobody brought that to the Committee at any stage. I am not hostile to the intent of the amendment, but not one person brought it to the attention of the Committee in its deliberations that that has been a problem in any establishment. It has not happened.

**Mrs D Kelly:** I am not making the point that it is to remedy a wrong. I am saying that it is an explicit way in which the House could give a message to the public and wider society. It is on that basis that the SDLP is happy to support the amendment.

**Mr Copeland:** I am unable to support the amendment. The world is as it is and not as we would wish it to be. Although I have some sympathy for Mr Dickson's Elysian Fields, I have read the amendment. The amendment is interesting in some ways. It uses phrases such as "reasonably practicable", without giving any definition of what reasonable practicability is. As Mr Allister said, it appears to be selective in those who are to be afforded protection: "persons of different religious belief". Not to stray into the ridiculous, but the hot cross bun could, in some cases, be seen as not in the interests of those of the Muslim faith. If you go back far enough in history, the croissant is the same.

Let us take the things that really matter here. Say, for example, that someone in a restaurant has a tattoo — many people have tattoos, and many people had tattoos during the Troubles — such as a red hand, a shamrock or a harp, whose responsibility is it to tell the person that that is an unacceptable display? Even a bottle of Guinness has a harp with no crown, and there are certain quarters where that might not go down well. How do we enshrine something in legislation as open as amendment No 2? It gives no guidance as to what is "reasonably practicable"? Who enforces it? Who ensures that it is enforced fairly and justly, because the person enforcing it may well be prejudiced in one direction or another. Most of these things, as Mr Allister said, are already covered in common law.

**Mr Campbell:** I thank the Member for giving way. Does he agree that, because people are looking to us to make progress, we need to be exceptionally careful? We are talking about the Licensing of Pavement Cafés Bill. If people hear us analysing the Bill in the context of a shared space and a shared future, they really will say, "Can you not simply get on with it?".

**Mr Copeland:** I do have some sympathy with that. I will take Mr McKinney's intervention, if that is in order.

**Mr McKinney:** I thank the Member for giving way. I refer back to your opening comments. Are you suggesting that

the Assembly does not have the capacity or the ability to effect positive change?

**Mr Copeland:** Absolutely not. However, I believe that change for the sake of change is not necessarily a good thing. I do not think that legislation such as this applied to a pavement cafe will change anything. I know that people take offence, and people are entitled to take offence. However, sometimes things that are seen by others to be offensive are not offensive.

Any of you who know me well will be fairly sure that I am a pretty reasonable individual in most things. Gender, colour and religion do not really bother me that much personally, as I take people as I find them. Many years ago, I was at a Castlereagh Borough Council lunch — a very good lunch — and afterwards I was offered a cup of coffee. A voice came from behind me that said, "Coffee?". I said, "Yes please. Can I have it black?" There was a silence, and the voice said, "You cannot ask for that". When I turned round to ask why, I discovered that the person was a black person. That is as true as I am standing here. Nothing in what I said about asking for a black coffee could have been described as racist, yet there was something in the communication that took place between me and the waitress that led her to infer that there was something potentially racist in it.

A pavement cafe is somewhere that you choose to go into. If it is not a place that is deemed by you with your buying power to be appropriate, you will not go into it, and the owner will change it to make it appropriate. To have legislation without a very strict understanding of what it will mean is plum silly.

**Mr Clarke:** Thank you very much, Mr Speaker. We will try to get back to normality after that.

I will not be supporting amendment No 2, which, I am sure, comes as no surprise. I listened carefully to what other Members have said, and I listened to what the Minister said about us wanting the legislation to work. The amendment is unworkable. About the only thing on which I agreed with the Member who spoke previously was the wording of the amendment, where we talk about something as being "reasonably practicable".

As someone said during the debate on the first group of amendments, we are really trying to get legislation that will be workable by councils. We want to hand over the legislation with it fit for its intended purpose. To hand over legislation to a council that contains an amendment with the wording "reasonably practicable" is not workable in my opinion. What should have been a straightforward debate on the Licensing of Pavement Cafés Bill has turned into something ludicrous, to be honest.

In his opening remarks, the proposer of amendment No 2 said that he had spoken to businesses and taken on board their comments. However, no one could suggest where those businesses that would be flouting the rules are. Anyone who runs a good business will want to protect it, and Alex Maskey made a similar point. They are not going to step outside of something that is going to affect their business where they are going to attract trade from one side of the community or the other.

**11.45 am**

I laugh when I read the amendment because it goes on to state:

*“not to display in the area covered by the licence anything that would be detrimental to good relations between persons of different religious belief, political opinion or racial group.”*

I have to say that I am glad that it does not extend to all signage in towns. You could walk down a Carrickfergus street today and ask someone what they think of the sign outside the proposer's office. That person may find it offensive because, given their political opinion or belief, they may not agree with it. Unless the proposer proposes that we paint everything yellow for the Alliance Party, or everything grey, the amendment borders on the ridiculous. For that reason, I do not support it.

**Mr Lyttle:** I support the amendment. We have had some strange contributions in opposition to a very straightforward amendment that aims to put standards in place that are key priorities for the entire Executive. We have had everything from hot cross buns to black coffee and other things used as objections to a fairly straightforward amendment.

Shared spaces and shared community are at the core of how we set about creating a shared society. The DUP and Sinn Féin recognise that. In ‘Together: Building a United Community’, they state clearly that they are:

*“committed to addressing all barriers that prevent or interfere with shared space, and ensuring that all individuals can live, learn, work and play wherever they choose.”*

It also states:

*“The maintenance and protection of shared space is a cross-cutting responsibility for the entire Northern Ireland Executive, other public bodies and civic society.”*

So, I think that this is an opportunity for the Assembly to demonstrate that it is committed to delivering some of those aims in a very practical way. It gives pavement cafes, which use public space for a private venture, an opportunity to be part of the progress towards creating a shared society for everyone.

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

**Mr Lyttle:** I am sorry, but I am going to make progress.

There is also an opportunity through the scope of this legislation to make sure that that is a more comprehensive approach. However, the amendment is rightly limited in nature. It would be clearly unfair on businesses in areas of contested space to prevent cafes from having a licence because the Executive have been unable to deal with contested emblems in a more comprehensive way. That is why we use terms such as “reasonably practicable” in the amendment, which makes it a balanced and proportionate proposal.

I am content that the amendment is worded in such a way that it would not be onerous for licence holders, and I urge all Members to support what I think is an opportunity to put the words of ‘A Shared Future’ into action.

**Mr Allister:** I oppose the amendment. It is unnecessary, unduly selective and ultimately probably unenforceable. It is unnecessary because, by their very nature, pavement cafes remain public spaces and public places, and they are therefore governed by public order legislation. Thus, the prospect of them becoming cauldrons for public disorder, dissent and that which provokes those situations is catered for in criminal law. One of the most basic public order offences is behaviour likely to lead to a breach of the peace. So, if you have occurring within the ambit of a pavement cafe something which, by its very nature, is likely to lead to a breach of the peace, there is a remedy that lies in criminal law. So, the amendment is wholly unnecessary in that regard.

Secondly, it is excessively selective. The point I made in my intervention is that Mr Dickson is exercised to make sure that nothing happens that might provoke confrontation or upset on the basis of religious belief, political opinion or in a racial situation.

Of course, he seems quite happy to have no legislative restraint on what I described as the “gay bar”, which seeks to open up a pavement cafe in front of its premises, where there may well be offence caused to passers-by, such as has been caused by some of the displays and posters carried during the so-called gay pride parade. If one of those were to be displayed on the forecourt of a gay bar as part a pavement cafe setting, Mr Dickson would, it seems, have no problem with that. His amendment does not seek to address that.

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

**Mr Allister:** I will in a moment.

In the provision of services, we have a whole range of touchstones: political, religious, racial, sexual orientation and gender. However, when it comes to the amendment, Mr Dickson very selectively excludes some of them. By that, he conveys that he is quite content to see that which he would not permit on a public order basis if it were political, religious or racial in connotation. He is quite happy for it to be tolerated if it is on the basis of sexual orientation. That is why I say that he is being wholly selective. I will give way.

**Mr McKinney:** Will the Member clarify whether the instance that he describes of the gay bar and any materials displayed there would be covered under public order?

**Mr Allister:** Yes. It comes back to my first point that it is unnecessary to do any of this because, if it is capable of leading or is likely to lead to a breach of the peace, it could well be covered by public order. It could be covered by some other dimensions as well. It goes back to my first point, which is that the suggested legislative change is unnecessary in the first place. It is then compounded by the fact that it is wholly selective.

**Mr McKinney:** I thank the Member for giving way. I just want to test that point. Are there circumstances in which it would not be covered under public order, which would underscore the type of provision put forward by the Alliance Party?

**Mr Allister:** I suppose that if no one objects, there may well be no action taken. However, by the same token, if no one objects to something that is divisive politically, religiously or racially, no action will be taken. We either go for something that applies across the board or we go for

none of it. I suggest that we go for none of it because it is all already adequately covered in criminal law.

I say that it is unnecessary, I say that it is selective, and I say that it is probably largely unenforceable because we are talking about the burden on the licensee. The inference is that the licensee is vicariously liable for what happens on his premises, which now extend to the pavement. That begs the question of what the licensee might be able to control. If someone comes along sporting emblems that others may consider divisive, is it realistic to tell the licensee that he must intervene? That, in itself, could cause a public order situation, so is it even practically enforceable? I question whether it is.

**Mr I McCrea:** Will the Member give way?

**Mr Allister:** Yes.

**Mr I McCrea:** The proposer referred to graffiti, whether it be on the walls or the pavement. Does the Member accept that the point that he makes also impacts on the owner of the premises, who would then also be responsible for cleaning the footpaths, which are also completely out of his control?

**Mr Allister:** Yes. I do not know whether Mr Dickson expects the licensee to be the custodian and guardian of the kerbstones — maybe he does. I think that it is largely an impractical proposition and one which, for the three reasons that I have articulated, the House should oppose.

**Mr McCausland:** I listened carefully to all the points that were made in what was undoubtedly a very wide-ranging contribution. We have even been better informed about Mr Copeland's dietary preferences.

At the outset, I make it clear that I oppose the amendment. The reasons for that are very plain and simple. The Bill as currently drafted will allow a council to take action if it has a concern that a pavement cafe area may not provide or is not providing a welcoming environment. As the proposer of the amendment noted, councils already have an obligation to take good relations into account. Therefore, I would have thought that there is an incumbency on them to take that into account when considering applications for a pavement cafe.

Under clause 4, a council may refuse an application outright. Under clause 6, if a council decides to grant a licence, it may impose any condition that it considers reasonable to promote a welcoming environment. Under clause 16, where a licence is in force, a council can vary the conditions of a licence for the same purpose. However, more importantly, any licensed pavement cafe will remain a public area and, as such, will be subject to all the normal laws of the land. I think that a number of contributors touched on that.

I listened carefully to Mr Dickson's argument. Given that he said that the amendment is essential, obvious and necessary, it strikes me as a little odd that, when the earlier public consultation on the scheme took place, the Alliance Party responded but did not think that the issue was important enough to mention at that time. Surely if the amendment is essential, obvious and necessary in the way that Mr Dickson now claims, if it holds that view, the Alliance Party should have raised that issue at that earlier point. So, I am somewhat bemused by the fact that he should bring it up now at this very late stage.

It is quite clear that town, city and village centres should be shared spaces. That is good for business, for the wider community and for councils. I think that everyone should accept that. If we are going to have viable commercial centres, they need to be shared spaces so that they can draw customers and clientele from right across the community. I am sure that that will be very much in the mind of councils and businesspeople.

When Mr Dickson was asked for specific examples of what he was actually talking about, his response was, I have to say, certainly confused and undoubtedly confusing. I think that that showed that the whole thing is ill thought out, ill-conceived and ill-considered.

Pavement cafes are public spaces. The Member talked about graffiti. If everything on the pavement, such as tables, chairs and so on, has to be capable of being removed, the only thing that you are left with is the ground that they stand on. If we are talking about graffiti on the pavement, I think that it would be the responsibility of the local council or Roads Service to immediately remove anything that is racist, sectarian or, indeed, obviously offensive.

So, for all the reasons that I set out, in addition to the other reasons that some others noted, there is absolutely no reason for supporting the amendment. It is unnecessary and totally ill thought out and ill-considered.

In conclusion, I agree that, as a general presumption, a council would wish to be assured that any licensed pavement cafe area has a welcoming environment. There is scope in the Bill for a council to deal with concerns in that regard. To make it a mandatory licence condition would, in my view, be unworkable. Indeed, to include such a condition could be a charter for malcontents to lodge all sorts of mischievous complaints. Councils are best-placed to make local licensing decisions, and powers are being devolved appropriately under the Bill. They can be trusted to implement the scheme in a way that is balanced, sensible and sensitive to local circumstances. I, therefore, formally oppose the amendment.

## 12.00 noon

**Mr Dickson:** I thank the Minister and all Members who have contributed to the debate. No matter what the outcome on this amendment is, we have had an opportunity to look at one small step that we might take in dealing with shared space and the future of Northern Ireland. It just fills me with sadness that people bring in silly comments and have failed to grasp it; we cannot take even one tiny step.

I listened to what —

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

**Mr Dickson:** No, I am not prepared to give way. I listened to what Mr Allister had to say. I would be happy to work with him, and I think that he is right about extending the list to include not only, for example, sexual orientation but other things. I would happily work with Mr Allister to do that, if I genuinely thought that he would support the amendment. However, I know that he is not prepared to support the amendment.

I also heard somebody describe the good relations aspect of it as unworkable. Good relations is already the law of the land. It is the standard that we aspire to; it is there in legislation. Why can we not have it cited in each

appropriate piece of legislation and in something as simple as the Licensing of Pavement Cafés Bill?

I urge Members to reconsider their thoughts and encourage them to support the amendment, but I understand the outcome of a democratic vote in the Chamber. It just saddens me that, even on something as simple as this, we cannot take a little step forward and actually create shared space for everyone.

**A Member:** Will the Member give way?

**Mr Dickson:** No, I have finished.

*Question put, That amendment No 2 be made.*

*The Assembly divided:*

*Ayes 16; Noes 68.*

## AYES

*Mr Agnew, Mr D Bradley, Mr Byrne, Mr Dallat, Mr Dickson, Mr Durkan, Mrs D Kelly, Ms Lo, Mr Lyttle, Mr McCarthy, Dr McDonnell, Mr McGlone, Mr McKinney, Mr A Maginness, Mr P Ramsey, Mr Rogers.*

*Tellers for the Ayes: Mr Dickson and Mr McCarthy.*

## NOES

*Mr Allister, Mr Anderson, Mr Bell, Mr Boylan, Ms Boyle, Ms P Bradley, Mr Brady, Mrs Cameron, Mr Campbell, Mr Clarke, Mr Copeland, Mr Craig, Mr Cree, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Ms Fearon, Mr Flanagan, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr G Kelly, Mr Kennedy, Mr McAleer, Mr McCallister, Mr F McCann, Ms J McCann, Mr McCartney, Mr McCausland, Ms McCorley, Mr B McCreagh, Mr I McCreagh, Mr McElduff, Ms McGahan, Mr M McGuinness, Mr D McIlveen, Miss M McIlveen, Mr McKay, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr McMullan, Mr McNarry, Mr McQuillan, Mr Maskey, Mr Milne, Mr Moutray, Mr Nesbitt, Mr Newton, Ms Ni Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr Poots, Mr G Robinson, Mr P Robinson, Mr Ross, Ms Ruane, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wells.*

*Tellers for the Noes: Mr Clarke and Mr G Robinson.*

*Question accordingly negatived.*

## 12.15 pm

*Clause 6 ordered to stand part of the Bill.*

**Mr Speaker:** No amendments have been tabled to clauses 7 to 13. I propose, by leave of the Assembly, to group these clauses for the Question on stand part.

*Clauses 7 to 13 ordered to stand part of the Bill.*

### Clause 14 (Revocation of licence)

**Amendment No 3 made:** In page 11, line 26, leave out from “any” to “with” and insert

*“the licence holder has persistently failed to comply with any condition of the licence”.— [Mr McCausland (The Minister for Social Development).]*

*Clause 14, as amended, ordered to stand part of the Bill.*

**Mr Speaker:** No amendments have been tabled to clauses 15 to 18. I propose, by leave of the Assembly, to group these clauses for the Question on stand part.

*Clauses 15 to 18 ordered to stand part of the Bill.*

### Clause 19 (Notice of revocation, suspension or compulsory variation)

**Amendment No 4 made:** In page 13, line 23, leave out subsection (1) and insert

*“(1) Before deciding to revoke, suspend or make a compulsory variation of a pavement café licence, a council must (subject to subsection (1D)) notify the licence holder in writing of its proposal to revoke, suspend or vary the licence.*

*(1A) A notification under subsection (1) must state—*

*(a) the grounds for the proposed revocation, suspension or variation; and*

*(b) that representations in writing relating to the proposal may be made by the licence holder to the council until the end of a period specified in the notification.*

*(1B) Any period specified under subsection (1A)(b) must be at least 21 days beginning with the date when the notification is sent unless the council considers that there are particular circumstances which make a shorter period necessary in the public interest.*

*(1C) In deciding whether to revoke, suspend or make the proposed variation of the licence the council must take into account any representations made by the licence holder within the period specified under subsection (1A)(b).*

*(1D) If it considers that there are particular circumstances which make it necessary to do so in the public interest, a council may decide whether to revoke, suspend or make a compulsory variation of a pavement café licence even though no notification has been given under subsection (1).*

*(1E) Where a council decides to revoke, suspend or make a compulsory variation of a pavement café licence, the council must give notice in writing to the licence holder of the revocation, suspension or variation.” — [Mr McCausland (The Minister for Social Development).]*

**Mr Speaker:** Amendment No 5 has already been debated and is consequential to amendment No 4.

**Amendment No 5 made:** In page 13, line 25, leave out “this section” and insert “subsection (1E)”. — [Mr McCausland (The Minister for Social Development).]

**Mr Speaker:** Amendment No 6 has already been debated and is consequential to amendment No 4.

**Amendment No 6 made:** In page 13, line 30, leave out from “this section” to “the notice” in line 31 and insert

*“subsection (1E) may provide for the revocation, suspension or variation to take effect on the date when that notice”. — [Mr McCausland (The Minister for Social Development).]*

**Mr Speaker:** Amendment No 7 has already been debated and is consequential to amendment No 4.

**Amendment No 7 made:** In page 13, line 36, at end insert

*“(4A) A notice under subsection (1E) may be withdrawn at any time before the revocation, suspension or variation*

takes effect.” — [Mr McCausland (The Minister for Social Development).]

*Amendment No 8 made:* In page 13, line 37, leave out “a council has suspended a pavement café licence, it” and insert

“a suspension of a pavement café licence has taken effect, the council”. — [Mr McCausland (The Minister for Social Development).]

**Mr Speaker:** Amendment No 9 has already been debated and is consequential to amendment No 4.

*Amendment No 9 made:* In page 13, line 41, leave out “(4)” and insert “(4A)”. — [Mr McCausland (The Minister for Social Development).]

*Clause 19, as amended, ordered to stand part of the Bill.*

*Clause 20 ordered to stand part of the Bill.*

### **Clause 21 (Appeals)**

*Amendment No 10 made:* In page 14, line 37, at end insert

“(2A) Where a pavement café licence is granted or renewed and a period is specified under section 5(5) (a) in the licence, the licence holder may appeal against the council’s decision to specify that period.”. — [Mr McCausland (The Minister for Social Development).]

*Clause 21, as amended, ordered to stand part of the Bill.*

*Clauses 22 to 29 ordered to stand part of the Bill.*

### **Clause 30 (Definitions)**

*Amendment No 11 made:* In page 18, leave out lines 30 to 32 and insert

“‘market area’ means a place where a person has a right (exercisable at particular times) to hold a market or fair; and in this definition ‘right’ means a right acquired by virtue of a grant (including a presumed grant) or acquired or established by virtue of a statutory provision;”. — [Mr McCausland (The Minister for Social Development).]

*Clause 30, as amended, ordered to stand part of the Bill.*

*Clauses 31 and 32 ordered to stand part of the Bill.*

### **Schedule (Consequential amendments)**

*Amendment No 12 made:* In page 22, line 9, leave out line 9 and insert

“in Article 69J(2), the reference to the premises”. — [Mr McCausland (The Minister for Social Development).]

*Amendment No 13 made:* In page 23, leave out lines 32 to 39 and insert

“(f) where a pavement café licence is in force, trading carried out in the area covered by the licence, if the trading—

(i) takes place at a time when that area has temporary furniture on it that under the terms of the licence is permitted to be there at that time;

(ii) is done in the course of a business which is carried on by the licence holder at the premises specified in the licence;

(iii) relates to the supply of food or drink in or from those premises for consumption on that area; and

(iv) does not involve a contravention of the conditions of the licence.’” — [Mr McCausland (The Minister for Social Development).]

*Schedule, as amended, agreed to.*

*Long title agreed to.*

**Mr Speaker:** That concludes the Consideration Stage of the Licensing of Pavement Cafés Bill. The Bill stands referred to the Speaker.

## Financial Provisions Bill: Final Stage

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

*That the Financial Provisions Bill [NIA 22/11-15] do now pass.*

The Financial Provisions Bill was introduced to the Assembly on 17 June 2013, and I believe that the subsequent process of scrutiny and debate has been extremely productive. I record my particular gratitude to the Chairperson and members of the Finance and Personnel Committee for their work in considering the Bill. Likewise, I thank the Assembly authorities, the Bill Office and the Office of the Legislative Counsel for their dedicated work in getting the Bill to this stage.

The Bill is an important and necessary piece of legislation, the main purpose of which is to tidy up routine financial matters that can occur but that would not merit a stand-alone Bill in and of themselves. Following scrutiny of the Bill at earlier stages, I tabled ministerial amendments relating to rating matters, which were passed at Consideration Stage. I do not intend at this stage to spell out in any great detail what the Bill does or how it does it, as we have been over that ground previously. However, I will recap very briefly on the Bill's provisions that relate to a range of issues.

The Bill now contains five rating clauses that deal with a number of changes to either refine, repeal or adjust existing legislative provision relating to rating matters. There are also a range of clauses that deal with minor changes to DARD, DOJ, DSD and Northern Ireland Audit Office legislation.

The Bill provides for a number of routine amendments to finance related legislation or to regularise an existing practice. I look forward to Members' support in ensuring that the Bill clears its Final Stage, having got this far. I commend the Bill to the House.

**Mr McKay (The Chairperson of the Committee for Finance and Personnel):** Go raibh maith agat, a Cheann Comhairle. I thank the Minister for his brevity. I will try to be equally quick in my summing up.

On behalf of the Committee, I support the motion. As Members will be aware, the Bill contains provisions that are relevant to not only DFP but DARD, the Audit Office, DOJ and DSD. The Committee for Finance and Personnel fulfilled a coordinating role in seeking and collating responses to the Bill from the applicable Committees, in addition to considering evidence from DFP officials on relevant clauses. Members of the Finance Committee were therefore mindful of those comments during their deliberations and in their report on the Bill.

During Consideration Stage, Members agreed several amendments to the Bill, and the Bill today has 14 clauses and one schedule. Six of those clauses fall to other Departments' remits, and the relevant Committees have considered and agreed them. For the purpose of today's debate, I shall reflect on the provisions that are relevant to the Department of Finance and Personnel. Those relevant provisions are in clauses 3 through to 7, which will amend the Rates (NI) Order 1977.

Clause 3 will remove the criteria stating that only properties for which rent is paid or collected less than

quarterly and with a value of £150,000 or less fall within landlord liability. Clause 4 will repeal dormant articles that the Department deems unsuitable. The Committee was reassured by the rationale that departmental officials provided that the provisions in both clauses are being made with the support of a consultation process that the Department has undertaken on the wider policy issue of landlord liabilities. Officials also reassured the Committee that those changes should reduce the administrative burden both on tenants and landlords.

Clause 5 clarifies Land and Property Service's ability to request effective dates for occupation. Again, members are satisfied that that will assist with rates recovery and bill collection. Clause 6 will extend the discount on rates allowed for early repayment and follows from the existing rating of empty homes policy already introduced. Officials indicated that the revenue cost of that would be modest, and I understand that it will be around £240,000.

Clause 7 will provide the option of applying small business rate relief as a specific amount of reduction to a rate bill instead of a specified percentage. Although there was some discussion in Committee about the rationale for this, members sought and received assurance from officials on this new power and were satisfied. The remaining amendments in relation to DFP are technical and consequential in nature. The Committee has indicated that it is also content with these clauses.

On behalf of the Committee, I acknowledge the contribution of the other relevant Committees and Departments to informing the Committee deliberations, as well as the responsiveness of the DFP officials in seeking to provide clarification and assurances on issues arising from the evidence.

**Mr Cree:** I am pleased to have taken part in the debates up to this point in time. I am very happy with the way that things have turned out, and I am quite happy to let the Bill proceed.

**Mr Hamilton:** I thank the Members for their contributions today, particularly the last one. I thank Members for their input to this and all previous stages of this short Bill.

I was going to say that I would do my best to respond to all the points that were raised today, but I do not think that there were any. I thank Mr Cree for his brevity; he kept up to a promise that Mr McKay maybe did not in comparison. However, these things are all relative. I thank Mr McKay for giving a summary of the Bill that I did not bother to give. I thank him particularly for leading the scrutiny of the Bill in his capacity as Chairperson of the Committee for Finance and Personnel. The Bill's impact may be minor compared with many other pieces of legislation that not just his Committee but the House will consider, but it is important nonetheless.

As I outlined in my opening remarks, the Bill is a short but important and necessary piece of legislation, the main purpose of which is to tidy up routine financial matters that require primary legislation. It provides for a number of routine, non-controversial additions or amendments to legislation.

Again, I thank everyone for the work that they have done. I commend the Bill to the House.

*Notice taken that 10 Members were not present.*

*House counted, and, there being fewer than 10 Members present, the Speaker ordered the Division Bells to be rung.*

*Upon 10 Members being present —*

*Question put and agreed to.*

*Resolved:*

*That the Financial Provisions Bill [NIA 22/11-15] do now pass.*

**Mr Speaker:** The Business Committee has arranged to meet immediately upon the lunchtime suspension. I propose, therefore, by leave of the Assembly, to suspend the sitting until 2.00 pm. When the House returns, the first business will be Question Time.

*The sitting was suspended at 12.32 pm.*

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

**2.00 pm**

## Oral Answers to Questions

### Enterprise, Trade and Investment

**Mr Principal Deputy Speaker:** I inform Members that question 14 has been withdrawn.

#### Electricity Generation Capacity

1. **Mr Beggs** asked the Minister of Enterprise, Trade and Investment for her assessment of current and future local electricity generation capacity. (AQO 5687/11-15)

**Mrs Foster (The Minister of Enterprise, Trade and Investment):** The recently published Systems Operator for Northern Ireland (SONI)/EirGrid generation capacity statement for 2014-2023 notes that the generation surplus in Northern Ireland drops from 600 megawatts to 200 megawatts in 2016 due to the impact of European Union emissions legislation. However, the adequacy standard will still be met. There is agreement between SONI and the Utility Regulator that an additional generation adequacy of around 250 megawatts is desirable post-2015, and feasible options for securing that by December 2015 are being explored by the Utility Regulator and SONI.

**Mr Beggs:** Developments in the Ukraine have once more put into focus the risks that exist with our gas supplies and electricity generation. What action is the Minister taking to ensure that we have diverse alternative energy supplies, such as those produced by AES in Kilroot, to ensure that such generation is sustainable and available in the future?

**Mrs Foster:** The Member mentioned the developing crisis in the Ukraine. We have been in contact with our Westminster counterparts and, at present — I use the words “at present” because we all recognise that things are developing very quickly, particularly in the Crimea — we are not aware of any issues in relation to the supply of gas to Northern Ireland, which is totally reliant on imports from Great Britain. We understand that gas from Russia transits through the Ukraine to Europe, but Europe is now less dependent on Russian gas than it was previously and there are alternative pipeline routes that do not pass through the Ukraine. We will continue to keep a close eye on the continuing issues in the Ukraine and everything that flows from that.

In relation to local generators, we meet all generators right across the piece, and I understand that SONI and the Utility Regulator have agreed that, in the next few days, SONI will test the market for provision of reliable power, demand-side reduction or a mixture of both equivalent to at least 250 megawatts of generation adequacy. That testing of the market will come in the next few days.

**Mr McGlone:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a freagraí go dtí seo. I thank the Minister for her answers until now. Can the Minister advise of any meetings that she has had with the likes of NIE or the Utility Regulator about increasing the capacity of the grid to absorb connections

from renewables and from other prospective businesses that are attempting to connect to the grid to expand their businesses?

**Mrs Foster:** We deal with that in two ways. We deal with very specific requests from companies that perhaps want to expand and therefore need more capacity in their connection, and I have done that in a number of cases. I cannot name them to the House because that would give an unfair disadvantage to those companies, but I assure him that my officials have, on a number of occasions, met NIE about specific cases. I have one in my mind at the moment. Of course, we continue to meet NIE and the regulator about the grid infrastructure in general.

The Member will know from his Committee chairmanship that we are looking at making an application to the European Union to see whether there is anything that we can do to get money from Europe to help us to deal with our grid infrastructure, particularly in the west of the Province where a lot of renewable energy is trying to get on to the grid, but, at present, there are difficulties with that because of the strength of the grid.

**Mr Flanagan:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a freagraí.

Will the Minister give us an update on her discussions with NIE and the regulator to deal with the extortionate rates that are being charged by NIE for grid connection, particularly given the potential introduction of competition in that area?

**Mrs Foster:** I accept what the Member says about costs, because, when you have a wind turbine on a farm and are trying to make a business case for it, and you are told by NIE that to connect it to the grid will cost a million pounds, it really does not stack up.

We have had meetings with and correspondence from NIE and the Utility Regulator, and the Member will know that, as a result of the most recent price determination, the regulator allowed NIE to invest more money in the grid. It remains to be seen whether that is enough, but one of the reasons that we have approached Europe is to try to gain more money to improve the grid infrastructure.

Anything that NIE does is passed on to the customer, and it has said that it has to be cost-reflective. Many times, NIE asks people to upgrade a line as they are the first on that line that needs upgraded. I accept that that seems to be a disproportionate ask of farmers and others who want to get involved in small-scale renewable energy. That is why we continue to look at how we can improve the grid infrastructure, particularly in the west.

**Mr Anderson:** How important do you think it is to push ahead with the North/South interconnector to ensure security of supply?

**Mrs Foster:** We discussed the matter yesterday during the debate on electricity. Of course, the new high-voltage electricity link is essential in order to improve the electricity infrastructure and network efficiency, and it will save consumers in Northern Ireland an estimated £7 million per annum. It will enhance our long-term security of supply and allow generators in Northern Ireland to export the electricity that they have to the Republic of Ireland and, hopefully later, to Britain. It will also reduce constraints on renewable energy and, as I said, provide access to supply opportunities in the rest of the European market.

It is a critical piece of infrastructure. I understand that NIE's revised environmental statement for the project is with the Department of the Environment. I am keen to see planning progressed as a priority, including the setting of a date for the resumption of the Planning Appeals Committee hearing, if it is required.

## Post Offices: Diversification Fund

2. **Mr Lyttle** asked the Minister of Enterprise, Trade and Investment whether she will give consideration to the introduction of a diversification fund for post offices, which currently exists in other parts of the UK. (AQO 5688/11-15)

**Mrs Foster:** My Department does not have a remit or statutory authority for the funding of post offices. As such, I have no plans to introduce a diversification fund for post offices in Northern Ireland. The Office of the First Minister and deputy First Minister has taken the lead on cross-cutting issues in the Executive.

**Mr Lyttle:** I thank the Minister for her response. I corresponded with the Office of the First Minister and deputy First Minister previously on the issue and was directed to the Department of Enterprise, Trade and Investment. I will revert to the Office of the First Minister and deputy First Minister.

Nonetheless, does the Minister recognise that sub-postmasters, as small businesspeople, face significant hardship? Does she support their Protect our Post Offices campaign, which calls for an increase in the delivery of government services via post offices? Can she direct me to a relevant government official who could meet the all-party group on postal issues to consider how a diversification fund has been used to help post offices in other UK regions?

**Mrs Foster:** I thank the Member for his supplementary questions. Just because I do not have any statutory authority does not mean that I do not take an interest in the issue. Of course I do. On many occasions, I have said that post offices provide vital services, in a similar way to those provided by credit unions in rural areas.

I was quite surprised — I think that Members would also be surprised — at the range of services that post offices already deliver. I have told Post Office officials that we should try to make sure that everybody is aware of the fact that post offices can deliver such a range of services for banks and Departments, both ours and Westminster's.

So, the Post Office, to me, plays a significant role. I particularly want to pay tribute to sub-postmasters and sub-postmistresses who go way beyond the call of duty on so many occasions to help local communities. I could tell you many stories about the way in which they have helped local people in an unsung sort of way, if I can use that term. Despite the fact that I do not have any statutory authority to deal with the matter, the Member will find that I will support him in helping with the delivery of post offices right across Northern Ireland.

**Mr Hilditch:** The Minister touched on it, but what government services are provided through the Post Office?

**Mrs Foster:** It offers a range of services for customers, Departments and councils, including applications, payments, identity verifications, data capture and information services. For example, it manages more than

three million Post Office card accounts across the UK for people receiving benefits, state pensions and tax credit payments. It also offers services relating to driving licence applications, car tax, passports and identity checking.

When I spoke to the Post Office officials about the matter, they said that there was a very limited number of Post Office services actually being delivered through the Post Office, but they were facilitating so many other agencies to deliver their services. I think that it is right that we acknowledge the way in which the Post Office is now being used by the banking sector. When a branch closes down, you can deposit money through your post office. That is being facilitated, as I understand it, by the Bank of Ireland services, but it does not mean that only Bank of Ireland customers can use the service. As I understand it, a wide range of banks are using the Post Office to deliver services locally.

**Mr Ó hOisín:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I welcome the news this morning that there has been a moderate increase in the opening hours of the post office in Learmount. The local community campaigned for that for some time. What discussions has the Minister had with banks or post offices, particularly in areas where branches of banks have closed and there has been a reduction of services to local communities?

**Mrs Foster:** I can tell the Member that one of the questions that I ask of banks when they are closing a branch in a particular town or village is this: how are you going to facilitate your customers in the area? Often, the answer comes back that they are facilitating them through the Post Office. They can deposit cash through a post office and they can lift money through it. I am told that personal customers of 21 different banks — I did not know that we had 21 different banks, but there you are — including the big four, that is, Bank of Ireland, Danske Bank, First Trust Bank and Ulster Bank, and across the UK, can now use or arrange banking services in a post office. Despite the fact that none of us wants to see closures of banks, we should always look to see how our customers are going to be facilitated when that happens. I think that the Post Office provides an answer for that.

## Credit Unions

3. **Mr Newton** asked the Minister of Enterprise, Trade and Investment if she has had contact with credit unions to assess any further potential to develop their services. (AQO 5689/11-15)

**Mrs Foster:** The Member will be aware that the types of financial services that credit unions are permitted to offer are now a matter for the UK financial services regulators. Northern Ireland credit unions may apply to the Prudential Regulation Authority and/or the Financial Conduct Authority for authorisation to deliver new services to their members. The same requirement applies to credit unions based in Great Britain. I have, however, recently received a request for a meeting from the Irish League of Credit Unions to discuss a proposal for the introduction of a range of banking services.

**Mr Newton:** I thank the Minister for her answer. I declare an interest as a member of a credit union. What are the Minister's thoughts on the potential of credit unions to supplement services where banks are closing down outside the Belfast area in particular? Does she believe

that credit unions might offer some services that are lost to a community via the closure of a bank?

## 2.15 pm

**Mrs Foster:** That is a very similar issue to the one raised in the second question about providing services when a bank closes. A credit union can now apply to a particular authority in GB for authorisation to run current accounts or whatever. That authority will determine whether it believes that the capability is there to deliver on that scheme. For our part, we are bringing forward a credit union Bill that will give greater operational flexibility to any credit union that wants to have it. Just last week, we debated credit unions. Many in the community look to the credit union movement because they trust it and, therefore, want to do business through it. So I encourage any credit union that wants to take that step forward to apply. We will try to support them, as far as resources in the Department will allow, because we are still the registry. As I said, I have received a request for a meeting, which we plan to have in the near future.

**Mr Swann:** I declare an interest as a member of Slemish n tha Braid Credit Union. Minister, you have been very supportive of credit unions in the past, as last week's debate proved. The Minister of Agriculture, in an answer to me, said that she had tasked her officials with finding out whether there was any support that she or her Department could give to rural credit unions, maybe through the rural development programme. Have you had any conversations with her about that?

**Mrs Foster:** No, but I would welcome any strategic move that might help, because this would fall under the financial capability strategy that the Executive as a whole are looking at and which has been consulted on. So I would welcome any move forward, and perhaps she will look at that in her rural White Paper. We should work together on this to make sure that there is no duplication and that we use money in the most effective way possible. Now that the Member has raised the issue, I will, of course, have a conversation with the Minister to see what her plans are in relation to the credit union movement.

**Mr P Ramsey:** I welcome the Minister's response, and, like the Member who has just spoken, I fully support the Minister's firm intention to work with the credit unions.

My question is similar to that asked by the Member for East Belfast. Given the void left by bank closures and the exorbitant hikes in interest rates by lenders, including non-street lenders, will the Minister give a firm commitment that the consideration of programmes that would enable financial support to go to credit unions to fill that void will be raised at the Executive?

**Mrs Foster:** We will have that wider discussion on education and capacity building under the financial capability strategy, which, I think, is the right place for this to sit. I think that his reference to finance relates to capacity building. He will know that, in GB, the Department for Work and Pensions, I think, came forward with money to try to get more people involved in the credit union movement. However, here in Northern Ireland, nearly 40% of people are already involved, as is reflected in the number of Members who declare an interest as a member of such-and-such a credit union. I imagine that the percentage of Members involved in the credit union movement might be even higher. So we do not need the

same stimulus to get people involved, but there is work to be done through the strategy on education and financial capability. The credit union movement and, I hope, the Post Office will play a key role in that.

**Mr McCarthy:** I, too, declare an interest as a proud member of Portaferry Credit Union for a number of years. My question is along the lines of what has already been said. Would the Minister consider and, indeed, support the setting up of a business credit union, not only to fill the void left by the banks but to help small local businesses in Northern Ireland to progress?

**Mrs Foster:** I look forward to discussions with the credit union movement to see whether that is the way in which it wants to proceed. As I said, we will give assistance where we can, subject to resources, but I think that credit unions will have to apply to the appropriate authority in Great Britain for approval to do anything new or extensive. I think that the ability for them to do that is there now. Also, under the credit union Bill, they will have greater operational flexibility.

The number of Members who get to their feet and declare an interest as a member of a credit union is amazing. If those in the credit union movement, such as the Ulster Federation of Credit Unions or the Irish League of Credit Unions, are watching, they can take great comfort from that.

**Mr Principal Deputy Speaker:** Especially if they owe as much as I do.

## Singapore Trade Mission

4. **Mr A Maginness** asked the Minister of Enterprise, Trade and Investment, in light of the success of the first ever joint UK-Ireland trade mission to Singapore, what future joint UK-Ireland overseas visits does she plan to undertake. (AQO 5690/11-15)

**Mrs Foster:** I have asked Invest Northern Ireland officials to liaise with their counterparts at UK Trade and Investment (UKTI) and Enterprise Ireland to formally assess the outcomes from the mission. Invest NI has an extensive trade mission programme of its own, with almost 70 events planned in over 30 countries up to the end of March 2015.

**Mr A Maginness:** I thank the Minister for her answer. I also congratulate the Minister on her involvement in this unique joint venture by the British and Irish Governments and the Northern Ireland Executive. Will the Minister give her assessment of its relative success or otherwise? What future plans does she have to engage in further joint ventures, which must be of benefit to both parts of this island?

**Mrs Foster:** I thank the Member for his question. For my part, I will say that it was a successful mission. As some Members might have noticed, just today, I met the high commissioner from Singapore, who is based in London. He looks after the United Kingdom and the Republic of Ireland for Singapore. He is particularly pleased that his region has delivered the first-ever joint trade mission and that he can go down in history for his part in it.

I think that the success of the mission was really in and around the fact that the companies that were taken from Great Britain, Northern Ireland and the Republic of Ireland complemented each other in what they were trying to do. They were not competing against each other; they were complementing each other. Some were interested in

servicing the aviation industry, and some were interested in maintenance and repair. From our perspective, we had some of our precision engineering companies represented out there, and there were some leasing companies as well. So, there was a mixture of companies. I pay tribute to all three organisers — UKTI, Invest Northern Ireland and Enterprise Ireland — for working closely together to make sure that that was the case, that it worked well and that it all worked seamlessly when the Ministers arrived. That, of course, is always a challenge, particularly when the destination is so far away. It was a very good success. We now wait to see what the objective outcomes are, and I look forward to receiving that information in the near future.

**Mr Dunne:** I thank the Minister for her answers today. Can she advise us of the opportunities and, indeed, challenges that exist for Northern Ireland in doing business with Russia?

**Mrs Foster:** Russia seems to be a key theme in today's Question Time. The Department and I have looked at Russia a number of times to see what the opportunities are. God willing, Invest Northern Ireland will bring a multi-sector trade mission to Russia on 3 June. We think that there are good opportunities for us in Russia. In fact, the export figures to Russia continue to grow at quite a good rate.

Tourism Ireland industry partners will participate in Visit Britain's Destination Britain sales missions to Moscow to try to sell the region of Britain and Ireland together. I hope that Visit Britain and Tourism Ireland can work together on the Commonwealth Games in the way in which we were able to work together on the Olympics so that we can attract visitors from across the world to come and view the spectacle of those games.

We will continue to watch how our Government relates to what is going on in Russia and the Ukraine, but, as far as we are concerned, it is business as usual. In the upcoming months, we plan to bring these trade missions to Russia and for Tourism Ireland to go out there as well.

**Mr F McCann:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Will the Minister accept that we must explore every avenue for economic recovery? Can she outline her approach to North/South economic collaboration?

**Mrs Foster:** I imagine that that much is pretty clear by now. We work together to the mutual benefit of our jurisdictions, and I have always been very clear that I will work with anybody who can increase the economic well-being of Northern Ireland, whether that is east-west, North/South or right across the world to some of the countries that we are now doing business with. As I said, there are 70 trade missions going to 30 countries across the world. We are looking for business, and we have to look for business because this must be an export-led recovery. That is certainly the strategy for Invest Northern Ireland.

**Mr Cree:** The Minister has touched on the potential markets. Can she expand on what other opportunities may be possible there and what her Department is doing about that?

**Mrs Foster:** As the Member will know, the traditional markets have proved challenging over the past five to six years. GB accounts for 60% of our sales outside Northern Ireland, and the GB sales do not contribute to the overall PFG export target because we are not exporting but are still in the same nation. So, exports means everything

outside of those sales. Over the past five years, we have also had particular issues in relation to the eurozone. That is why we have been looking to new and emerging markets, and, indeed, our export target for new and emerging markets is to increase by 60% over four years. We are on track to meet that target, with our 2012-13 performance exceeding the interim growth target by 13%. So, we are looking at Russia, Brazil, Indonesia, China and all the countries that Invest Northern Ireland intends to visit in its trade missions over the next year. Those are the areas that we are looking at for export-led growth.

## Economic Data

5. **Ms Maeve McLaughlin** asked the Minister of Enterprise, Trade and Investment for her appraisal of the quality and timeliness of local economic data. (AQO 5691/11-15)

**Mrs Foster:** Northern Ireland benefits from a large range of local economic data produced by the Northern Ireland Statistics and Research Agency and the Office for National Statistics. The quality and timeliness of official statistics is important and is examined through reviews of individual statistical series conducted by the UK Statistics Authority. User views are canvassed through general and expert user group meetings, consultations and meetings of the statutory Statistics Advisory Committee. Balances often need to be struck between the wide range of user needs, costs, quality, burden on business and timeliness, and so improvements in statistics provision will continue to be taken forward with these balances in mind.

**Ms Maeve McLaughlin:** Go raibh maith agat, Mr Principal Deputy Speaker. I thank the Minister for her answer. Given that there is a two-year lag in GVA data in particular, has this been raised with the Office for National Statistics? Are there proposals to address this?

**Mrs Foster:** Recently, I had a meeting with our statisticians from DFP on tourism statistics. Obviously, we have a continuing engagement with the statistics people. I accept what the lady said about the ONS: it is sometimes difficult to get those in a timely fashion, but, in making sure that we have the information that we need on the economy, there is a balance to be struck against the costs, the quality and all those other things. I accept what she is saying, and I will make sure that we continue our talks with the Office for National Statistics and, indeed, DFP.

**Mr Principal Deputy Speaker:** I am afraid that that ends the period for oral questions. We move on to topical questions. As the first name listed has been withdrawn within the time frame, I call Ms Rosaleen McCorley. I inform Members that question 4 has also been withdrawn in accordance with the guidance.

2.30 pm

## Well-being Data: Economic Strategies

2. **Ms McCorley** asked the Minister of Enterprise, Trade and Investment to outline how she will address NISRA's new well-being data in future economic strategies. (AQT 822/11-15)

**Ms McCorley:** An dtig liom iarraidh ar an Aire a rá cad é mar a thabharfaidh sí aghaidh ar na sonraí folláine de chuid NISRA sa straitéis eacnamaíochta sa toadhach?

**Mrs Foster:** Sorry, I did not catch the second line.

**Ms McCorley:** Will the Minister outline how she will address NISRA's new well-being data in future economic strategies?

**Mrs Foster:** Thank you very much. That will form part of our strategies. It goes back to the last question: the more information we have from our statisticians, the better informed we will be on any strategies that we bring forward from each Department. Those, of course, will form part of any strategy as well as the other statistics that we will get from our statisticians.

**Ms McCorley:** Go raibh maith agat. Gabhaim buíochas leis an Aire as a freagra. An dtig liom iarraidh ar an Aire an bhfuil sí buartha nach bhfuil na sonraí don Tuaisceart ar fáil san alt eacnamaíochta? Cad é an teachtaireacht a chuireann sin chuig daoine maidir le folláine eacnamaíochta s'acu?

Is the Minister concerned that data for the North are largely not available in the economy section? What message does that send to our people regarding their economic well-being?

**Mrs Foster:** The information is available and is brought forward by DFP in relation to the economy. The statistics are available.

## Office Accommodation

3. **Mr McGlone** asked the Minister of Enterprise, Trade and Investment whether the findings from the research into grade A office accommodation, in Belfast in particular, are available, and, if so, what conclusions there are. (AQT 823/11-15)

**Mrs Foster:** I am not aware if they are available. If they are, they have not yet been made available to me. Now that the Member has raised the question, I will of course ask Invest Northern Ireland whether it has finished the review of that matter. I know that the matter has been raised with the Member and, indeed, with the Committee.

**Mr Principal Deputy Speaker:** I call Mr McGlone for a supplementary question.

**Mr McGlone:** I think that the Minister has already answered that. Will she give assurances that she will come back to the Committee and possibly to me as well, please?

**Mrs Foster:** It is only right that it should go back to the Committee because the issue has been raised at the Committee. When Invest NI has finished its work, it will, I am sure, want to bring it to the Committee.

**Mr Principal Deputy Speaker:** Mr Seán Lynch is not in his place. We will move on.

## Wrightbus: Singapore

6. **Mr D McIlveen** asked the Minister of Enterprise, Trade and Investment, given her meeting this morning with the High Commissioner of Singapore, whether Wrightbus, a major employer in my constituency, which has done considerable business in Singapore, was specifically discussed. (AQT 826/11-15)

**Mrs Foster:** Yes, we took the opportunity to speak about Wrightbus. The Member will be pleased to hear that his MP, Ian Paisley, has facilitated a visit to Wrightbus for

the high commissioner, so he has been able to view the manufacturing in Ballymena. I am very pleased that he has, because Wrightbus plays an integral part in innovation on the Singapore Bus Service (SBS), which is the national bus service in Singapore. We are very pleased that it is a partner for Wrightbus.

When I was in Singapore we also met some Malaysians in relation to the opportunities there for Wrightbus. I commend Wrightbus on the way in which it goes out to export markets and looks for new business. The Member will know that Wrightbus had a difficult time at the start of the recession, but it settled down, innovated and looked at research and development and new ways of doing things. It went out into the market. I only wish that other companies would look to its example, because it has done a tremendous job.

**Mr D McIlveen:** I thank the Minister for her very positive response. I am sure that the Minister will agree with me that, when it comes to government investment, the return that Wrightbus has delivered on the money put into it has always been exceptional. Will the Minister give us an assurance that, if Wrightbus continues to require the assistance of Invest NI, her door will be open to that request?

**Mrs Foster:** We will of course continue to work with Wrightbus, and, indeed, with companies like Wrightbus that continue to invest in research and development and in the skills and management of their staff. We will do so as long as the European Union allows us to do so. That is an important caveat, because, as you know, the European Union is always looking at how we help our companies and at the state aid rules.

However, we will, as long as we can do so within the rules, continue to help those companies.

**Mr Principal Deputy Speaker:** Mr Ian Milne is not in his place to ask question 7.

### Milk Cup: Sponsorship

8. **Mr Easton** asked the Minister of Enterprise, Trade and Investment what the announcement of new sponsors means for the future of the Milk Cup. (AQT 828/11-15)

**Mrs Foster:** The first thing to say is that it will remain the Milk Cup. That is a very important point to make. I pay tribute to the Dairy Council for being with the Milk Cup for so long and providing a lot of sponsorship. When the Dairy Council decided that it was no longer going to sponsor the Milk Cup, it was very clever of it to approach Dale Farm, because of course the tournament then remains the Milk Cup.

I welcome the news that Northern Ireland's largest dairy company, Dale Farm, has stepped in as the lead sponsor, because that allows other sponsorship deals to come along. The partnership will guarantee that the tournament maintains its long association with the dairy industry. A lot of very positive messages will come out of that, particularly in and around healthy lifestyles and young people getting involved in sport. Those are two very important messages that, having spoken to David Dobbin, its chief executive, I know Dale Farm will want to deliver.

**Mr Easton:** Does the Minister agree that the announcement could attract even more teams from even more countries and increase bed nights for the tourism industry across Northern Ireland?

**Mrs Foster:** A new sponsor will invigorate an event. The Milk Cup has already established an international pedigree. I know that Dale Farm has great plans for the future for how it does business globally. I hope that the two will match up so that we can see even more international teams coming to Northern Ireland for the Milk Cup.

### Broadband Coverage

9. **Mr Newton** asked the Minister of Enterprise, Trade and Investment to state what she will do about the fact that there are some pockets of Northern Ireland, some not too far from this Building, where the broadband bandwidth does not allow commercial organisations to trade successfully, albeit that I commend her for her efforts in ensuring that there is broadband coverage across Northern Ireland. (AQT 829/11-15)

**Mrs Foster:** The Member will be aware from his past membership that Belfast City Council was allocated £13.7 million in funding by the Department for Culture, Media and Sport (DCMS) under a UK-wide urban broadband fund. A proportion of that funding has been allocated to a voucher scheme, under which businesses and third sector organisations can access support to cover initial installation costs for a high-speed broadband solution. That is an innovative way of dealing with the issue. I hope that everyone in the area that can access it is aware of the possibilities surrounding the voucher scheme and know that the scheme can be accessed.

**Mr Newton:** I understand exactly what the Minister is saying. The scheme is an extremely welcome move, and I know many organisations that have taken it up. As we progress in business, broadband coverage is going to become even more important. Will the Minister encourage Invest NI to expand the service that it is offering and ensure that, where there are blank spots and to help commercial development, it undertakes that work?

**Mrs Foster:** I do not think that Invest should be involved in delivering broadband solutions, and I do not think the Member is suggesting that it should be. If he is saying that Invest should be involved in identifying areas where there are not broadband solutions and asking what we are going to do about it, the answer is yes. For us to have the correct infrastructure, to attract not just international investors but investors already in the area to stay, we must have the appropriate broadband connection for them. I am happy to say that that will be the case.

### Tourism: Support

10. **Mr Dunne** asked the Minister of Enterprise, Trade and Investment how she recognises and assesses the significance of Tourism Ireland and Northern Ireland Tourist Board support for events in Northern Ireland, such as the Circuit of Ireland rally, which, once again, is to be a round of the European Rally Championship. (AQT 830/11-15)

**Mrs Foster:** I thought that I had not heard from the Member about the Circuit of Ireland for a couple of weeks, so it is good to hear about it again. Yes, indeed, the events fund had an application from the Circuit of Ireland, and it was successful. We look forward to that event coming, which is around Easter, I think.

**Mr Dunne:** Easter weekend, yes.

**Mrs Foster:** Easter weekend. That is a good advertisement for you, Mr Dunne. It is a great event, and I know that there is a long history and culture in Northern Ireland of car rallying. We look forward to the number of tourists who will come from all over to see that event.

**Mr Dunne:** I thank the Minister for her support for the event. Does she fully recognise the extent of the television coverage for that event and many other events and how it displays Northern Ireland in a very positive way? Obviously, the scenery throughout the Province is transmitted across the world. Does she really recognise the significance of that?

**Mrs Foster:** Yes, I do. That is a very positive part of it, and not only for the Circuit of Ireland. We are going to see that again because it is part of the World Rally Championship, and I congratulate Bobby Willis and his team on making sure that that happened again. We look forward to all the drivers getting involved and, in particular, seeing Garry Jennings from County Fermanagh doing well again this year.

However, that is not the only sporting event to get that worldwide coverage. When the Giro d'Italia is here, it will reach 145 countries through the medium of television and, of course, worldwide access to the web. This is our opportunity to shine, and I hope that everybody is ready to take that opportunity.

**Mr Principal Deputy Speaker:** Indeed. Thank you very much, Minister. We have reached the end of the list of Members to ask questions. I thank you for your attendance. Is this the first time that that has happened?

**Mr Milne:** On a point of order, Mr Principal Deputy Speaker. I apologise to the Chair and to the Minister for not being here to ask my topical question.

**Mr Principal Deputy Speaker:** Thank you.

The House will take its ease for a few minutes.

2.45 pm

## Environment

### Bus Operators: Licensing

1. **Mr Humphrey** asked the Minister of the Environment for an update on the current proposals regarding the licensing of bus operators. (AQO 5701/11-15)

**Mr Durkan (The Minister of the Environment):** My Department began its review of bus operator licensing in 2008 and has been engaged in developing proposals with a view to supporting a vibrant bus passenger transport sector. The consultation in 2010 showed a clear consensus that change was needed.

We are finalising proposals for a new bus operator licensing regime to replace both the road service licence and the 10B permit with a tiered licensing regime that better meets the needs of modern bus transport and is compliant with the requirements of EU regulations. It is generally agreed by industry stakeholders that the current scheme, which is 47 years old, is outdated and no longer able to support the diversity of passenger transport being delivered in the 21st century.

The new licensing regime will be designed to support integrated passenger transport and deliver a safe, fair and fit-for-purpose regime that allows a vibrant and innovative community transport sector to continue to flourish. Policy development is ongoing, as is engagement with key stakeholders, and no final decisions have been made.

Once I am content that proposals meet the objectives that I have just set out, my Department will consult. It will welcome the views of everyone who is involved in or avails themselves of bus transport. Given the wide-ranging demand for change, we are seeking to develop final proposals with a view to making new primary legislation at the earliest possible date. Further engagement is due to take place in the coming weeks, and I will seek to consult on proposals before the summer recess.

**Mr Principal Deputy Speaker:** Before I call Mr Humphrey to ask his supplementary, I inform Members that questions 4 and 11 have been withdrawn.

**Mr Humphrey:** I thank the Minister for his answer. Will he assure the House that charitable transport will be protected so that vital services provided for the disabled and vulnerable in Northern Ireland are not jeopardised?

**Mr Durkan:** The services to which the Member refers are vital, not just to their vulnerable recipients but to Northern Irish society as a whole. Therefore, it is imperative not only that they are protected but that they are promoted and that this change is made as easy as possible for them. Changes need to be made: the current scheme is outdated, and all stakeholders recognise the need for change. It is important, though, that any change is an improvement and that it protects and promotes the very sector to which the Member refers.

**Mr McElduff:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. What is the Department doing to ensure that its current proposals will not have a negative or detrimental impact on community transport services in rural areas?

**Mr Durkan:** Go raibh maith agat as an cheist sin. I thank the Member for his very important question. Last week, I met representatives of community transport providers, and they outlined some concerns about the existing proposals. Let me be clear that those are not necessarily the final proposals. I am determined that the final proposals will reflect the concerns that those people raised so articulately with me last week. The service provided in rural areas is vital and one that others have not been able to do. It performs great work in tackling social exclusion and, therefore, should and must be supported. Any proposals should reflect the value of these partnerships to society and particularly to those in rural communities.

**Mrs Overend:** Has the Minister sought the opinion of the PSNI recently on its preferred way forward on the consumption of alcohol on buses? Aside from inventing an invisibility cloak for police officers, it is clear that the current system cannot, or will not, work.

**Mr Durkan:** I thank the Member for her question. It is about buses, but it is a wee bit of a jump from where we were. It is an issue that we addressed at Question Time last month.

Drinking on buses has been a cause of consternation and, indeed, controversy, for many years. It came to the fore again after a recent incident at the Odyssey, where a lot of young people arrived on buses and were drunk.

The issue was out for consultation during the summer months. There were a lot of very different and varied responses about how we best tackle it. I do not recall off the top of my head what the PSNI's preferred approach was. The Member referred to the difficulty that they have with the current set-up, whereby they have to physically catch someone in the act of consuming alcohol on a bus, which, I remind Members, is illegal. Unfortunately, they have never been able to do that. That is because if they come on to a bus and a person drops or sets down a drink, that person denies all knowledge of it, and the police have been not been able to get prosecutions.

I talked about the difficulties that we would have in proceeding with an outright ban of alcohol or the carriage of alcohol on buses and the anomalies that that would create for someone who was perhaps out shopping and bought a meal deal with a bottle of wine in Marks and Spencer. Would they be able to get the bus home? So, I think that our response to this undeniable problem has to be measured, balanced and realistic.

**Mr Rogers:** Following on from Mr McElduff's question, can the Minister assure me that the community transport sector will not be put out of business by any change to the licensing laws?

**Mr Durkan:** As I said in my answer to Mr McElduff, I am determined that they will not be put out of business. They are very good operators that provide a vital service. Indeed, one would imagine that the service that those partnerships provide will become all the more vital when we look at the Department of Health and at what is coming down the line with Transforming Your Care. I believe that there will be more demand and need for community transport.

I think that, when I discuss community transport and how any licensing change might impact on those operators, it is important that I do not do so in isolation and actually do so in consultation with other Departments. Those include the Department of Health; OFMDFM on social exclusion; DSD on social mobility; and DARD on people who live in rural areas. Like I said, those people and partnerships do a great job very well. Therefore, I think that to bring forward any new regulations that would make life more difficult, rather than easier, for them would be pretty foolish.

**Mr Principal Deputy Speaker:** I draw Members' attention to the fact that there is a lot of background noise. We have to be able to hear both the questions and the answers.

## Community Planning Foundation Programme

2. **Mr D McIlveen** asked the Minister of the Environment for an update on the community planning foundation programme. (AQO 5702/11-15)

**Mr Durkan:** My Department is supporting the development of community planning in a number of ways. A programme of targeted capacity building for elected representatives, local government officers and transferring officials from central government is being put in place.

Last year, the Department launched the community planning foundation programme to guide and help to prepare councils for community planning. That is non-statutory guidance containing key building blocks that councils can put in place before they receive the statutory duty in April 2015. A subsequent engagement event in

December 2013 was designed to help further delegates' understanding of the councils' new duty of community planning and the content of the foundation programme.

I have asked Community Places to provide tailored support to councils as the next stage of that support. That organisation will use its community planning toolkit, expertise and in-depth knowledge of the community and voluntary sector to assist councils to take forward elements of the foundation programme. Its support during that initial planning stage will greatly help councils to develop and refine their practical working arrangements and assist them to build new relationships with key stakeholders in the new council area.

My officials are also putting in place a programme of work with other Departments and their arm's-length bodies to help prepare them for the changed relationship between central and local government. An interdepartmental group has been formed to raise awareness and consider what the introduction of community planning will mean for them.

The Department will also monitor the implementation of the foundation programme during that period. An implementation monitoring group is being set up to do that, and feedback will assist with identifying community planning partners, formulating statutory guidance and identifying further capacity-building measures.

**Mr D McIlveen:** I thank the Minister for his very detailed answer on the matter. When he was giving his answer, I am sure that at the very front of his mind was the undoubted success of the community cluster concept in the Ballymena Borough Council area. The Minister mentioned tailored support in his answer. I was wondering whether tailored support includes financial support for councils that wish to develop very successful concepts that are perhaps already working.

**Mr Durkan:** Community Places provides the tailored support, which includes guidance and expertise, and that is financed by the Executive. Therefore, no cost will be incurred by a council for this planning or for receipt of the community planning toolkit. However, should a council, a statutory transition committee or a new council, either in shadow form or when power has been conferred to it on 1 April 2015, decide that it requires further training in any area, I will be very supportive and do my best to ensure that it gets that. I will not say that that will be at no cost to the council.

I think that it is important that we encourage continuous professional development of councillors and councils. It is very important to emphasise that that capacity-building will not stop on 1 April 2015. Councils will see the areas in which they need further training and capacity-building. I think that it is vital that we do everything that we can to increase not just the competence of councillors in the new councils but the confidence of and in those councillors.

**Mr Boylan:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as ucht a fhreagra. How will the Minister ensure that statutory agencies work with the community and voluntary sector to develop a proper community plan?

**Mr Durkan:** Go raibh maith agat as an cheist. I thank the Member for that interesting question.

It is vital that statutory agencies and Departments buy into, or are made to buy into, community planning. I think that

most, if not all, Members here will have seen other projects and schemes fail because of, in my opinion, the failure or reluctance of certain, if not all, Departments to participate to the full.

The bodies to be specified in subordinate legislation as the community planning partners of a council will be statutory agencies that deliver public services in the council's district. It is important that those bodies are specified to ensure, as much as possible, coordination of the delivery of those services. A shortlist of potential statutory partners is being drafted, but that is still at an early stage.

In the coming months, my Department will engage with relevant stakeholders to ensure that all views are considered. It should be noted that all new councils will use the partners specified in the legislation. It will then be for each individual council to decide whether it wishes other non-statutory bodies to be considered as its community planning partners.

**Mr D Bradley:** Go raibh míle maith agat, a Phríomh-LeasCheann Comhairle. Ba mhaith liom a fhiafraí den Aire cad é a mheas ar an treanáil agus ar an tógail acmhainne a tugadh do chnuasghrúpaí na gcomhairlí mar ullmhúchán d'athchóiriú rialtais áitiúil go dtí seo.

What is the Minister's assessment, to date, of the training and capacity building that the council cluster groups have received in preparation for the reform of local government?

### 3.00 pm

**Mr Durkan:** Go raibh maith agat as an cheist arís. I thank the Member for that question. In response to the original question, I spoke about the importance of capacity building and training, not just for elected members but for local government staff and, indeed, staff transferring from central to local government as part of local government reform.

A wide-ranging and far-reaching capacity-building programme is being rolled out. It covers hugely important areas of work such as community planning, which we have been discussing, and planning as a function, which seems to be causing a lot of consternation among councillors as I travel round the statutory transition committees to see how they are progressing. Work is ongoing between planning officers and the STCs already in development of their local development plans. Importantly, a lot of work has to be done in training councillors to be ready to take on planning powers.

As a former councillor, I know that, a few years ago, many councillors were excited by the prospect of getting responsibility for planning. However, I think that, now that the reality comes closer, there appears to be a degree of nervousness as they realise the actual responsibilities that go with it. There will be a lot of planning training and some mock planning committee meetings with planning officers to give councillors a good grasp of exactly what this decision-making will mean for them.

## Dunluce Castle

3. **Mr Swann** asked the Minister of the Environment for his assessment of the Northern Ireland Environment Agency's management of Dunluce Castle as a tourist attraction. (AQO 5703/11-15)

**Mr Durkan:** Dunluce Castle is one of Northern Ireland's premier tourist attractions, and the decline in visitor numbers over the past few years does not reflect its true historical and economic potential. That is why the Northern Ireland Environment Agency (NIEA) has already undertaken substantive steps to address the issue. NIEA has established an innovation trial to create a world-class visitor experience that does justice to these iconic ruins and brings economic benefits to the region.

The agency is working with the Northern Ireland Tourist Board, which has identified Dunluce as a key site on the Causeway coastal route. Together, they are taking a more innovative approach to visitor engagement to ensure that the new experience at Dunluce is enjoyed by all ages and through all seasons. Creating this readily accessible must-see destination will involve new site infrastructure, a wide variety of exhibitions and live events and the provision of breathtaking viewing platforms.

The agency has been successful in securing over £300,000 support from the Heritage Lottery Fund towards an exciting proposal to uncover the lost town of Dunluce. The remains of this early 17th-century plantation town lie in the fields outside the castle gate. Work is under way to reveal these remains so that visitors can once again walk down the original 17th-century cobbled street.

Key to the future success of Dunluce Castle will be elevating it to a world-class visitor facility. That means taking a strategic approach to the site's development. That is why NIEA is leading the transformation of the Dunluce Castle experience. By working closely with partners and stakeholders, NIEA is not just protecting our heritage but strengthening our economy by presenting Dunluce as part of Northern Ireland's living history.

**Mr Swann:** I thank the Minister for his answer, although I am not sure whether he believes it. I think that he struggled to read that out.

As he rightly said, Dunluce Castle is a major tourist attraction. It had 81,000 visitors in 2010 and 44,000 in 2013, a drop in visitors of 37,000 in three years. NIEA is not managing the site well. Your predecessor and the Enterprise, Trade and Investment Minister opened the new tourist facility worth £280,000 in 2011 —

**Mr Principal Deputy Speaker:** May we have a question, please?

**Mr Swann:** — so I hope that you will spend this money wisely. The Minister said recently on radio that he was going to undertake a root and branch review of NIEA. Will its management of Dunluce be part of that?

**Mr Durkan:** I thank the Member for the supplementary statement — sorry, question. There has, undoubtedly and undeniably, been a huge decrease in visitor numbers at Dunluce over the past five years. You heard me on the radio speaking about the NIEA, so you will know, as will other Members, that I do not defend something if I do not think that it is defensible. In this case, however, I do not believe that the decline in numbers is solely or even largely attributable to the management.

We have to look at what else has happened during the period. A couple of significant competing visitor attractions have opened, such as Titanic Belfast and the Giant's Causeway centre, which, combined with periods of very poor weather and the recession, have impacted on visitor

numbers. NIEA is analysing the reasons for falling visitor numbers to inform the strategic development of the castle experience. I am conducting a review of the agency, but I do not think that it is its fault that the numbers are down. However, the agency, in partnership with others, has a key role to play in ensuring that we bring numbers back up. It is vital that the £300,000 is spent wisely, and I look forward to input from Mr Swann and all stakeholders on how they envisage a world-class visitor attraction on the site.

**Mr McMullan:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Can the Minister provide an update on the application by the private landowner for the site and on the discussions that he has had with other Ministers to promote and attract visitors to the site? I suggest that in his promotion of the site the Minister use the gateway through the glens of Antrim. That might bring more people in: if you do not promote the glens of Antrim, you will not get any more people going round the coast to Dunluce.

**Mr Durkan:** I thank the Member for the questions: I will answer the first one first.

The application by a neighbouring landowner is being reviewed by the Planning Service. I have met the applicant in the past couple of weeks to discuss his application, and my colleague Alex Attwood, when he was Minister, had, I think, several meetings with the applicant. It is a particularly sensitive landscape, designated as an area of outstanding natural beauty (AONB) and an area of significant archaeological interest (ASAI). Therefore, it is important that any new facilities that may be provided are appropriate to their setting.

It is important — I outlined this in my first answer to Mr Swann — that we look not just at Dunluce in isolation but at the Causeway coast in its entirety and the glens, of course, as a package. However, I have no doubt that Dunluce can be the jewel in the crown, if you do not mind references to the Crown.

**Some Members:** Hear, hear.

**Mr Durkan:** We have to do everything that we can to maximise the benefit of Dunluce, as well as the benefits that it can bring to the wider community and the glens area.

**Mr Allister:** The Minister has no explanation for the fall in visitor numbers. Does he think that the pricing policy may have something to do with it?

**Mr Durkan:** Entry fees at Dunluce Castle compare favourably with other sites in the region. For example, Dunluce Castle charges £5 for full adult entry, compared with £8.50 at the Giant's Causeway and £5.60 at Carrick-a-Rede rope bridge. Included in that rate are guided tours, audiovisual handsets available in seven languages in adult and child formats and a site guide leaflet. I consider that good value for money and have no plans at present to reduce the charge.

One of the issues is the access that people can get without paying the charge. People are able to avail themselves of the fantastic views without paying to go into the facility. We will look at that as part of the master plan for a new facility there. It is important that we maximise the revenue generated by this wonderful facility.

**Mr McGlone:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire

as an fhreagra go dtí seo. An dtiocfadh liom ceist a chur ar an Aire maidir le Caisleán Dhún Libhse? An dtabharfar achan seans chun réimsí airgid a thabhairt síos? I am sure that the Minister will accept that, until a few months back, some of the handling of the project by elements of the Department left quite a bit to be desired. However, looking ahead to opportunities and the potential that could arise for funding, I seek assurances from the Minister that every effort will be made to work closely and in collaboration with the landowner and the trust to benefit from and help draw down funding opportunities that may exist in other Departments and other sources, including the lottery.

**Mr Durkan:** Go raibh maith agat as an cheist. I thank the Member for that question. I assure him that a stakeholder group has been established, which consists of NIEA — naturally — the neighbouring landowners and other agencies, such as the Tourist Board, with an interest in the development of the site.

## Taxis Act

5. **Mrs Cochrane** asked the Minister of the Environment to outline the progress he has made since September 2013 in resolving the outstanding issues impeding the implementation of the Taxis Act (Northern Ireland) 2008. (AQO 5705/11-15)

**Mr Durkan:** The Taxis Act (Northern Ireland) 2008, which was passed by the Assembly without division, was designed to deliver the benefits that enhanced taxi regulation could bring to Northern Ireland, including increased choice for consumers, greater clarity for all on what taxis are permitted to do and increased capacity in the industry to deal with peak demand at specific times and locations, thereby helping to address public and personal safety concerns.

Since September 2013, progress has been made on a number of fronts, including the gaining of Environment Committee approval for the SL1 for taxi driver testing and periodic training. A consultation issued on 7 February on a proposed new wheelchair-accessible vehicle specification, which has been the subject of research commissioned by my Department. That consultation finishes on 4 April 2014.

Operational work to implement the regulations pertaining to the remaining reforms in September 2014 remains challenging but achievable, with steady progress being made on all streams of work.

I am aware that some Members have expressed reservations about the implementation of single-tier licensing. That is something the Department has been working towards for some time and is supported by a wide range of stakeholders. I have listened carefully to Members' concerns and am considering what, if any, changes might be appropriate to the plans that have been approved by the Environment Committee and could address those concerns whilst still delivering the benefits flowing from the Act.

**Mrs Cochrane:** I thank the Minister for his answer. I was hoping for a little bit more information on the progress being made on all streams of work.

There has been a suggestion that a three-mile exclusion zone around Belfast should be put in place. Does the Minister believe that that would meet the objectives of the Act, ie allowing increased choice for customers and

increased capacity during peak demand and therefore addressing public safety concerns?

**Mr Durkan:** I am aware of the suggestion that the Member has alluded to. However, I am not aware that it would do any of the things that she mentioned.

The rationale behind the Act, as outlined in my initial answer, was to reduce confusion, increase public safety and clarify what taxis can do and where they can do it. There is a degree of confusion out there, particularly for tourists and visitors to the city. I remain unconvinced that the establishment of a two-, three- or five-mile radius for Belfast-specific plates to operate within would meet the objectives of the Bill. However, as I said, I remain open to suggestions. I am looking at what I can do with the Act that will satisfy those who are concerned about it without compromising its essence.

**3.15 pm**

**Mr Principal Deputy Speaker:** That ends the period for tabled questions to the Minister. We now move to topical questions. As Mrs Karen McKevitt is not in her place, I call Mr Fearghal McKinney.

### Scottish Mutual Building

**2. Mr McKinney** asked the Minister of the Environment to provide the details behind his announcement today of planning permission for a £12 million transformation of the iconic Scottish Mutual building in Belfast city centre. (AQT 832/11-15)

**Mr Durkan:** Today, I recommended planning approval to Belfast City Council, and the ultimate decision rests with it. I hope that it will agree with me and that the £12 million conversion, which will transform the iconic Scottish Mutual building in Belfast, meets with its approval. Listed building consent has also been approved for the sympathetic conversion of the Grade B1 listed building into a boutique hotel opposite City Hall. This prominent building in Donegall Square is within the linen conservation area, which means that it is in an area that played an important role when Belfast was the established linen capital of the world. The building is over 100 years old, dating back to 1904, and is partially occupied. The plans retain all the original features. There will be two bars and two restaurants on the ground and first floors, with 40 hotel bedrooms and 10 serviced apartments on the upper three floors.

**Mr McKinney:** I thank the Minister for his reply. I understand that the application was determined within six months, and I congratulate him on making the right decision and making it quickly. Does he share my view that this significant investment will give a tremendous boost to the local economy and to the tourism product that Belfast has to offer?

**Mr Durkan:** I believe that it is welcome news for Belfast city centre. This significant investment demonstrates confidence in the local economy and will boost tourism by enhancing the choice for tourists, business, travellers and local people. The economic significance of the proposal meant that it was designated a large-scale investment project, and the planning application and listed building consents were determined within six months, as the Member pointed out. It is also important to point out that this will bring jobs. There will be construction jobs in the

short term and full- and part-time jobs when the hotel is up and running.

### Waste Crime: Illegal Dumping

**3. Mr McCartney** asked the Minister of the Environment, in light of the 'Spotlight' programme on illegal waste disposal at the Mobuoy Road and the recent decision by Derry City Council to call for a further and more comprehensive inquiry to add to the Mills report, how he feels it could be advanced. (AQT 833/11-15)

**Mr Durkan:** Go raibh maith agat as an cheist. I thank the Member for his question. The 'Spotlight' programme was widely viewed, and I think that all Members will agree that it made for quite sombre viewing and threw up a lot of questions. I believe that we are, fortunately, in a position in which a lot of the questions have been answered and a lot more will be answered in the near future.

On 5 June 2013, my predecessor commissioned Chris Mills to conduct an independent review of illegal dumping at the Mobuoy Road landfill site. I released the Mills report on 18 December 2013, just a couple of days after getting it and having time to go through it myself. Pretty soon, I will issue my response to the report's recommendations. In fact, I am meeting Chris Mills at 4.00 pm today to go through the report with him. My response will set out comprehensive actions to tackle waste crime and strengthen waste regulation in Northern Ireland.

On the specifics of the 'Spotlight' programme and the case at Mobuoy Road, I must point out that, as well as this independent review, an ongoing criminal investigation will, I hope, go some way to addressing the concerns raised by Members and by members of the public, and rightly so.

**Mr McCartney:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle, agus gabhaim buíochas leis an Aire as an fhreagra sin. I thank the Minister for his answer and for his work on this issue. Given that the Mills report and even the PSNI investigation were very much site specific, does he agree that, without a further and, perhaps, more comprehensive inquiry, there will always be unanswered questions about whether there are other illegal dumps in the north-west?

**Mr Durkan:** I thank the Member for his supplementary question. I think that it is fair to say that we have already identified other illegal dumps across the North. After Operation Sycamore, which was the investigation into the dump at Mobuoy Road, the Department launched Operation Toothfish — I do not know who thinks up the names — which is investigating waste crime at 33 sites across the North, some of which, regrettably, are in the north-west.

I have said before in the House that it is important that my Department and NIEA work closely with other Departments and the PSNI on this issue. I have met the Minister of Justice to discuss it, and I think that it is vital that the severity of sentences reflects the seriousness of the crime. Here we are talking about serious crime. It is hardly victimless, and its outcome costs ratepayers. It is my ambition and hope that we can make the polluter pay for the clean-up of this site and every site that we find. In the absence of being able to do so and of bringing the perpetrators to justice, however, it will be left to ratepayers

and taxpayers to foot the bill. That should be reflected in the severity of sentences for this type of crime.

### Penalty Points: Mutual Recognition

4. **Ms P Bradley** asked the Minister of the Environment what action is being taken to overcome the obstacles to the implementation of the mutual recognition of penalty points. (AQT 834/11-15)

**Mr Durkan:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I thank the Member for her question. The mutual recognition of penalty points is a very important piece of work in which my predecessor and I have been engaged with our counterparts in the Irish Republic for some time. I believe that there is a political will there to see it through, and it will greatly increase road safety on this island.

There have been technical difficulties in progressing the issue. I would be happy to discuss it with the Member in private; I do not really want to broadcast the difficulties because they might be exploited by people who would avail themselves of loopholes and use them to get out of taking penalty points in either jurisdiction or in both of them.

**Ms P Bradley:** I thank the Minister for his answer. I understand that this is quite an unpopular subject to discuss, but I take it from his response that he agrees that this needs to be implemented sooner rather than later.

**Mr Durkan:** It certainly does, but it is worth pointing out that this work on road safety, which is groundbreaking, has already been done between ourselves and the Government in the Irish Republic. We recognise disqualification in both jurisdictions, and this is the next logical step in that. The political will certainly exists here and in Dublin, but there is a degree of frustration, which is aimed largely at the judiciary at the moment. It is vital that we work to get over that, and I assure the Member that I will.

### Terrorist Shrines

5. **Mr Newton** asked the Minister of the Environment what action he has taken following a number of media reports about terrorist shrines located across Northern Ireland, many of which were on property belonging to his Department. (AQT 835/11-15)

**Mr Durkan:** I thank the Member for the question. However, I have to plead ignorance about which shrines were on land belonging to my Department. Since taking office, I have heard reports about one such shrine, as he puts it, and on investigation by my Department, it was established that the land on which the monument was situated belonged to the Northern Ireland Housing Executive. We then asked it to submit a planning application as there was no planning permission for it. I give the Member my assurance that, upon leaving the Chamber this afternoon, I will see where that is.

**Mr Newton:** I thank the Minister for his answer. Given the equality situation, what action has the Minister taken on the naming of a playground after a terrorist?

**Mr Allister:** Question 7.

**Mr Durkan:** Question 7 is right.

I thank the Member for his question, an answer for which I prepared earlier. I should explain that, in this matter, district councils are independent of central

government and are accountable to their local electorate and ratepayers. They are also directly answerable to the Equality Commission in respect of their section 75 duties. Under section 75 of the Northern Ireland Act 1998, all designated public authorities, including district councils, when carrying out their functions, must have due regard to the need to promote equality of opportunity between certain specified individuals and groups and should encourage and promote good relations in those sectors regardless of their religious or political persuasion. The Equality Commission has advised that its consideration of the matter to which the Member refers is not yet complete. A draft report has been sent to Newry and Mourne District Council for its comments, and the commission will consider those points before finalising its investigation.

### Belfast Metropolitan Area Plan: Delay

6. **Mrs D Kelly** asked the Minister of the Environment to explain the continued delay to the publication of BMAP, particularly given that it has received a certificate of general conformity from the Department for Regional Development. (AQT 836/11-15)

**Mr Durkan:** I thank the Member for the question. BMAP was, as the Member pointed out, certified as being in general conformity with the regional development strategy 2035 in October last year. The adoption and publication of a development plan can only be done once the Department is satisfied that all the necessary and procedural requirements have been completed. Those requirements relate to an equality impact assessment and a habitats regulations assessment. I can confirm that those requirements were met before Christmas and I then asked the Executive Committee to consider the matter. Subject to the agreement of my ministerial colleagues, I will instruct my Department, by order under article 8 of the Planning (NI) Order 1991, to adopt and make operational the plan, at which time it can be made publicly available. There is now no statutory impediment to adoption of BMAP by my Department. I cannot, however, be definitive on the timescale at present, given the ongoing discussion with Executive colleagues.

**Mrs D Kelly:** I take it from the Minister's reply that the hold-up is because OFMDFM has not tabled it before the Executive. Has the Minister conducted any analysis of that failure in the sense of the economic restrictions that it has placed on the development of Belfast and on those who are waiting for a decent house, particularly around north Belfast, given the failure to designate the area for housing?

**Mr Durkan:** The importance of adopting BMAP is the certainty that it provides for developers, decision-makers and the public. On a daily basis, my Department receives letters asking why the plan has not yet been adopted, not least from members of the construction industry expressing grave concerns about the continued delay in the adoption of BMAP. Many house builders see the adoption of the document as critical to the recovery in their sector. Additions to the workforce can only be sustained by continuous supply of planning approvals. The adopted plan will confirm that supply. A substantial number in the business community, including house builders, have participated in the plan process since its initiation, and it is no exaggeration to say that millions of pounds have been invested by those participating in the public inquiry for BMAP to secure zoning of land

for housing and employment. Although the release by my predecessor of the PAC reports has provided some assurance to landowners, many householders who have been supported by their banks through the most severe recession in living memory are now under severe pressure from those banks to deliver on those sites to recover the significant sums that they have been given.

**Mr Principal Deputy Speaker:** Order. Time is up. Thank you, Minister.

3.30 pm

## Question for Urgent Oral Answer

### Health, Social Services and Public Safety

#### Illegal Slaughterhouse in Forkhill

**Mr Principal Deputy Speaker:** Mr Roy Beggs has given notice of a question for urgent oral answer 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 places. The Member who tabled the question will be called automatically to ask a supplementary question.

**Mr Beggs** asked the Minister of Health, Social Services and Public Safety for his assessment of the risk to public health following the discovery of a suspected illegal slaughterhouse and meat-cutting operation at Forkhill.

**Mr Poots (The Minister of Health, Social Services and Public Safety):** This is a matter for the Foods Standards Agency (FSA). It has advised me that it is closely monitoring any possible risk to public health as a result of this operation. Full risk-management procedures will be implemented by FSA if investigations reveal that products from the premises entered the food chain.

The main risk arising from that type of operation is the microbiological contamination of product. In the event of contaminated product entering the food chain, aside from removing it, the main way to deal with bacteria is to cook the meat well. That means that, even if a product has entered the food chain, effective cooking will minimise the risk to public health.

**Mr Beggs:** I thank the Minister for his answer. Last September, my Ulster Unionist colleague Robin Swann highlighted that some 3,000 animals a year are either stolen or go missing. Will the Minister advise what actions the Food Standards Agency has taken over the past three years — this is not a new issue — to try to bring this criminal activity to an end and to prevent uninspected meat and meat that has not been controlled in an appropriate atmosphere with hygiene etc, from entering the food chain? What powers does FSA have to close down businesses that might be allowing illegal meat to enter the food chain?

**Mr Poots:** You are probably asking the wrong Minister — you are certainly asking the wrong Minister — about missing animals, which are very clearly the responsibility of DARD. It has an investigation team, and the Member and Mr Swann should know about the central investigation team in DARD. It looks at cattle identification. Very often, it inspects farms, looks for animals with missing tags and looks at herd registers to make sure that everything correlates. That is where the responsibility lies. It is very clearly a DARD issue to identify whether animals are missing, why they are missing and to take the actions to deal with that issue.

**Ms Maeve McLaughlin:** Go raibh maith agat. I thank the Minister for his answer. I noted that he talked about the bacterial influence and said that the solution was to be found in cooking meat properly. Will the Minister give guarantees to the House and the wider public that there is no risk and will not be any risk to public health?

**Mr Poots:** There is no evidence. I understand that it is a live investigation and that work is ongoing, so I need to be somewhat careful. Those who are carrying out the investigation are seeking to identify whether the practice has been ongoing for a long or a short period and whether animals have entered the food chain.

Our advice is that, if you are buying meat, you should buy it from butchers who identify very clearly that they are part of the farm quality assurance scheme, and the same applies to the supermarkets and so forth. So, buy your meat from an approved source rather than out of the back of a van. In most instances, people can have absolute certainty and surety that the meat that they are buying has been raised to very high-quality standards and that the means of killing has been very humane and carried out in a way that, microbiologically, everything has been done correctly. People can take those steps. If people are buying meat out of the back of a van from an unknown source, they are potentially asking for trouble.

**Mr Dunne:** I thank the Minister for his response. Can the Minister give us an assurance that he is satisfied with the actions taken by the various agencies in trying to manage the risk and ensure that the public are not at risk from buying poor quality meat?

**Mr Poots:** I am satisfied that the reports to the various authorities came in quite recently and a coordinated action plan was put in place to carry out the raids. That was done very effectively, with cooperation between the Police Service of Northern Ireland, Newry and Mourne council, the Food Standards Agency and the DARD team. Four bodies came together to carry out the work, and I believe that they carried it out in a very effective manner.

**Mr Byrne:** I thank the Minister for being present and for giving an update and statement on the issue. Given the urgency of the situation for public health matters and for the reputation of the Northern Ireland beef industry, what meetings have taken place between the Minister of Health and the Minister of Agriculture? This is an urgent issue and needs to be dealt with at the highest ministerial level.

**Mr Poots:** I think that we should all calm down a little. This is not a large-scale operation in the first instance. We should not blow it out of proportion that this is common practice when there is no evidence that that is the case. We became aware of an activity, a course of action was taken yesterday, and it is now in the public domain, as it should be. So, action is being taken, and it is for Newry and Mourne council, potentially for the police and possibly for DARD to take legal action. It is important that they are allowed to get on with that work.

**Mr McCarthy:** On the lunchtime news, Professor Elliott said that the vast majority of meat sold was farm quality assured. Does the Minister agree that the public should ensure that meat purchased has the farm quality assurance stamp, and, if it is not, there may be a risk to health?

**Mr Poots:** No, I do not agree. Not every farm is farm quality assured. Therefore, meat can be very well raised

and legitimately raised that is not farm quality assured. You should buy your meat from a legitimate source. Your regular butchers and supermarkets will provide meat that has been acquired from a proper slaughterhouse where animals have been properly identified. If someone wants to buy cheap meat out of the back of a van, they are taking a risk. We need to be very clear about that. Indeed, any restaurants that provide meat should also ensure that they buy meat from a source that they can identify has gone through the proper food chain.

**Ms Fearon:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I will take this opportunity, given that it is in my area, to condemn any practice anywhere that places the safety of our food chain in jeopardy. It is vital that we are able to maintain public confidence in that. Is the Minister aware of any follow-up investigations into the companies that are accepting the meat?

**Mr Poots:** We will look for evidence to identify whether there has been a history of meat being slaughtered at the sites and where that meat might have ended up. That is a live investigation, and that will be a matter for an investigation to take place.

I will say very clearly that people who are aware of these activities can and should report them to the authorities. Consequently, that can be followed up. Individuals who engage in this type of activity are jeopardising the agriculture and food services sector. Even though it is small in the scale of the number of cattle that are killed in Northern Ireland every day, this is not positive news for Northern Ireland. It is unfortunate that some ne'er-do-wells are prepared to compromise the Northern Ireland food industry in such a way.

**Mr Allister:** I appreciate that this is a multi-agency issue, but is the Minister aware if there have yet been any arrests? Does he think that it is mere coincidence that the criminality of fuel laundering and illegal abattoirs appears always to be centred in south Armagh? Does that suggest that criminal gangs are linked to paramilitary republican organisations?

**Mr Poots:** Arrests are a matter for the police and for the Minister of Justice to report on in due course. I could, of course, add missing sheep and a few other activities. People should recognise that steps have been taken in this instance, and, where such activity takes place, others should report, and follow-up shall happen. It does not matter whether you are from south Armagh or, indeed, north Antrim, it is not in the interests of Northern Ireland or its agriculture industry that people be allowed to besmirch its name. The fact that they may be an infinitesimal part of the industry is not relevant. They have got widespread reporting and media attention and focus. Consequently, the damage that they can do to the industry can affect every legitimate farmer in Northern Ireland.

**Mr Frew:** I have just met Ulster Farmers' Union representatives in the Great Hall. They are very, very keen to express the view that this is a rogue element of criminality centred around south Armagh. Will the Minister urge the Minister of Agriculture and Rural Development to make a statement in defence of the good beef industry that we have in this country and ask people to bring forward any information that they have on activities in and around south Armagh on this issue?

**Mr Poots:** I think that, in many senses, I am not the correct Minister to respond to this. The truth is that cattle went missing and have been slaughtered illegally. The Food Standards Agency has a role, but other Ministers have a very clear role in this. I am saying clearly today that we can, and should, do more to stop this. I would be very hopeful that the Minister of Agriculture and Rural Development would join me in making such a statement and in encouraging people to ensure that the Northern Ireland food industry, which, let us be very open here, employs around 10% of people in Northern Ireland, is safe. It is responsible for close to 10% of our GDP. We cannot afford for this industry to be dragged down by criminal elements from one particular area that keeps popping its head up over and over again.

**Mrs Dobson:** First, I welcome the investigations and thank the Minister for his answers so far. Can the Minister assure the House that no meat from illegal operations made its way into our schools or, indeed, our hospitals? Are there regular audits carried out to ensure that that could never happen?

**Mr Poots:** I resent the fact that the Member brings hospitals into it. Does the Member actually think that we would jeopardise the health of the Northern Ireland public by buying meat out of the back of a van for our hospitals? Really?

**Mr Principal Deputy Speaker:** Order. That concludes questions to the Minister. I thank the Minister for his attendance. I ask Members to take their ease for a few minutes as we change the top Table.

*(Mr Speaker in the Chair)*

3.45 pm

## Executive Committee Business

### General Register Office (Fees) Order (Northern Ireland) 2014

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

*That the draft General Register Office (Fees) Order (Northern Ireland) 2014 be approved.*

I am glad to see that there are more Members in the Chamber for the approval of this order than there were for the Final Stage of the Financial Provisions Bill.

The order that comes under Members' consideration today is intended to provide revised fees for the searching of indexes of civil registration records charged by the General Register Office (GRO) to reflect new arrangements. It will also introduce fees for new services included in the Civil Registration Act (Northern Ireland) 2011, which will further facilitate the searching of GRO records.

The proposed date for commencement of the new fees is 31 March. The most recent fees order was made in 2012. This order proposes revised and new fees to reflect the introduction of a new search system in the General Register Office that will provide improved access to civil registration records. All other fees, which have been in place since 2012, do not require an increase at this stage.

By way of background information, Members will wish to note that, under the current law, fees are not charged for the statutory requirement of registering births and deaths or for providing one copy of a birth entry at the time of registration. However, fees are chargeable for the provision of other certificates and for further certified copies of registration events, including, where necessary, the searching of indexes and the retrieval of the record involved. There are also chargeable fees for the carrying-out of procedures such as recording a name change and for marriage and civil partnership services, including the giving of notice, solemnisation of marriages and the registration of civil partnerships. Under government accounting rules, the cost of such chargeable services is recovered by means of a fees order, as provided for in the relevant legislation.

It is in the context of revised fees and fees for new services that the order comes before the Assembly. The General Register Office and district registration offices produce in excess of 154,000 certified copies of vital events each year for which fees are chargeable. The production of certificates requires significant administrative input, involving receiving moneys, searching indexes, producing copies on security paper, certification and dispatch. GRO efficiency in those processes has improved over the past few years with the completion of the digitisation project, which digitised all paper-based registration records from 1845 to date. The availability of the digitised records has improved the service's speed, accuracy of data provided and quality of document.

Over the years, the General Register Office has also significantly improved options for the delivery of

registration services by the introduction of new services, such as short death certificates, which exclude the cause of death, commemorative certificates of memorable life events and the sharing of registration information with other Departments. Members of the public can order certificates from any location in the world, either over the Internet or by telephone, and pay for those services using their credit card. The service will be enhanced further with the introduction of the Genealogical Project Northern Ireland (GeNI), which is due for completion in the next few weeks.

The Genealogical Project Northern Ireland is the next step in the General Register Office's modernisation programme and is in response to customer demand for improved access. The project will provide online access to historical indexes and images of civil registration records and improve access to registration records in the on-site public search room facility. Births over 100 years old, deaths over 75 years old and marriages over 50 years old will be made available online.

As part of the project, the General Register Office will also provide access to all index records and images in the public search room located on its premises. The public search room is long established, but the provision of access to all civil registration records will replace the existing service, where only indexed records are available. Currently, if customers wish to view an image, they must apply for a certificate. It is in connection with the provision of those services that the setting of fees is required. The new search system will allow customers to search the GRO basic indexes online and in the GRO public search room free of charge, with a credit-based system in operation to view further information and the entry itself.

As I indicated, the General Register Office is required to recover the cost of chargeable services, including services provided by local register offices based in each council. The cost of each fee has been calculated individually, using work-study analysis to reflect the work involved in each area, and includes the full range of costs involved, including staff, rent, rates and computer maintenance in GRO and in district registration offices. A similar cost-recovery system operates in Scotland, England and Wales.

The passage of this order will ensure that, as has been the case here and in Great Britain, the cost of providing services is borne by the parties requiring such services and not by the public purse. The order has been considered by the Committee for Finance and Personnel, and no objections were raised. I commend the order to the Assembly.

**Mr McKay (The Chairperson of the Committee for Finance and Personnel):** Go raibh maith agat, a Cheann Comhairle. The Committee considered the proposal to make the order in December last year and sought clarification from the Department of Finance and Personnel in respect of the GRO fees and turnaround times here as compared with England and Wales. The Department advised the Committee that, in England and Wales, a certificate application will be processed within four working days if the GRO index reference number is supplied. If the reference number is not included with the application, the certificate will be processed within 15 working days.

The position here is different, however, in that processing times are not reliant on the availability of the index reference numbers. Personal applications are processed within three working days and postal, telephone and online applications are processed within five working days. These applications are charged at the basic certificate fee, with no additional charges being applied.

Officials informed the Committee that the General Register Office here also offers a priority certificate service for an additional fee, whereby a personal application will be processed within one hour and telephone and online applications, depending on time of receipt, will be issued the same or the following working day.

Having received this clarification, and on the basis that no further issues were raised by the Examiner of Statutory Rules by way of technical scrutiny, the Committee agreed to support the Department in seeking the Assembly's endorsement of the provisions of this quite straightforward order.

**Mr McQuillan:** I will be very brief. I support the motion. The order provides for the various fees payable under the Births and Deaths Registration (Northern Ireland) Order 1976 relating to searches on the register, viewing the records and the provision of certificates. It also provides for fees for the change-of-name service and provides for the various fees payable under the Marriage (Northern Ireland) Order 2003. This order replaces the General Register Office (Fees) Order (Northern Ireland) 2012. I support the motion.

**Mr Hamilton:** I thank the Members who commented on the order, and I thank them for their supportive remarks. I also express my thanks to the Chairman and the members of the Finance and Personnel Committee, who carried out the necessary scrutiny of the order.

I will be very brief in concluding. I ask Members for their approval for the draft General Register Office (Fees) Order (Northern Ireland) 2014, which should come into operation from 31 March this year.

*Question put and agreed to.*

*Resolved:*

*That the draft General Register Office (Fees) Order (Northern Ireland) 2014 be approved.*

*Motion made:*

*That the Assembly do now adjourn. — [Mr Speaker.]*

## Adjournment

### Woodlands Speech and Language Unit

**Mr Speaker:** The proposer of the topic will have 15 minutes, and all other Members who are called to speak will have approximately seven minutes.

**Mr P Ramsey:** I just made it back into the Chamber. Mr Speaker, I thank you and the Business Committee for affording me the opportunity to once again raise the issue of Woodlands speech and language centre in the city. The House clearly is no stranger to the plight of the children, parents and staff of the Woodlands speech and language centre, which is sited in Belmont special school in my constituency.

I can honestly say that I have spent a long time as a member of Derry City Council and have spent 10 years in the Assembly, and I fail to understand how this decision could be made by the Western Education and Library Board to come up with its development plan and how a Minister could then agree with the development plan to close such a unique centre in Derry.

Let us be clear that Woodlands helps children from across the community in Derry, from the city side, the Waterside, rural areas, east Derry, Limavady and Dungiven. Children from all those areas attend Woodlands.

It is stable, safe, and, most importantly, has a track record of successfully helping young people — children who go to primary schools but attend Woodlands four days a week and wear their own uniform — overcome very difficult communication problems. That is why this unique centre in Derry is necessary.

You know in your heart and soul, Mr Speaker, as do other Members representing the constituency, the good that goes on in the centre and the track record that it has. It is a model of best practice in delivering early intervention, which we always talk about in the Chamber, and making a difference in young people's lives. Many of the young students who attend Woodlands progress to mainstream education. Unfortunately, a number of them might, because of complex needs, be statemented.

I sent a freedom of information request to the Department of Education following, in my opinion, the outrageous decision to close the centre. In response, I was shocked to find emails from the Minister's officials in the Education and Training Inspectorate (ETI) stating that the "consultation was not consultative". The Minister's own agency told him that the consultation "was not robust enough". Yet here we stand today, continuing to fight for a decision to retain a model of best practice across Northern Ireland. Not only did ETI make that statement; let me put on record what was revealed in the same email:

*"I do not think the board has demonstrated sufficient evidence to ensure that the proposal is fully considered and has missed a number of key points".*

I welcome the Minister, who has engaged with this, but I do not accept his decision. I fundamentally disagree with it, as do so many parents whose children went to Woodlands

and parents whose children have now moved on but who still want to be the ambassadors for best practice in a centre where they saw their child's speech impediment or communication deficiency improve.

The Royal College of Speech and Language Therapists plays a key role in this. These are the specialists who bring the children on. They are therapists for Northern Ireland but provide training for Woodlands. The royal college considers that the proposals constitute a closure of the language unit, not a relocation. The Minister always made the point that it was only a relocation. The Royal College of Speech and Language Therapists is saying very clearly that it is, fundamentally, a closure of a model of best practice and — this is important — that the proposed provision as outlined by the Minister, the three units that he referred to, will not replicate or provide similar expertise in communication skills. In this Chamber, are we in the business of ignoring expert advice? Is the Minister of Education telling me that he will ignore that expert advice?

The Woodlands unit has been abandoned to a process whereby two language classes will take place in three schools — St Anne's, Ebrington and Ballykelly. That might sound to some as though the Minister is on top of the transition, but I make it very clear that he is not and neither is his Department. The Minister continually tells us that all is well because he will not close the unit until September 2014. However, I draw attention to an Assembly question for written answer, AQW 28845, tabled in November 2013, in which I asked what plans have been put in place to resource the new language classes. I am told, and this is on the record, that meetings were being held.

The Minister is closing a fantastic unit that parents and the community hail as a model of best practice in speech and language therapy without yet knowing what exactly will replace it.

Is that supposed to give my constituents, as well as the parents and children, some confidence in a system that we do not know that much about? Are we going to take the word of the experts in the field — the Royal College? Are we going to take the word of the teachers who work in speech and language therapy at Woodlands?

#### 4.00 pm

I want to bring attention to a 2013 press release from the Minister on the closure of the unit. It stated:

*"Approval of all four proposals should be conditional on a written assurance from the Western Education and Library Board that confirmation that WELB has received appropriate assurances from the Public Health Authority on the availability of resources to support the expanded speech and language provision at the proposed three new sites".*

I invite the Minister to respond to that.

The press release also stated:

*"the relocation to Ebrington, St Anne's and Ballykelly Primary Schools will be planned and implemented before the unit at Woodlands closes".*

Again, I invite the Minister to respond to that.

It also stated:

*“consideration will be given to the transfer of those children attending the Woodlands Unit to the new provision should the parents so wish.”*

The parents do not wish it. The parents want their children to remain at Woodlands with — I will repeat myself — a model of best practice. I understand that a letter that the Department sent to the chief executive of the Western Education and Library Board states that the three criteria have now been met, with neither detail nor opportunity for the board to give an input on the provision that is supposedly in place.

How can the Minister not see that the unknowns are mounting up? The parents of current and potential students, young people, and users of speech and language services in Foyle and across the board area are becoming more uncertain and uncomfortable and do not have confidence in the proposed relocation to three different schools. Many of my constituents have made their views known. I welcome a number of them who have travelled from Derry today to listen to the debate. They are very concerned about this, as I am.

I chair the all-party group on learning disabilities, and I have seen good and bad practice across Northern Ireland in the provision of services for our children. The unit is the absolute certainty of good practice. I will make this point again: in all my years in public service, either on Derry City Council or in the Assembly, I have never seen a bad decision like this one. How can Raymond McCartney and Maeve McLaughlin, my colleagues in Foyle, stand over it? The only contribution that they could make was to defend the Minister's decision. MLAs were constantly invited to meetings, and people were giving the nod and the wink that they would support the retention of Woodlands. Let us hear today, for the record, whether they are going to respond, like I am, on a more positive note and say that we can make a difference and a change.

Recently, I had conversations with staff in the Altnagelvin trust, which is responsible for the provision of and funding for speech and language therapy. No one has had a conversation with those staff. I want to quote from a briefing document from the Royal College of Speech and Language Therapists that I know that the Minister received over the weekend:

*“The Royal College of Speech and Language Therapists have been advised that, as yet, our members have not been engaged in any discussions regarding the relocation”.*

That is what Alison said. No discussions have taken place on the proposals. The Royal College believes that it is extremely important and absolutely essential to initiate some preparation if closure is to be the case. However, I maintain that this is not the last roll of the dice. I think that common sense should prevail. I appeal to the Minister to have common sense on the project. As the Royal College of Speech and Language Therapists said, the outcomes for those children, some of whom have complex needs, are clear.

I invite the Minister or any of his colleagues here today to provide me with the evidence that shows that the relocation into the three separate units will enhance the service, as the Minister alluded to in his press release

last year. Where is the evidence? Who is providing the evidence? The only people who can provide the evidence on speech and language therapy are the speech and language specialists themselves. They are saying very clearly through the briefing paper and through the consultation process that they are opposed to it. They are opposed to it because there was some legislation in the past that the Western Education and Library Board now feels is appropriate. That is not across the board.

The Minister can shake his head if he wants, but Belmont special school is a special case. These are special children, and their parents are deeply worried about that service. I went there and visited Woodlands long before closure became an issue. I have seen the progress of children who have gone into it possibly not saying a word and not able to write. That development and progress of a child is so important to the mother, in particular. That is why a number of mothers from Derry, whose children are either at the school or were at the school previously, are in the Public Gallery.

I say this to the Minister and his colleagues Raymond and Maeve: do not underestimate the worry, concern, frustration and anger of parents and grandparents across my constituency who are alarmed at this. We are talking about their special child, and the children will not get the same service.

I am going to finish, Mr Speaker, but I appeal to the Minister at this late hour, given the level of uncertainty and concern, and given the deep worry that there is no evidence in place. We do not know what provision there will be for speech and language. Are they going to have their own classrooms? Are they going to have their own space, as they have in Woodlands? We do not even know that. All that discussion has not taken place, but the Minister felt that it was appropriate to sign a statement to say, “I agree with the development plans to close Woodlands”. It is wrong, and I say this again: I have never heard of a worse decision than the proposal to close the Woodlands centre.

**Ms Maeve McLaughlin:** Go raibh maith agat, a Cheann Comhairle. I welcome the opportunity to speak during the debate. I hope, and I am assured, that the Minister will respond to a number of issues that Mr Ramsey raised with regard to the consultation around this. I am very aware of the issue, and it has been the subject of much concern, debate and interest locally in my constituency of Foyle.

I recognise the depth of feeling. A number of weeks ago, I presented a proposal for an early intervention model for the city of Derry to the junior Minister; therefore, I recognise the importance of early intervention both for prevention in health and education. However, we cannot lose sight of the fact that the unit, as part of a special school, did not meet the legislative requirement. That is the harsh reality, but that is the fact. It did not meet the legislative requirement to educate children without statements in a mainstream school. In my view, the Minister pushed every door that could possibly be pushed on this.

I also refer to the fact that this decision or development proposal cannot and should not be based on the quality of the education at that unit. It is quite evident that that facility has served the children well, and it continues to do so. That is not under any discussion or debate; that is

fact. The Member who proposed the Adjournment debate alluded to sources on that. Of course, therefore, it is understandable that parents will fight for a facility that has had good educational outcomes. Why would anybody not?

However, we cannot ignore the fact that, under article 7 of the Education Order 1996, it states that a child should not be educated in a special school if they do not have a statement of educational need. That is the legislative framework by which, fortunately or unfortunately, we are all bound. As the Member said, the proposal will relocate the four classes at Woodlands to two at Ebrington Primary School, two at St Anne's and two new classes at Ballykelly Primary School.

Let me conclude by saying that transition and change is never easy. I hope — I appeal to the Minister on this — that we collectively insist that this transition is conducted with the needs of the children and parents at centre stage.

**Mr McCartney:** Go raibh maith agat, a Cheann Comhairle. Tá mé an-sásta labhairt ar an díospóireacht seo. I am pleased and delighted that I can contribute to such a worthwhile Adjournment debate, which has been secured by Pat Ramsey. There is not much that I disagree with in Pat Ramsey's main commentary. Obviously, I differ on some points. As Maeve McLaughlin said, I do not think that any of us questions the ability, professionalism or good work that is carried out at the Woodlands unit. No one questions or doubts the great commitment or professionalism of the teaching staff. No one doubts the commitment or life experience of the parents, and, most importantly, no one will question the sort of experience that the children attending the unit have had. That is to be commended.

Throughout this process, I have attended a number of meetings and met various people. At all times, the parents and teachers made a committed and professional case, and their approach was courteous. Certainly, they were forthright and left people in no doubt as to their feelings. I would have expected no less, given their professionalism and experience.

Maeve McLaughlin referred to the stumbling block, but Pat Ramsey did not mention it in his speech, as though it was not there. Unfortunately, there is such a stumbling block, and that is legislation.

**Mr P Ramsey:** We amended it.

**Mr McCartney:** Perhaps the Member should have proposed that, and the Assembly could have considered it, which is what we said at the time. Unfortunately, the legislation was not amended, and, until it is amended, the Minister is duty-bound. The Minister is under a legal imperative to work within the legislation, and he cannot act outside it. We have had instances in the past of people reminding the Minister about legislation. When the Minister has tried to take decisions, it was said that he was stepping outside legislation and not acting within the ministerial code. That is the type of constraint involved, which people have to acknowledge.

People can and will say that I am a colleague of John O'Dowd, but we met John O'Dowd on a number of occasions on this issue, and I have absolutely no doubt that, if he could find a way around or through the issue or the legislative imperative that is on him, he would have done so.

**Mr P Ramsey:** Will the Member give way?

**Mr McCartney:** I will indeed, surely.

**Mr P Ramsey:** The Member knows that, in amending legislation, the Minister is the most important person. The surest and quickest way to do that is through the Minister. You will recall the conversation that we had with the Minister about the review of special educational needs. Raymond McCartney and I had this conversation with the Minister, which could have been part of that review. The legislative provision about the statement of educational need could have formed part of the review. That in itself would have enabled something else to be put in its place. People are now saying that this is the best practice and best model.

**Mr McCartney:** Yes, and, in some respects, who can take the lead in amending legislation is a fair point. However, Ministers are also guided by the European Charter and the Human Rights Act 1998. You might try to amend legislation, but, if you are told by the Attorney General or the courts that you are standing outside wider considerations as to how you can legislate in the Assembly, you must recognise that.

#### 4.15 pm

**Mr P Ramsey:** Will the Member take another intervention?

**Mr McCartney:** I will surely.

**Mr P Ramsey:** It is the first time that I have heard reference to the Attorney General giving the Minister advice on this. I would like to see that. Maybe the Minister can tell us and share the information that the Attorney General has expressed concern on this.

**Mr McCartney:** I am not sure whether I said it improperly, it was picked up wrongly or you are being mischievous. What I said —

**Mr P Ramsey:** I am not being mischievous.

**Mr McCartney:** What I said was that any Minister, when he looks at legislation, has to be mindful of the Human Rights Act and the European charter. If he is not, he will be reminded, because that is the role of the Attorney General. Legislation here has to be competent. If you propose something that is not competent, that is why you have the Attorney General and, indeed, the Speaker's Office to rule that any amendment or any legislation going through the Assembly has to be legally competent. At present, if the Minister were to go outside this legislation, he would be proved or seen to be outside legislation. He cannot do that.

As Maeve McLaughlin has said, we have to appeal to the Minister about whatever transition is in place. We welcome the fact that the Minister has said that no child currently at the school will have their educational experience disrupted. That is a good decision. We have heard of other schools in the board area that have been doing it in this way, and the Education and Training Inspectorate has given them what are classed as "very good" reports. My appeal to the Minister is that, when the units go out into the three primary schools that have been named, he give a commitment that the inspectorate should report as quickly as possible to ensure that what we see is that the standards of the two primary schools that are already in place and the high standards that, I agree, Woodlands has in place are continued.

Most importantly, we have to bear in mind in all of this that the educational experience of the children must be maintained. They are the core of this; it should not be our interests or anybody else's. Children must be protected by their experience and by the legislation that is in place. We have not changed the legislation, so the Minister has to adhere to it.

**Mr Durkan:** This is certainly is not the first time that we have debated the issue in the Chamber. I remember, not that long ago, speaking at great length here to iterate the undeniable need for Woodlands and its undeniable success. Mr Ramsey, in opening today, described Woodlands as a model of best practice. That view has been shared by professionals across these islands and parents across the north-west.

The parents and friends of Woodlands have fought a determined and dignified campaign to keep it open. They want other children, parents and families to have the same opportunities as they had to address speech and language and communicative difficulties on a specialist site with children who have similar difficulties and to achieve similar outcomes, transforming children's lives. Their calls seem to have fallen on deaf ears. Mr Ramsey has outlined the disbelief in Derry that a Minister in our devolved Government and his party appear to have turned their backs on them.

**Mr O'Dowd (The Minister of Education):** Will the Member give way?

**Mr Durkan:** Sure.

**Mr O'Dowd:** I understand that the Member is not speaking as a Minister, but I ask, as one Minister to another, whether he is seriously suggesting that I ignore legislation. He knows fine well that I would be in breach of the ministerial code.

**Mr Durkan:** I would not dream of encouraging another Minister to break the ministerial code, nor would I dream of breaching it myself. However, I would encourage a Minister to be creative and flexible around legislation and, hopefully, to amend it to suit the demands of our people.

I recall the Minister visiting Woodlands last year. He could not have failed to be impressed by what he saw: outgoing, confident and capable children, the product of excellent teaching and care in an excellent facility. Ms McLaughlin said — the Minister has reiterated it — that the unit did not meet the legislative requirement. Is this not a devolved matter? If it did not meet the legislative requirement, can we not change the legislation? Will the Minister and his party support an amendment to the legislation?

As I said, we should be flexible and responsive to the needs of our citizens. This model is a success and might be replicated across the North. This is very much a case of "If it's not broken, don't fix it". It is clear that Woodlands is not broken, and nor is the spirit of the parents, children, staff and people in Derry who are committed to keeping Woodlands open. It is in representing those people and the best interests of the north-west that Mr Ramsey has raised this topic for debate again.

I call on the Minister to listen to us and to the campaigners, who have fought a determined and dignified campaign to keep the place open, and to explore, as much as possible, how he might keep Woodlands open.

**Mr Beggs:** I am sure that some may wonder why I am taking an interest in this debate from so far away, but I take a particular interest in addressing educational underattainment and enabling every young child to meet their full potential. I also have a concern that what is happening in the north-west could be replicated elsewhere. I will come back to that later.

It is clear that Woodlands speech and language unit is very highly regarded in the community that it serves. That is because of the outcomes that parents have seen and the positive developments made by young children in developing their language skills.

The Royal College of Speech and Language Therapists has indicated that, on average, two or three children in every classroom are affected by a language impairment. The sooner a speech and language difficulty is addressed, the better. If a child has difficulty with speech and language, they will have difficulty in communicating with their peers and teachers, and their ability to learn in the classroom will be greatly impaired. I notice that about 50% of adults with speech and language difficulties may have depression or anxiety disorders, and, unless the issue is addressed correctly in the early years, those difficulties will arise in the future.

The speech and language unit at Woodlands has been in operation for, I understand, some 25 years. It has met the needs of the local community by delivering the mainstream curriculum and the speech and language support required to help the children and young people affected to overcome their difficulties.

I understand that, last September, the Minister accepted a proposal to close the unit. However, I have concerns about that, particularly given what has been reported in this debate, such as the failure to consult fully during the process and the issues raised by the Education and Training Inspectorate. Despite the decision being taken last September, we have learned that there has been a failure to engage with speech and language therapists since then. That causes me great concern, and it must cause the parents of those children great concern.

Woodlands speech and language unit provides concentrated support in a safe environment to enable children and young people to regain their confidence and to start to take important steps in communication. I feel that it is very important that such a specialist centre continues so that those with the most extreme difficulties can get concentrated support prior to returning to mainstream education.

I listened to comments about legislation and human rights issues, but the fundamental issue has to be the education of the child. If a child is unable to have their impediment corrected, their long-term education, their ability to interact with others and their development will be affected. It will be life-limiting unless it is corrected in the best possible mode. Again, I understand that the Woodlands model was thought to be excellent by speech and language therapists and one that should perhaps be replicated rather than removed.

I am aware of some specialist units in my constituency. I am also aware that, once children attend them for a time, develop further and gain skills through speech and language therapy, they can return to other units in the constituency that are nearer to their home. On occasions,

that specialist environment and concentrated support can be necessary for children to overcome their difficulties and ultimately return to mainstream education.

Where there is excellent speech and language support and education for those young children, I call on the Minister to ensure that that is maintained and that the best interests of the young people are at the heart of any decision, not some regulation that we cannot find a method of dealing with. If the regulation needs to be changed, it should be. It is important that we keep the children and young people's best interests at heart.

**Mr O'Dowd:** Go raibh maith agat, a Cheann Comhairle. I thank Pat Ramsey for bringing the topic to the Chamber. He has raised important points that I will respond to.

First, I want to pay tribute, rightly so, to those who have been involved in the Woodlands unit. The debate has never been about the quality of provision there but about the legislative context in which the unit operates. It has been said that, if the legislation is wrong, we should change it. However, this question has to be asked: is the legislation wrong? Let us look at the framework on which we work.

I am certainly not in favour of tampering with the legislation, which has international roots and firm foundations. The departmental policy on special educational needs, as provided for in the Education Order 1996, is one of inclusion. I doubt whether anyone in the Chamber would argue against inclusion. That approach is consistent with article 24 of the UN Convention on the Rights of Persons with Disabilities, which ensures an inclusive education system at all levels, and the European Convention on Human Rights. Those are two pieces of international legislation that we are proposing to tamper with. I have no difficulty in tampering with legislation, regardless of where it is from, but those are two important pieces of legislation that, I suspect, the majority of Members who spoke in the debate would sign up to.

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

**Mr O'Dowd:** I will not, thank you.

As I said, no one questions the quality of the provision at Woodlands, but it falls outside the legislative basis for such operations. It clearly states in the 1996 Order that, to attend a special school, a child should be statemented. The vast majority of young people attending Woodlands were not, but they did require assistance and support, which was being provided. So, here I am: I have legislation that clearly tells me that Woodlands is operating outside the legislation; the domestic legislation is embedded in sound international legislation; and I am presented with a development proposal pointing all those things out to me. Whether or not you wish it away, that is the case. I have to say that, while I accept that Mr Durkan was not speaking as a Minister, I was surprised that a Minister should stand up and tell me that I should be creative with legislation. It does not say in the ministerial code to be creative with the law; it says that Ministers must adhere to the law. That is what I have to do. I am presented with those definitive articles, so what do we do?

The board came to me with proposals on the relocation of the services from Woodlands to other centres across the north-west. The question of whether that was in the best interest of the north-west was raised. If we are relocating

services to places such as Ebrington Primary School, St Anne's Primary School and Ballykelly Primary School, we are investing in services in the north-west.

I am also allowing Woodlands to operate for a further two years to allow the young people who are attending to complete their term. However, if they wish to move to the new units in the meantime, they can do so.

#### 4.30 pm

Is anyone suggesting here that the staff at Ebrington, St Anne's or Ballykelly will not be committed to those children? I believe they will be. We are fortunate as a society to have dedicated educationalist professionals. I am aware that the Western Education and Library Board has been engaging with the relevant trust about the provision of services at those schools. Engagements and discussions are continuing, and I am confident that we will move forward with services that are as good as those at Woodlands and that we can build and improve upon them.

Why am I positive about that?

**Mr P Ramsey:** Will the Minister give way?

**Mr O'Dowd:** Just give me one moment. Why am I positive about that? Because such units are operating elsewhere. Again, I ask this: is anyone seriously suggesting that those who work in Omagh language unit, which is attached to Gibson Primary School, are not dedicated to the children they serve? Is anyone suggesting that the WELCOME language unit, which is attached to Gibson Primary School, is not dedicated to the children it serves? Is anyone seriously suggesting that those who work in Enniskillen or Sion Mills language units are not dedicated to the children they serve or that they do not want the best for those children moving forward? I hope and suspect not.

I have evidence that I can point to in order to show that services are in place in other schools that will ensure that every opportunity is given to a child with speech and language impairments. I will give way to the Member.

**Mr P Ramsey:** I thank the Minister for giving way. One of the options available to the Minister was clearly defined by the parents. The Minister could have made the decision to relocate to Ebrington Primary School a unique, modern speech and language therapy facility rather than displacing it to three different schools. That would have created an environment where consistency and continuity of approach would have enabled the children to get that excellent service. Why did he not consider that?

**Mr O'Dowd:** I did consider it, and I believe that the services that we provide in three locations provide access of equality for communities across the north-west, not just in Derry city. I am concerned that children travel considerable distances to some of our support services. If we place a support service such as a speech and language unit at one school in the city, why, for instance, should we ask those children who will be attending Ballykelly Primary School and are from that area to travel into Derry city?

I am being lobbied by parents, educationalists and representatives from Strabane about the lack of provision in the Strabane area, which is a different issue; it is about autism. Why do you have to travel to Derry city to get those services? Why not in Ballykelly? We are providing services at Ebrington Primary School and St Anne's Primary School.

I said this before about mainstream schools: we should not be loyal to the institution; we should be loyal to the children the institution serves. When, unfortunately in this case, the institution was operating outside domestic and, questionably, international legislation, we made provision for those young people, who, because of the other units that I referred to, I am confident can and will receive speech and language therapy that we can all be proud of going into the future.

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

**Mr O'Dowd:** Yes.

**Mr Beggs:** Will the Minister clarify whether he is proposing to close all other specialist speech and language centres in Northern Ireland and derate a number of schools that are bases, let us say, so that the potential concentration of that expertise would be diminished?

**Mr O'Dowd:** I understand that Woodlands was the only unit operating in these circumstances and that all other provision is in compliance with the legislation. They are operating within schools, and I read out a number from the Western Education and Library Board area that are in Omagh, Enniskillen and Sion Mills. We will have a further three placed — two in Derry and one in Ballykelly. There is no other such unit that I am aware of. A number were raised, but when they were investigated, they were shown not to be outside the legislation or operating in the same circumstances as this one. The Department satisfied itself of that.

However, it would not be up to the Department to bring forward proposals for those units anyway. Instead, it would be up to the sponsoring and managing authority, which, in this case, is the education and library board.

Mr Ramsey made an impassioned plea about Woodlands, and I accept that. I accept the impassioned pleas that have been made directly to me by all representatives from the Foyle constituency. However, I cannot accept that Mr Ramsey believes that this is the worst decision he has ever come across and that he does not understand why the decision was made.

I disagree with Mr Ramsey on a number of issues politically, but I know for a fact that Mr Ramsey is no man's fool. He is a very capable and hard-working political representative. He outlined to us his elected history: he has been on the council for many years and he has been a legislator for many years. Mr Ramsey knows fine well why this decision was made, how this decision was made and he knows fine well that no other decision could have been made. I also believe that he knows fine well that the provision in Ebrington, St Anne's and Ballykelly will be of an extremely high quality and that there will be dedicated staff in the units and the schools.

We can move forward confidently, because speech and language therapy provision in the north-west is protected and will move forward in accordance with the legislation and with the best wishes and intentions for the young people we are here to serve.

*Adjourned at 4.36 pm.*

# Written Ministerial Statements

The content of these written ministerial statements is as received at the time from the Ministers. It has not been subject to the official reporting (Hansard) process.



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# Written Ministerial Statements

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## Health, Social Services and Public Safety

### Paediatric Congenital Cardiac Services Planning

*Published at 11.00 am on Monday 24 February 2014*

**Mr Poots (The Minister of Health, Social Services and Public Safety):** Further to my oral statement to the Assembly on 9 December 2013 this written statement is to provide the Assembly with an update on the current position concerning paediatric congenital cardiac services (PCCS) in Northern Ireland.

In my previous statement I informed the Assembly that Minister James Reilly TD, Minister of Health in the Republic of Ireland, and I have appointed a team of three international clinicians to carry out an independent assessment of current and future needs for cardiology and cardiac surgery for congenital heart disease in Northern Ireland and the Republic of Ireland. In addition to the two experts named in my oral statement, the final member of the team has now been appointed to provide expertise in anaesthetics. The assessment team will therefore comprise:

- Dr John Mayer, Chair in Cardiovascular Studies at the Children's Hospital, Boston (to chair the team);
- Dr Adrian Moran, Consultant Cardiologist from the Maine Medical Centre, USA, and fellow of the American Academy of Paediatrics and the American College of Cardiology;
- Dr John Sinclair, Consultant Paediatric Cardiac Anaesthetist and Intensivist at Yorkhill Children's Hospital, Glasgow.

The assessment team will describe the existing hospital services in both jurisdictions, outline options for service configuration and governance arrangements and report to both Ministers, jointly, recommending the most appropriate model that would meet the population health needs and other requirements of both jurisdictions.

I am pleased to inform the Assembly that the Assessment is underway and the team of experts is planning to visit Northern Ireland in the weeks ahead to meet with commissioners, the clinicians who deliver services and representatives of the families whose children avail of this service.

I also advised the Assembly that in the interim, pending the completion of the assessment in June 2014, health service management and clinicians in the Republic of Ireland

would continue to work with their colleagues in Belfast to provide support to the services in Northern Ireland. The detailed arrangements for this support have been finalised and the first surgical session provided by surgeons from Dublin took place in Belfast on 17 February. Arrangements are also in place to ensure that those children whose procedure is considered to be more complex will continue to be transferred to centres in England for surgery. This is and will remain in line with risk management arrangements currently in place. An important point in all of this is that each and every case will be given individual consideration, and the most appropriate location for the procedure to be carried out will be determined on the basis of clinical judgement. Arrangements for children in Northern Ireland who require emergency surgery have now been formalised in a service level agreement between the Health and Social Care Board and Our Lady's Children's Hospital in Dublin.

I would like to record my thanks to Minister Reilly and the clinicians from Our Lady's Children's Hospital for their efforts in working with Health and Social Care in Northern Ireland to secure these short-term arrangements.

I also advised the Assembly that in order to ensure that the service in Belfast is as robust as possible children's heart surgery would transfer from the Royal Victoria Hospital to the Royal Belfast Hospital for Sick Children. While it would be ideal for children undergoing cardiac surgery to have their operation in a paediatric setting, this particular matter is complex and requires careful consideration of the potential consequences on other paediatric services and the implications for staffing. The Belfast Trust is therefore carrying out a risk assessment of the proposed relocation and a decision will be taken shortly on the way forward in regard to this proposal.

In conclusion, I wish to reiterate to the Assembly that while I have been assured that the current PCCS service in the Belfast Trust is safe and will continue to be safe, it is, nonetheless, a fragile service, and we should not underestimate the challenges that low volumes of patients present in sustaining such services.

## Ralphs Close Residential Care Home

*Published at 5.00 pm on Wednesday 26 February 2014*

**Mr Poots (The Minister of Health, Social Services and Public Safety):** I wish to make a statement to the Assembly following the completion of the investigations into the allegations of abuse at Ralphs Close Residential Care Home and sign off of the Safeguarding Report by the Western HSC Trust Board.

Members will recall that following the initial allegations of abuse in July 2012, and in response to members questions, I informed the Assembly of the actions being taken by the Trust to protect and ensure the immediate safety and well-being of residents including the initiation of the Joint Protocol arrangements for the Investigation of Alleged and Suspected Cases of Abuse of Vulnerable Adults which led to an investigation by the PSNI and a Safeguarding Investigation by the Trust. Both these investigations are now complete.

The outcome of the PSNI criminal investigation, which lasted nine months, concluded there was no evidence of wilful neglect and in the absence of witness evidence it was unlikely that the burden of proof threshold required in a court of law would be met. The Public Prosecution Service (PPS) has advised that in the absence of witness evidence there is no other evidence against identifiable individuals of any offences. This highlights the challenges we face in protecting the most vulnerable people in our society, people who cannot always speak for themselves and who rely on others for their care. There is no room in the health and social care family for those who exploit their position of trust by inflicting suffering and harm, or indeed, standing by and ignoring others who do.

I welcome the assurance that the Trust has undertaken a very thorough safeguarding investigation, carried out by an experienced team of senior managers and professionals. As recommended by my Department, the senior team was assisted and advised by an independent external expert in Adult Learning Disability appointed by the Trust. The findings are disturbing, but it is always important that such issues are brought into the open so that we can take all appropriate action and secure improvements in services.

The report has concluded that on the balance of probability there has been abuse perpetrated by a number of staff in Ralphs Close over a period of time. The nature and type of abuse includes physical and psychological abuse and neglect by omission. Over 50% of allegations made have been substantiated and on the basis of these findings disciplinary proceedings are now progressing as well as investigations by the relevant regulatory bodies. Members will understand that I cannot say more on that subject at present, other than to say that individuals who abuse those in their care will be held to account for their actions.

I have already had an urgent meeting with the Chief Executive of the Western Trust and the Chair of the Trust Board to seek their assurance that individuals will be held to account for identified failings and that every effort has been made to ensure, as far as possible, that poor or abusive practice is not happening elsewhere in any setting within the Trust.

I am truly appalled and angered that anyone in a position of responsibility and trust, caring for vulnerable people, could

in any way cause them hurt or distress. I deeply regret that individuals have suffered directly and their families. As a consequence I am hugely disappointed that vulnerable people and their families have been let down by the service. The Trust have apologised directly to those involved.

Members will be aware that this will have a personal resonance for many families who have loved ones being cared for in similar settings. I am aware that the findings in this case will impact on families' level of trust and confidence in our system.

As far as possible, I want to be assured and to assure the public that there is strong vigilance and proactive management in all health and social care settings in Northern Ireland, including private and voluntary sector settings where care is provided to vulnerable adults. I want to be assured that there is a determined and sustained focus on promoting high standards of care and safety and on preventing, detecting and, where necessary, dealing robustly with poor or abusive practice at every level in the HSC system.

Consequently, I have sought assurance from the Chairs across all the Trusts that facilities, which are caring for vulnerable adults, have robust safeguarding arrangements in place, that they are confident these are being adhered to; and that a culture is promoted within those settings, and throughout the organisation, that has a zero tolerance of poor practice, negligence or deliberate harm of any kind.

It is important that we recognise and acknowledge that the vast majority of staff who care for our loved ones do so with compassion, kindness and a commitment to doing their best. I would acknowledge and thank those individuals who persisted in bringing the abuse in Ralphs Close to light. And, as I have said consistently in my role as Minister for Health, anyone who has a concern about the standard of care should not be afraid to come forward. Preventing abuse or neglect is the responsibility of all of us and none of us should tolerate vulnerable people being abused in any way.

My Department is in the process of developing new adult safeguarding policy, which I have instructed officials to finalise and issue as a matter of urgency. The policy will place a renewed emphasis on preventing harm to adults who are vulnerable and, at the same time, seek to ensure that effective protections are provided in circumstances where harm has occurred or is suspected. It will advocate a policy of zero-tolerance of adult abuse in any setting and make respect for their dignity and rights non negotiable. It will also make it clear that effective safeguarding of those who are vulnerable is the responsibility of us all.

At the same time, we are in the process of implementing new safeguarding legislation, the majority of which is already in operation. The aim of the legislation is to ensure that individuals found to have harmed adults who are vulnerable are removed from the workforce, added to barred lists where this is appropriate and, consequently, prevented from obtaining work with vulnerable adults in the future while they continue to remain on a barred list. The legislation will in future make it a requirement for employers and volunteer managers to check against the barred lists prior to permitting an individual to work or volunteer with vulnerable adults.

Trust can be abused in every sphere of care within our society. Some people are capable of terrible cruelty. There

are corrupt and immoral individuals who, in spite of all our best efforts, will find ways to subvert the system and harm others. I am doing, I have done and I will continue to do all within my power to stamp out abuse and create a system where there is no hiding place for those who abuse their position of trust. I cannot do this alone. It requires everyone to be vigilant and to take responsibility to protect those who are vulnerable.

People who use our services, their families and relatives, carers and members of staff or managers must feel confident and able to come forward to speak out and express any concerns they have about the quality or standard of care, whatever the context. Where individuals do not have the capacity or ability to do so themselves they must be supported to have a voice.

Creating a culture of openness and transparency within the health and social care system so that there is no hiding place for poor or abusive practices is my priority and it must be everyone's priority.

The movement of patients from an institutional setting to community based facilities is reflective of the strategic vision to de-institutionalise the care of individuals and to provide person-centred, community-based approaches which promote the rights of, respect for, choice and independence of individuals. The move to Ralphps Close had the potential to be a positive development for individuals who had previously resided in a hospital setting. Regrettably this was not the case.

The lessons from Ralphps Close highlight that the transition from institutional living to community based living requires careful planning and management. It is not simply about the transfer of location but requires a change in ethos and working practices. These lessons will need to inform the planning and implementation of the reform of the health and social care system, to ensure that the vision set out for Transforming Your Care is realised and that those responsible for implementing the reforms learn from this.

I have instructed the Health and Social Care Board to ensure that the lessons learned from this case are disseminated across all Trusts and service providers in the voluntary and private sectors who are commissioned to provide services by the HSC Board and/or Trusts.

Since the first allegations were made in July 2012 the Regulation and Quality Improvement Authority has undertaken more than ten announced and unannounced inspections of Ralphps Close. The most recent unannounced inspection was earlier this month and I can confirm to members there are currently no concerns regarding the standards of care in this facility. Indeed, there has been a transformation in the care provided to residents over the past 18 months.

I want to pay tribute to those staff in Ralphps Close who, in spite of the intense scrutiny and adverse publicity around this case, have continued to care for the residents and have worked tirelessly to create a new culture of person-centred care. We owe them our thanks and gratitude.

## Culture, Arts and Leisure

### Salmon Conservation Regulations

*Published at 12.00 noon on Thursday 27 February 2014*

#### **Ms Ni Chuilín (The Minister of Culture, Arts and Leisure):**

Members will be aware from my previous statements to the House, of the perilous plight of Atlantic salmon and my plans to introduce a range of conservation measures aimed at curbing the decline of this iconic species.

I am now pleased to announce that there will be new legislation in place on the 1st March 2014 which will introduce mandatory catch and release for salmon and sea trout angling and a prohibition of salmon and sea trout netting across the DCAL jurisdiction.

From this date all salmon and sea trout caught by anglers must be returned to the water again. This will apply to all waters across the DCAL jurisdiction with the exception of Lough Melvin which has consistently demonstrated a sustainable surplus of salmon above management targets. Here anglers will be able to take and keep 2 salmon or sea trout during the season. On all other waters, all salmon and sea trout caught by anglers must be returned to the water.

While fishing for salmon and sea trout anglers must use single or double barbless hooks only and will only be able to use worms after the end of each June to protect salmon smolts.

With regard to commercial fishing, salmon and sea trout netting will be prohibited in coastal waters and Lough Neagh. However, legislation will provide that anyone who has held a netting licence in any one of the last three years will have first preference for a new licence should netting resume. Legislation also provides that this eligibility can be passed to a nominee should the original licence holder not wish to apply.

Criteria for a resumption of netting will also be enshrined in legislation. Licences will only be issued if the Department decides that such netting will not have an adverse affect on salmon stocks in:

- (a) a Special Area of Conservation as defined under the Habitats Directive;
- (b) any rivers which are not meeting such salmon management targets as may be determined and published by the Department.

Compensation will also be considered for those netmen who can demonstrate loss of income as a result of the introduction of these legislative measures.

Questions have been raised about the inclusion of sea trout in catch and release measures and the prohibition on salmon netting. While, in comparison to salmon, there is limited scientific data on sea trout populations in the North of Ireland, international data would suggest a dramatic decline in global sea trout numbers. AFBI's analysis is that there is insufficient data available to allow the exploitation of sea trout across the DCAL jurisdiction. My advised position is therefore to apply a precautionary approach to sea trout management based on international data until local information has been collected and assessed over a longer time period.

Any killing of sea trout would also have to be considered in context of both angling and netting. The difficulties of distinguishing sea trout from salmon, is still a very real concern from an enforcement perspective. Permitting netting of sea trout would be difficult to police and would have implications for salmon caught as a by catch. Commercial nets also catch larger sea trout which can be disproportionately detrimental to sea trout recruitment in rivers.

Some anglers have also questioned whether catch and release legislation can be effective when those fishing for other species can use barbed hooks and may accidentally catch and fatally injure salmon or sea trout. While this can happen, it must be noted that as all such fish must still be returned to the water, there is no incentive for anglers to deliberately target salmon or sea trout in this way. Indeed it is vital that individual anglers take personal responsibility for their actions on the river banks and do not use any methods which may cause potential injury to salmon or sea trout. To assist in this my officials will be engaging with local angling clubs to promote best practice in catch and release and have developed promotional material and an educational DVD to re-enforce this message.

I would also urge anglers to play their part in helping the Department to establish robust data sets of salmon and sea trout stocks in our waters. They can do this by ensuring that they make returns on fishing effort. While anglers will no longer be allowed to retain salmon or sea trout on the vast majority of our waters, they must still record and return details of fish caught and returned to the water. This continues to be a valuable dataset which will contribute to a scientific assessment of salmon stocks and will help determine when rivers might re-open for the retention of salmon or sea trout by anglers. To facilitate this, the format of the game fishing licence has been amended to include a form for anglers to record salmon and sea trout catch and release details for return to the Department at the end of the season.

In bringing forward this legislation, I have given a great deal of thought to the views expressed by the various stakeholder interests and believe that the new Regulations are appropriate, equitable, enforceable and essential to conserving and protecting wild salmon stocks in the future. I pay tribute to both commercial netmen and anglers in the way they have contributed to this consultation process and their willingness to rise to the challenges facing the future of salmon stocks.

I know that the vast majority of anglers will respond positively to these new measures as they have been for years the guardians of our waters and their response to the call for voluntary catch and release over the past two years has been commendable. I wish also to pay tribute to our last remaining salmon netmen who have been courageous in their willingness to undertake a voluntary cessation of netting in the last two years and who have provided valuable input during the consultation part of this process.

But let me also be clear about the enforcement of this new legislation. The protection of wild fisheries remains a priority for my Department and there is already a robust enforcement strategy in place to protect fish stocks and prevent illegal fishing. This will be enhanced with a new programme of financial assistance for angling clubs to meet the court costs associated with appointing

private water bailiffs. Private water bailiffs play a key role in the Departments conservation, protection and enforcement work and I am sure that this financial assistance will help to secure and expand this role. I am also pleased to announce that a new patrol boat has been commissioned for use on Lough Neagh. This will enhance my Departments presence on the Lough by improving response times to incidents and augment the good work already being carried out by my officials in what is a difficult and sometimes dangerous job.

In the roll-out of this legislation, my officials will continue to engage with stakeholders to ensure the successful implementation of these measures. This will include a series of meetings with angling clubs to explain the new measures and promote best practice in catch and release, and on-going engagement with those netmen who have been affected by their implementation.

In summary I believe that these new measures are a very important step in building the sustainability of our salmon and sea trout populations. I am determined to continue to regulate fisheries and conserve and enhance fish habitats to ensure that commercial and recreational fisheries are sustainable and deliver benefits for future generations. I trust that members will welcome this new era for salmon conservation in the North of Ireland which I anticipate will be a template for fisheries management across other jurisdictions in years to come.

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## Regional Development

### Diversity in Public Appointments

*Published at 12.00 noon on Wednesday 5 March 2014*

**Mr Kennedy (The Minister for Regional Development):**

I believe that the boards in place operate very effectively but I am concerned that the membership of the boards of the five bodies for which I am responsible – Northern Ireland Water (NIW); Northern Ireland Transport Holding Company (NITHC); Belfast Harbour Commissioners; Londonderry Port and Harbour Commissioners; and Warrenpoint Harbour Authority – are not as representative of wider society as I would like them to be. Partly as a result of legacy issues, there are only seven women currently on these boards, out of 42 non executive positions, and very few younger people, people with a disability or people from an ethnic minority.

The services provided by these boards are relevant to all of the people in Northern Ireland and I would like to see them reflect more closely the makeup of the society which they represent.

I have reviewed the report by the Commissioner for Public Appointments Northern Ireland, published in January 2014. The report highlights the widespread nature of this problem and makes a number of recommendations for change covering policy, strategy and process. I am also aware of work carried out by Cabinet Office on diversity in public appointments.

My officials are represented on the cross-departmental public appointments forum which has been considering the range of measures highlighted by the Commissioner to attract a wider range of applicants to appointment competitions. I have asked them to take all possible measures to improve the diversity of the boards to which I make appointments by making public appointments more attractive and accessible.

I will of course continue to make public appointments based on merit and in accordance with the Commissioner for Public Appointments Code of Practice. However, in future, the aim will be to build teams with the best mix of skills and experience rather than fill individual slots on boards. To make such teams as diverse as possible, I also intend to move away from what has become almost automatic reappointment of members for second terms. This will allow fresh candidates to apply for all appointment opportunities and it will help me to deal with historic succession planning issues arising from the timing of many appointments. Members who have completed their first terms will, of course, remain eligible to apply for a second term through public competition where they will be assessed in the same way as all other applicants.

In order to give boards notice and space to plan ahead, and to give my officials time to raise awareness of appointments through outreach measures and to make the recruitment process as accessible and attractive as possible, the policy on reappointments will take effect from 1 April 2015. First term appointments falling due in the interim will be extended as necessary for periods between two and 12 months. Future appointments to NIW will be for 4 years to bring them into line with my other bodies.

These proposals have been discussed with the Commissioner for Public Appointments who has expressed support for them.



# Written Answers

This section contains the written answers to questions tabled by Members.

The content of the responses is as received at the time from the relevant Minister or representative of the Assembly Commission, and it has not been subject to the official reporting (Hansard) process or changed.



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# Northern Ireland Assembly

Friday 14 February 2014

## Written Answers to Questions

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

#### **Maze/Long Kesh Site: Listed Buildings**

**Mr Allister** asked the First Minister and deputy First Minister (i) whether the listed buildings on the Maze site are intended to be closed from September 2013 for remedial work; (ii) what remedial work is intended and at what cost; and (iii) whether it is agreed that the buildings will not reopen.

**(AQW 24938/11-15)**

**Mr P Robinson and Mr M McGuinness (The First Minister and deputy First Minister):** There is no current agreement on these issues. We continue to discuss a way forward.

#### **Maze/Long Kesh Site: Development**

**Mr Elliott** asked the First Minister and deputy First Minister to outline the process for development at the Maze/Long Kesh site.

**(AQW 25223/11-15)**

**Mr P Robinson and Mr M McGuinness:** There is no current agreement on these issues. We continue to discuss a way forward.

#### **Maze/Long Kesh Site: Conflict Resolution Centre**

**Mr Elliott** asked the First Minister and deputy First Minister what agreements were in place to progress the proposals to develop the now withdrawn Conflict Resolution Centre at the Maze/Long Kesh site.

**(AQW 25224/11-15)**

**Mr P Robinson and Mr M McGuinness:** There is no current agreement on these issues. We continue to discuss a way forward.

#### **Maze/Long Kesh Site: Development**

**Ms P Bradley** asked the First Minister and deputy First Minister to outline the importance of progressing the development of those elements of the Maze/Long Kesh site for which there is broad community support.

**(AQO 4595/11-15)**

**Mr P Robinson and Mr M McGuinness:** There is no current agreement on these issues. We continue to discuss a way forward.

#### **Maze/Long Kesh Site: Development**

**Mr Lunn** asked the First Minister and deputy First Minister whether there is agreement on development of the Maze/Long Kesh site.

**(AQO 4598/11-15)**

**Mr P Robinson and Mr M McGuinness:** There is no current agreement on these issues. We continue to discuss a way forward.

#### **Maze/Long Kesh Site: Community Confidence**

**Mrs Cameron** asked the First Minister and deputy First Minister how they are ensuring that there is community confidence in any decision to move forward with the peace building development at the Maze/Long Kesh site.

**(AQO 4600/11-15)**

**Mr P Robinson and Mr M McGuinness:** There is no current agreement on these issues. We continue to discuss a way forward.

## Victims and Survivors Service: Consultation

**Mr Nesbitt** asked the First Minister and deputy First Minister who they consulted with on plans for the Victims and Survivors Service.

**(AQW 27713/11-15)**

**Mr P Robinson and Mr M McGuinness:** A number of working groups were set up to look at the establishment of the VSS, which included representatives of victims' groups. The working groups covered the following remit:

- individual assessment
- organisational structure
- standards
- service delivery
- management information systems
- communications
- victims groups interaction.

Their findings were used as a base to take forward the policy development for the Service.

A public consultation on the Victims and Survivors Service took place from 16 August to 9 November 2009.

Additionally, a public consultation on the Draft Strategic Approach for Victims and Survivors was published at the beginning of August 2008. The consultation ended on 31 October 2008.

## Programme for Government: Health and Well-being

**Mr Agnew** asked the First Minister and deputy First Minister, in relation to the Programme for Government 2011-15 commitment to improve health and wellbeing, (i) when wellbeing will be defined; (ii) what is likely to be included in the definition; and (iii) how wellbeing will be measured.

**(AQW 27793/11-15)**

**Mr P Robinson and Mr M McGuinness:** In 2010, the Office for National Statistics (ONS) commenced a programme of work to measure wellbeing across a series of domains, including the measurement of personal wellbeing.

The domain that relates to Personal Wellbeing contains the following indicators: satisfaction with life overall; happiness yesterday; how worthwhile the things one does are; and anxiety yesterday. In addition, an indicator relating to population mental wellbeing (the Warwick Edinburgh Mental Wellbeing Scale) was recently added to this domain. The Warwick Edinburgh scale is also used by the Department of Health, Social Services and Public Safety Mental Wellbeing scale in its annual Health Survey, and it is intended to use this scale as one of the measures that will be monitored under the new Public Health Strategic Framework and Suicide Prevention/Positive Mental Wellbeing strategy.

The Northern Ireland Statistics and Research Agency (NISRA) is working closely with ONS officials to ensure that our interests are incorporated into the ONS wellbeing programme. Following a recent Carnegie UK Trust conference held in Belfast, the Minister of Finance and Personnel asked NISRA officials to publish the Northern Ireland data for the UK measures where they are available. This work is ongoing.

The new cross-cutting Public Health Strategic Framework, to be submitted shortly for Executive approval, will be one of the building blocks for the achievement of a number of PFG commitments including Priority 2 – Creating Opportunities, Tackling Disadvantage and Improving Health and Wellbeing. The Framework will refer to World Health Organisation definitions of health and wellbeing. A cross-cutting set of key indicators to measure progress on the Framework has been developed in collaboration with other departments.

OFMDFM is considering, in conjunction with other departments, approaches to the evaluation of Delivering Social Change, which could include a measurement of wellbeing. This work is in a development phase and it is too early to determine how the measurement of wellbeing will be operationalised or if it would be appropriate to do so.

## Maze/Long Kesh Site: Roads Infrastructure

**Mr Allister** asked the First Minister and deputy First Minister (i) whether a business case has been submitted by MLKDC for permanent roads infrastructure links to the Maze site; if so (ii) when it was submitted; (iii) what is its present status and the likely timeframe; and (iv) how it is impacted by the decision not to proceed with the Peace and Reconciliation Centre.

**(AQW 28091/11-15)**

**Mr P Robinson and Mr M McGuinness:** A roads infrastructure business case was submitted to the Department by the Maze/Long Kesh Development Corporation in October 2013.

Officials are currently reviewing the business case. At this early stage the approval process timeframe cannot be estimated.

There is no current agreement on these issues. We continue to discuss a way forward.

### Maze/Long Kesh Site: Development

**Mr B McCrea** asked the First Minister and deputy First Minister for an update on the progress made on the wider development of the Maze/Long Kesh site.

**(AQO 5013/11-15)**

**Mr P Robinson and Mr M McGuinness:** There is no current agreement on these issues. We continue to discuss a way forward.

### Goods, Facilities and Services: Legislation

**Mr Copeland** asked the First Minister and deputy First Minister, pursuant to AQW 28824/11-15, to detail, and for their assessment of the implications of the various options available.

**(AQW 29471/11-15)**

**Mr P Robinson and Mr M McGuinness:** This is an extremely complex area and, as such, we are considering the content of the proposed legislation.

Our intention is that the legislation will prohibit treatment that amounts to unfair discrimination, without removing any of the protections and privileges currently available to different age groups. To achieve this, we are examining the exceptions that will be needed to ensure that appropriate differential treatment for members of various age groups can continue.

In light of the issues and sensitivities surrounding the proposed legislation, we do not think it would be helpful or prudent, at this time, to disclose details of the matters under consideration.

### Ebrington Site: Private Investors

**Mr Eastwood** asked the First Minister and deputy First Minister to detail the number of expressions of interest received from private investors in relation to the Ebrington site, Derry; and to list the sectors to which these investors belong.

**(AQW 29673/11-15)**

**Mr P Robinson and Mr M McGuinness:** As of 31 December 2013, Ilex had 68 live enquiries from a range of organisations including private sector, community and voluntary sector, and public organisations in relation to establishing operations on Ebrington. From this total of 68 enquiries, Ilex received 41 formal written expressions of interest, of which 28 are from the private sector. These formal expressions of interest from private sector are representative of the following areas:

- Culture and creative media
- Food/beverage
- Other retail/Service industry/Commercial
- Residential

### Maze/Long Kesh Site: Red Sky Group

**Mr Elliott** asked the First Minister and deputy First Minister whether the Red Sky Group has been involved in the security guarding and monitoring of the Maze/Long Kesh site; and if so, to list the dates of this contract.

**(AQW 29767/11-15)**

**Mr P Robinson and Mr M McGuinness:** The Red Sky Group provided security guarding services for the Maze/Long Kesh site between 1 August 2009 and 31 July 2011.

The Red Sky security contract was subject to open competition and let through the Central Procurement Directorate, DFP.

### Maze/Long Kesh Development Corporation

**Mr Allister** asked the First Minister and deputy First Minister whether the business case submitted by the Maze/Long Kesh Development Corporation for permanent roads infrastructure links to the site has been approved; and how it is impacted by the abandonment of the Peace and Reconciliation Centre.

**(AQW 29803/11-15)**

**Mr P Robinson and Mr M McGuinness:** There is no current agreement on these issues. We continue to discuss a way forward.

### Ballykelly Army Base Site: Costs

**Mr Campbell** asked the First Minister and deputy First Minister what were the estimated total costs for (i) security; (ii) utilities; (iii) maintenance; and (iv) other costs in connection with the former Ballykelly Army Base for the year ending 31 December 2013.

**(AQW 29959/11-15)**

**Mr P Robinson and Mr M McGuinness:** The costs in relation to the former Ballykelly Army base from 1 January 2013 to 31 December 2013 are as follows:-

Security	£260,021
(ii) Utilities	£118,438
(iii) Maintenance	£211,357
(iv) Other costs	£12,689
<b>Total</b>	<b>£602,505</b>

### **Bonus Payments: Strategic Investment Board**

**Mr Allister** asked the First Minister and deputy First Minister to detail any bonuses or performance related pay paid to members of the Strategic Investment Board since 2008/09.

**(AQW 30226/11-15)**

**Mr P Robinson and Mr M McGuinness:** No bonuses or performance-related pay have been paid to members of the Strategic Investment Board in relation to the financial years since 2008/09.

### **Maze/Long Kesh Site: Development**

**Mr Lunn** asked the First Minister and deputy First Minister for an update on the development of the Maze/Long Kesh site.

**(AQW 30239/11-15)**

**Mr P Robinson and Mr M McGuinness:** There is no current agreement on these issues. We continue to discuss a way forward.

### **Maze/Long Kesh Site: Potential Tenants**

**Mr Lunn** asked the First Minister and deputy First Minister to list the potential tenants that have shown an interest in the Maze/Long Kesh site, given the success of the Royal Ulster Agricultural Society Show.

**(AQW 30240/11-15)**

**Mr P Robinson and Mr M McGuinness:** There is no current agreement on these issues. We continue to discuss a way forward.

### **Ilex: Chief Executive**

**Mr Eastwood** asked the First Minister and deputy First Minister when the vacancy for the Chief Executive at Ilex Urban Regeneration Company will be filled.

**(AQW 30255/11-15)**

**Mr P Robinson and Mr M McGuinness:** The Ilex Board is currently running a publicly advertised competition for the Chief Executive post. The closing date for applications was 17 January 2014 and it is expected that the interviews will take place in mid-February. Interim arrangements remain in place for the Chief Executive position.

### **Victims and Survivors Service: Individual Needs Programme**

**Mr Eastwood** asked the First Minister and deputy First Minister whether the Victims and Survivors Service is still accepting applications for direct financial assistance through the Individual Needs Programme.

**(AQW 30335/11-15)**

**Mr P Robinson and Mr M McGuinness:** Applications to the Victims and Survivors Service Individual Needs Programme: Scheme 6 – Financial Assistance that were received before 30 June 2013 have been processed. The Scheme, however, remains closed to new applications for the remainder of the financial year. It will re-open in 2014/2015.

### **Delivering Social Change for Children and Young People: Consultation**

**Ms Lo** asked the First Minister and deputy First Minister for their assessment of the consultation time of five weeks on the Delivering Social Change for Children and Young People strategy.

**(AQW 30376/11-15)**

**Mr P Robinson and Mr M McGuinness:** We have made the decision to hold a 10-week consultation.

### **Ebrington Square, Londonderry: Promotional Activities**

**Mr Campbell** asked the First Minister and deputy First Minister when consideration is being given to displays, lighting and other promotional activities in Ebrington Square, Londonderry, what consultations will be held with local representatives to ensure such activities are broadly acceptable in the local community.

**(AQW 30404/11-15)**

**Mr P Robinson and Mr M McGuinness:** All events held at Ebrington must comply with the terms and conditions for use of the space, as determined by Ilex.

As part of the event approval process, Ilex engages with the local community regarding forthcoming activities or events and expects the event organisers to also engage directly with local residents groups.

## Unite Youth

**Mr I McCrea** asked the First Minister and deputy First Minister for their assessment of the recent Unite Youth event at the Waterfront Hall including the progress made on the scheme design.

**(AQO 5494/11-15)**

**Mr P Robinson and Mr M McGuinness:** The United Youth Design Day represented a tremendous success in terms of stakeholder engagement within the context of the co-design process in developing the United Youth Programme. The event attracted over 250 attendees from a wide range of stakeholders including around 60 young people, who actively participated in the day. It was this active participation on the part of everyone who attended, but particularly the young people, that ensured the success of the event and generated a wealth of insightful and informative feedback.

All of this valuable material will be used to help build the final design of the United Youth Programme. A dedicated United Youth Advisor has now been appointed to facilitate the next stage in the design and we also announced last week a new pilot programme specifically aimed at young people aged 18-24 who are not in employment, education or training who will have the opportunity to participate in the Headstart programme which will inform the design and structure of the United Youth Programme.

## Department of Agriculture and Rural Development

### Travel: Expenditure

**Mr Allister** asked the Minister of Agriculture and Rural Development to detail the total expenditure on (i) ministerial travel; and (ii) Special Adviser travel in 2013.

**(AQW 30185/11-15)**

**Mrs O'Neill (The Minister of Agriculture and Rural Development):** The total expenditure in 2013 is as follows:

- Minister - £6,695
- Special Adviser - £3,393

### Farms: Mid Ulster

**Mrs Overend** asked the Minister of Agriculture and Rural Development to detail (i) the total number; and (ii) the proportion of the Northern Ireland total that this represents of (a) cattle; (b) sheep; (c) pig; and (d) poultry farms in the Mid Ulster constituency. **(AQW 30194/11-15)**

**Mrs O'Neill:** Information on farm numbers is collected by DARD as part of the annual June Agricultural and Horticultural Survey. The number of farms with cattle, sheep, pigs, or poultry in Mid Ulster and the north of Ireland is presented in Table 1 below.

**Table 1: Number of farms in Mid Ulster constituency with selected enterprises, June 2012**

Farms	Cattle	Sheep	Pigs	Poultry
Mid Ulster	2,501	901	82	106
North of Ireland	20,434	8,782	547	724
Percentage of farms in Mid Ulster	12	10	15	15

### Farm Labour: Mid Ulster

**Mrs Overend** asked the Minister of Agriculture and Rural Development for an estimate of the overall farm labour headcount in the Mid Ulster constituency; and to detail the proportion this represents of the overall farm labour workforce in Northern Ireland. **(AQW 30195/11-15)**

**Mrs O'Neill:** Information on Agricultural labour is collected by DARD as part of the annual June Agricultural and Horticultural Survey. Total farm labour (headcount basis) in the north of Ireland including farmers and spouses was 47,464 in June 2012. Of this an estimated 5,206 people, equivalent to 11 per cent, worked in the Mid Ulster constituency.

### Crops: Mid Ulster

**Mrs Overend** asked the Minister of Agriculture and Rural Development to detail (i) the total area; and (ii) the proportion of the Northern Ireland total that this represents of (a) cereal; (b) grass; and (c) horticultural crops in the Mid Ulster constituency. (AQW 30196/11-15)

**Mrs O'Neill:** Information on land use is collected by DARD as part of the annual June Agricultural and Horticultural Survey. The total area of cereal, grass and horticultural crops grown in Mid Ulster and the North of Ireland is presented in Table 1 below.

**Table 1: Area of cereal, grass, horticultural crops in Mid Ulster (ha), June 2012**

	Cereal	Grass	Horticulture <sup>1</sup>
Mid Ulster	2,647	76,056	46
North of Ireland	37,066	779,824	2,907
Percentage grown in Mid Ulster	7	10	2

1 Horticulture includes Fruit, Vegetables and Flowers

### Going for Growth: Strategic Environmental Assessment

**Ms Lo** asked the Minister of Agriculture and Rural Development whether a Strategic Environmental Assessment will be conducted for the Agri-food Strategy Going for Growth. (AQW 30229/11-15)

**Mrs O'Neill:** Going for Growth is the report of the industry-led Agri-Food Strategy Board. The report provides advice to Ministers on action needed for the sustainable growth of the agri-food sector. The report is very extensive in scope and aspiration and it contains over 100 recommendations, some of which are likely to have environmental implications. Indeed, the report itself recognises the need for growth of the sector to be sustainable and makes a number of recommendations to underpin this, including the identification of sustainable production methods, low carbon business practices and a regional land management strategy.

Relevant Departments and their associated agencies have had an opportunity to assess the report's recommendations and provide their views. The DETI Minister and I have recently brought forward proposals to the Executive on the way forward, which include a plan identifying action needed, responsibilities and timeframes for delivery.

In developing our proposals, we considered the potential implications of the report in terms of sustainable development and conducted a formal, high level environmental screening exercise. We also sought legal advice on meeting the requirements of the European directive 2001/42/EC12 "on the assessment of the effects of certain plans and programmes on the environment" (SEA Directive). The conclusion, taking account of that advice, is that the Going for Growth report itself does not require a Strategic Environmental Assessment (SEA), in advance of Executive agreement on the way forward. However, any specific plans or projects developed as part of the implementation of Going for Growth must ensure that agri-food growth is delivered and sustained within the capacity of our natural environment and the objectives of the relevant EU environmental directives and, where appropriate, include completion of an SEA.

The DETI Minister and I hope to make an announcement on the way forward on Going for Growth in the near future.

### DARD Headquarters: Relocation

**Mr Dallat** asked the Minister of Agriculture and Rural Development to detail (i) when a business plan will be published for the transfer of her departmental headquarters to Ballykelly; and (ii) whether she has had discussions with the Minister for Regional Development to establishing a rail halt at the site. (AQW 30266/11-15)

**Mrs O'Neill:** The business case for the relocation of my departmental headquarters to Ballykelly is currently undergoing the process of internal assurance and is not yet ready for publication.

I met with the Minister of Regional Development on 21 January 2014 to discuss the provision of a rail halt at Ballykelly. I have agreed to meet again with Minister Kennedy to discuss the matter further.

### Fisheries Division: Relocation

**Miss M McIlveen** asked the Minister of Agriculture and Rural Development for an update on the relocation of her Department's Fisheries Division. (AQW 30267/11-15)

**Mrs O'Neill:** As you are aware at last year's Balmoral Show I announced my intention to relocate the headquarters of Fisheries Division to South Down. My officials commissioned DFP Properties Division to identify suitable accommodation in South Down. That work is now complete and only one location across the South Down constituency was identified as potentially suitable. This location is the Downshire Civic Centre, Downshire Estate, Ardglass Road, Downpatrick.

My officials are now considering the viability of relocating Fisheries Division to this locality. DFP Properties Division have entered into negotiations with Down District Council on lease costs and fit out requirements.

### **Inshore Fisheries: Sustainable Development Strategy**

**Miss M McIlveen** asked the Minister of Agriculture and Rural Development for an update on the Sustainable Development Strategy for Northern Ireland's Inshore Fisheries.

**(AQW 30268/11-15)**

**Mrs O'Neill:** During 2013, my Department undertook a full consultation exercise on a proposed "Sustainable Development Strategy" for our Inshore Fisheries.

Officials are currently finalising a Departmental response to the comments received from stakeholders including developing a formal strategy proposal which will be discussed with stakeholders by the end of March. The consultation process has indicated consensus for the creation of an Inshore Fisheries Management Group to advise DARD on fisheries management practices; economic and environmental sustainability; data collection; and, the increased use of technology.

### **Offshore Wind Farm: Assessment**

**Miss M McIlveen** asked the Minister of Agriculture and Rural Development for her assessment of the proposed offshore wind farm to be located off the County Down coast.

**(AQW 30270/11-15)**

**Mrs O'Neill:** I am aware of the Wind Resource Zone proposed by Crown Estates off the Co. Down coast and share the concerns of the fishing industry that a large development in this area could have a significant impact on fishing activity.

At this stage First Flight Wind do not have firm proposals before Departments and intend to complete pre-application surveys a little later in 2014.

My officials have been in discussion with First Flight Wind and fisheries interests and I am aware that arrangements are in place to compensate fishermen for any disruption during this survey work and I understand fishermen have recently agreed these arrangements with the developer.

My Department has worked with Seafish and AFBINI to review existing fisheries data and quantify fishing effort and value within the Crown Estates wind resource zone in the Fishramp report, and my officials will continue to refine such information so that I am able to make informed decisions if a firm proposal emerges.

### **Areas of Natural Constraint**

**Mr Allister** asked the Minister of Agriculture and Rural Development how much of the land presently classified as a Less Favoured Area will not, on present proposals, be included in the new Areas of Natural Constraint.

**(AQW 30302/11-15)**

**Mrs O'Neill:** The latest state of play on the designation of Areas of Natural Constraint (ANC) was published on the DARD website in December 2013 and can be accessed at

<http://www.dardni.gov.uk/index/grants-and-funding/common-agricultural-policy-reform.htm>.

The EU designation procedure and criteria are relatively prescriptive, but further clarification is required from the EU Commission on their interpretation and application before further work can be carried out (using the most up-to-date data) to create the new designation. Therefore, this is still very much a work in progress and, at this stage, it is not possible to advise how much of the land presently classified as a Less Favoured Area will not be included in the new ANC.

### **Areas of Natural Constraint**

**Mr Allister** asked the Minister of Agriculture and Rural Development why so much of the land historically included in the Less Favoured Area designation is being excluded from the new proposed Areas of Natural Constraint designation.

**(AQW 30303/11-15)**

**Mrs O'Neill:** The methodology defined by Regulation (EU) No 1305/2013 and EU Commission guidance for designation of Areas of Natural Constraint (ANC) is fairly prescriptive. The designation is a two stage process, the first stage being the application of biophysical criteria to eligible agricultural land and the second a fine tuning exercise to remove those administrative units where it can be demonstrated that the constraint has been overcome. Based on the mapping undertaken to date, it is this second stage (i.e. fine tuning) which reduces the area historically included in the LFA designation to the greatest extent. This is explained in detail in a progress paper published on the DARD website, which can be accessed at <http://www.dardni.gov.uk/index/grants-and-funding/common-agricultural-policy-reform.htm>.

My officials are seeking clarification on a number of issues from the EU Commission, particularly in relation to the application of this second stage of the mapping process, before further mapping simulations are undertaken. Therefore, this is still a work in progress.

## Areas of Natural Constraint

**Mr Allister** asked the Minister of Agriculture and Rural Development whether applying standards of output as a criteria for inclusion in the new Areas of Natural Constraint over large areas is resulting in significant areas of low output being excluded because they have been batched with areas of high output, and vice versa, resulting in inequity.

**(AQW 30305/11-15)**

**Mrs O'Neill:** The Department published a progress report on the designation of Areas of Natural Constraint on the DARD website in December 2013. This can be accessed at <http://www.dardni.gov.uk/index/grants-and-funding/common-agricultural-policy-reform.htm>. The report included simulation maps illustrating the impact of applying Standard Output as a fine tuning methodology at electoral ward level as defined in the EU Commission guidance.

Work exploring the use of fine tuning is continuing and my officials are currently seeking clarification from the EU Commission on a number of issues related to the application of the fine tuning methodology. The overall ANC designation process, as defined in Regulation (EU) No. 1305/2013, requires compliance "at the level of a clearly delineated local unit which covers a single clear contiguous geographical area with a definable economic and administrative identity". This requirement derives from a similar World Trade Organisation obligation. That, therefore, requires designation at the electoral ward or townland level.

Mapping to date has not uncovered evidence of significant areas of low output being excluded because they have been batched with areas of high output. As the mapping process continues to develop, my officials will ensure that the EU requirements are followed. The final map must be approved by the EU Commission.

## Rural Development Programme: Axis 3 Expenditure

**Mrs D Kelly** asked the Minister of Agriculture and Rural Development whether the Rural Development Programme expenditure, under Axis 3, is on target for spend.

**(AQW 30321/11-15)**

**Mrs O'Neill:** Rural Development Programme expenditure under Axis 3 is on target. Indeed I am pleased to say that the Programme is now consistently achieving its agreed quarterly expenditure targets, and is funding many excellent projects in rural communities.

## Broadband: Rural Areas

**Mr Swann** asked the Minister of Agriculture and Rural Development, pursuant to AQW 25684/11-15 and AQW 28982/11-15, for an update on the process.

**(AQW 30341/11-15)**

**Mrs O'Neill:** I understand from the Department of Enterprise Trade and Investment Minister that the evaluation of the bid received in relation to this project has taken longer than expected and has involved seeking a number of clarifications. As this process is still ongoing I am unable to provide details as this may prejudice the procurement process. However, I am confident that these will be completed shortly.

## AgriFood Loan Scheme

**Mr Byrne** asked the Minister of Agriculture and Rural Development what role her Department has played with the Department of Enterprise, Trade and Investment in the Agri-Food Loan Scheme launched in October 2013.

**(AQW 30379/11-15)**

**Mrs O'Neill:** The Agri-Food Strategy Board's report Going for Growth makes over 100 recommendations covering a wide range of themes, including access to finance for the sector.

All departments and agencies have had an opportunity to assess the report recommendations and several will play a role in delivering on the agreed way forward. Where possible and appropriate, the DETI Minister and I have identified early actions to address agreed recommendations within our respective remits. The purpose of the Agri-Food Loan Scheme is to provide access to banking finance for producers engaged in integrated supply chains to increase supply of primary produce for processors. The Scheme will help agri-food businesses seize the immediate opportunities presented by retailers' increased demand for locally sourced meat. Given the nature of the Scheme, DETI and DFP were best placed to take it forward and I understand that the scheme was not able to open this year but will be open in the near future.

## Farmers: Part Time

**Mr Byrne** asked the Minister of Agriculture and Rural Development what action her Department is taking to help and support the rising number of part-time farmers.

**(AQW 30380/11-15)**

**Mrs O'Neill:** All help and support that my Department offers is open to any farmer whether full-time or part-time.

My Department provides access to farming grants for all eligible farmers whether they are full or part-time. For example the Single Farm Payment scheme, Agri-environment schemes and farmer related schemes under the Rural Development Programme.

On-line application processes, which I strongly urge all farmers to make use of, are ideal for part-time farmers as they can apply at any time that suits them during the relevant application period.

Since November 2012 CAFRE has provided 586 training programmes and other events with 18861 participants. These events are usually in the evening and on occasion at weekends which suits the needs of both full and part-time farmers. The events have covered for example weather related Fodder Management issues, soil management and business related courses.

Some of the Measures under the Rural Development Programme do not record if farmers are part time for example: Focus Farms have had 16,500 visitors and a significant percentage will be Part Time farmers. Equally the Farm Modernisation scheme has provided over £12m investment to 4,663 farms to date and again Part Time farmers will have benefited.

Under the Farm Family Options – Mentoring programme to date there have been 2586 applications and 1123 are Part Time (43%). This programme provides Mentors on a 1:1 basis to assist farmers and family members to consider their options and develop appropriate plans to develop the business. Businesses mentored can then avail of £250 financial support for Succession advice. The main concerns of farm families are adequate income, other sources of income, succession and training opportunities.

Under the Farm Family Options - Collective Skills programme there are three current training themes covering IT Skills, BVD and Farm Safety Awareness. A total of 7370 individuals have attended with 2780 (38%) being Part Time farmers.

In an early round of Skills training, of the 1172 trainees, 267 (22.8%) were Part Time. They received £117,441 of grant aid.

### Single Farm Payment: Cost of Administration

**Mr Swann** asked the Minister of Agriculture and Rural Development to detail the cost to her Department for administering the Single Farm Payment scheme, in each of the last three years.

**(AQW 30399/11-15)**

**Mrs O'Neill:** The cost to my Department of administering the Single Farm Payment scheme for each of the last three financial years is detailed in the table below:

Year	Cost
2010/11	£2.010m
2011/12	£2.304m
2012/13	£2.630m

These costs do not include costs of integrated controls such as inspections or services such as policy support. These are delivered on an integrated basis across a number of EU Area-Based schemes and not solely for the Single Farm Payment scheme.

### Coastal Defences: North Down and Ards Peninsula

**Mr Weir** asked the Minister of Agriculture and Rural Development what assessment is being carried out on the coastal defences on the North Down coast and Ards Peninsula following the recent tidal surges.

**(AQW 30433/11-15)**

**Mrs O'Neill:** Along the North Down coast and Ards Peninsula, Rivers Agency is responsible for flood defences at Holywood, Newtownards and Greyabbey. These defences were severely tested during the recent tidal surges and Rivers Agency's assessment is that they performed well. Inspections of the defences are underway, and should they identify the need for works, these will be given appropriate priority.

### Fraud: Central Investigation Service

**Mr Swann** asked the Minister of Agriculture and Rural Development, pursuant to AQW 17658/11-15 and AQW 17656/11-15, to detail up to date figures.

**(AQW 30449/11-15)**

**Mrs O'Neill:** In AQW 17658/11-15 (December 2012), you asked me to detail, in relation to the Central Investigation Service, (i) the total value of incidents of fraud investigated; (ii) the total value of fraud cases prosecuted; and (iii) the amount of money recouped, in each of the last five years.

In response to parts (i) and (ii) of your question, I have provided, at Annex A, an updated summary of the value of DARD incidents of fraud investigated and the value of fraud cases prosecuted over the last 5 years.

In response to part (iii), the Central Investigation Service (CIS) is not responsible for the recoupment of money but makes recommendations to the relevant business area within the Department, on the basis of investigation outcomes, to consider imposing/applying scheme penalties, withholding grant funding or initiating the "clawback" of grant funding. In relation to the fraud prosecuted cases in this period, CIS recommendations resulted in £125k being withheld and "clawback" of £57k initiated.

In AQW 17656/11-15 (December 2012), you asked me to outline the running costs of CIS for each of the last five years.

I can confirm that the running costs to DARD of the Central Investigation Service for each of the last 5 financial years 2009/10-2013/14, incorporating a projection for the current year, are as follows:

- 2009/10      £148,000
- 2010/11      £122,000
- 2011/12      £154,000
- 2012/13      £137,000
- 2013/14      £127,000 (projected)

#### Annex A

Year	Total Estimated Value of Incidents of Fraud Investigated	Total Value of Fraud Cases Prosecuted
2013/2014	£136k	£25,993
2012/2013	£272k	£7,842
2011/2012	£174k	£4,113
2010/2011	£214k	nil
2009/2010	£490k	£28,365

#### Single Farm Payment: South Down

**Mr Rogers** asked the Minister of Agriculture and Rural Development how many farmers in South Down had not received their Single Farm Payment by 31 January 2014.

**(AQW 30488/11-15)**

**Mrs O'Neill:** The Department has delivered a record payment performance in 2013 with 90% of Single Farm Payment claims finalised in December 2013. 89 farmers in the South Down constituency had not received their Single Farm Payment by 31 January 2014.

#### Rural Crime

**Mr Anderson** asked the Minister of Agriculture and Rural Development what actions her Department are taking to tackle (i) rural crime; and (ii) agri-crime.

**(AQW 30502/11-15)**

**Mrs O'Neill:** I am very aware of the concerns that levels of farm related crime are causing amongst the farming community and my Department continues to work closely with the Department of Justice and the PSNI to tackle rural crime, including agri-crime.

I have met the Minister of Justice on a number of occasions to highlight rural crime issues and at our most recent meeting in October 2013 we discussed the sharing of information between Departments and the PSNI Rural Crime Unit. I also agreed that a representative from my Department would be appointed to sit on the Rural Crime Unit Steering Group.

My Department's Veterinary Service Enforcement Branch (VSEB) and the PSNI have been involved in a number of successful operations to recover stolen livestock and continue to jointly investigate livestock smuggling incidents with the Gardai and the Department in the South.

VSEB has also recently carried out joint investigation visits with the PSNI to a number of premises in Fermanagh, Eglinton, Armagh and Newtownabbey in relation to stolen livestock. This resulted in one case to the recovery of ten stolen sheep and conviction of the perpetrator. Five stolen cattle were recently discovered at an abattoir and one person has been charged following a joint VSEB / PSNI investigation. Other, similar operations are being planned.

A rural crime event took place in Dungannon Farmers Market on 3rd February 2014 at which a number of farmers brought their cattle to be freeze branded. It is hoped that this will lead to other farmers following suit.

Following a request from the chair of Newry and Mourne Policing and Community Safety Partnership, the Head of VSEB attended a meeting on 9th December 2013. This meeting was well attended and the VSEB official gave a presentation and answered questions from audience.

Joint PSNI and DARD vehicle checks are also continuing out across the north. The objectives of these operations are to raise awareness in relation to rural crime and to train police officers in reading ear tag and checking cattle movement documentation. Similar joint operations are taking place in the south.

Although responsibility for combating rural crime falls primarily to the Department of Justice and the PSNI, my Department, through its CAFRE advisers, support the PSNI and the farming organisations in raising awareness of measures which farmers can take to reduce incidences of rural crime. CAFRE College facilities can be used by the PSNI for workshops, seminars and meetings aimed at raising awareness of crime prevention measures among the farming community. Students on CAFRE

programmes also learn about appropriate responses to rural crime through input from visiting speakers, information leaflets and participation of the College Farms in PSNI-led programmes such as Farm Watch.

My officials will also be liaising further with the PSNI about how DARD Direct Offices can be used to disseminate information to rural dwellers.

### Single Farm Payment: Mid Ulster

**Mr I McCrea** asked the Minister of Agriculture and Rural Development how many farmers in Mid Ulster had not received their Single Farm Payment by 31 January 2014.

**(AQW 30525/11-15)**

**Mrs O'Neill:** The Department has delivered a record payment performance in 2013 with 90% of Single Farm Payment claims finalised in December 2013. 339 farm businesses in the Mid Ulster constituency had not received their Single Farm Payment by 31 January 2014.

### Bovine Tuberculosis

**Mr Lyttle** asked the Minister of Agriculture and Rural Development for her assessment of the effectiveness of her Department's response to Bovine Tuberculosis.

**(AQW 30544/11-15)**

**Mrs O'Neill:** In the past 14 months TB herd incidence has fallen from 7.46% to 6.44% at 31 December 2013. While there has been a 12.7% reduction in the number of new herd breakdowns during 2013 when compared with 2012, there has been an even greater 24.1% reduction in the number of animals removed as reactors in the same period. During 2013 there were 1,479 new herd breakdowns and 8,271 animals removed as reactors, which is significantly less than 1,695 new herd breakdowns and 10,897 reactors in 2012.

This reduction demonstrates the effectiveness of my Department's response to TB. However I am not complacent and it is my aim to achieve a sustained and progressive reduction towards the ultimate eradication of TB in cattle here.

### Research Challenge Fund

**Mr Swann** asked the Minister of Agriculture and Rural Development, in relation to the Research Challenge Fund, to detail for each of the last four financial years the (i) budget allocated at the start of each year; (ii) budget allocated to each project; (iii) number of applicants; and (iv) number of successful projects.

**(AQW 30565/11-15)**

**Mrs O'Neill:** The Research Challenge Fund (RCF) aims to stimulate competitiveness, innovation and sustainability in the agri-food industry. To achieve this DARD provides funding of up to 50% of the cost (to a maximum value of £250k) of collaborative research and development projects between groups of SMEs and public sector research organisations. Successful projects have the potential to further the sustainability and competitiveness of the north's agri-food and rural enterprises.

The RCF opened for the first time in 2010 and there have been subsequent calls for projects in 2012, 2013 and the current call which closes on 20th February 2014.

In 2010 the DARD budget for the scheme was £1m. Eight applications were received of which four were successful. The value of DARD funding ranged from £41,320 to £208,544 and totalled £454,862.

In 2012 the DARD budget for the scheme was also £1m. Nine applications were received of which seven were successful. The value of DARD funding ranged from £63,840 to £235,982 and totalled £871,491.

In 2013 the DARD budget for the scheme was also £1m. Six applications were received of which four were successful, although one successful applicant then decided not to proceed. The value of DARD funding for the three projects was £547,362.

There is currently a call out for applications which closes on 20th February 2014. This year the DARD budget is £750,000.

### Flood Wall: Beragh, County Tyrone

**Mr Buchanan** asked the Minister of Agriculture and Rural Development for an update on the development of the flood wall in Beragh, County Tyrone.

**(AQW 30615/11-15)**

**Mrs O'Neill:** The Beragh Flood Alleviation Scheme is currently out to tender and Rivers Agency expect to award the construction contract in March 2014, with completion anticipated by Spring 2015.

### Single Farm Payment: Remote Sensing

**Mr Buchanan** asked the Minister of Agriculture and Rural Development to detail the number of Single Farm Payments which were subject to a Remote Sensing Inspection (i) that have been fully assessed and a payment made; (ii) that have been assessed and are awaiting payment; and (iii) are still awaiting to be assessed.

**(AQW 30658/11-15)**

**Mrs O'Neill:**

- (i) 1,139 farm businesses were subject to an inspection carried out via Control with Remote Sensing. 230 cases have been fully processed and are currently in the payment process.
- (ii) The remaining 909 cases have been assessed and are being processed. Payments will continue to be issued on an ongoing basis as individual inspection results are fully processed.
- (iii) All of the 1,139 businesses have been assessed.

## Department of Culture, Arts and Leisure

### Expenditure: Ballymoney, Ballymena and Moyle Council Areas

**Mr McKay** asked the Minister of Culture, Arts and Leisure how much her Department has spent in the (i) Ballymoney; (ii) Ballymena; and (iii) Moyle council areas since May 2011.

**(AQW 30115/11-15)**

**Ms Ní Chuilín (The Minister of Culture, Arts and Leisure):** My Department has spent the following in the Ballymoney, Ballymena and Moyle council areas since May 2011.

Ballymoney	Ballymena	Moyle
£899,702	£2,671,811	£494,700

### Winter Olympics 2014: Funding

**Mr Weir** asked the Minister of Culture, Arts and Leisure to detail the funding provided to sports competing in the Winter Olympics, in each of the last five years.

**(AQW 30463/11-15)**

**Ms Ní Chuilín:** During the last five years up to March 2013, Sport NI, an arm's length body of my Department, has provided funding totalling £292,891 to sports competing in the Winter Olympics to include ice skating, skiing and ice hockey. The details are broken down as follows: -

Year	Amount
2008/09	£36,320
2009/10	£68,396
2010/11	£81,654
2011/12	£59,009
2012/13	£47,512
<b>Total</b>	<b>£292,891</b>

In addition, Sport NI will invest a further £51,079 in the 2013/14 financial year.

### Winter Olympics 2014: Support for Athletes

**Mr Weir** asked the Minister of Culture, Arts and Leisure to detail the support being provided to local athletes included in the Winter Olympics 2014.

**(AQW 30465/11-15)**

**Ms Ní Chuilín:** During the last five years up to March 2013, Sport NI, an arm's length body of my Department, has provided funding totalling £290,825 to local athletes preparing for the Winter Olympics 2014.

The details as follows are broken down by Sports Costs (paid to Governing Body) and Living Costs (paid to the individual athlete):

Sport	Sports Costs Investment	Living Costs Investment
Ice Skating	£80,518	£68,976
Skiing	£93,238	£48,093
<b>Total</b>	<b>£173,756</b>	<b>£117,069</b>

## Ombudsman: Recommendations

**Mr Allister** asked the Minister of Culture, Arts and Leisure on how many occasions since May 2007 has her Department refused to accept the recommendations contained in an Ombudsman's finding.

**(AQW 30487/11-15)**

**Ms Ní Chuilín:** On no occasion since May 2007 has DCAL refused to accept the recommendations in an Ombudsman's findings.

## Trawling: Monitoring and Regulation

**Mr Kinahan** asked the Minister of Culture, Arts and Leisure to detail (i) who has permission to trawl in loughs; and (ii) what responsibility her Department has for monitoring and regulating trawling.

**(AQW 30560/11-15)**

**Ms Ní Chuilín:** Trawling is not permitted on any Loughs in the DCAL jurisdiction.

My Department has permitted the trawling of bait nets on Lough Neagh under Section 14 of the Fisheries Act (NI) 1966, as part of a programme of scientific research undertaken by AFBI in conjunction with the local fishermen.

DCAL has enforcement responsibility to ensure compliance with the Fisheries Act and subsequent Regulations.

## Department of Education

### Educational Psychology: Days Lost

**Mr Storey** asked the Minister of Education, pursuant to AQW 29776/11-15, to list the number of days lost due to illness, maternity leave or retirement by Educational Psychology services in each Education and Library Board in each of the last three years.

**(AQW 30286/11-15)**

**Mr O'Dowd (The Minister of Education):** The Education and Library Boards have provided the following information in response to the question asked. You should note that Educational Psychology services include Educational Psychologists, Psychology Assistants and Administrative Support staff.

#### Days Lost Due to Illness

	April 2010 - March 2011	April 2011 - March 2012	April 2012 - March 2013
BELB	365	311	659
WELB	206	212	392
NEELB	524	586	404
SEELB	281	712	563
SELB	237	478	561

#### Days Lost Due to Maternity Leave

	April 2010 - March 2011	April 2011 - March 2012	April 2012 - March 2013
BELB	355	195	780
WELB	505	415	225
NEELB	190	130	475
SEELB	273	546	910
SELB	1842	1038	889

#### Days Lost Due to Retirement

	April 2010 - March 2011	April 2011 - March 2012	April 2012 - March 2013
BELB	0	0	0
WELB	0	150	494

	<b>April 2010 - March 2011</b>	<b>April 2011 - March 2012</b>	<b>April 2012 - March 2013</b>
NEELB	92	120	155
SEELB	0	0	0
SELB	0	214	215

### Vacancy Control

**Mrs D Kelly** asked the Minister of Education, in relation to the vacancy control measures employed by the Catholic Council for Maintained Schools and the Education and Library Boards, to detail (i) the number of vacant posts; (ii) the length of time the posts have been vacant; and (iii) how many of these posts were filled on a temporary basis, broken down by Education and Library Board.

**(AQW 30309/11-15)**

**Mr O'Dowd:** The Catholic Council for Maintained Schools (CCMS) and the Education and Library Boards have provided the following information in response to the question asked.

(i) Number of vacant posts (as at 29/1/14)

CCMS	9
BELB	55
WELB	135
NEELB	68
SEELB	214
SELB	87

(ii) Length of time posts have been vacant

The CCMS and the Education and Library Boards have indicated that vacant posts have been subject to vacancy control policy for various lengths of time dependent upon when the original post-holder vacated the post.

(iii) Number of posts filled on a temporary basis (as at 29/1/14)

CCMS	5
BELB	55
WELB	135
NEELB	68
SEELB	208
SELB	87

These posts have been filled subject to the Vacancy Control conditions.

### Looked-after Children: Suspensions and Expulsions

**Mr Storey** asked the Minister of Education to detail the number of looked after children who were (i) suspended; and (ii) expelled from school in each Education and Library Board, in each of the last three years.

**(AQW 30340/11-15)**

**Mr O'Dowd:** Data is not currently held on the number of looked after children who have been suspended or expelled. We are investigating if this can be obtained without incurring disproportionate costs and I will write to you again once this is known.

### Professional Qualification for Headship

**Mr Storey** asked the Minister of Education, during the last school year, how many successful applicants for School Principal posts in each employing authority held a Professional Qualification for Headship, broken down by sector.

**(AQW 30344/11-15)**

**Mr O'Dowd:** Professional Qualification for Headship, Northern Ireland, PQH(NI) is a programme intended to provide training prior to appointment to a post as a school principal and has been in operation since 2000. However, it is not a mandatory qualification. The first PQH(NI) graduates were in 2001. The tables below sets out the information requested.

**Number of Principals with a PQH qualification by school type appointed as Principal in 2012/13 academic year**

	<b>2012/13</b>
Nursery & Primary	21
Post Primary	19
Special	*

**Number of Principals with a PQH qualification by school management type appointed as Principal in 2012/13 academic year**

	<b>2012/13</b>
Controlled	24
Maintained	12
Voluntary Grammar	*
Grant Maintained Integrated	*
Special	*

**Source:** Regional Training Unit

- 1 Controlled includes Controlled and Controlled Integrated.
- 2 Maintained includes Catholic Maintained and other Maintained.
- 3 Figures are based on RTU's newly appointed Heads group for 2012/13 (primary and post- primary) which includes all new first time heads. (Does not include existing heads who may have changed schools for a new headship).
- 4 Figures exclude Acting Principals.
- 5 Figures relate only to those who held PQH on appointment.
- 6 \* Relates to fewer than 5 cases - it is not possible to provide the information in respect of Voluntary Grammar, Grant Maintained Integrated and Special schools as the small numbers involved would require a high level of suppression to prevent identification of individual schools, in line with the confidentiality principle of the Statistics Authority's Code of Practice on Official Statistics.

**Ombudsman: Recommendations**

**Mr Allister** asked the Minister of Education on how many occasions his Department has not accepted the recommendations contained in an Ombudsman's finding, since May 2007.  
(AQW 30421/11-15)

**Mr O'Dowd:** In my tenure, I have not accepted the recommendations contained in an Ombudsman's finding on one occasion.

**South Eastern Education and Library Board: Reconstitution**

**Mr Easton** asked the Minister of Education what plans he has to re-constitute the Board of the South Eastern Education and Library Board with political representation.  
(AQW 30436/11-15)

**Mr O'Dowd:** I currently have no plans to re-constitute the Board of the South Eastern Education and Library Board (SEELB). This is in anticipation of the establishment of ESA. If ESA is not established I will develop plans in that context.

**Childcare**

**Mr Clarke** asked the Minister of Education how many children in (i) Randalstown; (ii) Antrim; (iii) Templepatrick; (iv) Crumlin; and (v) Ballyclare were unsuccessful in gaining child care places in (a) 2011; (b) 2012; and (c) 2013.  
(AQW 30456/11-15)

**Mr O'Dowd:** The Department of Education does not provide childcare. Its Pre-School Education Programme provides funded pre-school education places to children in the year immediately before they start compulsory education.

In 2011, 2012 and 2013 all children in Randalstown, Antrim, Templepatrick, Crumlin and Ballyclare, whose parents engaged fully with the admissions process were placed. The Pre-School Education Advisory Group in the North Eastern Education and Library board will continue to ensure that sufficient provision is available in that area to meet demand.

## Schools: Significant Minor Works, East Londonderry

Mr Campbell asked the Minister of Education to detail the total expenditure on significant minor works to each (i) primary; and (ii) post-primary school in the East Londonderry constituency, in each of the last three years.

(AQW 30467/11-15)

Mr O'Dowd: The following tables give details of the total expenditure on all minor works to each primary and post primary school in the East Derry constituency in each of the last three years:

### (i) Primary

School Reference	School Name	£ Year 2010/11	£ Year 2011/12	£ Year 2012/13	£ Overall Total by School
2012087	Bellarena Primary	124.00	0.00	0.00	124.00
2012298	Ballykelly Primary	980.00	34,548.00	13,060.00	48,588.00
2016029	Drumachose Primary	35,638.00	6,766.00	123,100.00	165,504.00
2016372	Cumber Claudy Primary	13,793.00	22,235.00	99,906.00	135,934.00
2016426	Limavady Central Primary	23,845.00	60,114.00	164,086.00	248,045.00
2016656	Drumrane Primary	4,398.00	0.00	1047.00	5,445.00
2016700	Gaelscoil Neachitain	0.00	0.00	3,388.00	3,388.00
2032263	St Canice's Primary, Feeny.	33,485.50	0.00	1,972.85	35,458.35
2032265	St Anthony's Primary	0.00	0.00	2,603.76	2,603.76
2032286	St Matthew's Primary	0.00	2,926.46	21,555.00	24,481.46
2032294	St Mary's Primary, Claudy.	15,592.00	1,692.00	0.00	17,284.00
2033706	Faughanvale Primary	12,110.20	27,259.00	12,848.00	52,217.20
2033708	St Aidan's Primary	1,233.75	0.00	0.00	1,233.75
2036045	St Canice's Primary, Dungiven	6,714.00	75,576.00	7,323.58	89,613.58
2036082	St Colmcille's Primary	32,464.14	970.80	0.00	33,434.94
2036085	St Peter & St Pauls' Primary	38,225.76	0.00	5,379.68	43,605.44
2036149	St Finlough's Primary	702.00	4,502.00	0.00	5,204.00
2036187	St John's Primary, Dernaflaw	44,168.00	11,732.00	5,582.16	61,482.16
2036458	St Mary's Primary, Gortnaghey	0.00	9,120.00	6,418.00	15,538.00
2066665	Roe Valley Integrated Primary	93,971.00	109,041.50	12,391.00	215,403.50
3010847	Portrush Primary	3,602.00	0.00	0.00	3,602.00
3010892	Ballytober Primary	77.00	3,656.00	213,013.00	216,746.00
3012049	Carnalridge Primary	9,178.00	0.00	235.00	9,413.00
3012225	Damhead Primary	0.00	30,488.00	235.00	30,723.00
3012229	Hezlett Primary	73,443.00	30,540.00	143.00	104,126.00
3012237	Killowen Primary	199,820.00	12,838.00	226,161.00	438,819.00
3012250	Portstewart Primary	60.00	4,132.00	52,820.00	57,012.00
3012264	Millburn Primary	0.00	30,343.00	15,364.00	45,707.00
3012284	D H Christie Memorial Primary	703.00	42,340.00	43,505.00	86,548.00
*3013700	Macosquin Primary	-5,067.00	10,130.00	158,152.00	163,215.00
3016052	Harpurs Hill Primary	269,971.00	45,888.00	2,378.00	318,237.00
3016119	Garvagh Primary	0.00	869.00	27,394.00	28,263.00
3016252	Ballysally Primary	0.00	1,662.00	90,196.00	91,858.00
3016264	Irish Society's Primary	0.00	30,479.00	235.00	30,714.00

School Reference	School Name	£ Year 2010/11	£ Year 2011/12	£ Year 2012/13	£ Overall Total by School
3032104	Ballyhackett Primary	7,514.00	15,000.00	728.00	23,242.00
3032202	St Columba's Primary, Garvagh	0.00	4,354.00	1.20	4,355.20
3032231	St Colum's Primary	0.00	30,557.00	235.00	30,792.00
3032285	St Patrick's & St Joseph's Primary School	121,645.00	743.00	0.00	122,388.00
3032297	St Malachy's Primary	1,237.00	32,475.00	235.00	33,947.00
3033709	St John's Primary, Coleraine	1,655.00	39,976.00	4,980.35	46,611.35
3036147	St Columba's Primary, Kilrea	79,323.00	7,184.47	12,257.00	98,764.47
<b>Total</b>		<b>1,120,605.35</b>	<b>740,137.23</b>	<b>1,328,928.58</b>	<b>3,189,671.16</b>

\* minus figure relates to accrual adjustment.

### Post Primary

School Reference	School Name	£ Year 2010/11	£ Year 2011/12	£ Year 2012/13	£ Overall Total by School
2210302	Limavady High School	26,421.00	30,232.00	24,181.00	80,834.00
2230077	St Mary's High School	43,300.00	483,858.00	12,673.00	539,831.00
2230122	St Patrick's & St Brigid's High School	141,714.71	48,315.28	0.00	190,029.99
2230144	St Patrick's College	305,601.00	10,396.08	1,591.18	317,588.26
2410048	Limavady Grammar	38,969.00	35,120.00	395,098.00	469,187.00
*3210013	Garvagh High School	60.00	3,798.00	0.00	3,858.00
3210300	Coleraine College	36,863.00	1,352.00	0.00	38,215.00
3230110	St Joseph's College	9,321.00	748.00	105,894.00	115,963.00
3230151	St Paul's College	78,393.31	741.24	0.00	79,134.55
3410033	Coleraine High School	761.00	142,861.00	102,041.00	245,663.00
3420032	Coleraine Academical Institution	0.00	127,661.00	0.00	127,661.00
3420034	Loreto College	24,848.50	117,852.00	21,807.09	164,507.59
3420068	Dominican College	3,231.00	5,427.55	0.00	8,658.55
<b>Total</b>		<b>709,483.52</b>	<b>1,008,362.15</b>	<b>663,285.27</b>	<b>2,381,130.94</b>
<b>Overall Totals</b>		<b>1,830,088.87</b>	<b>1,748,499.38</b>	<b>1,992,213.85</b>	<b>5,570,802.10</b>

\* school closed in 2013/14

### Home Education

**Mr Weir** asked the Minister of Education to detail the average number of children in each Education and Library Board area being home educated in each of the last five years.

**(AQW 30468/11-15)**

**Mr O'Dowd:** The table below sets out the number of children which each Education and Library Board (ELB) know have been home educated in each of the last 5 years:

Year	BELB	SELB	NEELB	WELB	SEELB	Totals	Average
2008/2009	5	12	48	63	53	181	36.2
2009/2010	6	12	57	43	62	180	36
2010/2011	5	18	52	43	66	184	36.8

Year	BELB	SELB	NEELB	WELB	SEELB	Totals	Average
2011/2012	8	25	60	48	68	209	41.8
2012/2013	10	27	56	45	63	201	40.2

Parents are not required to notify their Education and Library board that they intend to educate their child at home unless the child has previously attended school or has a statement of special educational needs. The total figures therefore may be higher.

### Schools: Expenditure Information

**Mr Storey** asked the Minister of Education, pursuant to AQW 22718/11-15 and AQW 30077/11-15, to explain the apparent discrepancies in information regarding the expenditure at Tannaghmore Primary School, Lurgan and Bheann Madigan, Belfast.

**(AQW 30498/11-15)**

**Mr O'Dowd:** After comparison of the information provided to you in AQW 22718/11-15 and AQW 30077/11-15, a number of differences were noted between expenditure information reported up to 31 March 2013. I can confirm that these discrepancies were due to an administrative oversight and I wish to extend my apologies and that of my officials for this error.

Please find revised table to confirm finances expended against the projects up to 31 December 2013.

School Scheme	Type of School	All Expenditure up to 31/03/13 £000's	2013/14 Expenditure up to 31/12/13 £000's	Total Spend to Date £000's
Coláiste Feirste, Belfast	Post-Primary	2,645	69	2,714
St Clare's Convent Primary School	Primary	849*	155	1004
St Colman's Abbey Primary School, Newry				
St Joseph's Convent PS, Newry	Primary	163*	376	539
Dromore Central Primary School	Primary	324	309	633
Eglinton Primary School	Primary	160	90	250
Tannaghmore Primary School, Lurgan	Primary	219*	121	340
Ebrington Controlled PS, Derry	Primary	164	27	191
Foyle College, Derry	Post-Primary	15073	332	15405
St Teresa's Primary School, Lurgan	Primary	160	55	215
Victoria Park Primary School, Belfast	Primary	720	0	720
Enniskillen Model Primary School	Primary	142	10	152
St Mary's Primary School, Banbridge	Primary	90*	124	214
Bheann Mhadagain, Belfast	Primary	52	74	126
Belmont House Special School, Derry	Special	10	1	11
Rossmar Special School, Limavady	Special	10*	6	16
Castletower Ballymena	Special	10	13	23
Arvalee School & Resource Centre, Omagh	Special	0	341	341
St Gerards Education Resource Centre	Special	2	2781	2783
		<b>20,793</b>	<b>4884</b>	<b>25,677</b>

\* denotes corrected figures

You will also note that expenditure for Foyle College in this current financial year has been updated since the last response to include an additional reported late payment expended prior to 31 Dec 2013.

Expenditure for the current financial year reflects reported payments against invoices presented as at 31 December 2013.

## Education and Library Boards: Salaries

**Mr Storey** asked the Minister of Education, pursuant to AQW 30009/11-15, when the last triennial review of salaries was completed.

**(AQW 30499/11-15)**

**Mr O'Dowd:** The Senior Management Pay Review Panel (SMPRP) provides the Department with annual recommendations regarding the salaries of Chief Executive Officers and Second Tier Officers in the Education and Library Boards (ELBs).

The specific term "triennial review" may stem from recommendations that the SMPRP made to the Department in May 2002 regarding provisions for the then new ELB Senior Management Performance-related Pay Scheme which included the need for:

- Annual revalorisation of the maximum and minimum of the ranges; and
- Market review of ranges every three years.

The annual independent recommendations of the SMPRP regarding the minimum and maximum of the salary ranges is based on a number of factors outlined previously in the response to AQW 28966/11-15, which includes an ongoing wider market review.

## Schools: Temporary Variation Applications

**Mr Storey** asked the Minister of Education how many applications for Temporary Variations to admission and enrolment numbers have been received in each of the last five years, broken down by (i) sector; and (ii) phase; and how many were approved.

**(AQW 30500/11-15)**

**Mr O'Dowd:** In my response to AQW 15270/11-15, I explained that before mid 2012/13 school year, the Department of Education did not electronically record statistics on the total numbers of schools requesting temporary increases to their admissions numbers, and of these, which requests were approved. This means that some of the data requested is unavailable and could only be extracted by a manual exercise at disproportionate cost.

The only year for which the data is available in the format you have requested, is the 2013/14 school year, and the figures (as at 10 February 2014) are as follows:

### Primary Schools

Management Type (Sector)	TV Requests	No of Places Approved	No of Places Not Approved
Controlled	95	99	109
Catholic Maintained	191	328	165
Other Maintained	14	43	3
Controlled Integrated	11	32	16
Grant Maintained Integrated	24	67	4
	<b>335</b>	<b>569</b>	<b>297</b>

### Post-Primary Schools

Management Type (Sector)	TV Requests	No of Places Approved	No of Places Not Approved
Controlled Secondary	8	4	15
Catholic Maintained Secondary	28	39	52
Controlled Grammar	5	2	8
Voluntary Grammar	8	3	22
Grant Maintained Integrated Secondary	9	6	17
	<b>58</b>	<b>54</b>	<b>114</b>

## Strategy for 14- to 19-year-olds

**Mr Storey** asked the Minister of Education what is the timescale for the development of a policy for 14-19 year olds.

**(AQW 30503/11-15)**

**Mr O'Dowd:** I work closely with Minister Farry on the range of issues that affect the education and training of young people in the 14-19 age group and will continue to do so. Likewise, my officials, from the most senior level, will also continue to work

with their colleagues in DEL on the cross-cutting issues for this age group. The working partnership between my Department and the Department for Employment and Learning (DEL) remains robust at a strategic and policy level.

The priority remains on putting pupils first, and in that context we will work towards the articulation of our policy in respect of 14-19 year-olds over the coming months.

### School Crossing Patrol Guards

**Mr Weir** asked the Minister of Education to list the schools that employ their own school crossing patrol guards.  
(AQW 30532/11-15)

**Mr O'Dowd:** I am informed by the Education and Library Boards that they do not hold the information requested.

While the South Eastern Education and Library Board does not hold such information they advised that they were aware of two schools, Sullivan Upper, Holywood and St Mary's High, Downpatrick, that employ their own school crossing patrol guards.

### Delivering Social Change: New Teaching Posts

**Mr Rogers** asked the Minister of Education, of the 230 new teacher posts which were announced as part of the Delivering Social Change programme, how many are currently filled.  
(AQW 30552/11-15)

**Mr O'Dowd:** As at 4 February 2014, of the 233.3 FTE posts funded by OFMdFM, 210 FTE posts have been filled (81.5 FTE posts in the primary sector and 128.5 FTE posts in the post-primary sector).

In June 2013 I agreed to fund an expansion of the project providing for an additional 36.9 FTE posts. Of these, 27.7 FTE posts have been filled (18.2 FTE posts in the primary sector and 9.5 FTE posts in the post-primary sector).

In addition there are 2.4 FTE school-funded appointments which have been filled (0.9 in the primary sector and 1.5 in the post primary sector).

The recruitment process for the outstanding posts is currently underway.

### Primary Integrating/Enriching Education Project

**Mr Rogers** asked the Minister of Education, given that the evaluation of the Primary Integrating/Enriching Education Project has been completed, what plans he has to move this project forward as a model for sharing education.  
(AQW 30553/11-15)

**Mr O'Dowd:** As I indicated in my statement to the Assembly on 22 October 2013, I am committed to delivering the Programme for Government commitments to advance shared education through a variety of actions. My Department is currently working with the Office of the First and deputy First Minister and the Atlantic Philanthropies on a funding programme to support shared education.

The Primary Integrating/Enriching Education (PIEE) programme, which was funded by the International Fund for Ireland and the Atlantic Philanthropies, was subject to evaluation by the Shared Education Learning Forum (SELF), with the Education and Training Inspectorate taking forward evaluations of a number of other shared education projects. Lessons learnt from these evaluations are being taken into account in developing the new funding programme, thus building on the legacy of the Sharing in Education Programme (SiEP).

The PIEE project, which was to be self-sustaining, has already been used as an example of shared education and my Department will continue to use this and other similar projects to encourage further shared education.

With the closure of the International Fund for Ireland's Sharing in Education Programme in December 2013, schools which were supported by this Programme were encouraged to apply for Community Relations, Equality and Diversity (CRED) funding for costs that they could not self sustain. It is understood that schools in the PIEE project did not apply for this funding and in the North-Eastern Education and Library Board area the CRED Enhancement Scheme was under-subscribed in the current financial year.

### Vacancy Control

**Mr Storey** asked the Minister of Education how long the vacancy control policy has operated within the education sector; and how many staff have been impacted by this policy.  
(AQW 30570/11-15)

**Mr O'Dowd:** The Policy on the Control of Vacancies was published on 19 October 2006 to support the Public Service Commission's Second Guiding Principle on 'Managing Vacancies Effectively'. The policy applied to all non-school based staff within the Education Sector RPA Affected groups at that time, when it was envisaged that the Education and Skills Authority (ESA) would be established in April 2008.

Since this time the policy has been reviewed several times to ensure it remains relevant and current. On 1 October 2007, an Appendix was published setting out the posts excluded from Vacancy Control. A number of further exemptions have been

made since, following representation from employing authorities regarding various specific posts that are business critical, non-affected by ESA and traditionally difficult to fill.

Following an extensive review in 2011, in order to address employment issues arising from the implementation of the policy for longer than originally anticipated, employing authorities were advised on 15 September 2011 that they should review vacant "at risk" posts, filled on a temporary basis prior to 31 July 2011, to determine posts which could be filled on a permanent basis. Consideration of posts for permanence remains subject to a number of conditions including an ongoing need for the post and availability of funding.

On 5 March 2013, the Department advised that employers could extend fixed term contracts and temporary acting up appointments to a revised date of 31 March 2014. This letter also advised that vacancy control no longer applied to staff in the Council for Curriculum, Examination and Assessment (CCEA) following the decision to prioritise the establishment of ESA with CCEA remaining as a separate body.

Just last month, the cut-off dates were again reviewed in light of the ongoing delays in progressing the Education Bill to establish ESA. Temporary contracts and acting-ups can now be extended until 31 March 2015 and posts filled on a temporary basis up to 31 July 2013 can now be considered for permanence. Throughout the implementation of Vacancy Control, CEO and 2nd tier posts have remained subject to the full rigours of the policy, as they are the first line of "at risk" posts.

All staff in the Education sector RPA Affected organisations have been impacted by this policy.

I have recently committed to undertake a further review of the vacancy control policy.

### School Attendance: Prosecutions

**Mr Storey** asked the Minister of Education how many prosecutions in relation to school attendance were undertaken by each Education and Library Board, in each of the last five years.

**(AQW 30572/11-15)**

**Mr O'Dowd:** The Education and Library Boards (ELBs) have advised that the number of prosecutions in relation to school attendance undertaken in the last five academic years is as set out in the table below:-

ELB	Number of Prosecutions				
	2008-09	2009-10	2010-11	2011-12	2012-13
Belfast	*	23	*	*	*
Western	11	25	45	26	33
North-Eastern	*	0	6	10	68
South-Eastern	8	0	7	9	*
Southern	18	45	37	37	67

\* denotes fewer than 5 cases, figure suppressed to avoid possible identification of individuals.

### School Attendance

**Mr Storey** asked the Minister of Education to detail the attendance levels in each school sector in each of the last five years, broken down by Education and Library Board.

**(AQW 30574/11-15)**

**Mr O'Dowd:** The information requested is detailed in the table below. The most recent data available is for the school year 2011/12. Updated figures for 2012/13 will be available at the end of February.

#### Attendance rate by management type and Education and Library Board, 2007/08 - 2011/12

Management Type	ELB	Percentage of half days attended				
		07/08	08/09	09/10	10/11	11/12
Controlled	BELB	91.8	92.1	92.2	92.2	92.7
	WELB	94.3	94.3	94.0	94.2	94.7
	NEELB	93.7	94.0	93.8	94.0	94.3
	SEELB	93.3	93.5	93.4	93.7	94.1
	SELB	93.9	94.1	94.0	94.3	94.7
	<b>Total</b>		<b>93.5</b>	<b>93.7</b>	<b>93.6</b>	<b>93.8</b>

Management Type	ELB	Percentage of half days attended				
		07/08	08/09	09/10	10/11	11/12
Catholic Maintained	BELB	92.2	92.4	92.4	92.6	93.1
	WELB	93.1	93.2	93.0	93.3	93.7
	NEELB	94.4	94.7	94.5	94.6	94.8
	SEELB	93.5	93.8	93.6	93.7	94.1
	SELB	93.3	93.4	93.3	93.6	94.0
	<b>Total</b>	<b>93.3</b>	<b>93.4</b>	<b>93.3</b>	<b>93.5</b>	<b>93.9</b>
Voluntary	BELB	95.3	95.2	95.1	95.5	95.6
	WELB	95.0	94.5	94.5	94.5	95.1
	NEELB	95.4	95.3	95.4	95.8	95.9
	SEELB	96.0	95.9	95.8	96.4	96.6
	SELB	95.2	95.3	95.2	95.3	95.6
	<b>Total</b>	<b>95.4</b>	<b>95.2</b>	<b>95.2</b>	<b>95.5</b>	<b>95.7</b>
Other Maintained	BELB	93.6	93.7	93.6	94.2	94.3
	WELB	94.4	95.5	93.8	94.4	94.5
	NEELB	94.6	94.4	93.9	93.9	95.0
	SEELB	93.0	93.7	93.2	93.9	93.2
	SELB	95.3	95.3	94.8	95.3	95.4
	<b>Total</b>	<b>94.1</b>	<b>94.3</b>	<b>93.8</b>	<b>94.4</b>	<b>94.5</b>
Controlled Integrated	BELB	94.6	93.0	93.4	93.3	94.7
	WELB	94.2	93.2	92.8	93.3	96.1
	NEELB	92.2	91.9	91.5	92.7	92.8
	SEELB	91.7	92.1	92.0	92.5	93.0
	SELB	90.7	91.0	90.6	91.4	91.3
	<b>Total</b>	<b>91.8</b>	<b>92.0</b>	<b>91.8</b>	<b>92.5</b>	<b>93.0</b>
Grant Maintained Integrated	BELB	90.7	90.5	89.9	91.0	90.9
	WELB	92.0	92.2	92.0	92.5	92.9
	NEELB	93.1	93.3	93.1	93.2	93.3
	SEELB	93.6	93.2	92.7	93.6	93.7
	SELB	92.4	92.7	92.7	92.9	93.5
	<b>Total</b>	<b>92.5</b>	<b>92.5</b>	<b>92.3</b>	<b>92.8</b>	<b>93.0</b>
Total	BELB	92.8	93.0	93.0	93.2	93.6
	WELB	93.6	93.6	93.4	93.6	94.1
	NEELB	94.0	94.3	94.1	94.3	94.5
	SEELB	93.6	93.8	93.6	93.9	94.3
	SELB	93.7	93.8	93.7	94.0	94.4
	<b>Total</b>	<b>93.6</b>	<b>93.7</b>	<b>93.6</b>	<b>93.8</b>	<b>94.2</b>

Source: School Census

### Pensions: Early Retirement

Mr Weir asked the Minister of Education to detail the percentage reduction, per year, in pension provision for teachers retiring early.

(AQW 30584/11-15)

**Mr O'Dowd:** The factors used to determine the reduction in pension payable to teachers retiring early is detailed in the tables below. These factors are reviewed from time to time as appropriate.

### Glossary

ER: Early Retirement

NPA: Normal Pension Age

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### Early retirement factor tables

**Table ER1**

**Northern Ireland Teachers' Pensions Scheme: Actuarial Factors**  
**Benefits payable to the member on early retirement (with actuarial reduction)**

#### NPA 60 members, Main Scheme Pension and Lump Sum

Age	Completed Months											
	0	1	2	3	4	5	6	7	8	9	10	11
55	0.794	0.797	0.800	0.803	0.806	0.809	0.812	0.815	0.818	0.821	0.824	0.827
56	0.830	0.834	0.837	0.840	0.843	0.847	0.850	0.853	0.856	0.860	0.863	0.866
57	0.869	0.873	0.876	0.880	0.883	0.887	0.890	0.894	0.897	0.900	0.904	0.907
58	0.911	0.915	0.918	0.922	0.926	0.929	0.933	0.937	0.940	0.944	0.948	0.951
59	0.955	0.959	0.963	0.967	0.971	0.975	0.979	0.982	0.986	0.990	0.994	0.998

#### Notes:

- 1) These factors are to be used for calculating the actuarial reduction on early retirement for NPA 60 main scheme benefits
- 2) Benefits to be awarded are obtained by multiplying the accrued benefits by the relevant factor
- 3) Reduced benefits are to be calculated before any lump sum commutation option is exercised

**Table ER4**

**Northern Ireland Teachers' Pensions Scheme: Actuarial Factors**  
**Benefits payable to the member on early retirement (with actuarial reduction)**

#### NPA 65 members, Main Scheme Pension

Age	Completed Months											
	0	1	2	3	4	5	6	7	8	9	10	11
55	0.613	0.616	0.618	0.620	0.623	0.625	0.627	0.630	0.632	0.635	0.637	0.639
56	0.642	0.644	0.647	0.649	0.652	0.654	0.657	0.660	0.662	0.665	0.667	0.670
57	0.672	0.675	0.678	0.680	0.683	0.686	0.688	0.691	0.694	0.696	0.699	0.702
58	0.705	0.707	0.710	0.713	0.716	0.719	0.722	0.725	0.728	0.730	0.733	0.736
59	0.739	0.742	0.745	0.748	0.751	0.754	0.757	0.760	0.764	0.767	0.770	0.773
60	0.776	0.779	0.782	0.786	0.789	0.792	0.795	0.799	0.802	0.805	0.809	0.812
61	0.815	0.819	0.822	0.826	0.829	0.833	0.836	0.840	0.843	0.847	0.850	0.854
62	0.857	0.861	0.865	0.868	0.872	0.876	0.880	0.883	0.887	0.891	0.895	0.898
63	0.902	0.906	0.910	0.914	0.918	0.922	0.926	0.930	0.934	0.938	0.942	0.946
64	0.950	0.955	0.959	0.963	0.968	0.972	0.976	0.981	0.985	0.989	0.994	0.998

#### Notes:

- 1) These factors are to be used for calculating the actuarial reduction on early retirement for NPA 65 main scheme benefits
- 2) Benefits to be awarded are obtained by multiplying the accrued benefits by the relevant factor
- 3) Reduced benefits are to be calculated before any lump sum commutation option is exercised

### Pension Scheme Advisory Board: Liaison with DEL

**Mr Weir** asked the Minister of Education what liaison will take place with the Department for Employment and Learning on the appointment of representatives to pension scheme advisory boards which represent teachers and further and higher education lecturers.

(AQW 30585/11-15)

**Mr O'Dowd:** My Department liaises with the Department for Employment and Learning on a number of cross-cutting issues and will continue to do so. My Department will consult with all relevant stakeholders about the process for the appointment of representatives to the NI Teachers Pension Scheme Advisory Board in the coming months.

### Educational Psychology: Waiting Time

**Mr Agnew** asked the Minister of Education, pursuant to AQW 19594/11-15, how many children in the South Eastern Education and Library Board area have had to wait longer than the six month target to see an educational psychologist, since the target was introduced in June 2013.

(AQW 30623/11-15)

**Mr O'Dowd:** The South-Eastern Education and Library Board have advised that they achieved their target that by 30th June 2013, no school-age child would have been waiting more than six school months for an appointment with an Educational Psychologist. Of the school-age children receiving a Stage 3 assessment between 1st July 2013 and 31st December 2013, four had been waiting for longer than six school months.

### Free School Meals

**Mr Weir** asked the Minister of Education, pursuant to AQW 29934/11-15, for a breakdown of free school meals entitlement, broken down by constituency.

(AQW 30637/11-15)

**Mr O'Dowd:** The most up-to-date validated figures for free school meal entitlement across the jurisdictions relate to the 2012/13 school year and these are detailed in the table overleaf.

#### Free school meal entitlement by parliamentary constituency of school location - 2012/13

Constituency	Primary		Post-primary		Total	
	Pupils entitled to FSM	%	Pupils entitled to FSM	%	Pupils entitled to FSM	%
Belfast East	2,198	30.7	742	11.2	2,940	21.3
Belfast North	4,907	46.6	2,805	28.6	7,712	37.9
Belfast South	2,192	23.2	1,169	12.1	3,361	17.6
Belfast West	5,266	59.4	3,195	38.0	8,461	49.0
East Antrim	1,617	22.4	896	14.0	2,513	18.5
East Derry	2,517	29.3	1,354	18.2	3,871	24.1
Fermanagh and South Tyrone	2,474	25.9	1,621	16.2	4,095	20.9
Foyle	4,767	44.0	2,913	29.9	7,680	37.3
Lagan Valley	1,733	20.0	738	12.8	2,471	17.1
Mid Ulster	2,688	25.9	1,585	18.3	4,273	22.4
Newry and Armagh	3,573	29.7	2,081	20.1	5,654	25.3
North Antrim	2,279	23.9	1,358	14.4	3,637	19.2
North Down	1,523	21.4	630	11.3	2,153	17.0
South Antrim	1,678	18.5	496	11.6	2,174	16.3
South Down	2,744	26.0	1,569	17.2	4,313	21.9
Strangford	1,717	22.6	1,055	15.3	2,772	19.1
Upper Bann	3,289	27.7	1,629	16.9	4,918	22.9
West Tyrone	3,013	33.4	1,865	23.6	4,878	28.8
<b>Total</b>	<b>50,175</b>	<b>29.9</b>	<b>27,701</b>	<b>19.0</b>	<b>77,876</b>	<b>24.8</b>

**Source:** NI school census

**Notes:**

1. Figures include primary and post-primary schools only, consistent with AQW 29934/11-15.
2. Figures for primary include reception and year 1-7 classes, as well as nursery units (whether free school meal or JSA).

### **Pension Scheme Advisory Board: Appointments**

**Mr Weir** asked the Minister of Education who will be responsible for the appointment of representatives to the Scheme Advisory Board for teachers' pensions.

**(AQW 30638/11-15)**

**Mr O'Dowd:** My Department will consult with all relevant stakeholders about the process for the appointment of representatives to the NI Teachers Pension Scheme Advisory Board in the coming months.

### **Schools: Sport**

**Mr Gardiner** asked the Minister of Education, following the announcement that primary schools in England will receive £8,000 annually, and an additional £5 per pupil to develop school sport, whether he will consider the extension of this scheme to Northern Ireland.

**(AQW 30668/11-15)**

**Mr O'Dowd:** I do not have plans to extend the scheme to schools in the north of Ireland nor has my Department received additional funding to do so.

In the north of Ireland Physical Education (PE) is a compulsory element of the revised curriculum for all pupils from Foundation Stage to Key Stage 4 and schools are encouraged to provide at least 2 hours of PE per week.

Delivery of all aspects of the curriculum is a matter for schools and the Department therefore delegates as much funding as possible to schools as they are best placed to assess the needs of their pupils. The decision on what specific sports or games are offered to pupils and the funding they wish to allocate to chosen sports or games is therefore a matter for each school.

The Department is aware of the importance of physical activity to the health and well-being of our pupils and we have therefore been providing additional support for sport in our primary schools through funding for the Curriculum Sports Programme.

This programme which was established in 2007/08 is aimed at pupils in Foundation Stage and Key Stage 1. It is delivered jointly by coaches from the Irish Football Association (IFA) and Gaelic Athletic Association (GAA) on behalf of the Department. The Department provides £1.5m each year, split equally between the IFA and GAA, and during 2012/13 the programme was delivered by 61 coaches in 571 primary schools, reaching over 39,000 pupils. The programme is not sport specific, rather the focus is on developing the generic physical literacy skills of pupils through participation in enjoyable physical activities. The programme also has the added benefit of supporting teachers in developing their skills and confidence in teaching PE.

### **Autism: Statement of Special Educational Needs**

**Ms Boyle** asked the Minister of Education, pursuant to AQW 17977/11-15, to provide an up to date breakdown of how many (i) pre-school; (ii) primary school; and (iii) post-primary school children, living in the Strabane district, have a statement of special educational needs for autism.

**(AQW 30690/11-15)**

**Mr O'Dowd:** The information available relates to pupils that have a statement and also have autism, data relating to pupils that have a statement, specifically, for autism is unavailable. The most up-to-date validated figures relating to special educational needs relate to the 2012/13 school year and these are detailed in the table overleaf.

#### **Pupils resident in the Strabane district council area who are recorded as having Autism and also have a statement of special educational needs<sup>1</sup> – 2012/13**

<b>School type</b>	<b>Total pupils</b>
Voluntary and Private preschools <sup>2</sup>	0
Nursery schools <sup>2</sup>	0
Nursery units and reception	0
Primary schools Year 1 - 7	24
Post-primary schools	8
Special schools	29
<b>Total</b>	<b>61</b>

**Source:** NI school census

**Note:**

- 1 Figures include pupils at stage 5 of the Special Educational Needs Code of Practice only.
- 2 Figures relate to nursery school and voluntary and private preschool centre location, as data for these sectors are collated at an aggregated school level, geographical analysis on special educational needs cannot be undertaken.

### **Autism: Statement of Special Educational Needs**

**Ms Boyle** asked the Minister of Education to detail how many (i) pre-school; (ii) primary school; and (iii) post-primary school children, living in the Strabane district, are currently awaiting a statement of special educational needs for autism.

**(AQW 30691/11-15)**

**Mr O'Dowd:** The Western Education and Library Board has advised that there are currently four children, living in the Strabane District Council area, who have been statutorily assessed as having autism and who are currently awaiting their final statement of special educational needs as follows:

- Pre-school - Zero
- Primary – Three
- Post-primary – One

### **Examinations: External Scrutiny**

**Mr Allister** asked the Minister of Education to outline the external scrutiny that will apply to the GCSEs and A Levels to ensure that parents have confidence in external examinations developed locally when Ofqual's oversight is removed.

**(AQW 30791/11-15)**

**Mr O'Dowd:** The Council for Curriculum, Examinations and Assessment (CCEA) is responsible for the regulation of general qualifications. Ofqual does not have a role in regulating CCEA GCSE and A level qualifications. The regulators across the three jurisdictions continue to work co-operatively together to provide assurance over the standard of GCSEs and A level qualifications.

## **Department for Employment and Learning**

### **Teacher Training Colleges**

**Lord Morrow** asked the Minister for Employment and Learning, in regard to teacher training colleges, for the rationale behind his comment "Stranmillis want a merger" as stated during Topical Questions on Monday 20 January 2014, particularly in light of various representations made to his Department.

**(AQW 30005/11-15)**

**Dr Farry (The Minister for Employment and Learning):** During Topical Questions on 20 January, I said that "It is still Stranmillis' policy that the merger should proceed". I based this assertion on the fact that it was the Governing Body of Stranmillis University College (SUC) which first proposed the merger in 2008.

However, subsequent to this comment, the Chair of the Governing Body of SUC has indicated to me that this position in relation to the proposed merger has been superseded by their submission to the Second Stage of the Review of Teacher Training Infrastructure in Northern Ireland.

### **University of Ulster: Jordanstown Campus**

**Mr Eastwood** asked the Minister for Employment and Learning, pursuant to AQW 28280/11-15, to detail whether the financial costings contained within the business case are still accurate.

**(AQW 30325/11-15)**

**Dr Farry:** The University has advised me that costs remain accurate and that the overall cost of the development remains at £254m.

### **University of Ulster: Belfast Campus**

**Mr Eastwood** asked the Minister for Employment and Learning to detail whether planning approval has been granted for all proposed buildings in the Belfast City campus of the University of Ulster.

**(AQW 30326/11-15)**

**Dr Farry:** The University of Ulster's appeal to the Planning Appeals Commission was announced on 7 February and the appeal was successful. The University has advised that planning approval has been granted for all proposed buildings and is a matter of public record.

### **University of Ulster: Relocation of Business Activities**

**Mr Eastwood** asked the Minister for Employment and Learning, pursuant to AQW 28280/11-15, to detail whether the business case for the transfer of business activities from Jordanstown to Belfast City is still financially viable.

**(AQW 30327/11-15)**

**Dr Farry:** The University of Ulster has advised me that the transfer of activities from its Jordanstown campus to its Belfast campus remains financially viable.

### **University of Ulster: Relocation of Business Activities**

**Mr Eastwood** asked the Minister for Employment and Learning, pursuant to AQW 28280/11-15, to detail whether the University of Ulster has secured the funding required to enable the transfer of business activities from Jordanstown to Belfast City.

**(AQW 30328/11-15)**

**Dr Farry:** The University has advised me that this is the case. It is a matter of public record that funding includes a grant of £16 million from my Department and a loan facility of up to £150 million from the European Investment Bank.

### **Northern Regional College**

**Mr McQuillan** asked the Minister for Employment and Learning for an update on the proposed Northern Regional College.

**(AQW 30372/11-15)**

**Dr Farry:** The Northern Regional College is in the final stages of completing an Outline Business Case (OBC) which will identify the value for money options required to address accommodation deficiencies within its estate. The OBC is expected to be presented to my Department later this month for assessment and approval.

### **University of Ulster: Relocation of Schools**

**Mr Eastwood** asked the Minister for Employment and Learning, pursuant to AQW 28280/11-15, to detail any studies conducted regarding the relocating of schools from Jordanstown to Magee.

**(AQW 30387/11-15)**

**Dr Farry:** The University of Ulster has advised me that consideration was given to the relocation of schools from Jordanstown to Magee as part of the original Masterplanning exercise which represented the consolidation of much of the activity on the University's two Greater Belfast campuses. This took into account the fact that around 45% of students studying at Jordanstown are part-time students living in the Greater Belfast area.

### **University of Ulster: Review of Business Case**

**Mr Eastwood** asked the Minister for Employment and Learning, pursuant to AQW 28280/11-15, to detail whether the business case has been reviewed since its approval.

**(AQW 30390/11-15)**

**Dr Farry:** The University has advised me that the business case was prepared in the knowledge that it covered a development extending right through to 2018. The University is confident that the objectives, costs and timescales outlined in the business case remain current and there is no need to carry out a review. The development is underway and is on schedule for delivery in 2018.

### **Training: North Down**

**Mr Easton** asked the Minister for Employment and Learning to detail any training opportunities that are available for young people through outside bodies, to gain employment in the North Down area.

**(AQW 30429/11-15)**

**Dr Farry:** My Department provides a variety of training opportunities to young people to assist them to gain employment. The procurement of programme delivery is the subject of public tendering processes, with successful bidders being awarded contracts to deliver relevant training. The programmes available are as follows:

#### **Training for Success**

Training for Success provides a guaranteed offer of training to all unemployed 16 and 17 year old school leavers. There is also extended age eligibility for those with a disability or from an in-care background (up to ages 22 and 24 respectively). The contracted providers for Training for Success in North Down area are: South Eastern Regional College (with campuses in Bangor and Newtownards); North Down Training Ltd; and Rutledge Recruitment and Training (Bangor).

### Steps to Work

Steps to Work is my Department's main adult return to work provision. It aims to assist people who are unemployed or economically inactive to find and sustain employment. The Steps to Work contracted provider in the North Down area is South Eastern Regional College.

### Youth Employment Scheme (YES)

YES is a voluntary scheme designed to help young people aged between 18 and 24 develop the skills needed to get a job. It recognises that employability skills are more readily obtained by active participation in a work setting with an employer or a voluntary organisation.

YES offers young people work experience or skills development placements with an employer. During the skills development placement, participants have the opportunity to gain or add to existing qualifications. Since 30 September 2013, following a review of the scheme, Steps to Work programme Lead Contractors deliver both Work Experience and Skills Development elements of the Scheme. The Lead Contractor responsible for delivery in the North Down area is South Eastern Regional College.

Further information and advice for young people on how to access any of these opportunities is available through the Department's Careers Resource Centres, Job Centres or Jobs and Benefits offices.

### Steps to Work

**Mr Flanagan** asked the Minister for Employment and Learning for a breakdown of the top 25 organisations, ranked by the number of individuals each has taken on through the Steps to Work programme, in each year since its inception.

**(AQW 30443/11-15)**

**Dr Farry:** Steps to Work (StW) is my Department's main adult return to work programme, the aim of which is to assist people to find and sustain employment. The programme is delivered throughout Northern Ireland by a network of contracted organisations, known as Lead Contractors, over 10 contract areas. Each contracted provider is supported in delivering the programme through a network of sub-contractors.

The Department collates statistics on the programme at a contracted provider/contract management area level. Data is not gathered at a sub-contractor level. Details on the number of participants starting the programme, for each Lead Contractor, have been placed in the Assembly Library and on my Department's website at <http://www.delni.gov.uk/>.

### Undergraduate Enrolment: Institutions outside Northern Ireland

**Mr Eastwood** asked the Minister for Employment and Learning to detail the number of local undergraduate students who enrolled at institutions outside Northern Ireland, in each of the last five years.

**(AQW 30508/11-15)**

**Dr Farry:** The table below details the number of Northern Ireland Domicile undergraduate enrolments at institutions outside of Northern Ireland from 2007/08 to 2011/12.

Academic year	GB Institutions (excluding Open University)	Republic of Ireland Institutions	Total
2007/08	13,967	884	14,851
2008/09	14,068	890	14,958
2009/10	13,838	917	14,755
2010/11	14,208	845	15,053
2011/12	15,035	750	15,785

**Source:** Higher Education Statistics Agency (HESA) and Higher Education Authority (HEA)

#### Notes:

1. The latest available data are for the 2011/12 academic year.
2. Data on NI students attending other European or worldwide universities are not available.
3. Figures for NI domiciled undergraduate enrolments at the Open University have been excluded from the above table. Although The Open University is defined as an English Institution it is likely that any NI domiciled enrolments will not be based in England.
4. For information the number of Northern Ireland domiciled undergraduate student enrolments at the Open University is provided in the table below: -

Academic year	NI Domiciled undergraduate enrolments at Open University
2007/08	3,604
2008/09	3,912
2009/10	4,325
2010/11	4,592
2011/12	4,562

Source: Higher Education Statistics Agency (HESA).

### Northern Regional College

**Mr Swann** asked the Minister for Employment and Learning for an update on any future proposals for the Northern Regional College's Ballymoney campus.

(AQW 30593/11-15)

**Dr Farry:** The Northern Regional College is in the final stages of completing an Outline Business Case (OBC) which will identify the value for money options required to address accommodation deficiencies within its estate, including the Ballymoney campus. The OBC is expected to be presented to my Department later this month for assessment.

### Economic Inactivity Strategy: Funding

**Mr A Maginness** asked the Minister for Employment and Learning how much funding has been secured to support the Economic Inactivity Framework.

(AQO 5501/11-15)

**Dr Farry:** The current rate of economic inactivity in Northern Ireland, measured as a percentage of the 16-64 working age population, for the third quarter of 2013, is 27.1%. This equates to more than 315,000 people who are neither in work, nor actively seeking employment. This compares with 21.5% in England, 20.9% in Scotland, 23% in Wales and a UK average of 21.7%.

Within the overall rate of 27.1% for Northern Ireland, 27% are students, 28.4% are categorised as 'Long Term Sick and Disabled', 25.7% are categorised as having 'Family Commitments', 12.4% are 'Early Retirees' and the remaining 6.5% are categorised as 'Other', for reasons such as a short-term illness or injury.

For several decades Northern Ireland has consistently had the highest rate of economic inactivity in the UK. Economic inactivity has not historically been influenced by economic cycles and it is right that we now focus on tackling this long-term problem in a progressive and sustainable way.

It is for this reason that the Northern Ireland Executive has made the unprecedented commitment to develop a strategy to tackle the difficult issue of economic inactivity in Northern Ireland. My Department and the Department of Enterprise, Trade and Investment have jointly developed a new Strategic Framework document, in conjunction with several other key departments, and have recently launched a 12 week public consultation exercise on the proposals which will inform the development of the final strategy. This process will be complemented by a series of forthcoming public consultation events across Northern Ireland.

The final strategy will be the only dedicated government strategy in the UK targeted specifically at addressing the major socio-economic issue of economic inactivity. I should emphasise that this is a Northern Ireland Executive initiative: it is not about welfare reform nor is it driven from Westminster or elsewhere. It is a local initiative focused on finding real solutions to help people who are inactive due to health issues or caring responsibilities go back to work when they are ready. Students or early retirees are not a focus for the strategy.

One of the initial key implementation actions will be to develop and pilot a number of projects which will be rigorously tested, evaluated and potentially upscaled across Northern Ireland. It is anticipated that the initial pilot projects will be funded from within existing baselines.

This will be a major ten year cross-departmental strategy and it is a key Programme for Government commitment. Therefore, where additional resources are required they will be sought from the Executive to ensure the successful delivery of the agreed strategic objectives.

### South Eastern Regional College: Performing Arts and Technology

**Miss M McIlveen** asked the Minister for Employment and Learning what discussions he or his officials have had with the performing arts sector prior to, or since, the funding announcement for the development of a Performing Arts and Technology Innovation Centre at the South Eastern Regional College site in Bangor.

(AQO 5503/11-15)

**Dr Farry:** My role as Minister for Employment and Learning is to ensure that we are investing in our skills for the economy of the future, including the creative sector.

The Creative Industries in Northern Ireland have been identified as a significant opportunity for wealth and job creation and as such remain a key priority for my Department.

Discussions are ongoing with a number of sectoral representative bodies. Whilst these have been in relation to digital media and animation skills opportunities, should such an approach be made with respect to performing arts, I would be happy to consider the merit of any proposal.

In relation to the Bangor project, a detailed business case was prepared in relation to this project during the previous mandate of this Assembly. Significant consultation took place in the development of the business case. This business case was refreshed in advance of my announcement in October that the development would proceed.

The College offers a range of qualifications that have been developed in consultation with the Sector Skills Councils and with employers. Consultation is also being conducted with the performing arts industry for a proposed Foundation Degree course in the South Eastern Regional College.

This exciting new development will add to other provision across the Further Education sector that is geared to support the creative industries, including the performing arts.

### **Undergraduate Students: Cross-border Mobility**

**Ms Maeve McLaughlin** asked the Minister for Employment and Learning for an update on his efforts to increase mobility at undergraduate level on a cross-border basis.

**(AQO 5504/11-15)**

**Dr Farry:** Graduating to Success, the higher education strategy for Northern Ireland, identifies cross-border student mobility and north-south cooperation in teaching and learning as key aspects of our vision for developing the sector.

A project team has been established, chaired by the Director of the Institute for Cross Border Studies and includes representatives from the higher education sector, North and South and officials from my Department and the Department of Education.

The project aims to identify opportunities for cooperation in teaching and learning and to increase cross border mobility.

The project team has considered the recommendations of the Irish Business and Employers Confederation and the Confederation of British Industry report on undergraduate mobility and progress has been made in the following areas.

In relation to improving information, careers teachers and my Department's careers advisers have received additional training on the Central Applications Office processes. Information on the Central Applications Office system is also available through the Careers Service pages on NI Direct.

The recommendation in relation to student funding has now been achieved as Northern Ireland students studying in the South now have access to funding support.

In relation to A Level and Leaving Certificate grades, I welcome the announcement that Trinity College and Dublin City University are considering changing entry requirements for students from here and I hope others will follow suit.

Research, considering the impact of different fee structures on student flows across the UK, is ongoing. The study also includes the flows from and to the Republic of Ireland.

The issue was raised at the November North South Ministerial Council meeting and it was acknowledged that student flows are underdeveloped in both directions. The issue was also raised at a meeting with officials from Department for Education and Skills in January and I plan to meet with Ruairi Quinn in the very near future.

### **South West College: Relocation**

**Mr Elliott** asked the Minister for Employment and Learning for an update on the potential relocation of the South West Regional College in Enniskillen.

**(AQO 5505/11-15)**

**Dr Farry:** The South West College has submitted a draft business case to address accommodation needs at its Fairview campus in Enniskillen. The draft has identified, as the value for money option, a replacement new build at the old Erne Hospital site. This site is currently in the ownership of the Western Health and Social Care Trust. The Trust and Fermanagh District Council are working on plans for the transfer of the site to the Council, which would see it developed as a public sector shared services site, with the College being one of the public sector bodies that would subsequently take ownership of a major part of the site.

The College does not expect to be in a position to finalise the business case, and to purchase the site until the Trust has completed the demolition of the existing buildings. There are also issues around contamination, title and final valuations to be completed or agreed.

### **Committee Inquiry: Ministerial Response**

**Mr Swann** asked the Minister for Employment and Learning for an update on his response to the Committee for Employment and Learning's Inquiry into Careers Education, Information, Advice and Guidance in Northern Ireland (NIA 141/11-15).

**(AQO 5506/11-15)**

**Dr Farry:** At the Assembly debate on the Committee for Employment and Learning Inquiry Report into Careers Education, Information, Advice and Guidance in Northern Ireland on 25 November 2013, I advised that I welcomed the report and broadly concurred with the recommendations made.

Members will remember that during the debate, I announced that Minister O'Dowd and I had agreed to conduct a formal review of careers policies and practices in Northern Ireland during 2014.

The terms of reference for the review are still being agreed between both Departments. I will ensure that the recommendations in the Committee report are embedded into the scope of the review.

In advance of this, my Department has identified and commenced work on some of the areas which were highlighted in the Committee report. In particular, the development of the careers website, examination of policies and practice in other regions and countries, and increased Careers Service engagement with industry.

A formal response on the recommendations in the Inquiry report was issued to the Committee on 29 January and officials will provide a further update to the Committee on 26 February.

I would like to assure the Committee that the Careers review is one of my top priorities for my Department.

### Science Foundation Ireland: Funding

**Mr Byrne** asked the Minister for Employment and Learning what is the source of the £8.4m funding that was announced for Queen's University, Belfast and the University of Ulster to engage in the Science Foundation Ireland's Investigators Programme. (AQO 5507/11-15)

**Dr Farry:** I am sure the honourable member very much welcomes this strategically important decision, which will enable Queen's University and the University of Ulster to participate as full partners with Republic of Ireland universities in carrying out programmes of internationally excellent discovery or fundamental research. It will also act as a key stepping stone in helping the island of Ireland as a whole to maximise the potential funding opportunities under Horizon 2020.

The engagement of Queen's and the University of Ulster in Science Foundation Ireland's Investigators Programme will be funded from my Department's internal budget, which will be allocated following the next Comprehensive Spending Review.

The £8.4 million is spread over six years, commencing April 2015, and will support the universities' participation in an initial two-year "pilot phase" covering the run-out of projects from both the 2014 and 2015 calls for proposals.

As the recognised focus of this programme is on fundamental, investigative, internationally excellent, peer reviewed research, it aligns fully with the objectives of Quality-related Research funding. In view of this, I have approved a small, proportional increase in Quality-related Research funding to allow me to support Queen's and Ulster's participation in this new cross-border research initiative. The initial increase will be 1.68% in 2015/16, rising to 3.36% from 2016/17.

### Autism: Strategy and Action Plan

**Mr I McCrea** asked the Minister for Employment and Learning what role his Department will have in implementing the Autism Strategy 2013-2020 and the Action Plan 2013-2016. (AQO 5508/11-15)

**Dr Farry:** My Department has played a full role in the development of the recently announced Autism Strategy and Action Plan. As we now embark on the implementation stages, my Department's contribution will largely fall under the Strategy's Employability Theme. In addition, my Department will contribute to other cross cutting Themes, such as Awareness and Transitions.

Under the Employability Theme, my Department will play a key role in delivering client-centred services and programmes that help address the various needs of those with autism. In particular, my Department and its key providers, such as universities, colleges and training providers, will directly support the two key Priorities in the Strategy.

They are Priorities 10 and 11, which aim to increase the number of people with autism entering employment and to increase the opportunities for them to attain skills and qualifications through access to appropriate training and lifelong learning opportunities.

In addition to a range of general actions for all Departments, such as better awareness and staff training, my Department is committed to a number of specific actions in the Employability Section of the Action Plan, which relate to employment and training, as well as further and higher education provision. The actions incorporate existing services, as well as new and developing initiatives, such as the Pathways to Success Strategy, the Access to Success Strategy and the proposed Economic Inactivity Strategy.

As I stated recently at the Autism NI Employment Breakfast, I am also keen that we work closely with employers, to help them play an increasingly greater role and make it easier for them to provide opportunities for people with autism and to help them progress their career goals.

### Further and Higher Education: Deprived Areas

**Ms McCorley** asked the Minister for Employment and Learning how he plans to increase participation in further and higher education in deprived communities, such as west Belfast. (AQO 5509/11-15)

**Dr Farry:** Further Education continues to have a strong track record in attracting enrolments from deprived areas. In the 2012/13 academic year, 21% of enrolments were derived from areas within the 20% most deprived areas of Northern Ireland.

As the main providers of adult education throughout Northern Ireland, colleges also continue to encourage access to FE by delivering a wide and varied curriculum through their main campuses and network of community outreach centres. My Department drives participation in FE by offering a range of financial assistance to students with low incomes. This assistance is provided from two main sources: Further Education Awards and hardship funds.

These funds are means-tested to ensure that support is directed at those who would otherwise not be able to attend a FE college.

Funding for childcare costs is also available to eligible students who have dependant children through the Care to Learn scheme, Further Education Awards or the Hardship Fund.

My Department developed and implemented the Learner Access and Engagement programme, which enables colleges to contract with third party organisations for the provision of learner support.

Support is directed at 'hard-to-reach' adults, who are disengaged from the labour market, and hold few or no qualifications, to encourage them to enrol in FE.

Similarly, the Learner Access and Engagement NEET pilot enables learners, aged 16 to 18, who hold no more than one qualification at level 2 or above, to undertake mentored and supported learning. The pilot programme is open to eligible participants who have been disengaged from education and who may have barriers to learning.

Likewise, Access to Success, my Department's strategy to widen participation in higher education, has a strong focus on the creation of a more accessible sector.

A single, centralised and co-ordinated awareness and aspiration raising programme is currently being developed to better communicate the benefits of higher education to potential students.

Early interventions, including family support programmes, to raise educational attainment levels while young people are still in school are essential to increasing the participation rate in higher education of individuals from deprived areas.

My Department provides special project funding to higher education institutions for programmes to target post-primary schools in disadvantaged areas, to help pupils to attain the necessary qualification for entry to higher education.

### **Creative Industries: Opportunities**

**Mr Sheehan** asked the Minister for Employment and Learning how his Department is maximising the opportunities presented by the growth of the creative industries.

**(AQO 5510/11-15)**

**Dr Farry:** The Programme for Government recognises the importance of the creative industries to the development of our economy and the key role of the sector in generating economic prosperity.

The STEM Strategy, 'Success through STEM', also recognises the importance of the creative industries. My Department has led on the production of the Strategy and is now implementing its recommendations.

My Department has a number of programmes aimed at helping people into employment and addressing the skills need of the creative sector.

For example, the Youth Employment Scheme was launched in July 2012 to improve the employment prospects of young unemployed people aged between 18 and 24 years.

A fundamental element of the Scheme is to actively engage employers in the key growth sectors, including the creative sector, to provide work experience and skills development placements, with an enhanced employer subsidy also available.

From the launch of the Scheme to the 31 January 2014, some 99 employers from the Sector have offered almost 200 work experience/skills development opportunities. In addition, 43 young people have undertaken employment opportunities within the Sector as part of the enhanced employer subsidy.

In another example, Creative and Cultural Skills worked with my Department to produce an industry factsheet for use by students, parents, teachers, industry.

Another project "A catalyst for creative and cultural apprenticeship" will support the delivery of Level 2 NVQs and encourage creative sector employers to support their staff to go on to undertake a Level 3 Apprenticeship.

The statement I made last month on the Review of Apprenticeships puts employers at the centre of apprenticeship provision and provides opportunities in a much wider range of occupations, including the creative industries.

### **Students from the Republic of Ireland: Costs**

**Mr Allister** asked the Minister for Employment and Learning what is the annual cost of students from the Republic of Ireland studying or taking courses at the Regional Colleges in Northern Ireland.

**(AQO 5511/11-15)**

**Dr Farry:** The final total cost for the 2012/13 academic year, which is the last year for which full data is available, was £7,120,887.

## Department of Enterprise, Trade and Investment

### Broadband Improvement Project

**Mr Frew** asked the Minister of Enterprise, Trade and Investment for an update on the implementation of the Northern Ireland Broadband Improvement Project.

**(AQW 30400/11-15)**

**Mrs Foster (The Minister of Enterprise, Trade and Investment):** The contract for the Northern Ireland Broadband Improvement Project was signed with BT on 4th February. This £24.5million project will bring more choice and improved broadband speeds to over 45,000 premises across Northern Ireland by the end of 2015. BT has commenced implementation by embarking on an extensive survey and design process which will take a number of months to complete. Until such times as that process is complete, it will not be possible to be precise as to which premises are likely to benefit. Further details on the roll-out will be published as they become available.

### Mivan: Transfer of Undertakings (Protection of Employment) Regulations

**Mr Allister** asked the Minister of Enterprise, Trade and Investment whether Mivan has been bought over with no obligations under the Transfer of Undertakings (Protection of Employment) Regulation; and if so, to detail how this decision was made.

**(AQW 30484/11-15)**

**Mrs Foster:** The administrator has made it clear he was not able to sell Mivan (No1) Ltd as a going concern.

Northern Ireland based MJM Marine Ltd purchased Mivan's property, equipment and Intellectual Property. No employees transferred to MJM under the Transfer of Undertakings (Protection of Employment) Regulation.

Detail as to how this decision was made is a commercial matter that lies with the administrator and the new owner of Mivan's assets.

## Department of the Environment

### DOE Buildings: Visitors with Autism

**Mr Weir** asked the Minister of the Environment what provision is made within his departmental buildings to receive visitors diagnosed with autism and to cater for their needs.

**(AQW 28514/11-15)**

**Mr Durkan (The Minister of the Environment):** I can confirm that all visitors to my Department's buildings are treated with respect and courtesy by the staff.

Whenever possible, details of visitors are notified to reception staff in advance of their arrival and where visitors with disabilities, including those with autism spectrum conditions, advise of specific requirements, every effort will be made to provide additional help and support to cater for their needs.

All visitors who are attending by appointment or who notify staff in advance will be met at reception and accompanied to their destination.

You will be aware of Minister Poots' announcement of 14 January to the Assembly that, as required by the Autism Act (NI) 2011, a cross departmental Autism Strategy and Action Plan, which contains proposals for autism awareness, has been approved by the NI Executive and I will ensure that they will receive the full support of my Department and that all relevant staff receive the appropriate training.

### Wired or Less: Meeting

**Lord Morrow** asked the Minister of the Environment (i) on what date did a meeting take place with Wired or Less in relation to taxi meters, signs and calibrations; (ii) who attended the meeting and in what capacity; (iii) who instigated the meeting; (iv) where did the meeting take place; (v) what was the agenda; and (v) to provide the minutes of this meeting.

**(AQW 29799/11-15)**

**Mr Durkan:** Following a request from the constituency office of Chris Lyttle MLA, a meeting was arranged between two representatives of Wired or Less and officials from my Department. The meeting took place on 8 November 2013 at the Wired or Less business premises in Connswater, East Belfast. Chris Lyttle MLA, Anna Lo MLA (who advised the meeting that she was not acting in her capacity as Chair of the Environment Committee) and representatives of Wired or Less were present, along with Iain Greenway, Alex Boyle and Michael O'Neill of the Road Safety & Vehicle Regulation Division of my Department.

There was no formal agenda for the meeting, and no minutes were taken. The discussion at the meeting revolved around a demonstration by Wired or Less of potential risks arising from non-professional installation of taximeters and other electrical appliances in cars, a demonstration of the background systems supporting taximeters, and confirmation of the timescales and target dates for the implementation of the relevant Regulations that had been discussed with the Committee.

## North/South Ministerial Council: Air Quality Study

**Mr McElduff** asked the Minister of the Environment for an update on the joint study commissioned by the North South Ministerial Council into improving air quality on an all-island basis.

**(AQW 30167/11-15)**

**Mr Durkan:** The procurement exercise invited interested parties to submit tenders for the project by November 2013. The evaluation of the tenders was undertaken by a panel consisting of officials from both DOE and DECLG and was completed in January 2014, when the successful bidder was selected. The project is expected to commence at the end of February / beginning of March 2014, and will run for six months. It is anticipated that a final report will be published in September 2014.

## Driving Licences

**Mr Weir** asked the Minister of the Environment how many people have a full driving licence.

**(AQW 30171/11-15)**

**Mr Durkan:** As at 27th January 2014, 1,066,555<sup>1</sup> people held a full current driving licence<sup>2</sup>.

## Driving Licences: Applications and Renewals

**Mr Weir** asked the Minister of the Environment how many driving licence (i) applications; and (ii) renewals have been processed in each of the last ten years.

**(AQW 30173/11-15)**

**Mr Durkan:** As at 27th January 2014, 1,066,555<sup>1</sup> people held a full current driving licence<sup>2</sup>.

## Dunluce Castle: Visitors

**Mr Swann** asked the Minister of the Environment how many people visited Dunluce Castle in each of the last five years.

**(AQW 30207/11-15)**

**Mr Durkan:** The paying visitor numbers to Dunluce Castle in each of the last five years are as follows:

Year	Visitor numbers
2009	80,890
2010	76,636
2011	59,388
2012	48,105
2013	44,317

## Dunluce Castle: Revenue and Operating Costs

**Mr Swann** asked the Minister of the Environment to detail the (i) revenue; and (ii) operating costs for Dunluce Castle in each of the last five years.

**(AQW 30208/11-15)**

**Mr Durkan:** The revenue and operating costs for Dunluce Castle in each of the last five full financial years are detailed in Table 1 and 2. As the current financial year for 2013/14 is still ongoing reports for revenue and operating costs for 2013/14 cannot be provided at this stage.

**Table 1: Revenue**

Financial year	Revenue (admissions)	Revenue (shop sales)	Total Revenue
2008/09	£90,662	£22,698	£113,360
2009/10	£106,453.00	£10,603	£117,056
2010/11	£97,454.00	£2,660	£100,114
2011/12	£138,970.00	£2,950	£141,920
2012/13	£146,850.00	£3,414	£150,264
<b>Totals</b>	<b>£580,389</b>	<b>£42,325</b>	<b>£622,714</b>

1 Please note these figures are not part of official statistics and have not been subject to data validation.

2 This figure includes those with a full licence, a full licence with restrictions (e.g. may only drive an automatic vehicle) and those who have passed their full test but have not yet upgraded their provisional licence (these drivers are entitled to drive as if they held a full licence pending upgrade of their licence).

**Table 2: Operating costs**

Financial year	Managing visitor access & Grounds maintenance / overheads.	Conservation of Monument	Total Operating costs
2008/09	£209,672	£40,384.64	£250,056.64
2009/10	£211,769	£18,601.24	£230,370.24
2010/11	£213,887	£4,702.84	£218,589.84
2011/12	£218,165	£22,357.36	£240,522.36
2012/13	£221,438	£417.88	£221,855.88
<b>Total</b>	<b>£1,074,931</b>	<b>£86,463.96</b>	<b>£1,161,394.96</b>

### Dunluce Castle: Entry Fees

**Mr Swann** asked the Minister of the Environment to list the entry fees to Dunluce Castle in each of the last five years. (AQW 30209/11-15)

**Mr Durkan:** The entry fees to Dunluce Castle in each of the last five years are as follows:

Financial year	Adult	Child	Family (2 adults & 2 children)	Group > 10 people
2009/10	£2	£1	n/a	£1
2010/11	£2	£1	n/a	£1
2011/12	£4	£2	£10	£2
2012/13	£5	£3	£13	£3
2013/14	£5	£3	£13	£3

### Planning: Neighbouring Trees and Buildings

**Mr Kinahan** asked the Minister of the Environment what action he take to ensure that planning development applications take into account the safety of neighbouring trees and buildings. (AQW 30211/11-15)

**Mr Durkan:** The impact proposed development has on its surroundings is a relevant material consideration in assessing planning applications. Accordingly, when considering an application for planning permission a site inspection is undertaken and an assessment made on the impact the proposed development will have on its surroundings.

If the proposed development will have a detrimental impact on adjacent properties or vegetation, amendments may be requested to mitigate any harmful or undesirable impacts. If satisfactory amendments are not submitted for consideration, the Department can ultimately refuse planning permission.

Furthermore, if proposed development threatens trees, the Department may consider serving a Tree Preservation Order (TPO) to provide the trees with a level of protection. It is a criminal offence to damage trees covered by TPO.

### Desmonds Site: Drumahoe, Londonderry

**Mr Campbell** asked the Minister of the Environment, in relation to the former Desmonds site at Drumahoe, Londonderry, what progress has been made between the Planning Service and the developer on the submission of a planning application for the site which is capable of approval. (AQW 30217/11-15)

**Mr Durkan:** On the 23 January 2014 a "reserved matters" planning application (Planning Reference A/2014/0035/RM) was submitted to the Department for a residential housing development comprising a mix of detached and semi detached units (179 in total) with associated landscaping and vehicular access at Drumahoe Industrial Estate, Drumahoe Road, Londonderry.

The application seeks detailed planning approval for the proposed development which was given outline planning permission by the Planning Appeals Commission on the 1 February 2011. The Department will determine the application as soon as possible following due process.

In relation to the proposal for a major mixed use regeneration development on the same site, a hearing has been scheduled with the Planning Appeals Commission for the 25 March 2014, following the former Minister's decision to refuse the application on the 23 January 2013.

## Belfast Metropolitan Area Plan: Delay

**Mr Weir** asked the Minister of the Environment to outline the reasons for the delay in the publication of the Belfast Metropolitan Area Plan.

**(AQW 30219/11-15)**

**Mr Durkan:** As stated in my response to AQW 28362, the adoption and publication of a development plan can take place when all necessary statutory and procedural requirements have been completed.

My Department has confirmed that these requirements have been satisfied and, subject to the agreement of Ministerial colleagues, I will instruct my Department, by order under Article 8 (1) of the Planning (NI) Order 1991, to adopt and make operational the Plan.

## Waste Dumping

**Mr Agnew** asked the Minister of the Environment what action was taken at the site of planning approval A/1980/0782 against the dumping of controlled waste, including large quantities of plaster board containing gypsum, following the dumping being reported to his Department in 2012.

**(AQW 30252/11-15)**

**Mr Durkan:** DOE Planning - Strategic Planning Division received a complaint on 11 June 2012 regarding extensive land filling of builder's rubble at Brolly's Potato Processing Plant on the Glenshane Road, Derry.

A site inspection and subsequent investigations identified planning approval for the activities of waste disposal. NIEA (LRM) advised that the landfill was closed and it was licensed to accept appropriate restoration material to provide a final cap.

The enforcement case was closed on 23rd July 2013.

NIEA is presently investigating allegations of illegal dumping in this area and cannot comment further at this stage as the investigation is ongoing.

## Mineral Extraction

**Mr Agnew** asked Minister of the Environment, pursuant to AQW 29402/11-15 whether a mineral extraction permission which is currently extracting minerals falls within the definition of an extant permission.

**(AQW 30254/11-15)**

**Mr Durkan:** Yes, subject to operating within the terms of the permission including any time limits, if any, imposed on the original permission or other conditions. Much will depend on the factors involved in the particular case.

## Wind Farms: PPS 18

**Mr McGlone** asked the Minister of the Environment whether PPS 18 takes account of the attractions of the tourist economy in the evaluation of applications for wind farms.

**(AQW 30256/11-15)**

**Mr Durkan:** I can advise that PPS 18 'Renewable Energy' and policy RE 1 provides that development that generates energy from renewable resources will be permitted provided the proposal will not result in an unacceptable adverse impact on a number of matters in the public interest, including landscape character. The associated Best Practice Guidance (BPG) further elaborates on the need to ensure that there is no negative impact on tourism potential. Existing policy and the BPG, which is a material consideration in the determination of planning applications for wind energy development, therefore addresses the issue of wind farms and the tourist economy.

The BPG acknowledges that recreation and tourism are a significant element of the local economy. It advises that wind energy developments are not necessarily incompatible with tourism and leisure interests, but acknowledges that care does need to be taken to ensure that insensitively sited wind energy developments do not impact negatively on tourism potential.

The BPG advises, that for wind farms, the judgment of acceptability based on landscape protection should provide adequate protection for tourism interests. The threshold of landscape protection is generally more sensitive to wind farm development than tourism, therefore if it is deemed to be acceptable within the landscape at the planning stage, there should be no unreasonable impacts on tourism interests.

The BPG also identifies the Northern Ireland Tourist Board as a key consultee in the assessment of proposals for wind energy development. The comments of the NITB in relation to wind energy development will be fully considered through the development management process before a decision is reached.

My Department has recently published a draft single Strategic Planning Policy Statement (SPPS) for a period of public consultation ending on 29 April. The SPPS consolidates, and where necessary updates the existing suite of Planning Policy Statements, including PPS18. I have instructed officials to use the opportunity of the consultation on the SPPS to listen to and take into account the views of the public and key stakeholders on planning policy for renewable energy.

### Councillor Severance Scheme: MLAs

**Mr Dallat** asked the Minister of the Environment (i) how many MLAs qualified for lump sums arising out of their resignation from local councils; (ii) the total amount paid out by councils; and (iii) to list the name of each MLA and the amount they received.

**(AQW 30258/11-15)**

**Mr Durkan:** The Councillors' Severance Scheme was launched on 1 August 2013. Applications for severance are made directly to the councils by those councillors eligible and the payments made by the councils are then reimbursed by my Department. To be eligible, a councillor must have served a minimum of 12 years, excluding any periods when also serving as an MLA, MP or MEP.

- (i) As at 29 January 2014, my Department has made reimbursement payments to councils relating to 4 councillors who also served as MLAs;
- (ii) as at 29 January 2014, the total reimbursement payments made by my Department to councils amount to £148,000. Of that sum, £74,800 was reimbursed in relation to councillors who also served as MLAs;
- (iii) information on all payments made to individual councillors is held by the relevant councils. Disclosure of this information by councils would be subject to the Data Protection Act and other considerations.

### Planning Application C/2011/0311/F

**Mr Campbell** asked the Minister of the Environment when he will respond to Coleraine Borough Council's referral of Planning Application C/2011/0311/F.

**(AQW 30259/11-15)**

**Mr Durkan:** I will respond to Coleraine Borough Council's referral of planning application C/2011/0311/F for a housing development at lands adjacent to Strandview Avenue and Strandview Drive, Portstewart after we have met on site as agreed and when I have had the opportunity to consider the relevant issues.

### Rathlin Island: Birdwatchers

**Mr Weir** asked the Minister of the Environment, in relation to the refurbishment of the lighthouse facilities on Rathlin Island, what measures will be put in place for bird watchers whose activities will be disrupted by the refurbishment works.

**(AQW 30294/11-15)**

**Mr Durkan:** The Northern Ireland Environment Agency (NIEA) of my Department has met with representatives of the Rathlin Development Community Association (RDCA), the Commissioners of Irish Lights (CIL), the Royal Society for the Protection of Birds (RSPB) and Department of Regional Development (DRD) to consider alternative experiences for visitors to the Island while the RSPB Seabird Centre is closed. Several actions were agreed. NIEA itself will liaise with RDCA and other stakeholders to consider how facilities on Kebble and Kinramer Nature Reserve can be managed to provide a nature experience for visitors. Others may also lay on both guided and self-guided walks.

NIEA has worked with RDCA to develop a Local Biodiversity Action Plan and has established two way marked routes advertised on WalkNI. However DOE must ensure that any new use of this European site is compatible with its carrying capacity and that its designation features are not damaged.

NIEA recognises that the RSPB bird watching experience at the West Light is unique and very popular with bird watchers. However, whilst intrepid visitors may be prepared to walk across fields and unsurfaced paths to get alternative views of sea birds on other sea stacks, there is no infrastructure to provide shelter and toilets which are an essential visitor requirement and only stock fencing along the cliff top. NIEA has to consider the Health and Safety implications of bringing substantial numbers of visitors to a remote wilderness. Consequently my Department cannot safely provide an alternative to the Seabird Centre during 2014 and agrees with other stakeholders that the temporary closure of the Centre needs to be well publicised so that tourists do not arrive with the expectation of a "Seabird Centre experience". Instead all stakeholders will publicise opportunities to enjoy the scenery, other wildlife and heritage of Rathlin Island.

### Taxis: Ravenhill Rugby Ground

**Lord Morrow** asked the Minister of the Environment, pursuant to AQW 29847/11-15, to detail any instances when Taxi Operator Licences, including temporary licences, were granted to a specific taxi company for an Operator Centre at Ravenhill Rugby Ground, Mount Merrion Avenue, Belfast, including the relevant dates.

**(AQW 30315/11-15)**

**Mr Durkan:** A Taxi Operator Licence was issued on 19 June 2013 to Fonacab, which listed Ravenhill rugby ground as an operating centre. Subsequently, on 1 October 2013, Ravenhill rugby ground was removed from this operator's licence.

## Taxis: Marshals

**Lord Morrow** asked the Minister of the Environment what the difference is between (a) private hire operators using marshals to obtain fares and (b) touting, as defined by current legislation.

**(AQW 30382/11-15)**

**Mr Durkan:** The Public Service Vehicles (Northern Ireland) Regulations 1985 prohibits a person employed as driver of a vehicle from touting, calling out or importuning any person to be carried for hire in the vehicle.

Departmental guidance, based on legal advice, and issued to major taxi operators in respect of taxi provision at Ravenhill rugby ground indicated that the use of marshals does not fall within the above prohibition providing certain conditions are fulfilled. These are:

- An explicit engagement must be made between a third party and the operator to provide specified numbers of taxis at a particular time and place;
- Appropriate records must be kept as required by the Taxi Operator Licensing Regulations (Northern Ireland) 2012;
- The marshal should not be listed as an affiliated driver on that operator's Operating Licence; and
- Prospective taxi users should be made aware that they are free to use other means of transport.

I am aware that there has recently been some confusion around this issue, however, the proposed implementation of new taxi vehicle regulations in September 2014 will help bring clarity to this situation.

## Waste: Mobuoy Road, Londonderry

**Mr Campbell** asked the Minister of the Environment to detail (i) whether there has been an estimate made of the total cost of the clean up associated with the site at Mobuoy Road in Campsie, Londonderry; (ii) who will pay for the clean up; and (iii) how long it will take to complete.

**(AQW 30406/11-15)**

**Mr Durkan:**

- The Northern Ireland Environment Agency (NIEA) is taking a phased approach in dealing with the waste issues on the Mobuoy Road site. In the past 7 months, works at the Campsie site have focussed on removing high risk waste materials on the licenced Materials Recovery Facility (MRF) site in addition to the NIEA undertaking environmental monitoring of the water quality in and around the site. Costs incurred to date by the Department of the Environment are in the region of £800K.
- NIEA is engaging top-class experts to advise on longer term clean-up options at the Campsie site, including cost estimates. Clean-up decisions will be based on this expert advice which will include detailed estimates of the likely costs and timescale.
- We will pursue the polluters vigorously to recover all clean up costs. If we are not wholly successful at that stage I will consider further options.

## Roe Valley Country Park: Pathway Closures

**Mr G Robinson** asked the Minister of the Environment to detail the reasons for the closure of the public pathways in Roe Valley Country Park; and whether there are plans to reopen them.

**(AQW 30415/11-15)**

**Mr Durkan:** Officials in the Northern Ireland Environment Agency (NIEA) have advised me that two pathways have recently been closed to public access in Roe Valley Country Park due to safety concerns.

A one-mile section of pathway leading from the disabled angling jetty to the Scutch Mill at Carrick Mills was closed to public access on 13 December 2013 as a precautionary measure due to the deteriorating condition of an old farm building next to the path which has a structural crack in its gable wall.

NIEA officials subsequently sought professional advice from a structural engineer to determine if the pathway should remain closed. The survey identified loose brick work on the gable wall above a window which will require urgent remedial works before the pathway can be re-opened to the public. Given that the building is not in the ownership of the Department further discussions will be required with the owner of the building to allow for these works to be completed. To help to minimise the impact upon users of the pathway, signage which advises of alternative routes and how to access them has been erected.

The second closed pathway is a ¼ mile stretch between Carrick Mills Bridge and Carrick Flats. This section was closed to public access on 20 January 2014 as a safety precaution during civil engineering works associated with Phase 2 of Roe Valley Country Park Hydro Electric Power scheme. It is anticipated that this section of pathway will be closed for approximately one month. Signage has been erected advising of the need for the temporary closure and the estimated time scale for the closure. As this project progresses there may be a requirement in future to temporarily close sections of pathways within the Country Park to facilitate further works associated with this project.

It is unfortunate that these two heavily used and popular walking routes have had to be closed to public access temporarily but I can assure you that NIEA is committed to ensuring these temporary closures are kept to a minimum whilst ensuring the safety of visitors to DOE properties.

## Taxis: Marshals

**Lord Morrow** asked the Minister of the Environment, pursuant to AQW 29850/11-15, for his assessment of this method of booking a taxi, including the difference between marshalling and touting.

**(AQW 30418/11-15)**

**Mr Durkan:** The Department sought legal clarification and advice in respect of the provision of private hire taxi services at Ravenhill rugby ground, including the use of taxi marshals. Departmental guidance, based on legal advice, was issued on 21 October 2013 to major taxi operators and concluded that the method of booking a taxi and the use of taxi marshals at Ravenhill rugby ground satisfied current legislative provisions providing that certain conditions are met. These are:

- An explicit engagement must be made between a third party and the operator to provide specified numbers of taxis at a particular time and place;
- The marshal should not be listed as an affiliated driver on that operator's Operating Licence;
- Prospective taxi users should be made aware that they are free to use other means of transport; and
- Appropriate records must be kept as required by the Taxi Operator Licensing Regulations (Northern Ireland) 2012.

I am therefore satisfied with these arrangements and do not consider the use of taxi marshals in these circumstances constitutes touting under the current PSV Regulations which prohibits a person employed as driver of a vehicle from touting, calling out or importuning any person to be carried for hire in the vehicle.

## Waste Water: Naturally Occurring Radioactive Materials

**Mr Agnew** asked the Minister of the Environment to detail the number of locations which are permitted to dispose of naturally occurring radioactive materials (NORM) waste water.

**(AQW 30444/11-15)**

**Mr Durkan:** There are no premises within Northern Ireland that are authorised under the Radioactive Substances Act 1993 to accumulate and/or dispose of waste water containing NORM.

Prior to granting such an authorisation the waste producer would have to demonstrate to the satisfaction of the NIEA that the disposal routes proposed would not have any adverse impact on the environment and that any potential exposure of the general public was well below dose constraints set out in UK legislation. To-date no applications have been made to NIEA for the disposal of waste water containing NORM.

## River Faughan: Hydroelectric Scheme Applications

**Mr Agnew** asked the Minister of the Environment (i) whether the specialist advice sought by his Department on issues raised by River Faughan Anglers (RFA) on hydroelectric applications, and referred to by the Head of Planning in her letter to the Ombudsman on 7 September 2012, has been received; (ii) if so, when it was received; (iii) what was the nature of the advice sought; (iv) what advice was received; and (v) when the advice will be provided to RFA.

**(AQW 30445/11-15)**

**Mr Durkan:** Following receipt of the representation by the River Faughan Anglers Ltd to planning application A/2011/0246/F, NIEA-Natural Heritage, DCAL Inland Fisheries, Loughs Agency, Roads Service and NIEA Water Management Unit were all consulted. To date all of the bodies with the exception of DCAL have responded.

While each response is available on the Public Portal, as indicated in my response to your previous Assembly Question, AQW 30003/11-15, I have instructed my officials to provide the River Faughan Anglers Ltd with a detailed response to their letter by the 14th February 2014.

## Wildlife and Heritage Management

**Mr McKay** asked the Minister of the Environment, following his recent announcement on Tullyhogue in Co Tyrone, what assurances he can give that the land passed from the Department of Agriculture and Rural Development to the Environment Agency's Environment Service will be managed for their wildlife and heritage value.

**(AQW 30523/11-15)**

**Mr Durkan:** The Department of Environment has been working in partnership with Cookstown District Council on a project to improve the visitor facilities at Tullaghoge Fort. We are developing plans, to be submitted to Planning Service for a new, safer, vehicular access, new car park, toilets, access paths to the site and interpretation areas.

The Department is carefully considering all aspects of the proposed redevelopment works to ensure minimal impact upon the historic and natural environment at Tullaghoge Fort, while complying with current departmental policy and maximising the potential for this important historic monument and the land directly around it.

On completion of the site works a management plan will be drawn up that will focus on all aspects of this site, from maintenance of the car park, toilets and access, to conservation of the fort itself and use of land around it. This will ensure the long term preservation of the site and ensure good management practise will implemented

I have been assured by my officials in the Northern Ireland Environment Agency (NIEA) that the land transferred from the Department of Agriculture and Rural Development (DARD) to my Department at Tullahogue will be managed for its wildlife value as well as its archaeological and cultural heritage. In taking forward the management of the site, careful consideration will be given towards the management of the grassland, woodland and riverine habitats which occur there. Officials in NIEA have built up a wealth of experience which will benefit the management of this site for wildlife through their management of Country Parks, Nature Reserves and State Care Monuments over many years. I have also been assured that if, in the future, any parts of the site such as the woodland, were transferred, for example, to the local council to manage, NIEA officials would provide management advice to ensure its continued management for all its conservation interests.

### Rural Community Transport: Licensing

**Mr Rogers** asked the Minister of the Environment what steps are being taken to ensure the provision of Rural Community Transport is not negatively impacted should the proposals for all Partnerships to have a commercial operators licence proceed. (AQW 30548/11-15)

**Mr Durkan:** My Department is developing proposals to introduce a new bus operator licensing regime which will deliver a safe, fair and fit for purpose licensing regime which complies with EU law. In bringing forward the proposals I am mindful of the need to support a thriving community transport sector to the benefit of the whole of Northern Ireland, and this is one of the key objectives which a new regime will be designed to meet. My Department is therefore committed to ensuring that community transport providers will be accommodated within any new licensing regime in such a way that they can continue to deliver transport of benefit to the community.

Since the review of bus operator licensing began in 2008 my Department has undertaken significant stakeholder engagement, including with the Rural and Community Transport Partnerships and the Community Transport Association with a view to understanding the roles and activities undertaken by the Partnerships.

The Department for Regional Development has primary responsibility for ensuring the provision of rural and community transport. In developing proposals for a new licensing regime, my officials continue to work closely with DRD officials to ensure that our policy proposals do not impact on the funding of the Partnerships to deliver rural and community transport.

Policy development is still ongoing, as is engagement with key stakeholders, and no final decisions have been made. Once I am content that proposals meet the objectives I have set out above my Department will consult widely and will welcome views of everyone involved in or availing of community transport.

### Alcohol: Consumption on Public Service Vehicles

**Mr Elliott** asked the Minister of the Environment, in light of the events at the Odyssey Arena on 6 February 2014, for his assessment of the effectiveness of the current laws governing alcohol consumption on public service vehicles. (AQW 30752/11-15)

**Mr Durkan:** Current law states that it is an offence for a passenger to consume alcohol on a public service vehicle. This is contained in the Public Service Vehicle Regulations 1985. The Justice Act 2011 makes it an offence to carry alcohol onto certain vehicles en route to regulated sports matches.

PSNI has advised that the PSV Regulations offence is very difficult to enforce, as they need to collect evidence that particular individuals consume alcohol whilst on board the vehicle. My officials have therefore considered options to address this.

A question on this issue was asked in my Department's consultation on Bus Operator Licensing in 2010. The results were inconclusive – around half the responses were in favour of a ban on carrying alcohol on public service vehicles, and around half were against. The matter was therefore discussed further in the Northern Ireland Bus Forum set up by my Department and, after extensive discussion with stakeholders and some qualitative research, my Department issued a focussed consultation on the issue in July last year.

The options in the paper were, after discussion with other Departments, restricted to those within the vires of my Department, but the option was also given for respondents to make other suggestions as to the way forward. The options on the consultation were therefore:

- Do nothing;
- Introduce a restriction on the bus operator's licence prohibiting them from carrying alcohol on their vehicles;
- Create a road traffic offence for operators of carrying alcohol on a public service vehicle.

Responses to the consultation were mixed, and genuine difficulties were raised with each of the options. Operators highlighted the difficulties their drivers can have in stopping passengers from bringing alcohol on board and consuming it. I recognise that this has also become the expectation of many passengers using buses to travel to venues.

A number of respondents commented that the only effective solution would be a total ban on the carriage of alcohol on public service vehicles. The creation of such an offence would be a matter for the Department of Justice and I discussed it with Minister Ford in November last year. Respondents highlighted the need to be proportionate in taking such an approach, for instance exempting people buying groceries including some alcohol and taking it home on a Metrobus service.

Other respondents called for a repeal of the current ban on consumption, commenting that passengers can consume alcohol on the Enterprise, on ferries and on planes.

As a result of the responses to the consultation, I agreed a four pronged approach at this stage. The actions were:

- To commission communication activities to highlight that it is illegal to drink on buses, and the road and passenger safety risks involved in this practice. This work will be proportionate to the road safety risks involved; we have discussed it with our advertising agents who will take forward the work;
- To introduce a new licensing condition for operators requiring them to highlight to hirers that they cannot consume alcohol and to take all reasonable steps to prevent this. This provision is currently being finalised and reviewed before being implemented;
- To engage with the Department of Justice to ask that they consider the extension of the current ban on alcohol carriage to the whole bus sector in NI. As I indicated, I have discussed this with Minister Ford; and
- To continue to engage with DHSSPS who are responsible for the New Strategic Direction for Alcohol and Drugs, as problems with alcohol consumption on buses form one facet of the wider societal problems with alcohol in NI.

All of these actions are being taken forward and reflect the extent to which my Department can act in this area. A ban on carrying or consuming alcohol is a very black and white matter, and whereas I believe many members wish to see excessive drinking on buses outlawed, I suspect many would want to allow a passenger to carry a bottle of wine home from the supermarket on a Metrobus, or a bride and groom able to drink a glass of champagne in a wedding car. I sense that it is the public order issues which concern members, and these are in my opinion best addressed through public order legislation and not road traffic legislation.

Ultimately, of course, responsibility for appropriate consumption of alcohol rests with individuals – or in the case of minors, with their parents; we cannot expect bus operators or anyone else to shoulder this personal responsibility.

## Department of Finance and Personnel

### Business Start-ups: Ratio of Success to Failure

**Mr Allister** asked the Minister of Finance and Personnel to detail the ratio of success to failure of new business start ups, in the last five years.

(AQW 29807/11-15)

**Mr Hamilton (The Minister of Finance and Personnel):** The ratios of success to failure of new business start-ups in the calendar years 2007 to 2011 are shown in Table 1 overleaf. The latest available estimates are for business start-ups occurring in 2011.

**Table 1: ratios of success to failure of new business start-ups in the calendar years 2007 to 2011**

Year of Start-up	Ratio of success to failure <sup>1</sup> after:				
	1 Year	2 Years	3 Years	4 Years	5 Years
2007	17.6	3.4	1.7	1.1	0.8
2008	4.4	1.7	1.0	0.7	..
2009	5.9	2.0	1.2	..	..
2010	6.7	2.6	..	..	..
2011	9.1	..	..	..	..

**Source:** Office for National Statistics Business Demography, 2012

**Notes:**

1. The ratio of success to failure after a given number of years is equal to the number of businesses that remained successful divided by the number of businesses that did not.
2. A business is defined as successful after a given number of years if it has turnover or employment activity in each of these years and as a failure if it doesn't.
3. The table above includes all new business start-ups headquartered in Northern Ireland which are VAT and/or PAYE registered but excludes agriculture and public sector organisations.

### Equal Pay: PSNI/DOJ/NIO

**Mr Hussey** asked the Minister of Finance and Personnel when he will be in a position to make a final decision as to whether or not PSNI and Northern Ireland Office Staff will receive an equal pay settlement.

(AQW 29868/11-15)

**Mr Hamilton:** It was clearly established in court that there is no legal equal pay liability within the PSNI or the NIO. Nevertheless I am mindful of the strength of feeling on this issue and am continuing to explore ways in which the moral

argument could be recognised in some way. I have spoken to the Minister of Justice and am consulting with officials to investigate if there are any possible solutions to the issue that could be considered by the Northern Ireland Executive.

### **Equal Pay: PSNI/DOJ/NIO**

**Mr Hussey** asked the Minister of Finance and Personnel to detail (i) the anticipated cost of an PSNI and Northern Ireland Office equal pay settlement; and (ii) if any award is given, will it be on par with the settlement previously made to other Northern Ireland Civil Service claimants.

**(AQW 29870/11-15)**

**Mr Hamilton:** As I have stated previously, staff in the PSNI and in the NIO have no legal entitlement to an equal pay settlement and I am not prepared to comment on the potential terms of a hypothetical settlement. Nevertheless I am mindful of the strength of feeling on this issue and am continuing to explore ways in which the moral argument could be recognised in some way. I have spoken to the Minister of Justice and am consulting with officials to investigate if there are any possible solutions to the issue that could be considered by the Northern Ireland Executive.

### **Equal Pay: PSNI/DOJ/NIO**

**Mr Dickson** asked the Minister of Finance and Personnel when a final decision on the Northern Ireland Civil Service equal pay settlement will be made.

**(AQW 29913/11-15)**

**Mr Hamilton:** It was clearly established in court that there is no legal equal pay liability within the PSNI or the NIO. Nevertheless I am mindful of the strength of feeling on this issue and am continuing to explore ways in which the moral argument could be recognised in some way. I have spoken to the Minister of Justice and am consulting with officials to investigate if there are any possible solutions to the issue that could be considered by the Northern Ireland Executive.

### **Equal Pay: PSNI/DOJ/NIO**

**Mr Elliott** asked the Minister of Finance and Personnel for an update on the equal pay settlement for PSNI and Department of Justice staff.

**(AQW 29947/11-15)**

**Mr Hamilton:** It was clearly established in court that there is no legal equal pay liability within the PSNI or the NIO. Nevertheless I am mindful of the strength of feeling on this issue and am continuing to explore ways in which the moral argument could be recognised in some way. I have spoken to the Minister of Justice and am consulting with officials to investigate if there are any possible solutions to the issue that could be considered by the Northern Ireland Executive.

### **Equal Pay: PSNI/DOJ/NIO**

**Mr McKay** asked the Minister of Finance and Personnel to detail the action he has taken in regard to the equal pay settlement since his comments on the matter in September 2013.

**(AQW 30075/11-15)**

**Mr Hamilton:** It was clearly established in court that there is no legal equal pay liability within the PSNI or the NIO. Nevertheless I am mindful of the strength of feeling on this issue and am continuing to explore ways in which the moral argument could be recognised in some way. I have spoken to the Minister of Justice and am consulting with officials to investigate if there are any possible solutions to the issue that could be considered by the Northern Ireland Executive.

### **Land and Property Services: Advance Payments**

**Mrs Dobson** asked the Minister of Finance and Personnel to outline why Land and Property Services are unable to accept advance payments and whether they will consider putting in place a facility to do so.

**(AQW 30144/11-15)**

**Mr Hamilton:** Currently there is no mechanism in place for LPS to accept a payment from ratepayers in advance. There are two main reasons for this:

Firstly, any payment received in advance of a new rating year would be credited to the year in which the payment is received as no assessment would have been created for the following year, which would in effect create an overpayment on the account.

Secondly, legislation (Article 32 (1) of the Rates NI Order 1977) does not allow LPS to request or allocate a payment to any unbilled assessment. As the advance payment would relate to an uncalculated assessment (as the rate poundages for the following year would yet not be struck) it would require an amendment to existing legislation to allow LPS to process and allocate an advance payment.

## Equal Pay: PSNI/DOJ/NIO

**Mr Agnew** asked the Minister of Finance and Personnel to outline when a decision will be made on the PSNI and Northern Ireland Office equal pay issue.

**(AQW 30159/11-15)**

**Mr Hamilton:** It was clearly established in court that there is no legal equal pay liability within the PSNI or the NIO. Nevertheless I am mindful of the strength of feeling on this issue and am continuing to explore ways in which the moral argument could be recognised in some way. I have spoken to the Minister of Justice and am consulting with officials to investigate if there are any possible solutions to the issue that could be considered by the Northern Ireland Executive.

## Disabled Persons Allowance

**Mrs Dobson** asked the Minister of Finance and Personnel to detail how many people were in receipt of the Disabled Persons Allowance rates rebate, broken down by month, for the last three years.

**(AQW 30200/11-15)**

**Mr Hamilton:** The table overleaf shows the number of properties which benefited from the Disabled Persons Allowance at month-end from September 2011 to December 2013.

### Number of Properties benefitting from Disabled Persons Allowance

Month Ending:	Number of Properties
September 2011	11,118
October 2011	11,141
November 2011	11,110
December 2011	11,112
January 2012	11,093
February 2012	11,061
March 2012	11,105
April 2012	11,043
May 2012	11,148
June 2012	11,156
July 2012	11,161
August 2012	11,147
September 2012	11,118
October 2012	11,127
November 2012	11,139
December 2012	11,145
January 2013	11,131
February 2013	11,119
March 2013	11,105
April 2013	11,148
May 2013	11,190
June 2013	11,198
July 2013	11,196
August 2013	11,177
September 2013	11,126
October 2013	11,117
November 2013	11,115
December 2013	11,089

## VAT and PAYE Registered Businesses

**Mr Swann** asked the Minister of Finance and Personnel to detail the latest statistics for the number of VAT and/or PAYE registered operational businesses, broken down by number of employees.

**(AQW 30231/11-15)**

**Mr Hamilton:** The number of VAT and/or PAYE registered businesses operating in Northern Ireland, broken down by number of employees, is provided in Table 1 overleaf.

These figures have been sourced from the Inter-Departmental Business Register (IDBR).

**Table 1: Number of VAT and/or PAYE registered businesses operating in Northern Ireland, broken down by number of employees**

Employee size band	Number of businesses
0*	22,330
1-9	37,870
10-19	3,765
20-49	2,140
50-99	780
100-199	375
200-249	85
250+	300
<b>Total</b>	<b>67,645</b>

**Source:** Inter-Departmental Business Register, January 2014

**Notes:** \*The size band includes sole proprietors and partnerships, holding companies and those companies that are not yet trading, for example, if a factory is under construction.

Figures have been rounded to the nearest 5 and thus may not add to totals.

## Land Registry: Review

**Mrs Dobson** asked the Minister of Finance and Personnel, pursuant to AQW 29574/11-15, to detail the plans he has to update the Land Registry system to make property sales values available to the public.

**(AQW 30324/11-15)**

**Mr Hamilton:** Property sales values are currently available to individuals who pay a fee to search against individual properties registered in the Land Register.

Although property prices are contained on the Land Register, the current legislation does not require information to be provided to indicate whether the property concerned is domestic, non-domestic, agricultural, housing, commercial premises, or land only.

A review of the Land Registry Legislation is due to commence in 2014 and one of the issues which will be raised during the consultation process is whether more detailed information should be requested in relation to property sales and whether this information can then be made more widely available. Should any legislative changes be required, the Land Registry Landweb System will be updated to ensure that additional data fields are incorporated into the Registration process and further information recorded.

## Rate Relief: Waiting Time

**Mr McGlone** asked the Minister of Finance and Personnel, pursuant to AQW 29660/11-15, what measures his Department has put in place to reduce the number of people currently waiting over four months for their application for Rates Relief to be processed.

**(AQW 30354/11-15)**

**Mr Hamilton:** LPS Housing Benefit Central Unit (HBCU) has been actively targeting claims older than four months and all have been reviewed by an assessor, resulting in the completion of the assessment or the request for further information for which LPS is currently awaiting a reply.

Therefore, currently all claims older than four months are in progress.

### Bonus Payments: Public Service Employees

**Mr Allister** asked the Minister of Finance and Personnel to detail any bonus payments that have been awarded to public service employees in the past year.

**(AQW 30355/11-15)**

**Mr Hamilton:** Information on bonus payments to all public sector employees is not held centrally by my department.

### Shower Facilities: Civil Service Buildings

**Mr McKay** asked the Minister of Finance and Personnel, pursuant to AQW 27675/11-15, when shower facilities will be provided in each of the two buildings.

**(AQW 30375/11-15)**

**Mr Hamilton:** The answer to AQW 27675/11-15 stated that provision of additional shower facilities is planned in a further 2 buildings. This is a matter for the department with premises officer responsibility for the building. My Department does not have premises officer responsibility for either of these buildings.

### Welfare Reform: Penalties

**Mr Weir** asked the Minister of Finance and Personnel for his assessment of the potential level of Welfare Reform penalties during 2014.

**(AQW 30393/11-15)**

**Mr Hamilton:** In January Monitoring the Executive had to set aside £15 million to meet the cost of welfare reform penalties covering the final three months of this financial year. The penalty will increase significantly next year and is now forecast to be £105 million in 2014-15.

I do not believe that this penalty can be funded through reduced requirements declared in the monitoring rounds next year. Addressing this £105 million pressure will therefore require cuts to departmental Resource DEL baselines of around 1%. To give some perspective to what the £105 million cut will actually mean for public services, this quantum represents the annual costs of employing some 2,500 nurses or 2,100 teachers.

Absorbing this significant pressure next year when our public services are under increasing financial pressure is simply unjustifiable and a great disservice to the people of Northern Ireland. It is now critical that the Welfare Reform Bill is progressed to avoid spending cuts that will severely damage our public services.

### Rates: North Down

**Mr Weir** asked the Minister of Finance and Personnel to detail the rates collected in North Down, in each of the last five years, broken down by ward.

**(AQW 30437/11-15)**

**Mr Hamilton:** The attached table provides information on the rates collected in each ward in the North Down Borough Council area in each of the last four years for which information is available.

Ward Name	Receipts 2012/13	Receipts 2011/12	Receipts 2010/11	Receipts 2009/10
Ballycrochan	£1,849,426	£1,778,283	£1,753,395	£1,741,001
Ballyholme	£1,551,792	£1,505,144	£1,465,659	£1,407,834
Ballymacconnell	£1,043,280	£1,084,506	£971,624	£962,951
Ballymagee	£1,418,848	£1,376,034	£1,326,736	£1,398,877
Bangor Castle	£3,096,300	£2,967,842	£2,873,572	£3,175,208
Bloomfield	£4,841,825	£4,389,696	£4,197,249	£4,262,713
Broadway	£1,409,127	£1,353,456	£1,309,882	£1,291,313
Bryansburn	£1,973,292	£1,874,011	£1,820,059	£1,540,853
Churchill	£1,197,409	£1,163,527	£1,108,145	£1,107,776
Clandeboye	£3,020,181	£2,295,749	£2,357,700	£2,323,627
Conlig	£4,684,104	£4,777,895	£4,110,883	£3,973,448
Craigavad	£1,955,089	£1,840,936	£1,775,636	£1,686,601
Crawfordsburn	£2,164,083	£2,037,944	£1,915,544	£1,937,846
Cultra	£2,424,728	£2,387,630	£2,165,354	£2,080,974

Ward Name	Receipts 2012/13	Receipts 2011/12	Receipts 2010/11	Receipts 2009/10
Dufferin	£719,408	£684,650	£664,994	£900,313
Groomspoint	£1,638,245	£1,540,429	£1,464,970	£1,467,942
Harbour	£4,477,297	£4,407,710	£4,534,901	£4,196,580
Hollywood Demesne	£3,530,826	£3,481,690	£3,372,021	£2,974,568
Hollywood Priory	£2,198,237	£2,029,878	£1,985,641	£1,898,605
Loughview	£1,893,702	£1,866,142	£1,826,456	£1,716,722
Princetown	£1,969,324	£1,889,910	£1,820,663	£1,698,533
Rathgael	£913,534	£895,645	£877,407	£891,827
Silverstream	£1,019,761	£980,753	£925,754	£931,016
Spring Hill	£1,052,463	£996,292	£972,754	£943,035
Whitehill	£604,614	£594,835	£565,775	£545,019
Miscellaneous*	£1,331,877	£1,290,934	£1,235,806	£1,168,597
North Down Borough Council	£53,978,772	£51,491,523	£49,398,578	£48,223,778

\* The 'Miscellaneous' ward relates to properties that cover more than one ward.  
Totals may not add due to rounding

### Drug-related Deaths: North Down

**Mr Weir** asked the Minister of Finance and Personnel to detail how many drug related deaths have been recorded in North Down, in each of the last five years.

**(AQW 30439/11-15)**

**Mr Hamilton:** The attached table shows the number of drug related deaths registered in the North Down Constituency between 2008 and 2012, which is the latest available data.

**Table 1: Number of Drug Related<sup>1</sup> Deaths Registered in the North Down Constituency, 2008 - 2012**

Assembly Constituency	Registration Year				
	2008	2009	2010	2011	2012
North Down	2	5	6	4	3
<b>Northern Ireland</b>	<b>89</b>	<b>84</b>	<b>92</b>	<b>102</b>	<b>110</b>

1 International Classification of Diseases, Tenth Revision codes:  
F11-F16, F18-F19 - Mental and behavioural disorders due to drug use (excluding alcohol and tobacco)  
X40-X44 - Accidental poisoning by drugs, medicaments and biological substances.  
X60-X64 - Intentional self-poisoning by drugs, medicaments and biological substances.  
**X85 – Assault by drugs, medicaments and biological substances.**  
Y10-Y14 - Poisoning by drugs, medicaments and biological substances, undetermined intent.

2 Mortality data for the 2012 registration year are the latest available. Provisional data for 2013 will be available in Summer 2014.

### Rate Relief: Waiting Time

**Mr McGlone** asked the Minister of Finance and Personnel, pursuant to AQW 29660/11-15, to provide figures for the number of applications to the Land and Property Services for Rates Relief that are still awaiting conclusion (i) one month; (ii) two months; (iii) three months; (iv) four months; and (v) over four months from the date of the initial application, broken down by constituency.  
**(AQW 30464/11-15)**

**Mr Hamilton:** The information requested is not held at constituency level.

### Access to Finance Implementation Panel

**Mr Lytle** asked the Minister of Finance and Personnel to detail the work to date of the Access to Finance Implementation Panel, established as recommended in the Economic Advisory Group's Review of Access to Finance for NI Business.  
**(AQW 30521/11-15)**

**Mr Hamilton:** I understand the work of the Access to Finance Implementation Panel has been progressing well since it was launched on 31 October 2013.

The Implementation Panel has developed a work plan for delivering on their terms of reference which I discussed with them when we met on 2 December 2013. Since then the Panel has been engaging with the local banks and business bodies in order to develop action plans to address the recommendations included in the Economic Advisory Group report on access to finance as well as any other relevant issues identified.

## Family Law

**Mr Weir** asked the Minister of Finance and Personnel to detail any plans to bring forward legislative changes to family law. (AQW 30583/11-15)

**Mr Hamilton:** There are no changes planned at present. However, in the coming months I hope to elicit views with regard to parental responsibility for unmarried fathers and contact with children in order to determine whether any legislative amendments are required.

## Equal Pay: PSNI/DOJ/NIO

**Mr McGlone** asked the Minister of Finance and Personnel following his remarks made during Question Time on Monday 14 January regarding Equal Pay, where he stated "I have come to the clear conclusion that there is no legal way to extend the terms of the equal pay settlement to those members of staff", and "officials from each of our Departments will commence work on identifying possible solutions on the issue that we can then in turn take to our Executive colleagues", to detail (i) how he explains this apparent contradiction in statements; and (ii) whether the work mentioned has commenced and the progress made to date.

(AQW 30698/11-15)

**Mr Hamilton:** There is no contradiction. In the first statement I was referring to the decision in the County Court cases which confirmed there is no legal liability and therefore no obligation on the NICS to make payments to these staff. In the second statement I was reflecting my desire to find a way to recognise the feelings of PSNI/NIO staff on this issue.

I have spoken to the Minister of Justice and am consulting with officials to investigate if there are any possible solutions to the issue that could be considered by the Northern Ireland Executive.

# Department of Health, Social Services and Public Safety

## Medical and Dental Staff: Postgraduate Education

**Mr Beggs** asked the Minister of Health, Social Services and Public Safety for a breakdown of the postgraduate education budget provided by his Department for the medical and dental workforce group, in each of the last three financial years, including the funding for (i) nursing development; (ii) doctors and consultants; and (iii) dental services.[R]

(AQW 30178/11-15)

**Mr Poots (The Minister of Health, Social Services and Public Safety):** Post graduate education and training for doctors and dentists is delivered by the Northern Ireland Medical Dental Training Agency (NIMDTA). NIMDTA's budget for each of the last three years is set out in the table below. The budget includes a range of training courses for dentists, for GPs and for junior doctors. 85% of NIMDTA's budget is for salaries of junior doctors and dentists in training. This budget does not include any education and training courses for consultants.

The budget provided by the Department for post graduate education and training of nurses for each of the last three years is also included in the table

	2010/11	2011/12	2012/13
Doctors/dentists (NIMDTA Funding)	£53,289,187	£52,728,348	£53,009,863
Nursing Development	£8,123,223	£8,123,222	£7,323,000

## Spinal Fusion Surgery

**Mrs Cochrane** asked the Minister of Health, Social Services and Public Safety to detail the waiting times for spinal fusion surgery in the Belfast Health and Social Care Trust; and for his assessment of the adequacy of specialist postoperative bed provision for patients undergoing spinal fusion procedures at Musgrave Park Hospital.

(AQW 30180/11-15)

**Mr Poots:** The waiting times for spinal fusion surgery in the Belfast Health and Social Care (HSC) Trust, at 30th September 2013, the most recent quarter for which official statistics are available, is shown in the following table -

HSC Trust	Patients waiting for inpatient admission for spinal fusion surgery at 30th September 2013, by weeks waiting						Total Waiting
	0-6	>6-13	>13-21	>21-26	>26-30	>30	
Belfast	7	15	20	11	7	20	80

**Source:** DHSSPS Inpatient Waiting Times Dataset

The Belfast Health and Social Care Trust has advised that the post-operative care of patients undergoing spinal fusion surgery and whether or not they require any specialist bed will depend on the clinical need of that patient; this decision will be a medical decision. If specialist post-operative care is required, it will be in one of eight Enhanced Recovery beds, which I have been advised adequately meet current service demand.

### Clinical Negligence Claims: 2014-15

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety how much funding his Department has allocated for potential clinical negligence claims in the 2014/15 financial year.

**(AQW 30189/11-15)**

**Mr Poots:** The financial planning process for the 2014/15 financial year, which considers all emerging pressures and savings opportunities available in determining how budgets are allocated across the Health and Social Care system, is currently in progress. Therefore at this stage and until this work has been completed, it is not possible to confirm the allocation for potential clinical negligence claims.

### Clinical Negligence Claims: January Monitoring

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety what proportion of the January Monitoring Round allocation to his Department will be spent on clinical negligence claims.

**(AQW 30190/11-15)**

**Mr Poots:** The January Monitoring allocation will play a critical role in helping to address a range of pressures in those front line services that affect the most vulnerable in our society, including looked after children and our elderly population.

Trusts have been experiencing increasing pressures and demands within unscheduled care / emergency admissions and domiciliary care services. There is also a focus on maintaining and improving the safety and quality of patient care across all our settings. In terms of children's services, there has been an increase in the numbers of Looked After Children during 2013/14, requiring additional expenditure on child protection registration, costs of care (in foster care or residential care), legal costs and social work costs. Funding has not been provided at this stage for clinical negligence cases.

### January Monitoring: Allocation

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety to detail how the £30m allocation from the January Monitoring Round will be spent.

**(AQW 30191/11-15)**

**Mr Poots:** The January Monitoring allocation will play a critical role in helping to address a range of pressures in those front line services that affect the most vulnerable in our society, including looked after children and our elderly population.

Trusts have been experiencing increasing pressures and demands within unscheduled care / emergency admissions and domiciliary care services. There is also a focus on maintaining and improving the safety and quality of patient care across all our settings. In terms of children's services, there has been an increase in the numbers of Looked After Children during 2013/14, requiring additional expenditure on child protection registration, costs of care (in foster care or residential care), legal costs and social work costs.

### Southern Health and Social Care Trust: Staff Data Protection

**Mrs Dobson** asked the Minister of Health, Social Services and Public Safety what steps the Southern Health and Social Care Trust is taking to protect the confidentiality of its staff's personal details, following staff IDs and job titles being sent openly in the post to all employees.

**(AQW 30210/11-15)**

**Mr Poots:** The Southern Health and Social Care Trust take the protection and confidentiality of staff data extremely seriously. It has in place a range of measures to ensure and protect the personal details of all staff, including password protected IT systems and locked manual filing systems. Its Human Resource and Finance departments ensure that a range of security checks are in place to verify the identity of any individual requesting personal data.

## Haematology and Microbiology Specimens

**Mr D McIlveen** asked Minister of Health, Social Services and Public Safety how many (i) haematology; and (ii) microbiology specimens, from each Health and Social Care Trust, have been sent to laboratories outside Northern Ireland in each of the last five years.

**(AQW 30234/11-15)**

**Mr Poots:** Information on the number of haematology and microbiology specimens sent to laboratories outside Northern Ireland is not collected centrally and was requested from each Health and Social Care (HSC) Trust.

The information provided by HSC Trusts on the number of haematology and microbiology specimens sent to labs outside Northern Ireland is detailed in Table 1 and 2 overleaf for each of the last five years.

Some specialist tests cannot be efficiently provided within Northern Ireland as the volume of tests are too small to maintain competencies and are therefore sent to laboratories outside of Northern Ireland. These laboratories provide specialist and confirmatory testing for the whole of the UK.

**Table 1: Number of haematology specimens sent to laboratories outside Northern Ireland in each of the last five years:**

HSC Trust	2009/10	2010/11	2011/12	2012/13	1/4/2013 - 28/1/2014
Belfast <sup>1</sup>	90	116	125	111	62
Northern	4	5	6	6	6
South Eastern	3	3	4	3	2
Southern <sup>2</sup>	-	2	1	6	6
Western	21	0	7	0	4

**Source:** HSC Trusts

**Table 2: Number of microbiology specimens sent to laboratories outside Northern Ireland in each of the last five years:**

HSC Trust	2009/10	2010/11	2011/12	2012/13	1/4/2013 - 28/1/2014
Belfast <sup>3</sup>	2190	2334	2722	2963	3187
Northern	225	228	231	235	237
South Eastern <sup>4</sup>	181	171	233	336	654
Southern <sup>2</sup>	-	339	413	385	385
Western	569	500	455	398	364

**Source:** HSC Trusts

- 1 Data for the haematology figures in Belfast HSC Trust have been given for each calendar year instead of financial year.
- 2 Prior to 2010/11 data for Southern HSC Trust is not available.
- 3 Belfast HSC Trust have made estimates based on activity for some of the figures but indicated they are reflective of the volume of tests they refer.
- 4 The increase in microbiology tests during 2013/14 for South Eastern HSC Trust was largely due to laboratories participating in a prevalence study.

## Detoxification Facilities: North-west

**Ms Maeve McLaughlin** asked the Minister of Health, Social Services and Public Safety how he will address the need for detox facilities in Derry and the North West.

**(AQW 30237/11-15)**

**Mr Poots:** The Western Health and Social Care Trust has informed me that they provide a diverse range of services for individuals in the area experiencing difficulties associated with alcohol and drug use.

The Alcohol and Drug Service at Woodlea House is a multi-disciplinary team which specialises in assessment, treatment, advice, education and counselling. Alcohol and opiate detoxification is also available when clinically indicated. Based on assessment, alcohol detoxification can be provided in a person's home or in a variety of appropriate facilities. Opiate detoxification is managed by the Substitute Prescribing aspect of this service. Substitute Prescribing offers a range of interventions for persons with opiate dependence or abuse of both prescribed and over the counter medication. The Alcohol and Drug Service also works in close association with a number of statutory, community and voluntary organisations.

The recent consultation by the Health & Social Care Board provided everyone with opportunity to influence what Tier 4 Inpatient Addiction Treatment Services, will look like in Northern Ireland over the next 5 to 10 years. The consultation has just closed, therefore the HSCB still need to analyse and consider all input before submitting finalised proposals on the way forward. Accordingly no decision has as yet been made about the future of Tier 4 addiction services across Northern Ireland.

### Looked-after Children: Independent Foster Care

**Miss M McIlveen** asked the Minister of Health, Social Services and Public Safety how many looked after children, in each Health and Social Care Trust, have been placed with independent fostering providers in each of the last six months. (AQW 30247/11-15)

**Mr Poots:** The information requested is not held centrally within the Department and has therefore been provided by the Health and Social Care Trusts.

There were 22 children placed with independent foster care providers in the last six months (July 2013 – December 2013). It was not possible to provide a monthly breakdown due to small numbers in some months and the need to avoid personal disclosure. Table 1 below provides a breakdown by Health and Social Care Trust area. The numbers relates to new placements during the period.

**Table 1: Children Placed with Independent Foster Care Providers in the last six months by HSC Trusts area**

HSC Trust	No. of Children
Belfast	11
Northern	< 5
South Eastern	< 5
Southern	< 5
Western	< 5
<b>Total</b>	<b>22</b>

**Source:** HSC Trusts.

**Note** these figures have not been validated by DHSSPS

### Foster Care: Emergency Placements

**Miss M McIlveen** asked the Minister of Health, Social Services and Public Safety how many emergency foster care placements are available in each Health and Social Care Trust area. (AQW 30248/11-15)

**Mr Poots:** The information requested is not held centrally within the Department and has therefore been provided by the Health and Social Care Trusts.

There were 41 dedicated emergency foster care placements in Northern Ireland at 28th January 2014, these are time limited placements provided at short notice for children who need somewhere safe to stay. This number includes both places that were occupied and available. Table 2 below sets out the number of emergency foster care placements available by HSC Trust. HSC Trusts may also use existing approved respite and short-term carers in an emergency situation if a suitable match can be found.

**Table 2: Emergency Foster Care Placements by HSC Trust area**

HSC Trust	No. of Emergency Foster Care Placements
Belfast	0*
Northern	5
South Eastern	15
Southern	13
Western	8
<b>Total</b>	<b>41</b>

**Source:** HSC Trusts.

**Note** these figures have not been validated by DHSSPS

\* Belfast HSC Trust does not have specific dedicated emergency foster care placements but would use other arrangements of approved respite and short-term carers in emergency situations.

### Looked-after Children: Independent Foster Care

**Miss M McIlveen** asked the Minister of Health, Social Services and Public Safety how many looked after children, with high level needs, have been placed with independent fostering providers in the last six months.

**(AQW 30249/11-15)**

**Mr Poots:** The information requested is not held centrally within the Department and has therefore been provided by the Health and Social Care Trusts.

20 children with high level needs have been placed with independent foster care providers in the last six months (July 2013 – December 2013). High level needs has been interpreted to mean those children whose needs are so complex that a regular foster care placement would not be suitable.

### Patient and Client Council: Caseload

**Mr Campbell** asked the Minister of Health, Social Services and Public Safety how many cases were dealt with by each Patient and Client Council in each Health and Social Care Trust, in each of the last three full calendar years.

**(AQW 30262/11-15)**

**Mr Poots:** Information on the number of cases dealt with by the Patient Client Council (PCC) for each Health & Social Care (HSC) Trust is detailed in the table below for each of the last three years.

HSC Trust	2010/11	2011/12	2012/13
Belfast Trust	209	216	292
Northern Trust	174	184	289
South Eastern Trust	193	269	208
Southern Trust	166	136	198
Western Trust	132	175	194
Northern Ireland	874	980	1,181

### Prisoners: Prescribed Medication

**Mr Clarke** asked the Minister of Health, Social Services and Public Safety how many prisoners have been provided with (i) anti-depressants; and (ii) any other prescribed medication, in the last three years.

**(AQW 30273/11-15)**

**Mr Poots:** The number of prisoners provided with (i) anti-depressants; and (ii) any other prescribed medication, in each of the last three years is as follows

Year	Number of prisoners provided with anti-depressants	Number of prisoners provided with any other prescribed medication
31/01/11 – 31/01/12	1738	3950
31/01/12 – 31/01/13	1946	4067
31/01/13 – 31/01/14	1733	3491

### Locums: Western Health and Social Care Trust

**Mr Eastwood** asked the Minister of Health, Social Services and Public Safety to detail the spending on locums in the Western Health and Social Care Trust in each of the last three financial years; and to express that figure as a percentage of the overall spending on consultants' fees in the Trust in each of those three years.

**(AQW 30274/11-15)**

**Mr Poots:** Western Health and Social Care Trust has provided the following table to illustrate the spend on locum consultant costs within the Trust for the last 3 financial years. The 13/14 year to date figure is also included.

Year	2010/11 £'000	2011/12 £'000	2012/13 £'000	2013/14 £'000 (9 months to 31/12/13)
Locum/Agency Consultant Costs	4,570	2,989	2,811	2,360
Total Consultant Costs	32,568	32,712	30,251	24,723
Percentage	14.03%	9.14%	9.29%	9.55%

### **GP Direct Assessment: Belfast City Hospital**

**Ms Lo** asked the Minister of Health, Social Services and Public Safety how many beds are available for the GP direct assessment and admission unit in Belfast City Hospital Ward 6 North; and whether the number of beds is sufficient to meet the demand.

**(AQW 30275/11-15)**

**Mr Poots:** There are four assessment beds in ward 6N of the Belfast City Hospital. If a patient requires admission, 6N is a 20-bed unit and beds can also be accessed in the respiratory wards, giving a bed capacity for medical patients of 64. The Belfast Health and Social Care Trust has advised that there are sufficient beds on the Belfast City Hospital site to meet the current demand from GPs.

### **GP Direct Assessment: Royal Victoria Hospital**

**Ms Lo** asked the Minister of Health, Social Services and Public Safety whether a GP direct assessment and admission unit is fully operational in the Royal Victoria Hospital.

**(AQW 30276/11-15)**

**Mr Poots:** Direct assessment for GPs to the Royal Victoria Hospital site has not yet been fully implemented but the Belfast Health and Social Care Trust is working to deliver this.

### **GP Direct Assessment: Belfast Health and Social Care Trust**

**Ms Lo** asked the Minister of Health, Social Services and Public Safety to detail the current configuration of each GP direct assessment and admission unit throughout the Belfast Health and Social Care Trust.

**(AQW 30277/11-15)**

**Mr Poots:** Development of GP direct assessment and admission services is a matter for the Belfast Health and Social Care Trust. The Trust has advised that currently the Belfast City Hospital GP direct access and admission unit is the only such facility in its area. The Trust is working to implement GP direct assessment and admission on the Royal Victoria Hospital site. Belfast Trust staff are members of the Integrated Care Partnerships (ICPs) in Belfast, along with GPs and other health and social care providers. ICPs are currently developing investment proposals for the development of frail elderly services and a key aspect of the future model will be a single point of access for assessment, diagnostics, acute care at home, other treatment pathways and direct hospital admissions where appropriate.

### **GP Direct Assessment: Belfast Health and Social Care Trust**

**Ms Lo** asked the Minister of Health, Social Services and Public Safety to detail his plans and timeline for the future configuration of GP direct assessment and admission units throughout the Belfast Health and Social Care Trust.

**(AQW 30278/11-15)**

**Mr Poots:** Development of GP direct assessment and admission services is a matter for the Belfast Health and Social Care Trust. The Trust has advised that currently the Belfast City Hospital GP direct access and admission unit is the only such facility in its area. The Trust is working to implement GP direct assessment and admission on the Royal Victoria Hospital site. Belfast Trust staff are members of the Integrated Care Partnerships (ICPs) in Belfast, along with GPs and other health and social care providers. ICPs are currently developing investment proposals for the development of frail elderly services and a key aspect of the future model will be a single point of access for assessment, diagnostics, acute care at home, other treatment pathways and direct hospital admissions where appropriate.

### **GP Direct Assessment: Belfast Health and Social Care Trust**

**Ms Lo** asked the Minister of Health, Social Services and Public Safety how his Department is liaising with GPs on the current and future planning of the configuration of GP direct assessment and admission units throughout the Belfast Health and Social Care Trust.

**(AQW 30279/11-15)**

**Mr Poots:** Development of GP direct assessment and admission services is a matter for the Belfast Health and Social Care Trust. The Trust has advised that currently the Belfast City Hospital GP direct access and admission unit is the only such facility in its area. The Trust is working to implement GP direct assessment and admission on the Royal Victoria Hospital site. Belfast Trust staff are members of the Integrated Care Partnerships (ICPs) in Belfast, along with GPs and other health and social care providers. ICPs are currently developing investment proposals for the development of frail elderly services and a key aspect of the future model will be a single point of access for assessment, diagnostics, acute care at home, other treatment pathways and direct hospital admissions where appropriate.

### Dentistry: Western Health and Social Care Trust

**Mr Eastwood** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 28146/11-15, how much has been spent on independent sector dentistry services for patients in the Western Health and Social Care Trust, in the current financial year to date.

**(AQW 30281/11-15)**

**Mr Poots:** I am advised by the Western Health and Social Care Trust that information is not available in the format requested.

### Dentistry: Waiting List

**Mr Eastwood** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 28146/11-15 and AQW 28148/11-15, given his assurances that patients would be treated in the independent sector where demand exceeds capacity for dentistry services, why the waiting list for dentistry services has increased at Altnagelvin Hospital.

**(AQW 30282/11-15)**

**Mr Poots:** The Western Health and Social Care Trust provide an oral maxillofacial service (OMFS), which includes dental, oral surgery and oral medicine; dental patients account for around 24% of the total referrals to this service. Whilst the waiting list for OMFS has increased, this is an indication of an increase in demand for oral medicine and facial skin cancers; the referrals do not demonstrate an increase in dental only referrals.

### Northern Health and Social Care Trust: Appointment of Chairperson

**Mr Allister** asked the Minister of Health, Social Services and Public Safety (i) whether the now appointed Chair of the Northern Health and Social Care Trust was interviewed following the first advertising of the post, but then not appointed; (ii) how many applicants there were as a result of the re-advertisement; and (iii) whether the now appointed Chair of the Trust's Audit Committee was answerable for bad debt.

**(AQW 30304/11-15)**

**Mr Poots:**

- (i) The newly appointed Non- Executive Chair of the Northern Health and Social Care Trust was not interviewed following the first advertisement of that post. All interviews were conducted following the re-advertisement of the position.
- (ii) The re-advertisement yielded four applications bringing the total applications for the post to eight.
- (iii) The Audit Committee supports the Trust board and Accounting Officer with regard to their responsibilities for issues of risk, control and governance and associated assurances, through a process of constructive challenge. The Non- Executive Chair of the Audit Committee has responsibility for ensuring that the work of the Audit Committee is effective, that the Committee is appropriately resourced, and is maintaining effective communication with stakeholders. By definition, the Audit Committee is not answerable for issues such as bad debts, as these are integral elements of the Accounting Officer role.

### Cardiac Surgery: Children

**Mr Swann** asked the Minister of Health, Social Services and Public Safety how many children's cardiac operations have been performed in Belfast since his statement on 9 December 2013.

**(AQW 30316/11-15)**

**Mr Poots:** The Belfast Health and Social Care Trust have reported that between the 9th December 2013 and the 31st January 2014, there has been one children's cardiac operation performed in Belfast.

### Cardiac Surgery: Children

**Mr Swann** asked the Minister of Health, Social Services and Public Safety how many children from Northern Ireland have undergone cardiac surgery in Dublin since his statement on 9 December 2013.

**(AQW 30317/11-15)**

**Mr Poots:** There have been no cardiac surgery procedures on children from Northern Ireland undertaken in Dublin since the Ministerial statement on 9 December 2013.

In the period April 2013 to January 2014, 13 children from Northern Ireland have undergone cardiac surgery in Dublin (4 emergency cases, 5 urgent cases and 4 elective cases). Given the small number of Northern Ireland cases undertaken in Dublin there will be monthly variances in the activity. Each paediatric cardiac surgery case is subject to a clinical decision making process to assess the most appropriate location for surgery.

### Cardiac Surgery: Independent Review

**Mr Swann** asked the Minister of Health, Social Services and Public Safety for an update on the international independent review on children's heart surgery lead by Professor Mayer into the viability of a two site network on the island of Ireland, which is expected to deliver a report in June 2014.

**(AQW 30318/11-15)**

**Mr Poots:** My Department has been engaging with the Department of Health in the Republic of Ireland and the Expert Group in developing the project work plan for the Assessment. The Expert Group of Dr Mayer, Dr Moran and Dr Sinclair, have been appointed to carry out an Assessment of a potential all-island service for the future delivery of Congenital Cardiology and Cardiac Surgical services for both adults and children recommending the most appropriate model that meets the population health needs and other requirements of both jurisdictions.

### Antrim Area Hospital Emergency Department: Agency Nurses

**Mr McKay** asked the Minister of Health, Social Services and Public Safety how much the Northern Health and Social Care Trust spent on agency nurses in Antrim Area Hospital Emergency Department in each month since September 2013; and which agencies were used.

**(AQW 30331/11-15)**

**Mr Poots:** The information below has been provided directly by the Northern HSC Trust. The costs identified are from the Trust's financial accounting system. Agency invoices are paid in arrears therefore the expenditure detailed represents the spend for the preceding month.

#### Antrim Area Hospital Emergency Department

Month	Expenditure on Agency nursing staff (£)
September 2013	37,312
October 2013	11,758
November 2013	5,306
December 2013	1,628
Total Spend	56,004

The Northern HSC Trust has provided the following information regarding the agencies used:

#### Contracted Agencies

- Kennedy Recruitment
- First Choice
- Diamond Recruitment
- MPA Recruitment
- Premiere People
- Trust Caring & Nursing

#### Non-Contracted Agencies

- Rutledge
- Balmoral
- Scottish Nursing Guild

### Antrim Area Hospital Emergency Department: Agency Nurses

**Mr McKay** asked the Minister of Health, Social Services and Public Safety how many agency nurses have been used in Antrim Area Hospital Emergency Department in each month since September 2013; and what was the hourly rate paid to each agency.

**(AQW 30334/11-15)**

**Mr Poots:** The information below has been provided by the Northern HSC Trust. The number of agency nurses used has been derived by the Northern Trust from Total Spend Analysis.

#### Antrim Area Hospital Emergency Department

Month	Number of Agency nurses used
September 2013	14.93
October 2013	4.7
November 2013	2.12
December 2013	0.65
<b>Total</b>	<b>22.4</b>

The Northern Trust is unable to provide the level of detail requested in respect of the precise hourly rate paid to each agency. Recruitment Agency Services contract rates vary dependant on the provider and the period of employment. The Northern HSC Trust advises that for Band 5 nurses the rates can range from £10.25 per hour for a standard Mon-Fri working day to £22.50 per hour for Bank/Public Holidays in circumstances where the nurse has been in post over 1 year.

Non-contracted Agencies can charge up to £60.95 per hour however it should be noted that this rate is for a Specialist Nurse working unsociable hours in an emergency setting.

### Accident and Emergency: Admissions

**Mr Campbell** asked the Minister of Health, Social Services and Public Safety how many admissions to Accident and Emergency Units occurred at each Acute Hospital in each of the last eight full calendar years.

**(AQW 30348/11-15)**

**Mr Poots:** It is assumed that this question refers to the number of attendances (new and unplanned reviews) at each emergency care department in Northern Ireland.

Information on the number of new and unplanned review attendances at emergency care departments is available for each year since 2007/08 and is detailed in the overleaf.

#### Number of New and Unplanned Review Attendances at Emergency Care Departments (2007/08 – 2013/14 1)

Hospital	2007/ 08	2008/ 09	2009/ 10	2010/ 11	2011/ 12	2012/ 13	2013/ 14 <sup>1</sup>
Belfast City Hospital <sup>2</sup>	42,836	44,769	42,840	43,990	24,701	0	0
Mater Hospital	40,371	41,220	39,457	41,405	42,845	43,087	33,437
Royal Hospital	50,927	68,428	67,457	73,677	81,094	92,618	70,393
RBHSC	27,192	31,372	30,727	31,683	32,478	32,976	24,798
Antrim	59,859	64,612	65,594	70,902	71,175	70,859	53,754
Whiteabbey	20,623	20,955	19,006	9,860	8,614	8,306	6,405
Mid Ulster	17,885	17,700	17,251	7,587	6,133	7,115	6,042
Causeway	36,730	40,232	41,367	43,695	43,080	42,771	31,806
Ulster Hospital	66,493	71,301	72,110	73,833	77,757	82,436	62,218
Ards MIU	9,865	9,545	9,144	9,122	9,076	9,071	7,501
Bangor MIU	10,561	10,550	11,384	12,308	12,240	10,154	9,258
Lagan Valley Hospital	29,435	31,775	32,128	32,559	27,443	26,297	20,705
Downe Hospital	21,964	23,209	23,398	22,064	20,124	20,697	16,344
Craigavon Hospital	65,188	70,093	71,281	71,522	71,645	71,746	55,035
Daisyhill Hospital	32,316	33,411	34,269	36,464	37,927	39,373	30,842
South Tyrone Hospital	13,280	14,946	15,491	17,151	18,751	19,902	16,305
Armagh/Mullinure	8,193	8,086	7,574	7,763	7,793	7,320	5,241
Altnagelvin	45,362	50,748	53,455	53,570	53,045	53,826	42,666
Erne Hospital / South West	22,131	23,547	26,296	26,806	27,662	28,387	22,189
Tyrone County	20,883	19,992	12,732	13,920	15,258	15,474	12,359
<b>Northern Ireland</b>	<b>642,094</b>	<b>696,491</b>	<b>692,961</b>	<b>699,881</b>	<b>688,841</b>	<b>682,415</b>	<b>527,298</b>

1 2013 refers to April to December 2013

2 Belfast City closed on a temporary basis in November 2011.

### Mother and Baby Unit

**Ms P Bradley** asked the Minister of Health, Social Services and Public Safety for an update on the establishment of a regional mother and baby unit.

**(AQW 30351/11-15)**

**Mr Poots:** It was originally planned to develop a joint Women's and Children's Hospital on the Royal Group of Hospitals site. However, due to budgetary constraints a decision was taken to progress the two projects separately – a Women's Hospital and a Children's Hospital.

The new Maternity Hospital will be located beside the Critical Care Building on the Royal Group of Hospitals site and will be linked to it by a bridge. The top 3 floors of the new Critical Care building will accommodate post natal beds and outpatient services, with delivery theatres, birthing rooms, antenatal services and neonatology being provided from the new build Maternity Hospital. Work is underway and the hospital is currently scheduled for completion in mid 2017.

An outline business case for a new Regional Children's Hospital has been developed by the Belfast Trust and is currently being considered by DFP. Subject to receiving business case approval shortly, the new Children's Hospital could be completed in 2020/21.

### **Mental Health: Inpatient Treatment of Children**

**Mr Beggs** asked the Minister of Health, Social Services and Public Safety how many young people under the age of 13 years received inpatient mental health treatment in each of the last four years.

**(AQW 30360/11-15)**

**Mr Poots:** Information on the number of young people aged 12 years and under receiving inpatient mental health treatment is not collected centrally and was requested from each Health and Social Care (HSC) Trust.

The information provided by HSC Trusts on the number of children aged 12 years and under admitted for inpatient mental health treatment is detailed in the table below for each of the last four years.

#### **Number of Children Aged 12 & Under Admitted for Inpatient Mental Health Treatment (2010/11 – 2013/14)**

<b>Year</b>	<b>Number</b>
2010/11	13
2011/12	10
2012/13	6
2013/14*	3
<b>Total</b>	<b>32</b>

\* Covers period 1 April 2013 - 31 December 2013

Over the last four years, 32 children aged 12 years and under were admitted for inpatient mental health treatment, all of which were admitted to Beechcroft (Regional Child and Adolescent Inpatient Mental Health Unit).

### **Mental Health: Children with Complex Needs**

**Mr Beggs** asked the Minister of Health, Social Services and Public Safety what provision is planned for children with very complex mental health needs, in addition to local outpatient services.

**(AQW 30361/11-15)**

**Mr Poots:** The Bamford vision is that people with mental illness should be treated in the community close to their families and friends, unless there is a clinical reason for not doing so.

Child and Adolescent Mental Health Services (CAMHS) in Northern Ireland are provided through a stepped care model and based on the clinical needs of the individual.

CAMHS are delivered through four community based teams, with Belfast HSC Trust providing services to both the Belfast and South Eastern Trust areas. These CAMHS teams are currently being developed to ensure primary mental health teams and home treatment crisis response services are available across the Region.

In addition to these community-based services, inpatient care for young people is provided in the 33 bedded Regional Unit (Beechcroft) on the Forster Green Hospital site in Belfast.

A number of voluntary sector organisations also provide support to children and young people with mental health needs.

### **Mental Health: Inpatient Treatment of Children**

**Mr Beggs** asked the Minister of Health, Social Services and Public Safety to detail the regional inpatient mental health provision for young people under the age of 13 years.

**(AQW 30362/11-15)**

**Mr Poots:** Inpatient mental health care for children and young people is provided in Beechcroft, the Regional Child and Adolescent Inpatient Mental Health Unit, located on the Forster Green Hospital site in Belfast.

## Mental Health: Inpatient Beds for Children

**Mr Beggs** asked the Minister of Health, Social Services and Public Safety how many inpatient beds are available regionally for young people under 18 years old with mental ill health.

**(AQW 30363/11-15)**

**Mr Poots:** Inpatient mental health care for children and young people is provided in Beechcroft, the Regional Child and Adolescent Inpatient Mental Health Unit, located on the Forster Green Hospital site in Belfast.

At 31st January 2014, there were 31 beds available regionally for young people aged 18 years and under with mental ill health.

## Mental Health: Child and Adolescent Services

**Mr Rogers** asked the Minister of Health, Social Services and Public Safety what facilities exist within the South Eastern Health and Social Care Trust for people attending Child and Adolescent Mental Health Services; and which of these facilities are within the Down District.

**(AQW 30370/11-15)**

**Mr Poots:** Child and Adolescent Mental Health Services (CAMHS) in Northern Ireland are provided through a stepped care model, based on the clinical needs of the individual. Services are provided by four CAMHS teams, with Belfast HSC Trust providing services to both the Belfast and South Eastern HSC Trust areas, including the Down District.

Inpatient care for young people, when required, is provided in Beechcroft, the Regional Child and Adolescent Inpatient Mental Health Unit at the Forster Green Hospital site in Belfast.

Within the South Eastern HSC Trust, CAMHS are provided from two community based teams, one in Newtownards and one in Lisburn. The team in Lisburn also provides outreach to Downpatrick. These are multidisciplinary teams which specialise in the assessment and intervention for under 18s with mental health needs and their families/carers.

Services for children and young people presenting in crisis, and requiring assessment and intervention within 24/48 hours, are provided by a mobile Crisis Assessment Intervention Team, available 7 days per week to GPs and Emergency Departments.

There are also specialist services for young people with eating disorders or drug and alcohol issues. A number of voluntary sector organisations also provide support to young people with mental health problems.

## Deep Brain Stimulation

**Ms Maeve McLaughlin** asked the Minister of Health, Social Services and Public Safety whether he will consider Deep Brain Stimulation (DBS) as part of an area of cooperation on the island of Ireland; and what is the annual cost of sending patients to England for DBS treatment.

**(AQW 30371/11-15)**

**Mr Poots:** The commissioning of health services is the responsibility of the Health and Social Care Board. My Department will ask the Board to give consideration to potential options for providing a deep brain stimulation service, including on a cross-border basis, subject to available resources and other competing priorities.

Detailed costings for patients who have received deep brain stimulation surgery in specialist centres in Great Britain are not available. However the Health and Social Care Board estimate that in the period 2011-2013 the cost was around £1m based on NHS tariffs.

## Air Transport: Health Service Patients

**Mr Hussey** asked the Minister of Health, Social Services and Public Safety (i) how many precautionary landings have been recorded with aircraft transporting patients from Northern Ireland to, and from, Great Britain and the Republic of Ireland, in each of the last three years; (ii) whether there is a contract in place for the air transport of local Health Service patients to and from hospitals within the United Kingdom and the Republic of Ireland; and if so, (iii) to provide details of this contract.

**(AQW 30374/11-15)**

**Mr Poots:**

- (i) Patients, including children, are flown by air ambulance outside Northern Ireland to access a range of specialist treatments which are not routinely available in Northern Ireland to ensure the best possible patient outcomes. Around 250 patient transfers to and from GB take place each year. In the last three years the number of precautionary landings were as follows:
  - 2011/12 – 0 (zero)
  - 2012/13 – 0 (zero)
  - 2013/14 – 1 (one)
- (ii) An air ambulance contract is in place to support the transfer and retrieval of patients from Northern Ireland accessing specialist care outside Northern Ireland including the Republic of Ireland. The majority of journeys on the island of Ireland are undertaken using road transport.

- (iii) The document – ‘A Framework Scope and Service Specification for Air Ambulance/Air Transfer Service for Northern Ireland’ details the services to be provided under the contract for the air ambulance service for Northern Ireland. It is available from the Health and Social Care Board, 12-22 Linenhall Street, Belfast, BT2 8BS, email: Enquiry.hscb@hscni.net . Tel 028 90321313

### Essential Tremor: Awareness

**Mr Eastwood** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 29071/11-15, whether an awareness campaign publicising the existence of Essential Tremor would be of benefit to the wider public.

**(AQW 30388/11-15)**

**Mr Poots:** I would refer the Member to my answer to AQW 29071/11-15.

### Slievemore Nursing Unit

**Mr Eastwood** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 26154/11-15, for an update on the future of Slievemore Nursing Unit, Derry.

**(AQW 30389/11-15)**

**Mr Poots:** There are currently five remaining patients in Slievemore Nursing Unit. In light of the concerns of the families of residents I asked the Commissioner for Older People to facilitate mediation between residents, families and the Western Trust. That process remains ongoing with a timeframe for completion of the mediation process yet to be agreed.

### Emergency Departments: Staffing

**Mr Beggs** asked the Minister of Health, Social Services and Public Safety to detail the discussions he has had with (i) his ministerial counterparts in the UK; (ii) Health and Social Care Trusts; and (iii) Royal Colleges to address the ongoing shortages of staff in Emergency Departments.

**(AQW 30391/11-15)**

**Mr Poots:** Parts (i) and (ii): I liaise regularly on a range of matters with my ministerial counterparts in the UK, the Secretary of State for Northern Ireland and have frequent discussions with individual health and social care Trusts on how to address the ongoing shortage of staff in Emergency Departments.

Part (iii): At my request a meeting has been held recently with the College of Emergency Medicine to discuss the pressures facing Emergency Departments, and my Department will continue to work with the College and HSC in seeking to address this UK-wide difficulty.

### Dementia: Prevalence

**Mr Campbell** asked the Minister of Health, Social Services and Public Safety pursuant to AQW 30041/11-15, whether he will undertake an investigation into the reasons for the almost 40 percent greater prevalence of dementia among residents in the South Eastern Health and Social Care Trust area compared to the Eastern Health and Social Care Trust area.

**(AQW 30405/11-15)**

**Mr Poots:** The response to AQW 30041/11-15 expresses prevalence based on the number of patients on the dementia register as a proportion of the full GP registered list for Northern Ireland as at January 2013. Prevalence rates can therefore be affected by general population characteristics such as age profile. For example, NISRA 2012 population figures indicate that there are 30% more people aged 65 or over in the South Eastern Trust than in the Western Trust. As dementia prevalence rates increase with age, it would be expected that the prevalence rate of dementia would be greater in areas with an older population.

In light of this and, in the context of the Alzheimer’s Society study “Mapping the Dementia Gap 2013” which shows that, expressed as a percentage of the population estimated to have dementia, the Western Trust’s diagnosis rate (67.4%) is the second highest in Northern Ireland, I do not feel that an investigation is necessary at this point.

### Going the Extra Mile Scheme

**Mr Allister** asked the Minister of Health, Social Services and Public Safety to detail (i) how much has been expended on the G.E.M. Scheme in each of the last five years ; and (ii) the criteria used to make the awards.

**(AQW 30407/11-15)**

**Mr Poots:**

- (i) Expenditure on the GEM Scheme in each of the last five years is set out in the table below.

Year	Number of Young People on Scheme	Expenditure
2008/09	182	£895,132

Year	Number of Young People on Scheme	Expenditure
2009/10	206	£1,123,288
2010/11	221	£1,161,082
2011/12	222	£1,208,061
2012/13	231	£1,387,424

**Source:** Health & Social Care Board

(ii) The criteria used to make the awards is as follows:

The aim of the Going the Extra Mile (GEM) scheme is to promote the continuity and stability of living arrangements in post care life for young people aged 18 to 21 years.

The Scheme is available to young people who are in foster care at age 16/17 and have a minimum period of being looked after of 13 weeks from age 14. As part of the Pathway Planning process the carer/s and young person, in discussion with the relevant Health and Social Care Trust, agree that this is a suitable and viable option. The arrangement is agreed and formalised through the young person's Pathway/Care Plan Review and is a continuation of the looked-after child's placement arrangements. Carers who qualify for the scheme include: non-kinship foster carers, former foster carers (approved as suitable for the scheme), kinship foster carers including friends and extended family. While the scheme also aims to promote better outcomes for young people leaving care in relation to education, training, and employment (ETE), this activity is not a condition of scheme access.

### Ministerial Travel: Expenditure

**Mr Allister** asked the Minister of Health, Social Services and Public Safety to detail the total expenditure on departmental Ministerial travel in the periods (i) January to June 2013; and (ii) July to December 2013.  
**(AQW 30408/11-15)**

**Mr Poots:** The total expenditure incurred on departmental Ministerial travel is as follows:

- (i) January to June 2013 £ 8167.95
- (ii) July to December 2013 £ 7897.86

### Altnagelvin Hospital: Orthopaedic Surgeon

**Ms Maeve McLaughlin** asked the Minister of Health, Social Services and Public Safety whether there is an orthopaedic surgeon at Altnagelvin Hospital; and if not, if children are required to travel to Belfast to receive their treatment.  
**(AQW 30412/11-15)**

**Mr Poots:** It is assumed that this question refers to the paediatric orthopaedic service. Emergency paediatric trauma and orthopaedic (T&O) surgery is provided in the Western Health and Social Care Trust (WHST) by consultants from the T&O service in the WHST; children of all ages are treated within this service.

WHST orthopaedic consultants also treat children aged 13 and over for elective orthopaedic surgery and outpatient care.

Elective paediatric orthopaedic surgery for children aged under 13 years is provided in the Belfast Health and Social Care Trust (BHST); paediatric orthopaedic outpatient services, for this patient group are provided at Altnagelvin Hospital by paediatric surgeons from the BHST.

### Continuing Care

**Mr Hilditch** asked the Minister of Health, Social Services and Public Safety whether the Health Service operates a continuing healthcare package.  
**(AQW 30428/11-15)**

**Mr Poots:** Health and Social Care Trusts are responsible for carrying out assessments of need for individuals with continuing care needs. As set out in Circular ECCU 1/2010 'Care Management, Provision of Services and Charging Guidance' the outcome of the assessment could be either a primary need for health care, where the support package is provided free or social care for which a means tested contribution may be required.

Within our integrated system, it is clinicians, together with other health and social care professional colleagues, who are responsible for making decisions about appropriate long term care, in consultation with the client and their families and carers.

### Alcohol: 'Neknomination'

**Mrs Dobson** asked the Minister of Health, Social Services and Public Safety what level of resources are being targeted to raise public awareness about the dangers to health of the social media game Neknomination.  
**(AQW 30458/11-15)**

**Mr Poots:** Neknomination is a relatively new development in Northern Ireland, which unfortunately has the potential to have tragic consequences. The Public Health Agency released a statement on 3 February 2014, stating that Neknomination can be a highly dangerous practice, that real friends don't neknominate, informing people of their right to say 'no', and encouraging people to stand up against this "game". They also appeared on the media to promote these messages, which have been shared through Facebook and Twitter.

Through the overarching strategy, the New Strategic Direction for Alcohol and Drugs Phase 2, we focus on raising awareness of the generic risks of alcohol excessive consumption – in both the long and the short term. The Public Health Agency manages the 'Know Your Limits' website which can be accessed at: <http://www.knowyourlimits.info/>. This website provides useful information about the effects of harmful drinking practices as well as the health benefits of reducing alcohol consumption. In addition, the PHA undertakes and commissions work at a local level that seeks to raise awareness of issues that pose risks to people's health – this type of work is usually targeted at those deemed to be most at risk, and is taken forward through community support and education.

### **Pregnant Women: Group B Streptococcus**

**Mr Campbell** asked the Minister of Health, Social Services and Public Safety how many pregnant women were diagnosed as having Group B Strep in each of the last three calendar years.

**(AQW 30459/11-15)**

**Mr Poots:** Information on the number of pregnant women diagnosed with Group B Streptococcus (GBS) is not routinely collected.

The Department of Health and Social Services and Public Safety has an Action Plan on GBS which is divided into three main work areas: Education; Surveillance and Notification; Research and Development. One of the actions includes the development of a laboratory request form which will record if a woman is pregnant, even if the test request is not pregnancy related. Chief Medical Officer has written to the Pathology Network asking them to take this work forward and a sub-group is being established to complete this work.

### **Care Orders**

**Mr Swann** asked the Minister of Health, Social Services and Public Safety how many applications each Health and Social Care Trust has made for a Care Order in Family Law cases originating as Private Law Cases, in each of the last three years.

**(AQW 30475/11-15)**

**Mr Poots:** The information requested is not centrally available and could only be provided at disproportionate cost.

### **Ombudsman: Recommendations**

**Mr Allister** asked the Minister of Health, Social Services and Public Safety on how many occasions since May 2007 has his Department not accepted the recommendations contained in an Ombudsman's finding.

**(AQW 30529/11-15)**

**Mr Poots:** There have been no occasions since May 2007 in which the Department of Health Social Services and Public Safety has not accepted a recommendation made by the Ombudsman.

### **Financial Transactions Capital**

**Mr Weir** asked the Minister of Health, Social Services and Public Safety whether his Department intends to make any bids for funding under Financial Transactions Capital; and what projects his Department is exploring for delivery using this capital.

**(AQW 30531/11-15)**

**Mr Poots:** As part of the 2014/15 Capital Budget exercise, my Department successfully bid for £5m under Financial Transactions Capital, split equally between a scheme for Dentists and GPs. It is planned that this funding could be utilised to support investment in premises and equipment across GP and Dental Practices.

DFP have advised that it is likely that increasing levels of FTC funding will become available in the period 2014/15 to 2017/18, for which Departments will be entitled to bid. My Department is currently exploring options for future use of this funding stream.

### **Armed Forces: Respite Services for Veterans**

**Mr McNarry** asked the Minister of Health, Social Services and Public Safety what respite services are currently available for veterans of Her Majesty's Armed Forces with a disability.

**(AQW 30537/11-15)**

**Mr Poots:** Ex-service personnel have the same access to statutory primary and secondary care services, including respite services, as the rest of the population. This is underpinned by my Department's protocol for delivering health and social care services to members of the armed forces, their families, and veterans.

In addition, the Armed Forces Liaison Forum, which meets regularly and which my Department chairs, provides a valuable forum for departmental officials, representatives from health and social care, Defence Medical Services staff, and veterans' organisations to discuss relevant health and social care issues.

## Armed Forces: Respite Services for Veterans

**Mr McNarry** asked the Minister of Health, Social Services and Public Safety to detail the funding options available for organisations which represent veterans of Her Majesty's Armed Forces with a disability to access the provision of respite facilities. (AQW 30538/11-15)

**Mr Poots:** Ex-service personnel continue to have the same access to statutory primary and secondary care services, including respite services, as the rest of the population. This is underpinned by my Department's protocol for delivering health and social care services to members of the armed forces, their families, and veterans.

## Bangor Minor Injuries Unit

**Mr Agnew** asked the Minister of Health, Social Services and Public Safety to detail the total number of patients who visited Bangor Minor Injuries Unit on (i) Monday; (ii) Tuesday; (iii) Wednesday; (iv) Thursday; (v) Friday; (vi) Saturday; and (vii) Sunday, between 23 November 2012 and 23 November 2013. (AQW 30625/11-15)

**Mr Poots:** It is assumed that this question refers to the number of attendances (new and unplanned reviews) at Bangor Minor Injuries Unit.

Information on the number of new and unplanned review attendances at Bangor Minor Injuries Unit between 23rd November 2012 and 23rd November 2013 is detailed in the table below.

### Number of New and Unplanned Review Attendances at Bangor Minor Injuries Unit, By Day of Week (23rd November 2012 - 23rd November 2013)

Day of Week	Number
Sunday	667
Monday	2,487
Tuesday	1,905
Wednesday	1,878
Thursday	1,768
Friday	1,862
Saturday	1,036
<b>Total</b>	<b>11,603</b>

**Source:** Admissions & Discharges Universe

Between 23rd November 2012 and 23rd November 2013, there were 11,603 attendances at the Bangor Minor Injuries Unit.

## Coronary Care: Centres of Excellence

**Mr Hazzard** asked the Minister of Health, Social Services and Public Safety to detail the expected impact that the introduction of two Coronary Care Centres of Excellence will have on existing coronary care units across each trust area, and particularly on the Downe Hospital unit. (AQW 30628/11-15)

**Mr Poots:** The question is assumed to refer to the establishment of two centres which can offer primary PCI (percutaneous coronary intervention) to patients suffering the most severe form of heart attack, known as STEMIs (ST Elevation Myocardial Infarction) and is capable of undertaking the procedure 24/7.

The primary PCI service in the east of the Province, located in the Royal Victoria Hospital, commenced on 30 September 2013. The service in the west, to be located in Altnagelvin Hospital, is expected to commence in the summer of 2014. Eligible patients are taken directly to the closest primary PCI centre. For those whose local hospital is not that centre, repatriation to a coronary care unit in a hospital closer to home is arranged after the procedure.

The treatment reduces total length of stay in hospital for a STEMI heart attack from an average of 5 days to 3, so all coronary care units, including the unit in the Downe Hospital, will see a reduction in occupied bed days. In addition, the 24/7 operation of cath labs (catheterisation laboratory) in both centres is expected to shorten the waiting time for cath lab procedures for other coronary care unit inpatients, including patients who have had non-STEMI heart attacks.

## Post-traumatic Stress Disorder

**Mr Copeland** asked the Minister of Health, Social Services and Public Safety whether there are plans to open a post-traumatic stress disorder facility. (AQW 30671/11-15)

**Mr Poots:** My Department has currently no plans to open a post-traumatic stress disorder facility. In keeping with the Bamford vision, my Department's priority for development of mental health services will continue to be focussed on the improvement of community-based services.

The development of psychological therapies, such as Cognitive Behavioural Therapy in the treatment of PTSD, continues to be a priority for my Department and the HSC. Currently £6.5M is being spent recurrently on psychological therapies, with recent investment being used to develop of Primary Talking Therapy hubs.

### **Accident and Emergency: Downe Hospital**

**Mr Hazzard** asked the Minister of Health, Social Services and Public Safety to outline if he is committed to the restoration of 24 hour Accident and Emergency services at the Downe Hospital, Downpatrick.

**(AQO 5520/11-15)**

**Mr Poots:** There are no proposals for a 24-hour accident and emergency service at the Downe Hospital. Prior to the recent temporary reduction in the emergency department's opening hours, a 24/7 urgent care co-operative operated at the Downe Hospital in which the emergency department opened from 8am to 10pm and an enhanced GP Out of Hours service, which is co-located, provided urgent care between 10pm and 8am. I have clearly stated that I expect the HSC Board and South Eastern Trust to work to ensure that this model of care is sustained and that the temporary reduction in opening hours ends as soon as possible.

### **Data Collection**

**Mr Allister** asked the Minister of Health, Social Services and Public Safety what progress has been made in developing a data collection process which will produce robust and consistent information from independent providers in the health and social care sectors.

**(AQO 5521/11-15)**

**Mr Poots:** I assume the Member is asking about data collection on terminations of pregnancy by independent clinics in Northern Ireland.

There is no legislative basis to require the independent sector to provide information on lawful health procedures. Officials are exploring the legislative and regulatory options to ensure that information is collected in all sectors, including the private/independent sector.

The public consultation on termination of pregnancy guidance recognised the importance of robust information on this subject. A new system of data collection in HSC facilities has been developed and I intend to launch this shortly.

### **Ovarian Cancer: Awareness Campaign**

**Ms McCorley** asked the Minister of Health, Social Services and Public Safety for his assessment of a single issue campaign on ovarian cancer.

**(AQO 5522/11-15)**

**Mr Poots:** The Public Health Agency (PHA) is currently developing a cancer awareness campaign for Northern Ireland which will prioritise ovarian cancer as an area within the campaign. In order to ensure that the campaign is as effective as possible the PHA is evaluating current cancer awareness campaigns and conducting an evidence review. This review will determine which messages have the best effect and the best context in which these messages should be delivered; be that as part of a general or single issue campaign.

### **Organ Donation**

**Mr Ross** asked the Minister of Health, Social Services and Public Safety when he will outline his strategy to increase the number of organs available for transplant.

**(AQO 5523/11-15)**

**Mr Poots:** In July 2013 I launched the NHS Blood and Transplant's (NHSBT) new UK-wide organ donation and transplantation strategy, 'Taking Organ Donation to 2020 – A UK Strategy'.

This strategy was developed by NHSBT in collaboration with all UK Health Departments and all those involved in organ donation and transplantation, including professional bodies, patient groups, transplant surgeons and the wider health service. The overall aim is to match world-class performance in organ donation and transplantation.

In addition to the actions set out in this strategy, at my request the Public Health Agency (PHA) has completed a major survey to test local public opinion on organ donation. The findings of that survey will be addressed by a public information campaign which the PHA will launch on 12th February aimed at encouraging people to let their family know if they wish to donate their organs at the end of life. The aim is to increase public awareness of organ donation and the number of donors. Following this campaign the PHA will conduct a second public attitudes survey into organ donation. When the results of that survey are known I will be in a position to reach a decision on whether we need to move forward with statutory measures as an additional mechanism.

I firmly believe that increased public awareness, education on the key issues and the further development of transplantation services through UK-wide action is the right way forward for organ donation in Northern Ireland at this time.

### **Nurses: Number Employed**

**Lord Morrow** asked the Minister of Health, Social Services and Public Safety how does the number of nurses employed in the health service compare with when he took up office in early summer 2011.

**(AQO 5524/11-15)**

**Mr Poots:** There were 13,649.0 whole-time equivalent Qualified Nurses/Midwives and 3,866.5 whole-time equivalent Nurse/Midwife Support staff employed at 31st March 2011 (a total whole-time equivalent of 17,515.5). At 30th September 2013 there were 14,179.6 whole-time equivalent Qualified Nurses/Midwives and 4,013.5 whole-time equivalent Nurse/Midwife Support staff (a total whole-time equivalent of 18,193.1).

This is an increase of 677.7 whole-time equivalent in the Nursing and Midwifery workforce between 31st March 2011 and 30th September 2013; equating to a 3.9% increase in Qualified Nurses/Midwives, a 3.8% increase in Nurse/Midwife support (or an overall whole-time equivalent increase of 3.9% in the Nursing and Midwifery workforce).

### **Suicide Prevention Strategy**

**Ms Fearon** asked the Minister of Health, Social Services and Public Safety how he will ensure that the revised suicide prevention strategy will support and enhance the suicide prevention work in areas of high social need.

**(AQO 5525/11-15)**

**Mr Poots:** The Public Health Agency (PHA) implements the refreshed Protect Life Strategy through a thematic action plan on suicide prevention and mental health promotion. In line with the action plan, and associated local action plans, the PHA is delivering more intense and sustained interventions in the 20% most deprived wards and to population groups known to be at greater risk of suicide.

These enhanced services include: additional self harm and family support services; training for “gatekeepers” such as teachers, youth workers, primary care staff, and sports coaches; counselling and complementary therapies; drug and alcohol awareness; crisis response; and support programmes for rural communities, Travellers, prisoners, and the LGB&T community.

### **e-Health: Update**

**Mr Girvan** asked the Minister of Health, Social Services and Public Safety for an update on the progress of utilising eHealth within the health and social care sectors.

**(AQO 5526/11-15)**

**Mr Poots:** We continue to make significant progress in driving forward the eHealth agenda. Only yesterday I attend a ‘Leaders in eHealth Forum’ event in the Long Gallery at which the pathways to introducing and commissioning new eHealth and eLearning technologies to improve patient outcomes were explored. The event highlighted the training and assessment of clinicians as one area where new technological solutions are coming increasingly to the fore and I will be watching developments in this arena with interest.

One of the most significant developments in recent months has been the implementation across the Health and Social Care sector of the Electronic Care Record. The ECR is a web-based portal system which brings together summary information from hospitals and GP systems across Northern Ireland, giving health professionals a single, secure overview of key information about their patients and clients. This is facilitating better, faster, safer decision-making and improving the quality and efficiency of the services provided.

My Department is also continuing to work closely with DETI and Invest NI on the implementation of the recommendations of the Economy and Jobs Initiative Task and Finish Group. These include the development of a Connected Health Integration Platform which would provide a framework to facilitate interaction between different healthcare ICT systems and could potentially offer significant opportunities for data sharing and data analytics. Also recommended is the establishment in Northern Ireland of an International Health Analytics Centre, with the aim of harnessing the large volumes of data generated by the health and social care sector to support research and improve patient outcomes, potentially positioning Northern Ireland as a centre of excellence in this field.

eHealth is a fundamental component of our healthcare transformation programme. It is imperative that we maintain the current momentum and maximise the opportunities – both health-related and economic - which it presents.

## Department of Justice

### Prison Service: Payment to Leavers

**Mr Weir** asked the Minister of Justice why Prison Service staff who left the service in March 2012 have not received the correct payment on the calculation of their annual leave; and to outline the plans his Department have to rectify this. (AQW 30285/11-15)

**Mr Ford (The Minister of Justice):** Prison Service staff who left in March 2012 were paid in line with the terms of the Annual Leave Chapter of the Northern Ireland Civil Service (NICS) HR Handbook relating to cash compensation for leaving the NICS.

There are no plans to revisit these payments as they were made in accordance with NICS policy.

### Coroners Service for Northern Ireland: Budget

**Mr Copeland** asked the Minister of Justice to detail the budget for Coroners Courts in each of the last three years. (AQW 30295/11-15)

**Mr Ford:** The annual budget for 2011/12 to 2013/14 for the Coroners Service for Northern Ireland is:

Financial Year	Budget (£million)
2011/12	2.43
2012/13	2.27
2013/14	3.15

### Prisoners: Medication

**Lord Morrow** asked the Minister of Justice to detail the number of prisoners currently in each Prison Service facility, including the Young Offenders Centre and Juvenile Justice Centre; and of these, how many are in charge of their own medication. (AQW 30299/11-15)

**Mr Ford:** The table below contains the number of prisoners currently in each Prison Service facility and the Juvenile Justice Centre at the 28 January 2014.

Maghaberry	1076
Magilligan	549
Hydebank Wood YOC	168
Hydebank Wood Females	74
Juvenile Justice Centre	25

The information regarding the number of prisoners who are in charge of their own medication is not readily available in the form requested and could only be obtained at disproportionate cost.

In relation to those in the care of the Juvenile Justice Centre none are in charge of their own medication.

### Women's Prison: Timescale

**Mr Campbell** asked the Minister of Justice, in relation to taking forward the Capital Works Programme, whether the intended timescale proposed for the new women's prison will proceed alongside that for Magilligan Prison. (AQW 30310/11-15)

**Mr Ford:** Following my updates to the Assembly on March 19th and October 21st 2013, NIPS Officials continue their work in developing the plans for all the projects included in the Estate Strategy including that of the rebuilding of Magilligan and the development of a new women's prison.

Both of these projects, and all of the others included in the Capital Works programme, are subject to following the business case process and approval by the Department of Finance and Personnel. As such it is not possible to state the timescale for each project. NIPS Officials are, however, pressing ahead with the development of the projects and their business cases with the objective of securing approval as quickly as is possible.

### Prisoners: Medication

**Lord Morrow** asked the Minister of Justice to detail (i) when the Northern Ireland Prison Service introduced an assessment to ascertain the suitability of a prisoner being in charge of their own medication; (ii) the criteria used in drawing up the assessment; and (iii) to provide a copy of the current assessment template and all previous versions since its introduction. (AQW 30329/11-15)

**Mr Ford:** I refer to my response to AQW 30298. NIPS does not currently have information which refers to the period when in-possession medication was introduced. The South Eastern Health & Social Care Trust is responsible for provision of healthcare services, and continues to provide in-possession medication.

The assessment template is the responsibility of the Department of Health, Social Services and Public Safety.

### **Prisoners: Protection of Vulnerable**

**Lord Morrow** asked the Minister of Justice for his assessment of whether the protection of the rights of prisoners to have free association is compromising the human rights of the vulnerable prisoners to be kept safe from threat, attack, particularly in respect of drugs issues; and to detail his plans to address this to ensure that vulnerable prisoners are protected.

**(AQW 30330/11-15)**

**Mr Ford:** The Northern Ireland Prison Service core Statement of Purpose is to 'Improve public safety by reducing the risk of re-offending through the management and rehabilitation of offenders in custody'.

The process of rehabilitation is delivered through a regime which provides offenders with the opportunity to reform their lives addressing their offending behaviour, and much of this is achieved through participation in regime activities and the normalisation and testing of behaviour through association with others.

When association takes place adequate supervision ensures that safety and good order are maintained. Work Area Risk Assessments have been produced and are reviewed regularly, to determine the level of supervision deemed appropriate.

The service has a duty of care toward vulnerable prisoners which it takes seriously, and has a range of support mechanisms available to enable it to discharge that responsibility.

Performance measures have also been developed to monitor the level of assaults within prisons and action is taken if risks appear to have increased.

It should be recognised that the external oversight and inspection of prison regimes in Northern Ireland has to date encouraged the Prison Service to increase opportunities for association.

### **Prisoner Ombudsman: Report**

**Lord Morrow** asked the Minister of Justice, in light of the report by the Prisoner Ombudsman for Northern Ireland on the death of Mr D, and in attempt to gauge the level of drugs supply in prisons, whether he plans to introduce a short-term pilot whereby no prisoner is in charge of any medication and compare the results to a similar timeframe outside of this pilot.

**(AQW 30332/11-15)**

**Mr Ford:** There are no plans to introduce such a pilot as described. NIPS has recently achieved an increase in drug finds, including prescribed medication, due to effective intelligence led searching and joint working with partners such as PSNI. The majority of prisoners do not abuse their medication and the introduction of such a pilot would have significant impact on prison resources.

### **Legal Aid: Representations on Reform**

**Lord Morrow** asked the Minister of Justice, since the introduction of Legal Aid reform, how many law firms and/or solicitors have made representations opposing reform; and of these, how many appear on the most recently released list of the top 100 firms receiving Legal Aid.

**(AQW 30383/11-15)**

**Mr Ford:** Since my first public consultation on legal aid reform in November 2012, my Department has received representations from 31 law firms and/or solicitors opposing reform. Of these, 12 firms appear in the latest list of the top 100 firms receiving legal aid.

### **Prisons: Drugs**

**Lord Morrow** asked the Minister of Justice for his assessment of whether it is acceptable for prison officers to openly state they are aware of an active drug dealer or taker in the prison or which prisoners are bullying vulnerable prisoners for medication, clearly indicating that staff are very much aware of what is going on and yet nothing is being done, and to detail (i) the procedure for prison officers in these instances; (ii) the support offered to ensure they are able to carry out their relevant duties; and (iii) whether the discipline and control of drug-taking or drug-dealing prisoners is an issue which is prohibiting staff.

**(AQW 30386/11-15)**

**Mr Ford:** Prison Officers are expected to act with due diligence in regard to drugs within prison in line with the Northern Ireland Prison Service stated zero tolerance policy and the actions expected of them as Prison Officers under the Northern Ireland Prison Service Professional Codes of Conduct and Ethics and Values, both of which are available in the Assembly library.

If an officer has clear evidence of any of the breaches of discipline as described then he/she can place a prisoner on report, the case will be considered by a Governor and if appropriate the prisoner will have sanctions imposed. In addition there is a system in place whereby prison staff can report on intelligence which when collated can lead to action taken against guilty parties.

Prison staff are provided with training commensurate with their role. There is in place a command structure which allows staff to raise concerns with their manager. All staff are suitably supported in fulfilling their challenging role.

Prison staff are trained to carry out their role. Staff have access to their line manager if they have concerns and wish to report any incident which comes to their attention, including prisoners misusing drugs. Staff and line management do have access to a range of support, including the disciplinary procedures outlined above, the Progressive Regime and Earned Privileges procedures, which decides a prisoner's regime level, and access to drug support services provided by the South Eastern Trust.

### Legal Aid: Proposed Cuts

**Mr Weir** asked the Minister of Justice to detail the proposed Legal Aid cuts, broken down by (i) criminal; and (ii) civil Legal Aid. (AQW 30397/11-15)

**Mr Ford:** Since launching my Departmental Action Plan in July 2012, I have introduced significant reforms in relation to Criminal Legal Aid which will yield savings in the region of £20 million per year. A further reform to Crown Court fees has been subject to consultation with projected annual savings of up to £5.6 million.

In terms of Civil Legal Aid, my Department has consulted on: reforming publicly funded legal representation in the Civil and Family Courts; reforming financial eligibility for Legal Aid; alternative methods for funding money damages claims; and introducing standard fees in the Civil Courts. The projected savings from these reforms, if fully implemented, are up to a further £18 million per year.

### Ministerial Travel: Expenditure

**Mr Allister** asked the Minister of Justice to detail the total expenditure on departmental Ministerial travel in the periods (i) January to June 2013; and (ii) July to December 2013.

(AQW 30409/11-15)

**Mr Ford:** Expenditure on Ministerial travel is not separately recorded by the Department of Justice. The cost of Ministerial travel is recorded with travel costs for the Minister's Office staff.

Expenditure on departmental Ministerial travel, including the costs of the Minister and Minister's Office staff during the above periods is shown in the table below.

January to June 2013	£1,532
July to December 2013	£1,327

### Banbridge Policing and Community Safety Partnership: Funding

**Mrs Dobson** asked the Minister of Justice for his assessment of the funding provided to Banbridge Policing and Community Safety Partnership in relation to meeting the demand from victims of crime across the district.

(AQW 30416/11-15)

**Mr Ford:** My Department and the Northern Ireland Policing Board jointly fund PCSPs so that they can help make communities safer, and ensure that the voices of local people are heard on policing and community safety issues. The partnerships aim to develop local solutions that will help to tackle crime, fear of crime and anti-social behaviour.

On that basis, it is for each PCSP to consult and engage with local people and other relevant bodies to identify those issues of greatest concern locally, and prioritise its expenditure accordingly. Banbridge PCSP received funding totalling £183,889 from the DoJ and NIPB for the 2013/2014 period, £88,340 of which was allocated to support a wide range of community safety initiatives aimed at reducing crime and reducing the risk of becoming a victim of crime. This included a contribution of £10,000 to the Banbridge Secure scheme – an initiative aimed specifically at meeting the needs of victims of crime.

The scheme offers victims of burglary, or those who may be vulnerable to this type of crime, free basic security measures for their homes. Referrals to the scheme are made through the PSNI Crime Prevention Officer and local Neighbourhood Teams.

Banbridge PCSP also supports Community Safety Wardens who offer reassurance and support by conducting follow up visits to those who have availed of the Banbridge Secure scheme.

PCSPs are currently reviewing their 2013/15 actions plans to ensure the work they are delivering continues to reflect locally identified priorities for the 2014/15 period.

### Prisoners: Prescribed Medicine Storage

**Lord Morrow** asked the Minister of Justice what arrangements are in place for prisoners to store their prescribed medicine; and how safe is this storage facility from the theft of medicine.

(AQW 30419/11-15)

**Mr Ford:** Prisoners have been provided with lockable cabinets in which to store their medication. NIPS are aware that there have been issues regarding malicious damage to the cabinets. A new contract will be signed shortly to replace the cabinets with a more robust metal storage box.

## Savings: 2013-14 Target

**Mr Allister** asked the Minister of Justice why his Department is anticipating missing its 2013-14 savings target by £18.3m. (AQW 30423/11-15)

**Mr Ford:** As at 30 September 2013, the Department is forecasting savings of £85.1m against a target of £103.4m.

The difference of £18.3m is mainly due to the extension of the NI Prison Service staff exit scheme.

More staff have left under the scheme than originally planned. Whilst increasing costs this year to fund leavers, this will generate more recurring savings in future years. Also, during 2013-14 it has not been possible to release some staff as quickly as intended for operational reasons, delaying the impact of savings.

The Department expects to deliver a total savings target of £101m by

2014-15 and will continue to work with spending areas, including NI Prison Service to look at ways to continue to deliver further savings.

The Department provides 6 monthly updates on Savings Delivery Plans to the Justice Committee and publishes these on the Department of Justice internet site.

## Judicial Reviews

**Mr Weir** asked the Minister of Justice to detail the number of judicial reviews in each of the last five years; and how many of these reviews were successful. (AQW 30434/11-15)

**Mr Ford:** The table below details the number of Judicial Reviews heard in each of the last five years and the number found in favour of the applicant.

Year	Judicial Review applications heard	Finding for the applicant
2009	100	31
2010	92	27
2011	89	30
2012	90	22
2013 <sup>1</sup>	116	42

<sup>1</sup> Data currently provisional and may be subject to change.

**Source:** Integrated Court Operations System (ICOS).

## Maghaberry Prison: Visiting Arrangements

**Lord Morrow** asked the Minister of Justice, in relation to the alteration of visiting arrangements at Maghaberry Prison, in particular Braid House, to detail the (i) date of commencement of the revised arrangements; (ii) specific reasons for the changes; (iii) whether this is a temporary measure, and if so, the estimated date of return to original visiting arrangements; and (iv) whether risk assessments were carried out in preparation for or at the time the changes were implemented. (AQW 30447/11-15)

**Mr Ford:**

- (i) The new visiting arrangements for the Mourne complex commenced on 30 January 2014.
- (ii) These new arrangements were put in place to ensure that domestic visits are afforded the appropriate level of supervision, and to enable prisoners to have visits in purpose built facilities, providing access to a refreshment area and a play area for young children.
- (iii) This is not a temporary arrangement.
- (iv) As the new visiting arrangements are taking place within an area already being used for domestic and legal visits within the Mourne complex a risk assessment has already been completed.

## Human Trafficking: Sexual Exploitation

**Lord Morrow** asked the Minister of Justice to detail the current sentences in respect of human trafficking for sexual services/prostitution and under what circumstances this is variable due to aggravating factors, including the timespan of offences and the victim's mental capability. (AQW 30455/11-15)

**Mr Ford:** Sections 57 to 59 of the Sexual Offences Act 2003 (the 2003 Act) set out the relevant offences of human trafficking for the purpose of sexual exploitation. I secured an amendment of the 2003 Act through section 8 of the Criminal Justice

(Northern Ireland) Act 2013 so that these offences are now triable on indictment only and as such, in most cases, attract a maximum sentence of 14 years.

Human trafficking may also involve the abuse of vulnerable victims and specific provision is made for sexual offences against persons with a mental disorder in Part 4 of the Sexual Offences (Northern Ireland) Order 2008 (the SO Order).

The offences under the 2003 Act and the SO Order are specified as Serious Offences under paragraph 28 and 31A of Schedule 1 to the Criminal Justice (Northern Ireland) Order 2008 (the 2008 Order) with the effect that, if an individual is convicted of one of these offences, and the court considers them to be dangerous, the court has powers to impose a discretionary life sentence, an indeterminate custodial sentence or an extended custodial sentence. In such cases offenders are subject to the public protection sentences and the associated release arrangements provided for under the Life Sentences (Northern Ireland) Order 2001 and the 2008 Order, including supervision in the community on release (on licence).

Within this framework, sentencing is a matter for the courts and every case must be considered on the basis of the specific facts, having regard to established legal principles. The deliberate targeting of vulnerable victims is regarded by the judiciary as an aggravating factor. In addition, Crown Court sentencing guidance was issued by His Honour Judge Burgess following *R v Pis* (2012) and included a range of aggravating factors that judges should consider when sentencing for offences of human trafficking for sexual exploitation. That guidance set out that any case involving the trafficking of other human beings is a serious case meriting a sentence which is proportionate to the offending and is a genuine and real deterrent; that anyone who is brought before the courts in Northern Ireland for offences of this nature can, other than in exceptional circumstances, expect a custodial sentence; and that the sentence will be heavier for those who coerce their victims, who use violence against them, who sexually assault and degrade them and who placed them in fear of their own or their loved ones' lives.

The Department of Justice is currently consulting on proposals to increase the maximum sentence for all human trafficking and slavery offences to life imprisonment and to specify these offences as Serious Offences under Schedule 1 of the 2008 Order.

### **Family Law: Litigants in Person**

**Mr Swann** asked the Minister of Justice whether Litigants in Person within the Family Court system are afforded the same level of service and respect in compliance with the relevant articles contained in the European Convention on Human Rights. **(AQW 30479/11-15)**

**Mr Ford:** All court users receive the same level of service and respect in court regardless of whether they are legally represented or acting as a personal litigant.

### **Family Law: High Court Judgment**

**Mr Swann** asked the Minister of Justice to detail (i) how; and (ii) when the Family High Court Judgement, made by Mrs Justice Parker in London on 23 December 2013 in relation to parental alienation and the consequential emotion abuse, will be conveyed to the Judiciary. **(AQW 30513/11-15)**

**Mr Ford:** The Lord Chief Justice is responsible for judicial training and guidance.

### **Family Law: Warnings to Solicitors and Barristers**

**Mr Swann** asked the Minister of Justice how many solicitors and barristers have received warnings by the judiciary in Family Law cases in the last 12 months for (i) failing to comply with court orders; and (ii) misleading the court; and to detail the sanctions imposed by the courts on these individuals. **(AQW 30514/11-15)**

**Mr Ford:** This information is not available as it is not recorded.

### **Property Repossessions: South Tyrone**

**Ms McGahan** asked the Minister of Justice to detail the number of writs and summonses issued regarding house repossessions in South Tyrone in the last two years; and of these, how many have resulted in enforcements and house repossessions. **(AQW 30517/11-15)**

**Mr Ford:** In 2012 130 writs and summonses were issued regarding property repossessions in the Dungannon and South Tyrone Borough, 115 were issued in 2013.

It is not possible to identify how many of these cases resulted in enforcement action and the repossession of a property without incurring a disproportionate cost. However, in 2012 the Enforcement of Judgments Office completed 45 repossessions of property in the Dungannon Local Government District and 52 repossessions in 2013.

## Inquest: CCTV Footage

**Lord Morrow** asked the Minister of Justice, in relation to the Prison Service CCTV footage which is being introduced as evidence to the John Deery inquest, whether the staff shown in this footage at the time of Mr Deery's death and the hours prior to it, were all subject to suspension and/or disciplinary procedures.

**(AQW 30520/11-15)**

**Mr Ford:** At the present time it is not possible to supply an accurate answer as it is not yet known precisely what footage the Coroner wishes to play. Some members of the Northern Ireland Prison Service staff were subject to suspension and/or disciplinary procedures as a result of examination of the circumstances surrounding Mr Deery's death in custody, but it is not known if the said individuals are on the footage the Coroner intends to show.

## Convictions: Cyclist Fatalities

**Mr Dickson** asked the Minister of Justice to detail the number of successful prosecutions arising from the death of a cyclist in a road traffic collision in each financial year since 2002; and whether the outcome resulted in a custodial or non-custodial sentence.

**(AQW 30541/11-15)**

**Mr Ford:** Conviction data is recorded for generic offences, such as, for example, causing death by dangerous driving or causing death by driving carelessly when unfit. Datasets held by my Department currently do not contain information on the location and circumstances in which offences were committed. Therefore, it is not currently possible to identify from the data whether a conviction associated with a road traffic collision relates to one involving the death of a cyclist.

## Antisocial Behaviour

**Mr Anderson** asked the Minister of Justice what action his Department is taking to tackle anti-social behaviour in (i) Portadown; (ii) Lurgan; and (iii) Banbridge.

**(AQW 30562/11-15)**

**Mr Ford:** Tackling anti-social behaviour is a key strand of the Community Safety Strategy. At a strategic level, an inter-Agency Delivery Group has developed an Action Plan which includes measures to clarify roles and responsibilities for dealing with anti-social behaviour and to remove the barriers to effective partnership working to address this type of behaviour.

At a local level, Policing and Community Safety Partnerships (PCSPs) have developed Action Plans to provide tailored solutions to address local priorities.

Initiatives to address anti-social behaviour, led by Craigavon PCSP, include a Youth Engagement Partnership, which promotes early intervention and focuses on issues such as alcohol, drugs and anti-social behaviour; an inter-generational programme which brings together young people and older people in a series of workshops to discuss a range of issues including anti-social behaviour; a "Rights and Responsibilities" project to help young people make informed choices and display good citizenship behaviour; a number of midnight events which are held at weekends to engage young people in activities such as soccer and dance; Neighbourhood Watch Schemes which work with communities to reduce crime; and a number of seasonal campaigns to reduce crime, including anti-social behaviour, at specific times of the year.

Specific examples of work by the Banbridge PCSP to address anti-social behaviour in the area include a range of shared community events with disadvantaged communities to increase their capacity to address local anti-social behaviour issues; the delivery of multi-agency youth engagement projects which address anti-social behaviour in a variety of ways, including through projects, such as "Young Passenger and Driver" awareness-raising, and "Nite Safe" and "Street Scene" workshops; a local drug and alcohol strategy, launched by the Partnership in Autumn 2013, which involves public meetings, awareness training for community leaders, sports coaches and a road show; and the "Assisting People And Communities" project which facilitates extensive work with individuals involved in anti-social behaviour and their families.

## Contempt of Court

**Lord Morrow** asked the Minister of Justice to detail what constitutes Contempt of Court.

**(AQW 30645/11-15)**

**Mr Ford:** Contempt of court may be either criminal or civil in nature, and may be dealt with under the Contempt of Court Act 1981, or under common law. There is no overall statutory definition of the term. It includes acts or omissions which may interfere with the due administration of justice, such as disobeying a court order; misbehaviour in court; or being rude or disrespectful to the Court.

## Hydebank Wood: Visit

**Mr Allister** asked the Minister of Justice, pursuant to AQW 30480/11-15, whether the proposed visit by Mr Kelly was initially approved by security in Hydebank Wood Young Offenders Centre and by a Deputy Governor; and if so, what changes in procedures have been implemented and if disciplinary proceedings are planned.

**(AQW 30659/11-15)**

**Mr Ford:** The Governor of Hydebank Wood has begun an investigation into the circumstances relating to the proposed visit of Mr Kelly. Decisions will then be taken in the light of any findings made with regards to the requirement for any changes in procedures, or any other action.

### Prisons: Union Flag

**Mr Allister** asked the Minister of Justice to detail (i) the days on which the Union Flag is flown from HM Prisons; and (ii) any prisons which failed to fly the flag on any of those dates and an explanation as to why this occurred.

**(AQW 30703/11-15)**

**Mr Ford:** Annex A attached details the days on which the Union Flag is flown at prison establishments.

NIPS has advised that flying of the Union Flag is not specifically recorded. However, it has come to light that, due to an oversight, the Union Flag was not flown at Hydebank Wood on the first three occasions of 2014.

### Annex A

#### Dates for flying the Union Flag on UK government buildings in 2014

- |   |  |
|---|--|
| ■ 9 January Birthday of the Duchess of Cambridge        | ■ 2 June Coronation Day                                  |
| ■ 20 January Birthday of the Countess of Wessex         | ■ 10 June Birthday of the Duke of Edinburgh              |
| ■ 6 February Her Majesty's Accession                    | ■ 14 June Official celebration of Her Majesty's birthday |
| ■ 19 February Birthday of the Duke of York              | ■ 21 June Birthday of the Duke of Cambridge              |
| ■ 1 March St David's Day (in Wales only)                | ■ 17 July Birthday of the Duchess of Cornwall            |
| ■ 10 March Birthday of the Earl of Wessex               | ■ 15 August Birthday of the Princess Royal               |
| ■ 10 March Commonwealth Day (second Monday in March)    | ■ 9 November Remembrance Day (second Sunday in November) |
| ■ 17 March St. Patrick's Day (in Northern Ireland only) | ■ 14 November Birthday of the Prince of Wales            |
| ■ 21 April Birthday of Her Majesty the Queen            | ■ 20 November Her Majesty's Wedding Day                  |
| ■ 23 April St George's Day (in England only)            | ■ 30 November St Andrew's Day (in Scotland only 1)       |
| ■ 9 May Europe Day                                      |  |

### Children and Young People: Legal Needs

**Mr Copeland** asked the Minister of Justice (i) to detail any independent research his Department has commissioned into the legal needs of children and young people; (ii) whether the research has now been completed; and (iii) when the research will be published.

**(AQW 30749/11-15)**

**Mr Ford:** In May 2013, I commissioned Queens University Belfast to carry out independent research on the legal needs of children and young people. The research has now been completed and the report is in the final stages of preparation. I intend to publish the report shortly.

## Department for Regional Development

### A6: Unsuccessful Capital Bids

**Mr Eastwood** asked the Minister for Regional Development to outline why bids to fund the dualling of the A6 have been unsuccessful.

**(AQO 5234/11-15)**

**Mr Kennedy (The Minister for Regional Development):** Following the court ruling in April of this year, which delayed the A5 Western Corridor dualling scheme, I wrote to the then Finance Minister in May, highlighting other schemes which could commence construction in 2014/15. The A6 Randalstown to Castledawson section was one of four schemes for which bids were submitted as part of the October 2013 Monitoring Round and the 2014/15 Capital Budget Exercise.

Unfortunately, the bid to commence construction on the A6 in 2014/15 was not met by the Executive. However, sufficient funding was secured to establish a "no-value" contract that allows a contractor to be appointed to complete the detailed design work, and be ready to commence construction, when funding is confirmed.

The A6 Londonderry to Dungiven section has been through a Public Inquiry. My officials have considered the Inspector's recommendations and I expect to make a Departmental Statement on the way forward later this financial year. Although well advanced, this scheme is not in a position to commence construction in 2014/15 and was therefore not eligible for construction funding in this period.

I will continue to press the need for this scheme in future bids for funding.

## Gritting: School Routes

**Ms Maeve McLaughlin** asked the Minister for Regional Development whether he would consider amending legislation to ensure all roads on school routes are gritted.

**(AQW 29573/11-15)**

**Mr Kennedy:** The winter service policies and procedures operated by my Department's Roads Service follow the well-established practice of targeting the limited resources available for this service on the busier main through routes.

In general, this means Roads Service salts the main through routes which carry more than 1,500 vehicles per day. Whilst this policy does not specifically provide consideration for schools located on steep hills, it does however, in exceptional circumstances, provide for extra consideration to be given to roads with difficult topography such as steep hills which carry between 1,000 and 1,500 vehicles per day.

In addition, this policy provides that buses in service, including school buses, should receive further consideration in that a 40-seater bus is counted as 40 vehicles when a road is being assessed for potential inclusion onto the salting schedule, regardless of the number of passengers on the bus.

Roads Service has also introduced enhanced communication arrangements and priority "secondary" salting to over 40 rural schools most affected by weather conditions throughout the winter of 2008/09. This amended policy was designed to give priority to such schools and is in operation again this winter.

The policy, which is maintained at a local level by Roads Service Section offices, takes on board local weather conditions and makes provision for other schools to be added as conditions dictate throughout the winter period. At the same time the criteria for the provision of grit or salt piles and salt bins was also amended so that these can now be provided to affected schools, if requested

That said, following on from the severe weather in January and March of last year, I wanted to independently assess the effectiveness of the Roads Service arrangements for dealing with winter weather and identify any areas for improvement.

To facilitate this process, I sanctioned an independent review of the winter service provision and policy. The review was carried out by The National Winter Service Research Group, which has extensive experience in this area. The review itself was very comprehensive and was carried over a number of weeks, examining every aspect of the winter service programme. I was encouraged that the review was generally positive and found that Roads Service winter service policies are well-considered and consistent.

## Waste: Mobuoy Road

**Mr Agnew** asked the Minister for Regional Development, given the discovery of the illegal landfill at Mabuoy Road (i) if his Department will revisit the Environmental Statement prepared for the A6 road scheme, to take account of the significant effects of this environmental disaster; (ii) what opportunity will be afforded to the public to examine the Department's assessment of how the Strategic Roads Improvement will impact on the illegal landfill site and any knock on effects to the River Faughan Special Area of Conservation; and (iii) for his assessment of whether the current Environmental Statement is a sound basis on which to proceed with the Strategic Roads Improvement.

**(AQW 29943/11-15)**

**Mr Kennedy:** The published environmental statement identified the City Industrial Waste and Campsie Sand and Gravel sites as potentially contaminated, leading to the proposed A6 dual carriageway being aligned around the eastern periphery of these sites thus avoiding the illegal landfill. I am content it is not necessary to revisit the published Environmental Statement, which can be accessed from my Department's internet site at the following web address:

[www.drdni.gov.uk/index/roadimprovements/schemes/derry-dungiven/a6ld\\_project\\_documents/a6ld\\_project\\_documents\\_draft\\_orders\\_and\\_environmental\\_statement.htm](http://www.drdni.gov.uk/index/roadimprovements/schemes/derry-dungiven/a6ld_project_documents/a6ld_project_documents_draft_orders_and_environmental_statement.htm)

The scheme includes a proposal to reinstate part of the Campsie Sand and Gravel quarry, located between Mobouy Road and the River Faughan, to replace flood storage capacity lost to the new dual carriageway. If the illegal landfill is still present when the road is being constructed, I am content that installation of appropriately engineered measures to contain the illegal waste will ensure that the compensatory floodplain can be constructed as planned. Such engineering measures would stop contaminants leaching into the River Faughan Special Area of Conservation.

## Strategic Roads Improvement Programme: Environmental Assessment

**Mr Agnew** asked the Minister for Regional Development to detail whether (i) a Strategic Environmental Assessment (SEA) was necessary for the overall national plan of Strategic Roads Improvements (SRI); (ii) a SEA was undertaken for the national plan of SRIs before individual elements of this plan were implemented; and (iii) his Department is in a position to proceed with the A6 road scheme element of SRI, in the absence of SEA.

**(AQW 29945/11-15)**

**Mr Kennedy:** The European Strategic Environmental Assessment (SEA) Directive (2001/42/EC) was ratified into Northern Ireland law by the Environmental Assessment of Plans and Programmes Regulations (Northern Ireland) 2004. The SEA Directive applies to plans and programmes where the first formal preparatory act is on or after 21 July 2004, and also to those

where formal preparation began before 21 July 2004 but which have not been either adopted or submitted to a legislative procedure leading to adoption by 21 July 2006.

The Regional Strategic Transport Network Transport Plan (RSTNTP) was published in March 2005, setting out the Strategic Road Improvement (SRI) Programme. Consultation on this document took place before and during 2003, and included a Working Conference on the emerging RSTNTP attended by a wide range of stakeholders, in September of that year. The European SEA Directive therefore does not apply to this Plan.

The SRI Programme was augmented through the Investment Strategy for Northern Ireland and an enhanced programme included in the Investment Delivery Plan for Roads (IDP), published in April 2008. In January 2009, my Department took legal advice as to whether it was necessary to undertake a SEA of the IDP. This reaffirmed that a SEA was not necessary.

The Direction Order for the Randalstown to Castledawson Dual Carriageway was published in March 2011. I anticipate making a Statement on the progression of the A6 Londonderry – Dungiven Dual Carriageway within the next few months.

## A6: Environmental Impact

**Mr Agnew** asked the Minister for Regional Development whether the preferred option for the proposed A6 Strategic Roads Improvement was the least environmentally damaging of all options considered, in terms of its effects on the River Faughan and Tributaries Special Area of Conservation.

**(AQW 29946/11-15)**

**Mr Kennedy:** The River Faughan and Tributaries Special Area of Conservation (SAC) was a key consideration in the selection of the preferred route for the proposed A6 Londonderry to Dungiven dual carriageway scheme. The preferred route was selected following extensive environmental and engineering assessments and Habitats Directive Appropriate Assessment screening of the possible routes for the scheme.

A Habitats Directive Statement to Inform an Appropriate Assessment has been prepared for the published scheme. This concluded that, with the inclusion of appropriate mitigation, the construction and operation of the A6 Londonderry to Dungiven dual carriageway would not, by itself or in combination with other known plans or projects, adversely affect the integrity of the River Faughan and Tributaries SAC and the River Roe or Tributaries SAC, or their ability to meet their conservation objectives.

## Ballymena Bus and Rail Station: January Monitoring Round

**Mr Allister** asked the Minister for Regional Development how his Department anticipates spending the £1.5m of extra capital resources granted in the January Monitoring Round; and whether this will include upgrading Ballymena Station.

**(AQW 30149/11-15)**

**Mr Kennedy:** Translink is carrying out a programme of work aimed at ensuring that all of its bus stations, workshops and garages meet the required standards under current legislation, regulations and British Standards. The £1.5 million granted in January Monitoring will be used in the main towards this programme. £66,000 has been allocated for the refurbishment of the roof at Ballymena Bus Garage and work on this project has now been completed. A separate major project is being considered by Translink for Ballymena station and this is included in the 2014/15 programme of capital projects. That project will be subject to securing the necessary approvals and funding.

## Ulsterbus: Average Age of Fleet

**Mr Campbell** asked the Minister for Regional Development to detail the current average age of the Ulsterbus fleet.

**(AQW 30203/11-15)**

**Mr Kennedy:** Translink officials have advised that the current average age of the Ulsterbus fleet is 6.52 years.

Over recent years the fleet age has been around this level. The Department has set targets for average fleet age (8 years), accessibility and to ensure buses do not exceed 18 years and coaches 12 years.

Significant progress has been made but continued investment will be required.

## Travel: Expenditure

**Mr Allister** asked the Minister for Regional Development to detail the total expenditure on (i) ministerial travel; and (ii) Special Adviser travel in 2013.

**(AQW 30224/11-15)**

**Mr Kennedy:** The travel costs incurred by (i) the Minister; and (ii) the Special Adviser for the 2013 financial year to 31st December 2013 are provided below:

Travel Costs	Minister £	Special Advisor £
Total	49,792	2,791

The Minister's costs include the costs of the Ministerial car and driver as well as other travel costs incurred. Non cash costs are not included.

### Unadopted Roads: Safety of Residents

**Mr McMullan** asked the Minister for Regional Development to detail who has responsibility for the safety of residents who live in unadopted sites with no street lighting and where the building contractor has entered administration.

**(AQW 30261/11-15)**

**Mr Kennedy:** Until my Department has adopted the roads within a housing development, the developer generally has the primary responsibility for the health and safety risks associated with the development's roads infrastructure, including the provision and operation of street lighting.

Where a developer has entered into administration, then responsibility falls to the administrator or other responsible parties. In such cases, my Department's Roads Service will initially liaise with the administrator to seek completion of the development's roads infrastructure, including street lighting. If this is not possible, Roads Service will call upon the available road bond and arrange for a contractor to complete the necessary works.

However, in cases where urgent repairs are required to prevent or remove danger to persons or vehicles, my Department may, on giving at least 48 hours notice to the responsible person, carry out such urgent repairs under Article 22 of the Private Streets (NI) Order 1980.

### Translink: Free Travel Passes

**Mr Dallat** asked the Minister for Regional Development to detail (i) the number of free travel passes issued by Translink to senior citizens; (ii) the number used compared to the number issued; and (iii) the cost of administering the scheme.

**(AQW 30264/11-15)**

**Mr Kennedy:** The information requested is supplied below:

- (i) At 29 January 2014 there were 220,393 'active' Senior smartpasses for those aged 65 plus and 61,649 active 60 plus smartpasses. NOTE the definition of 'active' is that the person has a current valid working smartpass, regardless of whether or not it is used.
- (ii) 140,326 individual Senior Smartpasses have been used in the last 12 months (64%) and 55,209 60 plus passes have been used in the last 12 months (89.5%).
- (iii) The cost of administering the Northern Ireland Concessionary Fares scheme in 2012/13 was £675k. This covers costs incurred by Translink, reimbursed by the Department, as well as direct costs for items such as application forms.

### Railways: Upgrade of Belfast to Dublin Service

**Mr Dallat** asked the Minister for Regional Development what progress has been made to advance the upgrading of the Belfast to Dublin rail service.

**(AQW 30265/11-15)**

**Mr Kennedy:** Enhancement of the Enterprise Service was one of the investment packages up for discussion in the consultation exercise undertaken by my Department last year seeking the public views on prioritisation of railway investment in future budget rounds over the period 2015-2035.

The objective of this package would be to deliver a 90 minute journey time and hourly frequency on the Enterprise service. This package also included electrification of the line. There was considerable support from consultation respondents for improvements to the Enterprise Service with mixed response for electrification, because of the costs involved.

An analysis of the information gathered from the public consultation is continuing, alongside the ongoing work to determine the prioritisation of future investment in the wider transportation infrastructure in Northern Ireland. It is planned that a report on the railways analysis including the future investment requirements of the joint cross-border service will be published soon.

In the meantime Translink and Iarnród Éireann are liaising in order to take forward a major overhaul of the existing Enterprise trains. I am confident that the required £12m funding will be secured from the EU Interreg IVA programme and other sources. When this project is complete it is expected that there will be considerable improvement to the reliability of the service as well as to the aesthetics of the trains.

A project, with expected costs of £1.2m, to carry out safety critical works to the trains is underway and is expected to be completed in 2015.

Translink is considering future upgrades of the track on the Belfast to Dublin line and progress is being made to take forward the upgrade of the section between Knockmore and Lurgan. The necessary approvals and securing of funding are required before this project can commence.

## Electric Cars

**Mr Campbell** asked the Minister for Regional Development for an estimate of the number of electric cars that will be registered locally by the end of 2015.

**(AQW 30308/11-15)**

**Mr Kennedy:** The most recent projections, supplied by the Office for Low Emission Vehicles in December 2013, suggest that by the end of 2015 0.5 to 0.9 per cent of new vehicles registered in the United Kingdom would be electric vehicles, or between 370 and 670 electric vehicles in Northern Ireland.

Including estimates for 2014 registrations and vehicles already registered, the number of electric vehicles that would be registered locally by the end of 2015 is estimated to be between 685 and 1,135 vehicles.

## Street Lighting: Energy Efficiency

**Mr McGlone** asked the Minister for Regional Development, pursuant to AQW 29534/11-15, what measures his Department has put in place to improve energy efficiency and reduce the amount spent on electricity for street lighting.

**(AQW 30352/11-15)**

**Mr Kennedy:** My Department has put in place a range of measures to improve energy efficiency and minimise street lighting electricity costs.

Key energy efficiency measures have included:

- ensuring designs for new street lighting are to the appropriate standards and avoid over-lighting;
- replacement of older, high wattage lanterns with modern versions which have lower power consumption and improved optical performance;
- use of electronic photo-cells and electronic control gear; and
- use of the most efficient and cost effective lantern types, including increased use of light emitting diodes (LED).

To minimise electricity costs for street lighting, my Department procures the electricity needed through annual competitive tendering, to ensure we pay the lowest price available.

## Cycling: 'Quietways'

**Mr McKay** asked the Minister for Regional Development whether his Department has given consideration to the introduction of quietways for cyclists.

**(AQW 30427/11-15)**

**Mr Kennedy:** The recently formed Cycling Unit within my Department is developing an ongoing programme of work as it aims to ensure that cycling provision is a key element in both transport strategy and delivery.

The introduction of 'Quietways' for cyclists is one of the avenues the Cycling Unit intends to explore and has been included in the Cycling Unit draft work programme.

## Rural Roads: Maintenance of Gullies

**Mr I McCreá** asked the Minister for Regional Development who is responsible for the cleaning and maintenance of gullies on rural roads in the Western Division.

**(AQW 30441/11-15)**

**Mr Kennedy:** My Department's Roads Service is responsible for the cleaning and maintenance of the storm water gullies within the public road network across Northern Ireland.

## NI Water: Customer Charges for Leaked Water

**Mr Allister** asked the Minister for Regional Development why there is a distinction made by NI Water whereby domestic users can be granted an allowance in respect of excessive usage resulting from a leakage, whereas no such allowance is afforded for non-domestic use when the consumer is not connected to the main sewer, and if this will be addressed.

**(AQW 30481/11-15)**

**Mr Kennedy:** I have been advised by Northern Ireland Water (NIW) that the absence of direct charging of domestic customers for water and sewerage services means that a distinction must be made between domestic customers and the charged non-domestic customers. All water supplied to metered non-domestic customers is charged regardless of whether it is consumed or lost through leakage on their private supply pipes. It is therefore the case that all non-domestic customers, whether connected to the sewer or not, are treated equally in so far as they are all billed for the water consumption recorded through the meter and account adjustments are not available in respect of the water element of the bill.

In cases where a customer has a metered supply which serves both domestic and non-domestic use (such as a farm house sharing the supply to a farm, or a flat above a shop sharing the same supply as the shop) the customer is treated as non-domestic for billing purposes and a domestic allowance of 100 cubic metres per six month period is granted in respect of the domestic

use element. If a leak occurs on such a 'mixed use' supply, the location of the leak will be taken into account by NIW. If the leak has occurred on the pipework serving the non-domestic element then this will be treated in the same way as all other non-domestic customers in that an account adjustment will only be available in respect of any sewerage charges if they are connected to the sewer. On the other hand, if a leak occurs on a 'mixed use' supply on the pipework that is serving the domestic element then the customer will be eligible for an account reduction on the water element of the bill and the sewerage element.

In the absence of domestic charging, any leaks on the supply serving the domestic element have to be treated in the same manner as other domestic customers, otherwise customers with mixed use supplies would be charged for domestic leakage while other domestic customers would not be charged.

NIW considers the current billing policies to be appropriate for the charging arrangements which prevail and there are no plans to undertake a review at this time.

## Community Transport

**Mr Rogers** asked the Minister for Regional Development to detail whether Community Transport Operatives (i) will be required to hold a commercial licence; and (ii) will be able to avail of future funding.

**(AQW 30546/11-15)**

**Mr Kennedy:** I can advise that bus licensing is a matter for the Department of Environment.

Currently my Department is undertaking an evaluation of the transport policies and schemes initiated by the Department to promote social inclusion. Services provided by rural community transport partnerships come under this heading. The outcome of the evaluation will assist my Department to develop proposals to meet the transport needs of elderly and disabled people across Northern Ireland and to determine how such services may be delivered. My Department has no current plans to reduce the level of grant assistance to the rural community transport partnerships.

## Pavements: North Down

**Mr Weir** asked the Minister for Regional Development to detail the areas of North Down that will have footpaths and pavements resurfaced in 2014/15.

**(AQW 30587/11-15)**

**Mr Kennedy:** My Department is currently preparing work programmes for 2014/15, details of which will be published in Roads Service's Spring and Autumn Reports to Councils. Once completed, the Council Reports for the 2014/15 financial year will be placed on my Department's internet site.

# Department for Social Development

## Housing Executive: Low Performance Damages

**Mr Allister** asked the Minister for Social Development, in relation to the current response maintenance contracts, how much the Northern Ireland Housing Executive has withheld from contractors in respect of Low Performance Damages arising out of Key Performance Indicator scores; and of those amounts, how much has been (i) undisputed; and (ii) disputed by the contractors.

**(AQW 29926/11-15)**

**Mr McCausland (The Minister for Social Development):** The Housing Executive has advised that against the overall expenditure in response maintenance contracts in the year to August 2013 the Low Performance Damages (LPD) taken to date is £66,525.88, which represents 0.36% of the spend. This has not been disputed by the contractors.

## Social Fund: Crisis Loan Phone Service

**Mr Easton** asked the Minister for Social Development how many calls the Crisis Loan phone line has received in each of the last three years.

**(AQW 30230/11-15)**

**Mr McCausland:** The information is not available in the format requested as statistics on the number of calls received by the Social Fund Crisis Loan phone line service is only held for the last two years. The figures for the last two years are set out in the table below.

### No of Telephone calls received by the Social Fund Crisis Loan phone line service

Year	Totals
2012	1,961,071
2013	1,473,517

### Social Fund: Crisis Loan Phone Service

**Mr Easton** asked the Minister for Social Development what percentage of crisis loan phone line enquires were dealt with; and what percentage were missed, in each of the last three years.

**(AQW 30232/11-15)**

**Mr McCausland:** The percentage of crisis loan phone line enquiries dealt with and percentage missed is only held for the last two years. The figures for the last two years are set out in the table below. The Social Fund Crisis Loan Service is primarily a face to face service delivered at the front office and in addition, a limited telephone service is provided to support this service. The Agency recognises that the telephone service is limited and requires modernisation and, as part of Welfare Reform, a programme of investment is underway which is due for completion next year.

#### Crisis Loan phone line - Percentage of calls dealt with and percentage of calls missed

Year	% of calls dealt with	% of calls missed
2012	81.01	18.99
2013	82.13	17.87

### Social Fund: Crisis Loan Phone Service

**Mr Easton** asked the Minister for Social Development how many staff operate the crisis loan phone line.

**(AQW 30233/11-15)**

**Mr McCausland:** The table below shows the number of staff expressed in terms of whole time equivalents rather than actual headcount allocated to the Crisis Loan phone service in each Social Security Agency Region.

Social Security Agency Region	No of staff allocated to the Social Fund Crisis Loan Phone Service
Northern	2.69
Southern	2.28
Belfast	4.26
<b>Total</b>	<b>9.23</b>

### Welfare Reform Bill

**Mr Lunn** asked the Minister for Social Development when the Welfare Reform Bill will return to the Assembly.

**(AQW 30241/11-15)**

**Mr McCausland:** I issued an Executive Paper on 28th January for the Executive meeting on 30th January, seeking approval for a package of measures designed to shape how Welfare Reform will be implemented in Northern Ireland. This Paper was not discussed as a substantive agenda item. I remain fully committed to taking the Bill through its remaining legislative stages and am frustrated by the lack of progress.

### Welfare Reform: Breach of Parity

**Mr Lunn** asked the Minister for Social Development what are the financial implications of breaching parity with the rest of the UK on welfare reform; and when these implications will take hold.

**(AQW 30242/11-15)**

**Mr McCausland:** Currently Northern Ireland receives over £5 billion directly from HM Treasury for spending on social security benefits outside of the Northern Ireland Block Departmental Expenditure Limit. This funding relationship which has sizeable financial advantages for Northern Ireland is based on parity between the social security system being maintained.

Breaching parity could have significant financial implications for Northern Ireland as to maintain current levels of spending on social security would require that any reduction in the funding from HM Treasury would have to be met from the Block thereby impacting on the level of funding available for vital Northern Ireland public services such as health and education.

United Kingdom Ministers have highlighted their concerns about the lack of progress of welfare reform and the potential consequences arising from breaches of parity. The Chief Secretary to the Treasury has already confirmed that as a result of the continued delay in progressing the Welfare Reform Bill financial penalties of £15 million will be applied for 2013–14, funding which could have been allocated to other Northern Ireland public services

I can confirm that my department has now estimated that the potential total cost of financial penalties for the Northern Ireland Block from the continuing delay in not implementing the Welfare Reform Bill could rise to an estimated £1 billion by 2018-19. The potential annual costs are set out in the table below.

**Table 1 estimated cost of not implementing welfare reforms**

	Millions 2014-15	Millions 2015-16	Millions 2016-17	Millions 2017-18	Millions 2018-19	Millions 14-15 to 18-19
Estimated cost of not implementing welfare reform	£104.7	£144.9	£193.2	£276	£343	£1,061.9

The Department for Social Development will also have to pay the increasing costs of administrating, calculating and paying social security benefits to some 600,000 Northern Ireland social security claimants as the two social security systems increasingly diverge. Northern Ireland currently use Department for Work and Pensions complex and expensive IT at a significantly lower cost than having its own standalone systems. As the social security systems diverge, the Northern Ireland Block will have to either meet the costs of administrative workarounds where the Department for Work and Pensions have upgraded their systems, or fund new IT systems where the Department for Work and Pensions close their systems because they have introduced a new benefit but Northern Ireland has decided to breach parity and retain the legacy benefit.

### Housing Executive: Protocols with PSNI

**Mr Cree** asked the Minister for Social Development what protocols are in place between the Housing Executive and the PSNI when it emerges in the course of a police investigation that a tenant, who is subject of the investigation, has a mental health condition.

**(AQW 30306/11-15)**

**Mr McCausland:** The Housing Executive has advised that an Information Sharing Protocol (ISP) and a Memorandum of Understanding (MOU) is in place between themselves and the PSNI. They advise however that the mental health of a tenant is a medical issue and therefore would not be relevant and not recorded on any Housing Executive databases and used as a source of information either by them or the PSNI.

### Housing: Older People

**Mr Copeland** asked the Minister for Social Development how his Department is responding to the housing needs of older people.  
**(AQW 30366/11-15)**

**Mr McCausland:** My Department responds to the housing needs of older people through a range of measures which are detailed below:

#### Housing Provision

Elderly social housing provision is normally classified into three categories:

- Category 1 relates to general needs / active elderly
- Category 2 relates to general needs with an element of care provision to enable independent living
- Category 3 relates to fully supported living. The need for this accommodation is assessed and identified by Health Trusts who also provide the support required. Category three housing schemes are identified and programmed via the supporting people commissioning process.

The NIHE's Housing Related Support Strategy (2012-15) identifies older people as one of three priority vulnerable client groups for receipt of housing support services. The strategy recognises the changing demographics as well as the diversity and range of needs of the client group and that while many older people will continue to maintain independent lifestyles until well into old age, many will require housing support and other services in future years.

Current Supporting People funded housing support service provision for older people for 2013/14 comprises 425 accommodation based services (over 10,000 clients) and also 10 floating support services (approximately 345 older clients at any one time) for older people living in their own homes in the community. Supporting People also funds two Home Improvement Agencies whose role is to assist and advise applicants who have a disability, through the grants' application process.

In responding to needs and taking forward new housing related services for vulnerable or older people, the housing and housing support needs are identified and programmed through the Supporting People commissioning structures and process.

#### Adaptations

The Housing Executive provides an adaptation service for both Housing Executive tenants and people living in private accommodation such as owner occupiers, landlords or private tenants. Disabled Facilities Grants are payable under Articles 50-56 of the Housing (Northern Ireland) Order 2003 and are administered by the Housing Executive.

The adaptation service is demand led and if an adaptation is required the Occupational Therapist (OT) will make a recommendation to the Housing Executive (District, Region or Grants Office) and will inspect the adaptation when it is completed to ensure it is adequate for the client's needs.

### Housing Selection Scheme

Under the Housing Selection Scheme, there are many factors which can be taken into consideration when assessing the needs and circumstances of older people.

The Housing Executive considers how an applicant is able to function within their own home and functionality points are awarded taking into account internal and external factors, use of aids and level of dependency.

An assessment is also made based on how an applicant can carry out 'self care needs' (e.g. getting dressed/washed) and 'home management needs' (e.g. cook meals, do household duties) and points are awarded accordingly. Where it is found that an applicant is in need of a high level of care and support, they can be assessed by a Housing Support Officer for Complex Needs points or alternatively can be identified for fully Supported Housing in special schemes which cater for particular client groups such as frail elderly, physically disabled etc.

Further points can be awarded for 'Other Social Needs' factors some of which would be particularly relevant to older people e.g. 'Unable to maintain current accommodation' 'Socially isolated', 'Needs to move to an area to receive support' 'Extra room is needed for a live in carer'.

If an elderly person is interested in Sheltered accommodation, which in general is provided by Housing Associations, they can be placed on the waiting list for the scheme (s) of their choice and the assessing officer will make enquiries to the relevant Housing Association on their behalf to check availability, turnover etc.

In the last financial year 2012-2013, the Housing Executive has rehoused 959 elderly households.

In more serious situations, whereby an applicant's accommodation is totally unsuitable and cannot be adapted, the applicant will be considered under the Homeless Legislation and can be awarded an additional 70 points if Full Duty Applicant status is awarded in addition to any other points which may apply (as above).

### Grants

The Housing Executive may also provide assistance to older people living in privately owned housing through the following grants/schemes-

#### Disabled Facilities Grants

The aim of a Disabled Facilities Grant is to help improve the home of a person with a disability. While discretionary grants are restricted, the Disabled Facilities Grant is a mandatory grant, and is available for works recommended by the Occupational Therapist. Owner occupiers, landlords or private tenants can get assistance to carry out adaptations, providing there is a person with a disability living in the house.

#### Discretionary Grants

Some older people may qualify for Renovation or Home Repair Assistance Grants. A Renovation Grant is intended for improving a home which has been deemed unfit to live in or which needs repair work carried out to prevent it becoming unfit.. Home Repair Assistance Grant aid is for external repairs and for work which will improve health and safety, for example electrical wiring.

Renovation Grants and Home Repair Assistance Grants are Discretionary Grants, which are currently only available in exceptional circumstances- for example where there is considered to be a serious and imminent risk to the occupants of the property if the repair is not carried out.

#### Warm Homes Scheme and Boiler Replacement Scheme

Older people can avail of energy efficiency measures provided by my Department. Both the Warm Homes Scheme and the Boiler Replacement Scheme aim to enhance the energy efficiency of private sector homes. The Warm Homes Scheme is available to those on a range of means tested benefits and the Boiler Replacement Scheme is aimed at those on low incomes.

However, Pension Credit is one of the qualifying benefits for Warm Homes Plus, that element of the Warm Homes Scheme that can provide new central heating systems.

An analysis of the Boiler Replacement Scheme in October 2013 indicated that around 44% of new boilers installed under the Scheme at that stage had been installed in the homes of applicants who were 66 years of age and older.

### Retirement Villages

**Mr Copeland** asked the Minister for Social Development how his Department has explored the development of retirement village pilot schemes with the private sector.

**(AQW 30367/11-15)**

**Mr McCausland:** The Department for Social Development has in its mission a strong focus on tackling disadvantage and, across its priorities, has to focus limited resources on programmes and initiatives which deliver on this mission. Therefore, the Executive and my department have, to date, focused resources on providing social housing to those in need and also to helping people who need to access the housing ladder.

However, as there is evidence that older people wish to remain independent in their own homes for as long as possible, a scheme such as this may help to make that possible. I would be keen to hear how any investment of this kind could support my Department's priorities.

### **Housing: Older People**

**Mr Copeland** asked the Minister for Social Development how his Department advises older people on suitable housing options in both the private and public sector.

**(AQW 30368/11-15)**

**Mr McCausland:** The introduction of the Community Care policies during the 1990's led to increasing numbers of elderly and disabled people opting to live at home with appropriate community care support rather than being cared for in residential care facilities. Housing therefore plays a central role in maintaining independence and in response to this the Housing Executive has developed a number of services and housing solutions tailored to each individual's own circumstances such as housing support and adaptations services which includes: -

- Staying put with support
- Staying put without support
- Move with care and support
- Move without support

### **Adaptations Service**

If an elderly Housing Executive tenant wished to stay at home but experienced difficulty functioning within their home environment an adaptation could enable them to continue to live independently. Staff in the local Housing Executive office will therefore advise tenants of the types of adaptations that can be carried out without an Occupational Therapist's recommendation such as handrails and lever taps. If it is felt that other minor adaptations are required, such as installing a shower, the Housing Executive will refer that to the Occupational Therapist (OT) on behalf of the tenant to consider a formal recommendation.

Major adaptations such as stair-lifts or extensions require an OT recommendation and tenants can make direct referrals themselves to the OT Service. The Housing Executive provides a range of information leaflets in relation to adaptations which are available in a range of formats; this information is also available on the website. Staff in Housing Executive local offices will provide adaptation information for all tenants.

Occupational Therapists are nominated on behalf of the Health and Social Care Trusts to carry out assessments in order to determine the needs of disabled/elderly people, including their housing needs. Upon receipt of an OT recommendation for a major adaptation, such as an extension, the Housing Executive's Regional Welfare Officer (RWO) will visit the tenant to discuss the options available along with the adaptation process. If the tenant refuses the adaptation, the RWO will liaise with the OT Service to discuss the way forward. If the tenant wishes to transfer to other accommodation, or if the adaptation is not technically feasible and the tenant is happy to move, the RWO will advise the Housing Executive's local office staff and a transfer application will be initiated. The tenant will then be advised of the housing options available.

### **Privately Owned Housing**

In relation to older people living in privately owned housing, the Housing Executive may provide assistance through various grant schemes, namely, Disabled Facilities Grants, Renovation Grants, and Home Repair Assistance Grant aid. Information about these grants is available from the Housing Executive offices and is also on their website.

### **Warm Homes Scheme and Boiler Replacement Scheme**

Older people can avail of energy efficiency measures provided by my Department's funding. Both the Warm Homes Scheme and the Boiler Replacement Scheme aim to enhance the energy efficiency of private sector homes. Once again, information about these schemes is available from the Housing Executive offices and is also on their website.

### **Housing Support Service**

Many elderly people are unable to remain in their home and apply for social housing; the Housing Executive will assist through assessing their needs and placing them on a common waiting list either for Housing Executive or Housing Association accommodation. The assessing officer will discuss the options available for the applicant. Within the Housing Selection Scheme provision is made for these circumstances where people are likely to be unable to live independently without substantial support or care being provided.

For those applicants who have additional care needs that would require them to live in supported accommodation or to have access to an intensive support package to enable them to live independently a more detailed assessment is undertaken. The Housing Executive has dedicated Housing Support Officers within each Regional Office who deal specifically with such cases and work in conjunction with Health and Social Care Trust staff, the applicant or their representative and any other stakeholders involved in the case to ensure an appropriate housing solution is secured for the applicant.

The range of options includes:

- Re-housing – applicant or transfer,
- Transfer and adapt,
- Consideration of new build scheme (including any specific design requirements to reflect the applicant's needs),
- The provision of support services and/or an allocation to a specialist supported housing scheme.

### Landlord Registration Scheme: Cost

**Mr Campbell** asked the Minister for Social Development to detail the approximate budget spend in January/February 2014 for advertising on issues related to the Landlord Registration Scheme.

**(AQW 30403/11-15)**

**Mr McCausland:** The approximate budget spend in January/February 2014 for advertising on issues related to the Landlord Registration Scheme is £60,500.

With no central database of landlords in Northern Ireland the independent focussed research carried out before embarking on an advertising campaign determined that television, outdoor and press would be the best mediums to reach private landlords.

### Ministerial Travel: Expenditure

**Mr Allister** asked the Minister for Social Development to detail the total expenditure on departmental Ministerial travel in the periods (i) January to June 2013; and (ii) July to December 2013.

**(AQW 30410/11-15)**

**Mr McCausland:** The total expenditure on Ministerial travel in my Department is outlined below:

Period of Travel	Travel Costs
January to June 2013	£2,124.73
July to December 2013	£1,783.89

### Antisocial Behaviour: Legislation

**Mr Spratt** asked the Minister for Social Development whether the proposed new legislation to deal with antisocial behaviour in Housing Executive properties will impact on current cases.

**(AQW 30438/11-15)**

**Mr McCausland:** Proposals for a Housing (Anti-Social Behaviour) Bill were published for consultation on 2nd December 2013. Subject to the outcome of the consultation exercise, and taking into account the typical timeframe for bringing forward legislation, the legislation is not expected to come into operation before the summer of 2015. Therefore, in the circumstances, it is not anticipated that there would be any impact on current cases.

### Warm Homes Scheme

**Mr Milne** asked the Minister for Social Development whether an independent economic appraisal has been carried out to compare the costs of the current Warm Home Scheme with the proposed replacement model costs.

**(AQW 30489/11-15)**

**Mr McCausland:** My Department undertook a pilot in 2012 working with local councils and targeted 2,145 low income households to test the effectiveness of an area based approach to tackling fuel poverty as an alternative to the existing Warm Homes Scheme. The evaluation of the pilot has shown that using an area based targeted approach works. My Department will launch a public consultation document later in February 2014 seeking views on the eligibility criteria, measures available and delivery model of a new Affordable Warmth Scheme. The responses to this public consultation will be analysed and used in an Economic Appraisal and Business Case which will assess the options for the future delivery of energy efficiency improvements to low income households. My Department has a rigorous process in place before an Economic Appraisal and Business Case is approved, including a thorough examination by the Department's Economist and the Department of Finance and Personnel.

### Housing Executive: Direct Labour Organisation

**Mr Milne** asked the Minister for Social Development whether the Housing Executive's Direct Labour Organisation tendered for the Response Maintenance Repairs contracts that were awarded in September 2012.

**(AQW 30490/11-15)**

**Mr McCausland:** The Housing Executive's Direct Labour Organisation does not tender for any Housing Executive contracts.

## Housing Executive: Contractors in Administration

**Mr Milne** asked the Minister for Social Development whether the Housing Executive intend to replace the contractors who have been in administration from the Framework of the Response Maintenance Repairs contract that were awarded in September 2012.

**(AQW 30491/11-15)**

**Mr McCausland:** The Housing Executive has advised that a number of contractors went into administration which resulted in eight contracts being covered by back up arrangements involving a combination of adjacent contractors and the Housing Executive's Direct Labour Organisation. The Housing Executive's intention is that three of these contracts will be awarded through a mini competition process from the existing Frameworks with the remaining being covered by an expanded Direct Labour Organisation should the required contractual approvals be received.

## Social Housing: Upper Bann

**Mr Anderson** asked the Minister for Social Development for an update on plans for social housing new builds in the Upper Bann area.

**(AQW 30506/11-15)**

**Mr McCausland:** The Housing Executive has advised that in their current programme year (2013/14), 38 new social housing starts are planned in the Upper Bann constituency.

In the Social Housing Development Programme for the period 2014/15, there are 66 social housing units programmed to start onsite; a further 20 units in 2015/16 programme year; and four units in the 2016/17 programme year.

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.

## Double Glazing

**Mr McKay** asked the Minister for Social Development, pursuant to AQW 29952/11-15, when it is estimated that the next scheme will commence.

**(AQW 30518/11-15)**

**Mr McCausland:** The Housing Executive has advised that the double glazing contracts have now been formally accepted by the appointed contractors and the Housing Executive is working with them to ensure a speedy start to the work. However, given the timescale required for surveying of the properties and the preparation of design proposals by the contractors and the necessary internal scheme approvals by the Housing Executive it is unlikely that the first schemes will not start on site until mid to late May.

## Campbell Tickell Report

**Mr F McCann** asked the Minister for Social Development whether he had access to the draft Campbell Tickell report; and whether he was in agreement with the changes made to the report.

**(AQW 30589/11-15)**

**Mr McCausland:** I did not have access to the draft Campbell Tickell report, therefore I am not aware of the changes you refer to.

## Housing Executive: Choice-based Letting

**Mr F McCann** asked the Minister for Social Development to detail the areas in which the Housing Executive are piloting choice based lettings, broken down by district office.

**(AQW 30635/11-15)**

**Mr McCausland:** The Housing Executive has advised that the Choice Based Lettings (CBL) pilot scheme is being phased in through close liaison between the Housing Policy section and the Housing Managers. The list of proposed CBL locations was compiled based on nominations from Housing Managers who selected locations based on Difficult- to- Let criteria in the Housing Selection Scheme Guidance Manual.

The table attached provides details of the locations where the CBL pilot scheme was introduced on 15 January 2014: -

Location	Local Office/District Office	Common Landlord Area
Florence Square/ Walk/ Court	Shankill	Lower Shankill
Ardoyne Road, Wheatfield	North Belfast	Wheatfield
Cranbrook Court/ Gardens Farringdon Court/ Gardens	North Belfast	Ardoyne

Location	Local Office/District Office	Common Landlord Area
Greenmount Place/ Glenrosa Link	North Belfast	Upper/Lower Duncairn
Chamberlain Street/ Lendrick Street/ Parker Street/ Tower Street/ Tower Court/ Finmore Court/ Westbourne Street	East Belfast	Newtownards Road
Ashfield Gardens	Omagh	Fintona
Castleview	Banbridge	Gilford

In the coming weeks the Housing Executive also intend to initiate the process in Omagh (Strathroy estate), Magherafelt (Leckagh estate) and in some rural locations such as Greencastle, Trillick, Innisrush, Culnady and Upperlands.

### Welfare Reform: Agreement

**Mr P Ramsey** asked the Minister for Social Development whether he has been (i) made aware of; or (ii) involved in talks, in his Ministerial capacity, with other parties that have led to agreement on Welfare Reform.

**(AQW 30652/11-15)**

**Mr McCausland:** I am not aware of, nor have I been involved in talks with other parties which have led to agreement on Welfare Reform.

I remain committed to working to reach a consensus on the reform of the welfare system in Northern Ireland and am seeking agreement to discussions on the package of measures with Executive Colleagues as soon as possible.

### Housing: Review of Allocation

**Mr F McCann** asked the Minister for Social Development whether he, or his Department, rejected an initial report on the Review of the Housing Allocation systems carried out by the University of Ulster in partnership with Cambridge University.

**(AQW 30735/11-15)**

**Mr McCausland:** My Department commissioned independent research on this subject. As part of the standard contract management process, which includes quality assurance and review, the three reports that were commissioned from the University of Cambridge and University of Ulster went through a number of drafts before they were signed off for publication.

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# Northern Ireland Assembly

Friday 21 February 2014

## Written Answers to Questions

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

#### **Victims and Survivors Service: Structure**

**Mr Eastwood** asked the First Minister and deputy First Minister to outline the management structure and membership of the Victims and Survivors Service.

**(AQW 25012/11-15)**

**Mr P Robinson and Mr M McGuinness (The First Minister and deputy First Minister):** The Victims and Survivors Service (VSS) is led by a Chief Executive Officer supported by a Head of Corporate Services and Head of Client Services.

A new Chair and Board were appointed to the Service in December 2013.

#### **Social Investment Fund**

**Mr Allister** asked the First Minister and deputy First Minister how much money has been distributed amongst the community through the Social Investment Fund to date.

**(AQW 25602/11-15)**

**Mr P Robinson and Mr M McGuinness:** A press release announcing the first projects to benefit from the Social Investment Fund was issued on 10 February 2014. It can be found at: <http://www.northernireland.gov.uk/index/media-centre/news-departments/news-ofmdfm/news-ofmdfm-100214-robinson-and-mcguinness.htm>

#### **Maze/Long Kesh Site: Listed Buildings**

**Mr Allister** asked the First Minister and deputy First Minister why AQW 24938/11-15 has not yet been answered; and when it will be answered.

**(AQW 25765/11-15)**

**Mr P Robinson and Mr M McGuinness:** We refer the Member to the answer to AQW 24938/11-15 on 11 February 2014.

#### **Childcare**

**Mr Lyttle** asked the First Minister and deputy First Minister how the Strategic Investment Board and RSM McClure Watters research, commissioned by their Department, on childcare supply, demand and cost can be accessed.

**(AQW 26654/11-15)**

**Mr P Robinson and Mr M McGuinness:** The research on supply and demand for childcare by RSM McClure Watters has not yet been completed. It is expected that a report of the research will be published on the Department's website later this year. The Strategic Investment Board (SIB) has assisted the Department with analysis to help develop the Bright Start Childcare Strategy but this has been ongoing support rather than the development of an actual research report. OFMDFM officials updated the OFMDFM Committee on the Childcare Strategy on 2 October 2013 and agreed to look into providing a summary of SIB's work to the Committee.

#### **Outsourcing: Departmental Functions**

**Mr Eastwood** asked the First Minister and deputy First Minister whether they intend to outsource any of their Department's functions in a bid to achieve efficiencies.

**(AQW 27359/11-15)**

**Mr P Robinson and Mr M McGuinness:** There are no plans to outsource any of the Department's functions to achieve efficiencies.

## Social Investment Fund

**Mr Agnew** asked the First Minister and deputy First Minister to outline the timetable for allocation of the Social Investment Fund. (AQW 27554/11-15)

**Mr P Robinson and Mr M McGuinness:** A press release announcing the first projects to benefit from the Social Investment Fund was issued on 10 February 2014. It can be found at: <http://www.northernireland.gov.uk/index/media-centre/news-departments/news-ofmdfm/news-ofmdfm-100214-robinson-and-mcguinness.htm>

## Social Investment Fund

**Mr Eastwood** asked the First Minister and deputy First Minister when they will make an official announcement on the Social Investment Fund. (AQW 29047/11-15)

**Mr P Robinson and Mr M McGuinness:** A press release announcing the first projects to benefit from the Social Investment Fund was issued on 10 February 2014. It can be found at: <http://www.northernireland.gov.uk/index/media-centre/news-departments/news-ofmdfm/news-ofmdfm-100214-robinson-and-mcguinness.htm>

## Organ Donation

**Mrs Dobson** asked the First Minister and deputy First Minister when they will answer AQO 5108/11-15, scheduled for answer on 26 November 2013. (AQW 29345/11-15)

**Mr P Robinson and Mr M McGuinness:** We refer the Member to the answer to AQO 5108/11-15 on 3 February 2014.

## Schools: Shared Campuses

**Mr Weir** asked the First Minister and deputy First Minister to detail the proposed process and timetable for the ten new shared campuses under Together: Building a United Community. (AQW 29373/11-15)

**Mr P Robinson and Mr M McGuinness:** The proposals for 10 new shared education campuses complements current work already underway within the Department of Education and will be targeted at infrastructure projects aimed at improving or facilitating sharing initiatives within local schools. The programme will target schools that can demonstrate the following types of sharing: shared facilities; enhanced facilities; and shared campus.

A call for expressions of interest was made in January 2014 with a closing date for applications of 31 March 2014.

## Creative Industries: Ebrington Site

**Mr Eastwood** asked the First Minister and deputy First Minister to detail the number of expressions of interest received from the private sector in relation to the creative industries hub planned for buildings 80 and 81 at the Ebrington site, Derry. (AQW 29674/11-15)

**Mr P Robinson and Mr M McGuinness:** As of 31 December 2013, Ilex had received five formal expressions of interest in relation to the creative industries hub planned for Buildings 80 and 81 at the Ebrington site.

## Social Investment Fund

**Mr Weir** asked the First Minister and deputy First Minister to detail the number of projects (i) that have been approved under the Social Investment Fund and (ii) that are currently undergoing economic appraisals. (AQW 30126/11-15)

**Mr P Robinson and Mr M McGuinness:** To date, 23 projects, which are within the thresholds of allocations across zones, have internal approvals in place. A further 29 projects are currently undergoing economic appraisals.

## Victims and Survivors Service: Individual Needs Programme

**Mr Lyttle** asked the First Minister and deputy First Minister when the Victims and Survivors Service Individual Needs Programme, Scheme 6 - Financial Assistance, will reopen to applications from people living with injuries and bereaved partners, bereaved parents or children who have lost a parent as a result of a conflict related incident, further to its closure on 30 June 2013. (AQW 30130/11-15)

**Mr P Robinson and Mr M McGuinness:** The Victims and Survivors Service Individual Needs Programme, Scheme 6 – Financial Assistance, will re-open in 2014/2015.

### **Crumlin Road Gaol: Distillery**

**Mr Humphrey** asked the First Minister and deputy First Minister for an update on the establishment of the distillery at Crumlin Road jail, including the number of jobs this will create.

**(AQO 5376/11-15)**

**Mr P Robinson and Mr M McGuinness:** Belfast Distillery Company (BDC) is currently finalising the plans and financial arrangements for a distillery, restaurant, tasting rooms, bar and visitor attraction at A Wing at the Crumlin Road Gaol. OFMDFM officials are working very closely with Belfast Distillery Company to agree the plans and conclude the legal formalities.

It is anticipated that BDC will commence construction work in the near future. Once the project is fully operational, it is estimated that up to 60 jobs will be created.

Belfast Distillery Company is working with the South Eastern Education and Library Board to develop suitable training courses for potential distillery jobs with approximately 200 training places being created. BDC plans to hold an open day for the local community to explain the processes involved.

The jobs will require a range of different skills and will include management, tour guides, catering, hospitality and retail, as well as distilling.

### **Social Investment Fund: Upper Bann**

**Mrs D Kelly** asked the First Minister and deputy First Minister to outline the projects under consideration within the Social Investment Fund in Upper Bann; and the timescale for delivery.

**(AQW 30349/11-15)**

**Mr P Robinson and Mr M McGuinness:** Within the financial allocations agreed by us, 6 projects will be funded across the Southern Zone, which incorporates the Upper Bann constituency. Amongst these are 2 revenue projects which will operate on a zone-wide basis with the objective of increasing employment. There will also be 4 capital projects, 3 of which are cluster projects encompassing a number of smaller capital works. These will result in 11 capital schemes specifically within your constituency, including projects to sustain the infrastructure, enhance community sports facilities and increase physical infrastructure for existing social economy projects.

Three of these projects have full internal approvals in place; officials are currently focusing further efforts on securing approval to the 3 further projects that have not yet been fully approved. We anticipate completing this exercise by the end of the current financial year.

### **Child Poverty Act 2010**

**Ms Lo** asked the First Minister and deputy First Minister to detail the consequences of missing the deadline for laying the report to the Assembly under the Child Poverty Act 2010.

**(AQW 30392/11-15)**

**Mr P Robinson and Mr M McGuinness:** We are required by the Child Poverty Act 2010 to Lay the Strategy in the Assembly by 24 March 2014.

While it is unfortunate that we will miss this deadline, we have opted to extend the consultation period for the Delivering Social Change for Children and Young People until 31 March 2014.

On balance and having sought advice on this matter, we believe this is the right decision to take, and one which will be welcomed by many given that we have received numerous requests for consideration of an extension to the consultation from a range of sources including the OFMDFM Committee.

### **Social Investment Fund: Upper Bann**

**Mr Gardiner** asked the First Minister and deputy First Minister what projects have been identified in the Upper Bann constituency that would benefit from the Social Investment Fund.

**(AQO 5486/11-15)**

**Mr P Robinson and Mr M McGuinness:** We are pleased that we announced on 10 February 2014 the first 23 successful projects that will be funded from the Social Investment Fund. These projects amount to more than £33 million and are from across all 9 zones. The list of 23 projects is available from the OFMDFM website and officials will also be communicating directly with the organisations involved.

The remaining projects that are within the funding allocations are all currently in the economic appraisal process and over the next few weeks and months we anticipate making the remaining announcements fully committing the full £80 million fund.

Considerable work has been completed in developing the policy and structures, establishing the steering groups and supporting them in the development of their 10 projects for each zone, and in getting these projects through the economic appraisal process to this final stage. Most of the individual projects have many elements within them, some with up to 15 different capital elements.

Within the specific allocation for the Southern Zone, 6 projects will be funded across the Zone that incorporates the Upper Bann constituency. Amongst these are 2 revenue projects which will operate on a zone-wide basis with the objective of increasing employment, including the £2.7 million 'Employment Work It' project.

In addition, there will be 4 capital projects, 3 of which are cluster projects encompassing a number of smaller capital works. These will result in 11 capital schemes specifically within the Upper Bann constituency, including projects to sustain local infrastructure worth £1.25 million. Projects to enhance community sports facilities include a £1.25 million Community Sports Programme.

### **A5: Executive Commitment**

**Mr McAleer** asked the First Minister and deputy First Minister what assurances they can give that the Executive remains committed to the A5 project.

**(AQO 5489/11-15)**

**Mr P Robinson and Mr M McGuinness:** The Executive remains committed to the delivery of the A5 Western Transport Corridor.

Members will be aware that the project was subject to a successful legal challenge and that Minister Kennedy and his officials are now addressing the associated issues.

We understand that part of the work will include a number of important public consultation processes, the first of which is due to commence in April this year.

The next steps in the project will be dependent on the outcome of the public consultation.

### **Magdalene Laundries**

**Mr McElduff** asked the First Minister and deputy First Minister for an update on how they will take forward the issue of people who were in Magdalene Laundry-type institutions.

**(AQO 5491/11-15)**

**Mr P Robinson and Mr M McGuinness:** The publication of the McAleese report into Magdalene Laundries in the Republic of Ireland raised questions about the system of Magdalene Laundries here, and about the situations and experiences of the women who lived in them.

In light of that report and representations made to us, we appointed a senior civil servant to draw up a scoping paper in regard to the Magdalene Laundry type institutions that operated here so as to inform us of what potential actions we might be able to take.

We have received the report and are currently giving serious consideration to the options that have been laid out before deciding the way forward.

Under the Terms of Reference for the Inquiry into Historical Institutional Abuse, any woman who entered a Laundry before she was 18 may contribute to the Inquiry, including recounting their childhood experiences to the Inquiry's Acknowledgement Forum and having those experiences acknowledged.

However, we recognise that there are women who were over the age of 18 when they entered the Magdalene Laundry-type institutions and there is a need to provide them with a forum where their issues can be addressed and their experiences acknowledged.

We are appalled to think that women in Laundries here could have endured the same harsh conditions and callous treatment as was documented by Senator McAleese. Our thoughts and sympathies are with any women who suffered in these types of institutions.

### **Active Ageing Strategy**

**Mr Newton** asked the First Minister and deputy First Minister for an update on the progress of the Active Ageing Strategy.

**(AQO 5495/11-15)**

**Mr P Robinson and Mr M McGuinness:** The Draft Active Ageing Strategy will be launched for public consultation shortly.

## **Department of Agriculture and Rural Development**

### **Single Farm Payment**

**Mr Byrne** asked the Minister of Agriculture and Rural Development to detail (i) the number of farmers have been received their Single Farm Payments to date, broken down by constituency; and (ii) the total number of farmers that are still waiting to receive Single Farm Payment.

**(AQW 30377/11-15)**

**Mrs O'Neill (The Minister of Agriculture and Rural Development):** The Department has delivered a record payment performance in 2013 with 90% of Single Farm Payment claims paid in December 2013.

The figures for claims paid and not yet paid per Constituency are detailed below:-

Constituency	Number of Farmers that have received SFP 2013	Number of Farmers that have not yet received SFP 2013
Belfast East	94	5
Belfast North	49	5
Belfast South	117	9
Belfast West	24	1
East Antrim	1109	19
East Londonderry	2304	74
Fermanagh and South Tyrone	5750	348
Foyle	278	12
Lagan Valley	1596	26
Mid Ulster	4076	208
Newry and Armagh	4160	84
North Antrim	3219	286
North Down	235	6
South Antrim	1630	22
South Down	3696	58
Strangford	1495	30
Upper Bann	1270	32
West Tyrone	4199	196
No Constituency*	211	25
<b>Total</b>	<b>35,512</b>	<b>1,446</b>

\* The constituency information is drawn from the postcodes of businesses that submitted a Single Application Form in 2013. The "No Constituency" figure represents businesses that either do not have a valid postcode recorded against their business or are businesses where the addresses held is outside the 18 constituencies listed above.

### Single Farm Payment: Remote Sensing

**Mr Byrne** asked the Minister of Agriculture and Rural Development what percentage of unpaid Single Farm Payments are due to remote sensing inspections.

**(AQW 30378/11-15)**

**Mrs O'Neill:** There are 1,695 Single Farm Payment claims which have not yet been finalised. 53.6% of these businesses have had a remote sensing inspection. All outstanding claims will be finalised as quickly as possible.

### Rural Transport: Upper Bann

**Mrs Dobson** asked the Minister of Agriculture and Rural Development what support she can give, in conjunction with Translink, to increase rural transport options in Upper Bann.

**(AQW 30448/11-15)**

**Mrs O'Neill:** Working in conjunction with Department of Regional Development (DRD) my Department through the Tackling Rural Poverty and Social Isolation Programme continues to fund passenger trips for rural dwellers in the Upper Bann constituency that hold a SmartPass. These trips are delivered via the Assisted Rural Travel Scheme (ARTS) by the Down Armagh Rural Transport Partnership which covers the Upper Bann constituency.

Officials are also currently working with DRD and Translink regarding what could be done to pilot new rural routes across the north.

## Flooding: Contingency Plans

**Mr Campbell** asked the Minister of Agriculture and Rural Development, following the recent exceptionally poor weather resulting in the flooding of farmland in Great Britain, whether she has put contingency plans in place should similar problems arise in Northern Ireland.

**(AQW 30461/11-15)**

**Mrs O'Neill:** DARD has a Major Emergency Response plan which provides the overarching framework for the central management and co-ordination of the Department's involvement in a major emergency. DARD also has a range of plans in place to deal with specific emergency and business continuity situations. These have been developed over a number of years and are regularly and rigorously tested to ensure they remain fit for purpose. If an emergency situation is likely to affect the north of Ireland infrastructure, including the delivery of public services, OFMDFM will convene a meeting of the Civil Contingencies Group NI (CCG (NI)). During emergencies the membership of the Group will be tailored to the particular needs of the situation, and additional support organisations will be invited as appropriate. In respect of contingency plans already in place within my Department, DARD officials have been engaged with industry representatives on a Fodder Task Force, and staff at CAFRE have embarked on a comprehensive programme of workshops, advisory events and publications, helping farmers to maximise fodder production, to stocktake their individual fodder supply and to manage their stock to make most efficient use of the available fodder. Farmers are also being directed to the appropriate government departments and agencies on issues such as maintaining utility supplies. I can also advise you that Rivers Agency has emergency plans in place to respond to calls for assistance during flooding events. If there was major flooding of agricultural land, the key focus for the Agency in its response would be on reducing the risk to life and serious damage to property from flooding.

## Watercourses: Cleaning and Maintenance

**Mr Anderson** asked the Minister of Agriculture and Rural Development how many times approved water courses in the Upper Bann area have been cleaned, in the last five years, broken down by river.

**(AQW 30504/11-15)**

**Mrs O'Neill:** Rivers Agency operates a 6 year cyclical inspection and maintenance programme for rural watercourses which are designated under the terms of the Drainage (NI) Order 1973. All designated rural watercourses are inspected within the 6 year cycle and where necessary maintenance is identified this is subsequently undertaken. The table below shows each designated watercourse within the Upper Bann constituency. The columns to the right of the table show each of the last 5 years, and a tick against any specific watercourse indicates maintenance was undertaken in that year to ensure its free flow and reduce any risks of flooding. Maintenance works can range from channel works to removal of obstructions from watercourses including the natural build up of debris such as branches weeds etc and also bush cutting and removal of trees.

Watercourse Name	2009/10	2010/11	2011/12	2012/13	2013/14
Island Cottage				✓	
Jerrettspass	✓				
Cusher	✓		✓		
Annagh		✓	✓	✓	
Derryhale	✓				✓
Drumnakelly	✓		✓		✓
Kilmoriarty	✓	✓	✓	✓	
Lisavague	✓				✓
Ballybay	✓	✓	✓		
Derryneskin				✓	✓
Farlough		✓		✓	✓
Foymore		✓		✓	
Tall	✓	✓		✓	
Blackwater	✓	✓	✓	✓	
Clonmakate		✓		✓	
Derrycor		✓		✓	✓
Gallrock		✓		✓	✓
Newry Canal		✓	✓	✓	
Gilford Drain		✓			✓

Watercourse Name	2009/10	2010/11	2011/12	2012/13	2013/14
Blacker Burn	✓	✓	✓	✓	✓
Lagan	✓	✓	✓	✓	✓
Farlough River Lower	✓	✓			
Bann (Upper)	✓			✓	
White Chapel River				✓	
Closet			✓		
Annagh River Diversion	✓	✓		✓	
Lough Gullion			✓		
Tarsan Drain	✓			✓	
Derryvore No 1	✓			✓	
Derryvore No 2	✓			✓	
Derryvore & Seagoe	✓			✓	
Gilford Drain		✓			
Park Bog	✓			✓	
Seapatrick Drain	✓	✓	✓	✓	✓
St Mary's Drain			✓		
Bannfoot Rd Farlough Drain		✓			✓
Derrytrasna Drain					✓
Derryinver/Derrycrow					
Haughians Drain	✓		✓		
Dunbarton Burn			✓		
Gilford Mill Race	✓			✓	
Ballynery Drain					
Clare Bog Drain			✓		
Charlestown Drain			✓		
Civiltown Drain					
Clare Bog Branch Drain			✓		
Derryadd Drain					
Canal Drain		✓	✓		
Ardmore Drain			✓		
Ardmore Extension Drain			✓		
Derryloste Boundary Drain			✓		
Derryloste Tributary Drain			✓		
Derrycorr Drain			✓		
Derrytagh North Drain	✓		✓		
Blackerburn Extension Drain.	✓	✓	✓	✓	
Ballymacrandal Drain.			✓		
Drumnacany Drain	✓	✓	✓	✓	
Derrycorr Drain No 2			✓		
Flow Bog Drain		✓	✓		✓

Watercourse Name	2009/10	2010/11	2011/12	2012/13	2013/14
Muckragh Hill	✓	✓			
Muckragh Hill Extension	✓	✓			
Derryhirk	✓	✓			
Derryhirk Extension	✓	✓			
County Boundary Drain	✓	✓			
County Boundary Drain Extension	✓	✓			
Navvies Drain	✓	✓			
Aghalee Burn / Selshan Drain		✓			
Ballinderry Drain		✓			
Ballinderry Drain Extension		✓			
Closet Drain					
Closet Branch					
Boconnell Drain	✓				✓
Annaloist Drain	✓				✓
Annaloist Drain Extension	✓	✓			✓
Drumnakelly Drain		✓		✓	
Kinnegoe Drain		✓			✓
Clanrolla Drain		✓			✓
Goudy River		✓			
Goudy River Extension		✓			
Montaighs Derryvore		✓			
Feddian River		✓			
Derrymore Drain	✓	✓			
Goudy Trib		✓			
Laverys Hill Drain	✓	✓			
Laverys Hill Trib	✓	✓			
Clanrolla Trib		✓		✓	✓
Derryash Drain		✓			
Lurgantarry		✓			✓
Derryadd Boundary Drain.		✓			✓
Parkmore Drain		✓			
Park Moss Drain Extension		✓			
Aghagallon Drain	✓	✓	✓	✓	
Lough Beg Drain	✓	✓			
Brankinstown Drain		✓			
Derryhirk Drain No 2	✓	✓			
Derryola Drain	✓	✓			
Rabbit Island Drain	✓	✓			
Derryola Bridge Drain	✓	✓			
Holy Island Drain	✓	✓			

Watercourse Name	2009/10	2010/11	2011/12	2012/13	2013/14
George Island Drain	✓	✓			
Brocker Hill Drain					✓
Lake View Drain		✓			
Bog Head Bridge Drain	✓	✓			
Moss Drain		✓			
Portmore Lough West Drain		✓			✓
Lough Mona Drain		✓			
Tirsogue Drain	✓	✓	✓	✓	
Flush River (Lurgan)	✓			✓	✓
Flush River (Lurgan) Tributary	✓				✓
Tirsogue Drain Tributary	✓		✓	✓	✓
Derryadd Boundary Drain Branch.		✓			✓
10th Lock Feeder Drain	✓	✓	✓	✓	
Terryhoogan	✓	✓		✓	✓
Terryhoogan Hoss					✓
Tullyhugh		✓			✓
Artabrackagh			✓		
Cushenny			✓		
Drumhariff	✓	✓			
Drumhariff Extension	✓	✓			
Selshion					
Ballyworkan	✓			✓	
Carrowbrack	✓			✓	
Brackagh East	✓			✓	
Brackagh West					
Ballyfodrin	✓	✓		✓	✓
Selshion Branch Drain					
Ballymakeown Drain			✓		
Kilmoriarty Branch Drain	✓	✓	✓	✓	
Mullahead West Drain	✓			✓	
Derryhale Extension					
Rampart		✓			
Ballymagowan					✓
Ballynagowan Drain Extension	✓			✓	
Derryanvil		✓			✓
Derryanvil Extension		✓			✓
Corbrackey		✓			✓
Foybeg			✓		
Derrykeeran		✓			✓
Derrykeeran Extension		✓			✓

Watercourse Name	2009/10	2010/11	2011/12	2012/13	2013/14
Derrymacfall	✓			✓	
Derrybrughas	✓			✓	
Derrycory	✓			✓	
Derrycory Branch	✓			✓	
Tarthlogue					✓
Maghery					
Derrylileagh	✓				
Derryvane			✓		
Greenisland				✓	✓
Derrinraw		✓			✓
Cannagola More				✓	
Derryall		✓			✓
Ferron's Drain		✓			✓
Clonmakate Drain					✓
Runlet Drain					✓
Derrylard	✓			✓	
Derrylard Extension Drain	✓			✓	
Derrylettiff					✓
Derrycory No 2		✓			✓
Cloncore		✓			
Derrykeeran No2		✓			
Clonmartin Drain				✓	
White Island Drain	✓			✓	
Sullivan's Drain	✓		✓		
Carrick Drain		✓			✓
Clonmacash Drain		✓			✓
Farlough Extension Drain				✓	✓
Derrylard No 2 Drain					✓
Derrycarran Drain					
Drumcree Drain	✓		✓	✓	
Whitechapel Extension			✓		
Banbridge Town Culverts Extension 2	✓	✓	✓	✓	
Fort Street Stream	✓	✓	✓	✓	✓
Fort Street Stream Extension	✓	✓	✓	✓	✓
The Lodge Stream	✓	✓	✓	✓	
Showgrounds Stream	✓	✓			
Factory View Stream	✓		✓	✓	
Rowans Stream	✓	✓	✓	✓	
Showgrounds Stream Extension			✓	✓	
Gilford Road Stream	✓	✓	✓	✓	

Watercourse Name	2009/10	2010/11	2011/12	2012/13	2013/14
Scrogg Stream Extension	✓	✓	✓		✓
Brookfield Stream	✓	✓	✓	✓	✓
Brookfield Stream Extension.	✓	✓	✓	✓	
Castlewellan Road Stream	✓			✓	
Winona Stream	✓	✓	✓	✓	✓
Ballymacmaine Stream	✓	✓	✓	✓	✓
Flush River Diversion	✓	✓	✓	✓	
Woodville River	✓	✓	✓	✓	
Waringstown Drain	✓	✓	✓	✓	
Waringstown Drain Extension	✓	✓	✓	✓	✓
Regency Drain	✓	✓	✓	✓	✓
Springhill Stream	✓	✓	✓	✓	✓
Springhill Stream Extension	✓	✓	✓	✓	
Kernan Stream	✓	✓	✓	✓	✓
Kernan Stream Tributary A	✓	✓	✓	✓	✓
Turmoyra Stream	✓	✓	✓	✓	✓
Taughrane Drain	✓	✓	✓	✓	
Halfpenny River	✓	✓	✓	✓	
Tamnamore Stream	✓	✓	✓	✓	
Cambrai Heights Stream	✓	✓	✓	✓	
Flush River	✓	✓	✓	✓	
Fallowfield Stream	✓	✓	✓	✓	
Greenan Stream	✓	✓	✓	✓	
Loughbrickland Stream	✓	✓	✓	✓	
Loughbrickland Stream Extension	✓	✓	✓	✓	
Collingwood Drain	✓	✓	✓	✓	
Kingsway Drive Drain	✓		✓		✓
Ashgrove	✓		✓		

## Farm Safety

**Mr Anderson** asked the Minister of Agriculture and Rural Development what action her Department is taking to promote farm safety issues.

**(AQW 30507/11-15)**

**Mrs O'Neill:** In response to the deteriorating situation regarding fatalities on farms, the Farm Safety Partnership was established in May 2012. My Department is one of the partners along with the Health & Safety Executive NI, the Ulster Farmers Union, NFU Mutual, the Young farmers Clubs of Ulster and NIAPA.

The aim of this Partnership is to improve health and safety standards on farms and strive to significantly reduce work-related deaths, injuries and illnesses. The Farm Safety Partnership developed an Action Plan that sets out its priorities and objectives over 18 months ending March 2014.

The Action Plan contains 44 commitments of which DARD has lead responsibility for 7. To date my Department has completed the following:

- Developed new health and safety training materials for presentation to farmers.
- Under the Farm Safe Awareness programme, has recorded 2701 registrations with 143 workshops being completed and attended by 2545 participants.

- Spent £159,896 in relation to the Farm Safe Awareness courses which are funded under the Rural Development Programme.
- Since November 2012, CAFRE have held 1027 events with over 17,500 participants where in addition to the main topic of the event, farm safety material has been made available to those attending.
- All CAFRE courses have always contained a high level of farm safety as part of the course. Since the introduction of the Farm Safety Partnership there is a heightened focus on safety. CAFRE have been working with HSE in relation to course content aiding the increase of focus on safety. Translink have also presented to students in relation to the safety of farm machinery at railway crossings.
- 250 Farm Safety Awareness packs have been delivered to all students who will be on work placements during the 2013/14 academic year.
- Over the three Tranches of the Farm Modernisation Programme, some £4.6m of financial support for items that promote safer working on farms was awarded in letters of offer to successful applicants.
- A pilot survey on Farm Safety was posted to a random sample of 1,000 farmers in December 2013. The survey closed at the end of January and the returns will be evaluated in February 2014. Any lessons learned will be incorporated into a main survey on Farm Safety which will issue shortly.

As part of its Farm Safety Partnership involvement my Department provided £139k in funding towards the cost of the Partnership's 2013 Multimedia Campaign. My Department will also be providing an additional £111k for the 2014/15 year to extend this highly effective campaign.

### Ombudsman: Recommendations

**Mr Allister** asked the Minister of Agriculture and Rural Development on how many occasions since May 2007 has her Department not accepted the recommendations contained in an Ombudsman's finding.

**(AQW 30527/11-15)**

**Mrs O'Neill:** None.

### Maximising Access in Rural Areas: East Antrim

**Mr Dickson** asked the Minister of Agriculture and Rural Development to detail the total number of household visits that have taken place in East Antrim under the Maximising Access in Rural Areas programme.

**(AQW 30545/11-15)**

**Mrs O'Neill:** Four hundred and forty four households have been visited in the East Antrim constituency area through the Maximising Access in Rural Areas (MARA) Project.

### Reservoirs: Funding

**Mr Agnew** asked the Minister of Agriculture and Rural Development whether funding will be available to not-for-profit organisations responsible for the management of reservoirs to assist in complying with the increased responsibilities proposed in the Reservoirs Bill.

**(AQW 30554/11-15)**

**Mrs O'Neill:** The Reservoirs Bill has only just been introduced in the Assembly and is currently within the legislative scrutiny process. It is therefore too early to be committing funding to assist organisations with their responsibilities as set out in the Bill, as these may be subject to change. The Bill, as drafted, does however provide for a grant scheme, by regulation, and during the second stage debate I recognised the services offered by not for profit organisations who operate reservoirs, and committed to explore in more detail the possibility of meeting the costs of public safety measures for these bodies.

### Trawling: Monitoring and Regulation

**Mr Kinahan** asked the Minister of Agriculture and Rural Development to detail (i) who has permission to trawl in loughs; and (ii) what responsibility her Department has for monitoring and regulating trawling.

**(AQW 30559/11-15)**

**Mrs O'Neill:**

- (i) All commercial fishing vessels must be authorised to fish, including to trawl in loughs, by a fishing licence issued by virtue of the Sea Fish (Conservation) Act 1967, as amended. Local inshore fishing regulations prohibit the use of trawl nets within inshore waters in Carlingford Lough, Strangford Lough and inner Belfast Lough. These fishing regulations also restrict the use of trawl nets within inshore waters in Lough Foyle and outer Belfast Lough to vessels with a length not exceeding 15.24 and 12.19 metres respectively. Mussel dredgers operate in Lough Foyle and Belfast and Carlingford Loughs but only within specific aquaculture sites licensed by the Department and for husbandry purposes only.
- (ii) The DARD Fisheries Inspectorate has the responsibility for monitoring this activity and enforcing the legislation. They do this by shore based observation, sea patrols and by operating the mandatory satellite based tracking system for fishing vessels.

### Fishing: Selective Gear

**Mr Hazzard** asked the Minister of Agriculture and Rural Development how her Department plans to reward the local fishing industry for adhering to European demands on selective fishing gear in recent months.

**(AQW 30566/11-15)**

**Mrs O'Neill:** The reason why our fleet is fishing with highly selective fishing gears is to reduce cod mortality. This must be done because the Irish Sea cod stock is in poor condition and is showing little signs of improving. Back in December 2011 our industry was faced with the prospect of having unacceptable technical measures imposed on it by the European Commission. The commitment I made then with the co-operation of the industry was to have the fleet fish with gears that would exempt them from days at sea restrictions which are a feature of the Cod Recovery Plan. To achieve this, the fishing gears would need to be sufficiently selective to constrain cod catches to less than 1.5% of the total catch.

This allowed us breathing space to develop measures more suitable for our fleet. We now have several more acceptable gear types that are capable of reducing cod catches to below 1.5% and allow vessels to become completely exempt from Days at Sea restrictions.

We will continue to improve these gears and over the next two years and beyond the focus will be on overall reduction in catches of unwanted fish.

It is in everyone's interest that we move to a position where there is the cleanest prawn fishery possible in the Irish Sea so that unwanted catches are minimised by technical and other management measures. The reward for doing so is to have fisheries that exploited sustainably both now and for future generations.

### Fishing: December Fisheries Council

**Mr Hazzard** asked the Minister of Agriculture and Rural Development how the local fishing industry can be integrated into the December Fisheries Council process.

**(AQW 30567/11-15)**

**Mrs O'Neill:** The December Fisheries Council is a negotiation restricted to Member States and the Commission and as such the fishing industry cannot be directly involved. Prior to Council my Department and Fisheries Administrations in Britain routinely consult with their respective fishing stakeholders to discuss what our negotiating priorities should be and the likely impacts of different scenarios that might play out at Council. This is an extremely important engagement for Fisheries Ministers and one which I am fully committed to.

### Fishing: Vessel Decommissioning Scheme

**Mr Hazzard** asked the Minister of Agriculture and Rural Development whether she plans to introduce a 'scrap and build' or a vessel decommissioning scheme for the local fishing industry.

**(AQW 30568/11-15)**

**Mrs O'Neill:** EU funding rules expressly forbid financial assistance for the purpose of construction of new fishing vessels so it is not possible to have a "scrap and build" scheme. You may be aware that I decided in December 2012 not to proceed with a decommissioning scheme following consideration of the business case and feedback from the fishing industry about the scope of the proposed scheme. While I have no plans to introduce a scheme I am aware that some individuals would welcome such a development. My Department will shortly be undertaking a consultation exercise on the new European Maritime and Fisheries Fund which we hope will be open to applications early in 2015. The matter of whether a decommissioning scheme should be included in future investment proposals will be considered fully as part of that consultation.

### Fishing: Selective Gear

**Mr Hazzard** asked the Minister of Agriculture and Rural Development what assistance her Department will provide to the local fishing industry as a result of the changes to fishing gears, in order to reduce catches of small haddock, whiting and plaice.

**(AQW 30569/11-15)**

**Mrs O'Neill:** My Department fully funded trials on a variety of experimental gears during 2012 and 2013. The outcome of these trials was acceptance by the Commission's scientific advisors that the preferred designs were highly selective and capable of constraining cod catches to 1.5% of the overall catch. These gears also reduced catches of juvenile haddock and whiting by more than 50%. The European Fisheries Fund has been used to assist the industry to adapt its fishing gear to incorporate larger square mesh panels, bigger mesh cod ends and selectivity features such as the Seltra box. Making fishing gear more selective is a priority because of new landing obligations that will impact on the prawn fleet from 1 January 2016. My Department will continue to work with the industry this year to continuously improve the selectivity of nets to reduce unwanted catches. Grant will also be available under the EFF to assist with the cost of replacement fishing gear or to carry out further adaptations.

## Fishing: Sustainability

**Mr Hazzard** asked the Minister of Agriculture and Rural Development how her Department can ensure local waters are sustainably fished, but not underexploited, in the years ahead.

**(AQW 30571/11-15)**

**Mrs O'Neill:** Under the new Common Fisheries Policy targets have been set to achieve Maximum Sustainable Yield (MSY) exploitation rate by 2015 where possible and, on a progressive, incremental basis at the latest by 2020 for all fish stocks. Achieving MSY will ensure that stocks will be fished at sustainable levels for the long term and the setting of quotas in future will be in line with achieving MSY targets.

The fishing fleets ability to fully take sustainable fishing opportunities depend on a range of factors that include, prevailing economic conditions in the industry, and adapting to restrictions on fisheries, such as the new landing obligation.

In the small Irish Sea whitefish fishery, where selectivity is difficult, some stocks such as haddock are likely to be underexploited because it is not possible to fully target haddock without further damaging vulnerable stocks such as cod, and whiting.

My Department will continue to offer support through marine research and the European Fisheries Fund and the new European Maritime and Fisheries Fund to assist the industry where possible. This includes further research into improved highly selective fishing gear to reduce landings of unwanted fish in the prawn fishery. We will also continue to fund measures to help vessels become more cost efficient and adopt highly selective fishing gear.

## Animal Welfare

**Mr Weir** asked the Minister of Agriculture and Rural Development to detail the total spend on animal welfare in each of the last five years.

**(AQW 30586/11-15)**

**Mrs O'Neill:** Prior to the introduction of the Welfare of Animals Act 2011, the welfare of animals here was protected by the Welfare of Animals Act 1972. Under the 1972 Act, DARD, through its Veterinary Service, had responsibility for welfare enforcement in respect of farmed animals whilst the PSNI was responsible for other animal cruelty issues.

From 2 April 2012 responsibility for enforcement of the Welfare of Animals Act 2011 is as follows: Councils in respect of non-farmed animals such as domestic pets and horses; DARD Veterinary Service in respect of farmed animals; and the PSNI in respect of wild animals, animal fighting, and welfare issues where other criminal activities are involved.

My Department provides annual funding for Councils to undertake this enforcement work. The PSNI has provided details of their spend on animal welfare and this is included in the table below. The table below sets out the relevant spend by each enforcement body and includes spend on policy work including the cost of a dedicated Bill team, from September 2009 until 28 February 2013, which brought forward and implemented the new Welfare of Animals Act 2011 to replace the 1972 Act.

**Table – Spend on Animal Welfare**

Year	VS Enforcement	DARD Policy	Councils Enforcement	PSNI	Total
2009/10	£220k	£151k	N/A	£59k	<b>£430k</b>
2010/11	£231k	£283k	N/A	£100k	<b>£614k</b>
2011/12	£283k	£345k	£324k*	£101k	<b>£1,053k</b>
2012/13	£409k	£344k	£529k	£100k	<b>£1,382k</b>
2013/14	£329k**	£121k**	£384k**	£65k***	<b>£899k</b>
<b>Overall Total</b>	<b>£1.472m</b>	<b>£1.244m</b>	<b>£1.237m</b>	<b>£0.425m</b>	<b>£4.378m</b>

\* Funding provided to Councils to prepare for implementation from 2/4/2012

\*\* April 2013 to October 2013

\*\*\* April 2013 to January 2014

## Coastal Defences: Ards Peninsula

**Mr Allister** asked the Minister of Agriculture and Rural Development what steps will be taken to address the deficiencies in coastal defences underscored by recent storm damage in respect of the Ards Peninsula.

**(AQW 30662/11-15)**

**Mrs O'Neill:** Around the Ards Peninsula, Rivers Agency is responsible for designated sea defences at Newtownards and Greyabbey. These defences were severely tested during the recent storms and Rivers Agency's assessment is that they performed well. Inspections of the defences are well advanced, and should they identify the need for works, these will be given appropriate priority. There are also a number of other authorities who are responsible for coastal defences around the Ards Peninsula which protect property, such as roads and harbours. It is important for them to take whatever action is

necessary to repair any damage caused and consider what further work is required to protect their infrastructure from future coastal storms. Rivers Agency has developed coastal flood mapping for the whole of the north of Ireland which has already been shared with a number of infrastructure owners. The Agency is available to provide its mapping expertise to assist other authorities to assess what further work is required to protect their infrastructure from future coastal storms. Where property, for which no other public body is responsible, has been significantly affected by flooding from the sea, Rivers Agency can examine options for improving the level of protection, but any works would be subject to the appropriate approvals, the need to be cost beneficial and competing priorities for available funding.

### **Bovine Tuberculosis: Fodder Task Force**

**Mr Swann** asked the Minister of Agriculture and Rural Development whether the Fodder Task Force will widen its remit to consider the support that could be provided to farmers who find their herds closed as a result of Bovine Tuberculosis. (AQW 30673/11-15)

**Mrs O'Neill:** I set up the Fodder Taskforce to address problems facing livestock farmers arising from the prolonged low temperatures impacting on growth and poor ground conditions in spring 2013. This objective has largely been achieved and I have no plans to widen the group's remit.

However, to support those farmers whose herds are restricted because of bovine TB, my department, in consultation with cattle industry representatives, has developed a new Alternative Control Herd (ACH) policy. When ACHs are established they will be able to receive animals under licence from TB breakdown herds. Herd keepers have been able to apply to operate an ACH since the end of November 2013.

### **Bovine Tuberculosis: North Antrim**

**Mr Swann** asked the Minister of Agriculture and Rural Development to detail the number of herds closed as a result of Bovine Tuberculosis in the North Antrim area, on the 1 February in each of the last four years. (AQW 30674/11-15)

**Mrs O'Neill:** The North Antrim area includes parts of 3 DARD Divisional areas: Ballymena, Coleraine and Mallusk. Retrospective TB herd data for point date 1 February in each of the last 4 years is not readily available. Instead, the numbers of herds in the area under restriction following the identification of TB either at a test or at routine slaughter inspection in these herds, on 31 December 2010-2013 inclusive are provided below:

<b>Date</b>	<b>Number in area</b>
31 December 2010	117
31 December 2011	103
31 December 2012	132
31 December 2013	166

### **Pig Farming**

**Mr Frew** asked the Minister of Agriculture and Rural Development to detail the grants, finance and support available for farmers wishing to invest in pig farming and the pork sector. (AQW 30685/11-15)

**Mrs O'Neill:** Under the Rural Development Programme (RDP) 2007-2013, my Department provided financial support to the wider agricultural sector, including the pig sector, through the Processing & Marketing Grant Scheme (PMG), the Farm Modernisation Programme (FMP) and the Manure Efficiency Technology Scheme (METS). Both the PMG and FMP schemes are closed to new applications, however a further tranche of METS financial support, where the main enterprise is pig farming, is planned for 2014, subject to the funding. METS provides capital grants of up to £10,000 per farm business to enable farmers to invest in advanced slurry and manure spreading systems.

My Department's proposals for a number of new schemes to provide grant support for the agricultural sector were outlined in the 2014-2020 Rural Development Programme (RDP) consultation document, with the public consultation closing on 21 October 2013. On foot of the consultation responses, my Department will be continuing to develop our plans for the next Programme in conjunction with the Stakeholder Consultation Group.

In addition to financial support, training, benchmarking and knowledge transfer support is available through the College of Agriculture, Food and Rural Enterprise (CAFRE).

### **Single Farm Payment: Remote Sensing**

**Mrs Dobson** asked the Minister of Agriculture and Rural Development to detail the process (i) used to identify the geographic areas which will be subject to remote sensing; and (ii) by which all affected Single Farm Payment recipients are notified. (AQW 30707/11-15)

**Mrs O'Neill:**

- (i) In accordance with Commission Regulations for area based schemes a minimum of 5% inspections (on-the-spot checks) must be carried out each year. These can be carried out by farm visits or remotely using aerial imagery. To meet our target for inspections by remote sensing in 2013 two areas were identified. The location of each of the areas was selected randomly by computer and satellite imagery was requested from the European Commission.
- (ii) In December 2013, my Department issued a letter to all farmers who received a remote sensing check, to notify them that this had taken place.

**Bovine Tuberculosis: Omagh and West Tyrone**

**Mr McElduff** asked the Minister of Agriculture and Rural Development for her assessment of the incidences of Bovine Tuberculosis in Omagh and West Tyrone; and whether her Department will take the appropriate action to identify and eradicate the cause. **(AQW 30708/11-15)**

**Mrs O'Neill:** The latest annual herd TB incidence and the annual animal TB incidence for Omagh Divisional Veterinary Office area are 6.32% and 0.482% respectively.

These measures of incidence are significantly lower than the corresponding figures in the previous 12 months (9.97% and 0.939%), indicating a marked reduction in the level of Bovine Tuberculosis in Omagh DVO since 2012. The latest figures for Omagh DVO are also lower than those corresponding to the north of Ireland as a whole (6.48% and 0.527%).

Because of the nature of the disease it is not always possible to attribute a cause to a particular outbreak with certainty. A Veterinary Officer visits every TB breakdown within 5 days of disease confirmation to investigate possible sources and to give the herd keeper advice on how to reduce the risk of further exposure to TB.

TB is a complex and multi-factorial disease and its control is a priority for DARD. Eradication of the disease is the long term goal and although it may be quite some time before this can be achieved a great deal of work is being done to progressively reduce disease levels through the application of our EU Commission approved eradication programme, research projects and partnership with industry representative organisations.

**Single Farm Payment: North Down**

**Mr Weir** asked the Minister of Agriculture and Rural Development how many farmers in North Down had not received their Single Farm Payment by 31 January 2014. **(AQW 30737/11-15)**

**Mrs O'Neill:** The Department has delivered a record payment performance in 2013 with 90% of Single Farm Payment claims finalised in December 2013. Only 8 farm businesses in the North Down constituency had not received their Single Farm Payment by 31 January 2014.

**Maximising Access in Rural Areas: North Down**

**Mr Weir** asked the Minister of Agriculture and Rural Development how many visits have been made to households in North Down under the Maximising Access in Rural Areas Programme. **(AQW 30806/11-15)**

**Mrs O'Neill:** Forty one rural households have been visited in the North Down constituency area through the Maximising Access in Rural Areas (MARA) Project.

**Slurry Tanks: Financial Assistance**

**Mr Frew** asked the Minister of Agriculture and Rural Development what financial assistance is currently available to build slurry tanks. **(AQW 30950/11-15)**

**Mrs O'Neill:** Currently no financial assistance is available from my Department to build slurry tanks.

My Department has provided some £121 million of financial assistance for building slurry tanks through the Farm Nutrient Management Scheme (FNMS), which operated from 2005 to 2008. The Scheme provided 60% capital grant support to farmers to install new or improved slurry and manure storage facilities. All slurry tanks, and middens for the storage of solid manures, funded under the FNMS are constructed to have a lifespan of at least 20 years.

The FNMS delivered a total investment of over £200m in farm infrastructure, with farmers contributing more than £80m and it was the largest capital grant scheme delivered by my Department.

## Department of Culture, Arts and Leisure

### Cricket: Funding

**Mr Wells** asked the Minister of Culture, Arts and Leisure, pursuant to AQO 2046/11-15, what proportion of the grant aid paid to Cricket Ireland by her Department was spent in Northern Ireland.

**(AQW 30450/11-15)**

**Ms Ní Chuilín (The Minister of Culture, Arts and Leisure):** On 28 May 2012, I advised that Sport NI had provided £3,935,030 exchequer and lottery funding to Cricket Ireland. All of this funding was provided and spent to assist with the development of cricket in the north of Ireland.

### Cricket: Funding

**Mr Wells** asked the Minister of Culture, Arts and Leisure how much funding has been awarded for the promotion of cricket in Northern Ireland, in each of the last three years.

**(AQW 30451/11-15)**

**Ms Ní Chuilín:** Sport NI, an arms length body of my Department, is responsible for the distribution of funding for sport in the north of Ireland.

In the last three financial years to March 2013, Sport NI has provided £4,621,729 exchequer and lottery funding to Cricket Ireland, to assist with the promotion of cricket in the north of Ireland. This is broken down as follows:

Year	Exchequer	Lottery	Grand Total
2010/11	£348,014	£1,011,361	<b>£1,359,375</b>
2011/12	£262,007	£1,352,933	<b>£1,614,940</b>
2012/13	£196,082	£1,451,332	<b>£1,647,414</b>
<b>Total</b>	<b>£806,103</b>	<b>£3,815,626</b>	<b>£4,621,729</b>

Furthermore, Sport NI has provided support to Cricket Clubs in Governance, Club Development, High Performance, Talent Development and Coach Development.

### Cricket: Women

**Mr Wells** asked the Minister of Culture, Arts and Leisure how much funding has been provided for the promotion of women's cricket, in each of the last three years.

**(AQW 30452/11-15)**

**Ms Ní Chuilín:** During the last three years up to March 2013, Sport NI, an arms length body of my Department, has provided funding totalling £862,456 to the sport of cricket, including women's cricket.

The details are broken down as follows:

Programme	10/11	11/12	12/13	Total
Investing in Performance Sport	£174,148	£212,007	£196,082	£582,237
Active Communities	£83,983	£99,543	£96,693	£280,219
<b>Total</b>	<b>£258,131</b>	<b>£311,550</b>	<b>£292,775</b>	<b>£862,456</b>
Awards for Sport	£42,234 provided for the period 2009-2012		-	

### Murals

**Mr Dickson** asked the Minister of Culture, Arts and Leisure, pursuant to AQO 5287/11-15, how many of the 155 projects have reverted to sectarian murals.

**(AQW 30543/11-15)**

**Ms Ní Chuilín:** I have been informed by the Arts Council that, to the best of their knowledge, none of Re-imagining Communities projects have 'reverted' to sectarian murals.

### Ulster Scots: Official Status

**Mr Swann** asked the Minister of Culture, Arts and Leisure whether her Department recognises Ulster Scots as an official language.

**(AQW 30563/11-15)**

**Ms Ní Chuilín:** Ulster-Scots is recognised and protected under the European Charter for Regional or Minority Languages, which was signed by the UK Government in March 2000 and ratified in March 2001. The Charter is an international treaty and its provisions apply to recognised languages throughout the UK, including Ulster-Scots.

### Cultural Funding: Ulster Scots and Gaelic Traditions

**Mr Anderson** asked the Minister of Culture, Arts and Leisure for a breakdown of funding allocated to (i) Ulster Scots; and (ii) Gaelic traditions, in the last three years in Upper Bann.

**(AQW 30578/11-15)**

**Ms Ní Chuilín:** The tables below show the total funding provided by my Department and its Arms Length Bodies in the Upper Bann Constituency in the last three years.

#### Gaelic Traditions

2011	2012	2013
£77,022	£20,659	£39,464

#### Ulster Scots Traditions

2011	2012	2013
£18,679.70	£5,279.50	£20,750

### Ulster Scots: Public Events

**Mr Campbell** asked the Minister of Culture, Arts and Leisure how many Ulster Scots public events she has attended in her Ministerial capacity in the last twelve months.

**(AQW 30656/11-15)**

**Ms Ní Chuilín:** None. However, I attended the Ebrington Tattoo which incorporated Ulster Scots performances.

### Arts Council: Literature Strategy

**Mr Rogers** asked the Minister of Culture, Arts and Leisure when the Arts Council of Northern Ireland will publish the Literature Strategy.

**(AQW 30688/11-15)**

**Ms Ní Chuilín:** The Arts Council has advised that terms of reference have been drawn up and field work is due to commence before the end of this financial year. However the final strategy may not be published until late 2014.

### Arts Council: Funding

**Mr Rogers** asked the Minister of Culture, Arts and Leisure to outline the steps taken by the Arts Council of Northern Ireland take to ensure that organisations in receipt of funding deliver the specific activities for which they were granted funding.

**(AQW 30689/11-15)**

**Ms Ní Chuilín:** The Arts Council issues a letter of offer with each award which contains a set of conditions outlining what the organisation is expected to deliver. This is monitored in a variety of ways - through written reports, financial reports, visits by Arts Council officers to the activities and also reports by independent assessors.

### Ulster-Scots Agency: Highland Dancing

**Mr Campbell** asked the Minister of Culture, Arts and Leisure to detail the change in funding by the Ulster Scots Agency for Highland Dancing classes, as delivered by community groups and associations, including the amount approved for each application, in each of the last four years.

**(AQW 30693/11-15)**

**Ms Ní Chuilín:** There has been no change in the way the Ulster Scots Agency administer funding for Highland Dancing classes. The tables attached show the Ulster Scots Agency's expenditure on Highland Dancing classes over the last four years.

**Dance 2010**

<b>Name</b>	<b>Title</b>	<b>Amount awarded</b>
Altnaveigh House School of Dance	Highland Dance	£5,280.00
Aughlish Ulster-Scots Group	Highland Dance	£3,360.00
Aughnagurgan Scottish Dance Association	Highland Dance	£2,813.63
Ballysillan Highland Dancers	Highland Dance	£3,090.00
Blue Thistle Highland Dancers	Highland Dance	£2,200.00
Bright Lights	Highland Dance	£2,976.50
Bright Lights	Highland Dance	£3,489.00
Cairncastle LOL 692 Community and Cultural Group	Highland Dance	£4,290.00
Closkelt Highland Dancers	Highland Dance	£2,325.00
Curley Rural Community Association	Highland Dance	£4,170.00
Dollingstown Ulster-Scots Society	Highland Dance	£2,250.00
Erne Highland Dancers	Highland Dance	£3,870.00
Finnard Rural Development Association	Highland Dance	£2,421.00
Greyabbey Junior Drumming Club	Highland Dance	£3,648.00
Heart of Down Highland Dancers	Highland Dance	£2,714.40
Irish Street Community Association	Highland Dance	£2,985.00
Kilrea and District Ulster-Scots Society	Highland Dance	£2,062.80
Kirknarra School of Dance	Highland Dance Teacher Training	£825.00
Kirknarra School of Dance	Highland Dance	£3,822.00
Magherafelt Highland and Country Dance Group	Highland Dance	£4,245.60
Magherafelt Highland and Country Dance Group	Highland Dance Teacher Training	£475.00
Maguiresbridge Scottish, Country & Highland Dance	Highland Dance	£6,750.00
Mourne School Of Highland Dance	Highland Dance Teacher Training	£3,576.00
Moyne Ulster-Scots Association	Highland Dance	£3,690.00
Raphoe Pipe Band	Highland Dance	£3,078.00
Sollus School Of Dance	Highland Dance	£4,140.00
Sollus School Of Dance	Highland Dance	£6,760.00
Ulster-Scots Dance Academy	Highland Dance	£3,607.50
	<b>Total:</b>	<b>£94,914.43</b>

**Dance Tuition 2011**

<b>Name</b>	<b>Title</b>	<b>Amount awarded</b>
Aughnagurgan Scottish Dance Association	Highland Dance	£2,476.13
Ballysillan Highland Dancers	Highland Dance tuition	£2,484.00
Blue Thistle Highland Dancers	Highland Dancing	£2,025.00
Cairncastle LOL 692 Community & Cultural Group	Highland Dancing Class	£3,098.57
Closkelt Highland Dancers	Highland Dance	£1,620.00
Craigane Accordion Band	Highland Dance	£1,050.00
Cranfield Cultural Society	Highland Dance	£1,647.00
Curley Rural Community Association	Highland Dance	£2,565.00

<b>Name</b>	<b>Title</b>	<b>Amount awarded</b>
Erne Highland Dancers	Highland Dance	£2,430.00
Finnard Rural Development Association	Highland Dance	£1,971.00
Greyabbey Junior Scottish Highland Dance Group	Highland Dance	£1,419.00
Heart of Down Highland Dancers	Highland Dance Workshop	£1,903.50
Kilrea District Ulster-Scots Society	Highland Dance Tuition	£1,674.00
Kirknarra School of Dance	Highland Dance	£2,362.50
Magherafelt Highland & Country Dance Group	Highland & Country Dance	£1,895.70
Maguiresbridge Highland Dance Group	Highland Dance Tuition	£3,577.50
McClintock Parents Support Group	Scottish Highland Dancing	£2,250.00
Mourne School of Dance	Highland Dance	£2,421.00
Mourne School of Dance	Highland Dance Teacher Training	£4,155.00
Moyne Ulster Scots Association	Highland Dance Tuition	£2,745.00
Shelley-Anne Campbell School of Highland Dancing	Highland Dance Tuition	£2,070.00
Sollus School of Highland Dance	Highland Dance Tuition	£6,131.25
Sollus School of Highland Dance	Highland Dance Tuition	£2,655.00
Village Maids Highland Dance Groups	Highland Dance	£2,475.00
	<b>Total:</b>	<b>£59,101.15</b>

**Dance Tuition 2012**

<b>Name</b>	<b>Title</b>	<b>Amount awarded</b>
Moyne Ulster Scots Association	Highland Dance Tuition	£2,827.50
McClintock Parents Support Group	Seskinore Scottish Highland Dancing Group	£1,518.75
Kirknarra School of Dance	Scottish Highland Dance Tuition	£2,520.00
Craiganeer Accordion Band	2012 Dance Programme	£1,050.00
Mourne School of Dance	Highland Dance Tuition	£2,470.50
Aughnagurgan Scottish Dance Association	Highland Dance Tuition	£2,595.00
Closkelt Highland Dancers	Closkelt Highland Dancers	£1,373.40
Blue Thistle Highland Dancers	Highland Dance Tuition	£2,725.00
Mourne School of Dance	Highland Dance Tuition	£1,102.50
Banbridge Orange Hall Committee	Scottish Highland Dance Tuition	£2,430.00
Maghera Parish Caring Association	Highland & Country Dance	£367.20
Maguiresbridge Highland & Scottish Country Dancing	Highland Dance Tuition	£4,087.50
Ardstraw & Baronscourt Youth Council	Newtownstewart Highland Dancers	£2,146.50
Sollus School of Highland Dance	Highland Dance Tuition	£2,677.50
Mourne School of Dance	Highland Dance Tuition	£2,587.50
Cranfield Cultural Society	Highland Dance Tuition	£1,656.00
Heart of Down Highland	Highland Dance Workshops	£1,971.00
Sollus School of Highland Dance	Highland Dance Tuition	£6,423.75
Cairncastle LOL 692 Community & Cultural Group (Association)	Highland Dance Classes	£3,277.50

Name	Title	Amount awarded
Erne Highland Dancers	Developing of Excellence in Highland Dance Tuition	£3,903.00
Finnard Rural Development Association	Highland Dance Tuition	£1,339.50
Greyabbey Junior Scottish Highland Dance Group	Scottish Highland Dance Tuition	£1,935.00
North West Cultural Association	Highland Dance Tuition	£2,946.00
	<b>Total:</b>	<b>£55,930.60</b>

**Dance 2013**

Name	Title	Amount awarded
Bright Lights	Highland Dance Tuition	£3,262.50
Sollus School of Highland Dance	Highland Dance Tuition	£2,525.25
McClintock Primary School	Highland Dance Tuition	£1,856.25
Closkelt Highland Dancers	Closkelt Highland Dancers	£1,373.40
Aughnagurgan Scottish Dance Association	Highland Dance Classes	£2,621.25
North West Historical & Cultural Society	Highland Dance Tuition	£3,402.00
The Blue Thistle Highland Dancers	Highland Dance	£2,081.25
Kirknarra School of Dance	Scottish Highland Dance Classes	£2,520.00
Ardstraw & Baronscourt Youth Council	Highland Dancing	£1,696.50
Sollus School of Highland Dance	Highland Dance Tuition	£2,748.38
Heart of Down Highland Dancers	Highland Dance Tuition	£1,971.00
Dromore Orange Hall Committee	Highland Dance Tuition	£1,878.75
Cranfield Cultural Society	Highland Dance Tuition	£1,656.00
Finnard Rural Development Association	Highland Dance Tuition	£2,020.50
Cairncastle LOL 692 Community & Cultural Group (Association)	Highland Dance Tuition	£3,060.00
Sollus School of Highland Dance	Monthly Technique Workshops	£2,141.25
Maguiresbridge Highland & Scottish Country Dancing Group	Highland Dance Tuition	£4,095.00
Erne Highland Dancers	Highland Dance Tuition	£2,211.30
Clooney Hall Centre	Highland Dance Tuition	£844.50
Moyne Ulster Scots Association	Highland Dance Tuition	£2,835.00
	<b>Total:</b>	<b>£46,800.08</b>

**Odyssey Arena: Safety**

**Mr Allister** asked the Minister of Culture, Arts and Leisure, in light of the events at the Odyssey Arena on 6 February 2014, what overview actions her Department takes in respect of The Odyssey Trust, to ensure that it is meeting its obligations on the safe operation of the complex.

**(AQW 30751/11-15)**

**Ms Ní Chuilín:** I was shocked at the reports of the 'DJ Hardwell' event held at the Odyssey Arena on 6th February at which scores of our young people had drunk to excess or taken drugs resulting in a 'major incident' being declared.

It is of great concern that the inappropriate and excessive activities of approximately 100 people tied up emergency services' personnel unnecessarily. The misuse of alcohol led to many unpleasant and distressing scenes and I wish to commend the response of our emergency services and support volunteers in dealing with this incident.

I am pleased that the Odyssey Trust Company's (OTC) Chief Executive is leading an investigation into the recent events both within and outside the Arena. This investigation will involve his meeting with all of the relevant stakeholders involved and is expected to be completed by 21st February.

The OTC is an independent company limited by guarantee with charitable status. As such, the safe operation of the complex is a matter for the Odyssey Arena which is ultimately the responsibility of the OTC's Trustees. My Department does not direct, or intervene, in these operational activities; nor has it a governance or accountability role over the Trustees in such matters.

### **Odyssey Arena: Cooperation Agreement**

**Mr Allister** asked the Minister of Culture, Arts and Leisure what is the nature of the co-operation agreement, of 22 October 2010, between The Odyssey Trust and SMG Ltd in regard to the operation of the Odyssey Arena; and whether it establishes an effective joint venture in regard to the operation and running of the premises.

**(AQW 30764/11-15)**

**Ms Ní Chuilín:** The Odyssey Trust Company Limited (OTC) is an independent company limited by guarantee with charitable status.

The 15 year 'co-operation agreement' is a commercial management arrangement between Odyssey Millennium Limited (an OTC subsidiary), SMG (NI) Limited and SMG Europe Holdings Limited. As it relates to the operational activities at the Odyssey Arena my Department had no role in its negotiation, approval or in developing measures to assess its ongoing effectiveness. This is a matter for the OTC's Trustees and Senior Management Team under that agreement's reporting and review structure .

My Department does not hold a copy of this agreement.

### **Brian Boru: 1000th Anniversary of Death**

**Mr Flanagan** asked the Minister of Culture, Arts and Leisure what plans are in place to mark the 1000th anniversary of the death of Brian Boru, who died at the Battle of Clontarf on 23 April 1014.

**(AQW 30778/11-15)**

**Ms Ní Chuilín:** Armagh Library and Armagh Observatory & Planetarium are working with other local institutions and the seven primary schools in Armagh on the project, 'The Waking of Brian Boru'.

'The Waking of Brian Boru' is a community project to offer local people of all ages in Armagh an opportunity to reflect upon and engage with the one thousand year anniversary of Brian Boru's death this year. A series of music performance workshops will be held in local institutions, all of which will contribute to the project through the active involvement and knowledge-sharing by representatives from Armagh County Museum, Armagh Observatory, Armagh Public Library and No 5 (Diocesan Registry).

All of the groups will come together to create a community inspired performance on the Hill of Armagh in St Patrick's Church of Ireland Cathedral on Thursday 1 and Friday 2 May 2014.

Libraries NI will be marking the 1000th anniversary of the death of Brian Boru with a talk in the Irish and Local Studies Library in Armagh on World Book Day, Thursday, 6th March hosted by Armagh City Chapter. The speaker is Seán Duffy FTCD, Professor of Medieval History, Department of History, Trinity College, Dublin who has published a book recently on Brian Boru and the Battle of Clontarf in which he has written about the importance of Armagh at that time

### **Committee for Culture, Arts and Leisure: Ministerial Appearances**

**Mr Nesbitt** asked the Minister of Culture, Arts and Leisure how many times she has appeared before her Department's Statutory Assembly Committee in each of the last five years.

**(AQW 30794/11-15)**

**Ms Ní Chuilín:** Since taking up office in May 2011, I have appeared three times before my Department's Statutory Assembly Committee – once in 2011, once in 2013 and once in 2014.

### **Sport Clubs: Child Protection Obligations**

**Mr Weir** asked the Minister of Culture, Arts and Leisure what monitoring takes place to ensure that sporting clubs comply with their child protection obligations.

**(AQW 30803/11-15)**

**Ms Ní Chuilín:** The governing bodies of sport in the north of Ireland have responsibility for ensuring that all affiliated sporting clubs are compliant with child protection obligations, including monitoring the compliance of these obligations.

Through its governance programme, Sport NI, an arms length body of my Department, has introduced a process to assist all funded sport governing bodies to assess safeguarding standards. These standards are taken from guidance sponsored by the Department of Health and Social Services and Public Safety through "Our Duty to Care".

In addition, Sport NI has processes in place to ensure that any clubs, who apply for direct funding, comply with child protection obligations.

Sport NI will continue to provide support to governing bodies on their child protection obligations.

## Social Clauses

**Mr McKay** asked the Minister of Culture, Arts and Leisure what action her Department is taking to promote social clauses.  
(AQW 30821/11-15)

**Ms Ní Chuilín:** One of the key ways in which DCAL delivers on its commitment to tackle poverty and social exclusion is by using social clauses which maximise the sustainable economic, social, equality and environmental outcomes of procurement exercises.

Social clauses have been firmly embedded throughout the procurement and delivery process for the Stadium contracts. These social clauses require contractors to provide over 100 opportunities for the long term unemployed, apprenticeships and student placements.

The Music Business Support Programme launched in 2013 included social clauses committing the delivery organisation to provide work placements totalling over 156 weeks for the long term unemployed. The programme is also required to support education based initiatives targeting disadvantaged areas.

The Department has worked with the Arts Council NI to introduce social clauses into the Creative Industries Innovation Fund. Recipients of CIIF awards are contractually obliged to participate on W5s STEM Ambassadors Programme and its outreach activities to schools in disadvantaged areas. In 2014/15 this will be expanded to include the option of supporting the skills outreach activities of Creative & Cultural Skills (sectoral skills council).

I will continue to ensure that my Department includes appropriate social clauses when a tangible benefit to individuals and communities can be achieved.

## Foras na Gaeilge

**Mr D Bradley** asked the Minister of Culture, Arts and Leisure if she will urge Foras na Gaeilge to implement a consortia-based approach to ensure the continuance of the excellent work being carried out by POBAL, Iontaobhas Ultach, Altram and Forbairt Feirste.  
(AQW 30870/11-15)

**Ms Ní Chuilín:** The NSMC, at its meeting on 10 July 2013 approved new funding arrangements and directed Foras na Gaeilge to proceed with the implementation of these arrangements from 1 July 2014 and agreed to extend the existing core funding arrangements to 30 June 2014.

As a result of the NSMC decision Foras na Gaeilge appointed 6 new lead organisations on 17 January 2014 to proceed under the six new funding themes from 1 July 2014.

The opportunity to be selected as a lead organisation was an open and transparent process open to all existing core funded bodies. Organisations had the opportunity then to merge to make a bid to become a lead organisation.

Foras na Gaeilge have appointed a Change Management Consultant who is available to POBAL, Iontaobhas ULTACH, Altram and Fobairt Feirste to provide them with advice and guidance in relation to their future options.

## Theatre: Ministerial Attendance

**Miss M McIlveen** asked the Minister of Culture, Arts and Leisure to detail the number of theatre performances which she has attended since taking up office, including the (i) date; (ii) location; and (iii) title of the performance.  
(AQW 30951/11-15)

**Ms Ní Chuilín:** None that have taken place specifically in theatre venues. However, I have attended a number of performances that have taken place at other venues. These are listed in the table below:

Title	Date	Location
Childrens Opera Noye's Fludde	17/08/2012	Belfast Zoo
Culture Night	20/09/2013	Black Box
Walled City Tattoo	28/08/2013	The Venue, Ebrington
Return of Colmcille	7/06/2013, 8/06/2013	Derry City
Celebration of Irish Language, Heritage and Culture	31/01/2012	City Hall Belfast
Ye Banks & Braes- A Burns Night Celebration	25/01/2012	Ulster Hall Belfast

## Ulster Orchestra

**Miss M McIlveen** asked the Minister of Culture, Arts and Leisure to detail the number of performances by the Ulster Orchestra she has attended since taking up office.  
(AQW 30952/11-15)

**Ms Ní Chuilín:** I have not attended any performances by the Ulster Orchestra since taking up office. However, I have met with representatives of the orchestra on two occasions to discuss the role it plays in providing employment to musicians, contributing to the local economy, promoting the north of Ireland abroad and the education and outreach programmes it undertakes.

### Departmental Bank Accounts

**Mr Allister** asked the Minister of Culture, Arts and Leisure to detail (i) any departmental bank accounts that have been inactive for twelve months or more; (ii) the reason they are inactive; and (iii) the balance of each account.

**(AQW 30982/11-15)**

**Ms Ní Chuilín:** There are no departmental bank accounts that have been inactive for twelve months or more.

## Department of Education

### Schools: Enrolment Reduction Requests

**Mr Storey** asked the Minister of Education how many requests have been received for a reduction in admission or enrolment numbers in each of the last five years; and how many were approved.

**(AQW 30501/11-15)**

**Mr O'Dowd (The Minister of Education):** Information about requests from schools for temporary (for one-year) reductions to admissions and enrolment numbers, is not held by the Department of Education in the format you have requested and could only be obtained at disproportionate cost.

Development Proposals (DPs) relating to requests to permanently reduce admissions and/or enrolment numbers have been considered for the following schools in the period in question:

School	ELB Area	Date Published	Reason For DP	Decision
Braniel PS	SEELB	26/01/2010	Decrease enrolment in nursery unit	Not Approved
Good Shepherd PS	SEELB	11/06/2013	Decrease enrolment	Approved
St Kieran's PS	SEELB	11/06/2013	Decrease enrolment	Approved
Holy Cross Boys PS	BELB	13/06/2013	Decrease enrolment	Approved
Kilcooley PS	SEELB	12/09/2013	Decrease enrolment	Under consideration
Clandeboyne PS	SEELB	12/09/2013	Decrease enrolment	Under consideration

### Asbestos: Schools in Mid Ulster

**Mr I McCrea** asked the Minister of Education to detail the schools in the Mid Ulster area that currently have some form of asbestos in their buildings.

**(AQW 30686/11-15)**

**Mr O'Dowd:** Every school in the schools' estate, where asbestos is present, has an asbestos register that gives detail of any asbestos containing materials known to be present in the school. The information to populate these registers was obtained from asbestos surveys of the schools' estate. Following the surveys any asbestos that was deemed to pose a high risk was removed by an asbestos licensed company.

Current Government policy states that if asbestos containing materials are in good condition and are unlikely to be damaged or disturbed then they should be left in place and a system of management introduced. The system of management includes monitoring the condition of and keeping up to date records of the condition and location of any known asbestos containing materials in the school, assessing risks from the materials and making plans to manage those risks. These plans must be put into action and should any deterioration of the materials occur and based on the assessed risk, removal, repair or encapsulation must be carried out by a licensed asbestos company.

It must also be ensured that anyone who is likely to work on, or disturb, the asbestos is provided with information about its location and condition.

The school sectors follow these recommendations and manage the asbestos in the estate rather than remove it unless deemed necessary.

The table below details the current list of schools within the mid Ulster area that currently contain asbestos. This information was provided by the North Eastern Education and Library Board and the Southern Education and Library Board. It has not been possible to provide information on voluntary grammar or grant maintained integrated schools as this information is held by the individual schools.

<b>Board Area</b>	<b>Name of Property</b>
NEELB	Ampertaine Primary School
NEELB	Anahorish Primary School
NEELB	Bellaghy Primary School
NEELB	Castledawson Primary School
NEELB	Culnady Primary School
NEELB	Greenlough Primary School (St Mary's)
NEELB	Holy family Primary School, Magherafelt
NEELB	Kilross Primary School
NEELB	Knockloughrim Primary School
NEELB	Knocknagin Primary School
NEELB	Maghera Primary School
NEELB	New Row Primary School
NEELB	St Brigid's Primary School, Knockloughrim
NEELB	St Brigid's Primary School, Tirkane
NEELB	St Columba's Primary School
NEELB	St Columb's Primary School
NEELB	St Eoghan's Primary School
NEELB	St John Bosco Primary School
NEELB	St John's Primary School, Swatragh
NEELB	St Mary's College
NEELB	St Mary's Primary School, Draperstown
NEELB	St Mary's Primary School, Bellaghy
NEELB	St Mary's Primary School, Glenview
NEELB	St Patrick's Co-ed Comprehensive College
NEELB	St Trea's Primary School
NEELB	Tobermore Primary School
NEELB	St Colm's HS
NEELB	St Patricks HS Maghera
SELB	Aughamullan Primary School
SELB	Ballylifford Primary School
SELB	Ballytrea Primary School
SELB	Churchtown Primary School
SELB	Coagh Primary School
SELB	Cookstown High School
SELB	Cookstown Nursery School
SELB	Cookstown Primary School
SELB	Crievagh Primary School
SELB	Derrychrin Primary School
SELB	Donaghmore (Dungannon) Primary School
SELB	Edendork Primary School
SELB	Holy Trinity College

Board Area	Name of Property
SELB	Holy Trinity Primary School
SELB	Lissan Primary School
SELB	Moneymore Primary School
SELB	Newmills Primary School
SELB	Orritor Primary School
SELB	Primate Dixon Primary School
SELB	Queen Elizabeth II Primary School
SELB	Sacred Heart (Rock) Primary School
SELB	St Brigid's Primary School
SELB	St Joseph's High School
SELB	St Joseph's Primary School Galbally
SELB	St Joseph's Primary School, Cookstown
SELB	St Malachy's Primary School
SELB	St Mary's Primary School, Dungannon
SELB	St Mary's Primary School, Stewartstown
SELB	St Mary's Primary School, Cookstown
SELB	St Mary's Primary School, Pomeroy
SELB	St Patrick's Primary School, Moneymore
SELB	St Patrick's Primary School, Mullanahoe
SELB	St Patrick's Primary School, Loup
SELB	St Peter's Primary School
SELB	Stewartstown Primary School

### Schools: Minor Works in North Down

**Mr Weir** asked the Minister of Education what minor works are scheduled for North Down schools in 2014/15.  
(AQW 30717/11-15)

**Mr O'Dowd:** The South Eastern Education and Library Board (SEELB) has confirmed that they have not yet concluded the process of setting a minor works programme for the controlled sector in 2014/15.

The closing date for receipt of minor works applications in the non-controlled sector for 2014/15 and beyond is 28 February 2014.

### Bangor Central Integrated Primary School

**Mr Agnew** asked the Minister of Education what efforts are being made to secure the land at the old Bangor leisure centre from North Down Borough Council, to ensure that Bangor Central Integrated Primary has sufficient space for a new build to accommodate its pupils.

(AQW 30771/11-15)

**Mr O'Dowd:** Following an open call for expressions of interest from North Down Borough Council on 26 April 2013, the South Eastern Education and Library Board made a formal written offer to secure part of the former leisure centre site for use by Bangor Central Integrated Primary School.

To date, the Board has not been made aware of any decision by the Council.

### Committee for Education: Ministerial Appearances

**Mr Nesbitt** asked the Minister of Education how many times he has appeared before his Department's Statutory Assembly Committee in each of the last five years.

(AQW 30795/11-15)

**Mr O'Dowd:** Since May 2011, I have appeared before the Education Committee a total of 6 times, twice in each calendar year 2011, 2012 and 2013.

## Year of Code

**Mrs Overend** asked the Minister of Education whether his Department is participating in the Year of Code campaign to raise awareness and interest in computer programming across the United Kingdom.

**(AQW 30797/11-15)**

**Mr O'Dowd:** My Department has not been made aware of the Year of Code initiative however, I understand it is an independent campaign launched in schools in England to coincide with the introduction of computer coding in their curriculum from September 2014. It is not yet clear if this initiative is to be extended beyond England and therefore my Department will follow how this develops.

The revised curriculum has been designed to provide flexibility for schools to develop experiences that suit the needs of their pupils. Embedding mandatory, cross curricular skills and keeping prescribed content to a minimum, allows schools to choose the most appropriate approach to take to ensure that pupils are engaged and challenged, to reach their full potential.

Computer Science, which includes computer coding, is a specialised field and the flexibility already in place within the revised curriculum, enables schools to teach Computer Science in any Key Stage, including at primary school level, if they feel it appropriate.

My Department is a member of the ICT Working Group established in response to the ICT sector's concerns about skills shortages and mismatches here. As a member of this group, we have been exploring ways to increase pupil awareness of potential career opportunities in the ICT sector (particularly computer programming) with the aim of increasing the numbers of pupils studying computer science at GCSE and GCE. I have commissioned the development and delivery of a bespoke computer programme of practical pupil engagement activity covering Key Stage 2 – Post 16. The programme, 'IT's Your Choice – A Computer Programming Continuum for Schools', has been designed with the assistance of the sector, will engage approximately 10,000 pupils annually, and was launched into schools in September 2013.

The Council for Curriculum Examinations and Assessment (CCEA) has also developed a new GCE qualification in 'Software and Systems Development' as part of its expanded portfolio of 'Applied' qualifications. This qualification has been developed after comprehensive research with stakeholders including employers, Invest NI and the relevant sector skills bodies. CCEA are also currently reviewing the need to develop a progression route from GCSE to the new GCE in Software and Systems Development.

## Schools: Computer Programming

**Mrs Overend** asked the Minister of Education what progress has been made in developing computer programming in the school curriculum.

**(AQW 30799/11-15)**

**Mr O'Dowd:** My Department has not been made aware of the Year of Code initiative however, I understand it is an independent campaign launched in schools in England to coincide with the introduction of computer coding in their curriculum from September 2014. It is not yet clear if this initiative is to be extended beyond England and therefore my Department will follow how this develops.

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## Teachers: Suspensions

**Mr Dallat** asked the Minister of Education to detail the number of teachers currently suspended from (i) primary schools; and (ii) post-primary schools; and the cumulative cost in salaries and contributions.

**(AQW 30826/11-15)**

**Mr O'Dowd:** The number of teachers currently suspended from both primary and post primary schools and the cumulative costs are detailed in the table below:

	<b>Number of Teachers Currently Suspended*</b>	<b>Cumulative Cost in Salaries &amp; Contributions</b>
Primary	8	£508,655
Post Primary	7	£399,181

\* Voluntary Grammar Schools are not included, as the Department does not process payment of these salaries.

### **Limavady Grammar School: 3G Pitch**

**Mr Ó hOisín** asked the Minister of Education what is the current state of the 3G pitch at Limavady Grammar School. (AQW 30839/11-15)

**Mr O'Dowd:** As Limavady Grammar School is a controlled school, the Western Education and Library Board (WELB) is responsible for the maintenance of the school pitch, which they have advised is a 2G rather than 3G.

The WELB has advised that the pitch is in a good condition due to it being maintained on a regular basis by WELB staff in the Limavady Grounds Maintenance Team. The pitch has been in use since 2007 and will be due a "half-life evaluation" within the next couple of years, when the top layer of sand may be due for replacement.

### **Education and Library Boards: EU Links**

**Mr Storey** asked the Minister of Education to outline any formal links that exist between the Education and Library Boards and local authorities in other parts of the European Union. (AQW 30869/11-15)

**Mr O'Dowd:** The Education and Library Boards have advised that there are no formal links that exist between them and local authorities in other parts of the European Union.

### **Behaviour Analysis**

**Mr P Ramsey** asked the Minister of Education whether he intends hosting a public event in Parliament Buildings to hear presentations by professionals trained in the science of behaviour analysis, similar to an all-party briefing in Leinster House, Dublin in June 2013. (AQW 30892/11-15)

**Mr O'Dowd:** The Department of Education does not advocate exclusive adherence to any specific single intervention or theoretical perspective in relation to autism.

I have, therefore, no plans to host a public event in Parliament Buildings to hear presentations by professionals trained in the science of behaviour analysis.

### **STEM: Practical Application**

**Mr Lyttle** asked the Minister of Education for his assessment of how schools and the curriculum are enabling pupils to understand the practical application in the workplace of science, technology, engineering and mathematics subjects. (AQW 30896/11-15)

**Mr O'Dowd:** The revised curriculum has been designed to provide flexibility for schools to develop experiences that suit the needs of their pupils and provide opportunities for teaching Science, Technology, Engineering and Maths (STEM) subjects as part of a balanced curriculum, and it is the responsibility of schools to ensure this breadth and balance.

The promotion of STEM subjects is one of my Department's priorities and we have been taking significant action on a number of fronts to ensure that STEM subjects are seen as exciting, stimulating and fulfilling by our young people. This includes sponsoring annual competitions and exhibitions such as the BT Young Scientist and Technology Exhibition and Stock Market Challenge.

To support the regional delivery of STEM enhancement and enrichment activity my Department also funds Sentinus to work with pupils across the north of Ireland. They deliver a portfolio of 19 STEM core programmes across all Key Stages, engaging approximately 60,000 pupils each year. My department also allocates additional funding to a number of other delivery partners and initiatives, to enable pupils to gain an enriched world of work experience through practical engagement, to assist in embedding STEM within schools, and to develop STEM teacher continuous professional development.

During 2011 the north of Ireland participated for the first time in TIMSS (Trends in International Mathematics and Science Study) a large international comparative study of achievement, which examined the mathematics and science ability of pupils ages 9-10 (equivalent to our P6 year). The survey results published last year, showed that our primary school pupils are performing well above the international averages ranking our primary school performance in mathematics (6th out of 50 countries surveyed) and in science (21st out of the 50 countries surveyed).

PISA (Programme for International Student Assessment) provides an international benchmark in mathematics, reading and science literacy for 15 year olds. Results from the 2012 survey show that our pupils' performance is similar to the OECD (Organisation for Economic Co-operation and Development) average in science. There are only 17 countries outperforming the north of Ireland.

Our performance in mathematics has remained stable. However, I am aware that we need to do more in post-primary schools and therefore I will consider carefully the findings of PISA 2012 alongside the OECD review to determine where standards can be improved.

### STEM: GCSE and A Level

**Mr Lyttle** asked the Minister of Education how many pupils chose (i) GCSE; and (ii) A-level STEM subjects, in each of the last three years.

**(AQW 30897/11-15)**

**Mr O'Dowd:** The answer is contained in the table below.

#### Number of Pupils with Examination Entries in STEM subjects, 2009/10 – 2011/12

		2009/10	2010/11	2011/12
Number of pupils with 1 or more examination entry in STEM subjects	GCSE	27,104	27,024	27,683
	A-Level	6,783	7,017	7,198

**Source:** RM Data Solutions

### Success Through STEM

**Mr Lyttle** asked the Minister of Education for an update on the Success Through STEM strategy.

**(AQW 30898/11-15)**

**Mr O'Dowd:** My Department's commitments arising from the STEM Strategy fall into two broad areas; delivery of direct pupil STEM enhancement and enrichment activity, and school structural (including teacher continuous professional development) and curricular resource developments in STEM.

My Department and its delivery partners, have made good progress to date in delivering on a number of the commitments contained in the STEM Strategy. There has been an upward trend in the number of A-Level STEM examination entries since 2007/08 rising from 38.2% to 40.9% in 2011/12.

My Department will continue to deliver on DE's STEM commitments within available resources.

A review of the STEM Strategy 'Success Through STEM' is planned to commence later this year.

### Schools: Newbuilds in Holywood, County Down

**Mr Easton** asked the Minister of Education for an update on the new school builds for Holywood.

**(AQW 30902/11-15)**

**Mr O'Dowd:** The South Eastern Education & Library Board identified a multi-schools project for Holywood as one of its top three priorities for major capital investment. However the project was not included in my January 2013 announcement due to the need for clarity on enrolments at Priory Integrated College and the potential to increase these above sustainable schools thresholds, as well as the potential for alliances with other secondary schools in relation to 6th form provision.

On 16 April 2013, the South Eastern Education and Library Board published a Development Proposal (238), proposing that the approved enrolment at Priory College, Holywood, should increase from 450 to 600 with effect from 31 August 2014 or as soon as possible thereafter. The two month objection period ended on 16 June 2013.

I announced my decision on the proposal for Priory Integrated College in my statement to the Assembly on 14 January 2014. I approved a modified enrolment number of 500 with a Year 8 admissions number of 100 with effect from 31 August 2014, or as soon as possible thereafter.

I stated that I wanted to see a managed increase from Year 8 and that if I saw a marked increase in the lower school within 3 years, and should the demand for places require any further increase, I would happily consider a further Development Proposal from the Board at that stage. It is for the SEELB to keep the situation under review to ensure the enrolment numbers are managed within its area plan.

In my January statement I advised that the next stage of planning for East Belfast will be led by the BELB and SEELB, working closely with all the other sectors and the Department to ensure adequate places for the area at years 8-12 and at post 16.

While Holywood Primary / Holywood Nursery / Priory Integrated College will be disappointed that they were not included in the capital investment announcement in January 2013, this in no way implies that they will not be considered for funding at a later stage within the on-going area planning process.

## Schools: Mental Health and Counselling

**Ms Fearon** asked the Minister of Education how his Department is working to encourage positive mental health among pupils from an early age; and what action is being taken to improve school counselling services.

**(AQW 30923/11-15)**

**Mr O'Dowd:** The Department of Education (DE) promotes positive mental health and well-being of pupils in schools through a range of developments.

The Revised Curriculum for primary and post-primary schools has elements designed to develop the young person as an individual and to enhance young people's own awareness of the stressors in their lives and their capacity to deal with them.

The "iMatter" Programme is intended to support the entire school community to be engaged in promoting resilient emotional health for all pupils. Under the programme a suite of homework diary inserts and posters on topics of concern to young people such as self esteem and coping with stress, worry and anxiety, and outlining sources of help are prepared and distributed annually.

Pupils are also alerted to a topical "Message of the Month" each time they access the C2K system.

The Department issued a "Guide to Managing Critical Incidents in Schools" along with a supporting DVD on 10 February. The Guide, commissioned by DE as part of the 'iMatter' Programme, is aimed at ensuring a regional approach to dealing with critical incidents and is designed to help schools be prepared for a critical incident and to ensure effective management before, during and after the event. The Guide is available on the DE website.

DE is a member of and funds the local Anti-Bullying Forum (NIABF) which brings together local statutory and voluntary organisations to help schools and organisations working with young people to develop appropriate strategies to prevent and deal with bullying behaviours. In August 2013 the Forum published "Effective Responses to Bullying" to support schools in the management of alleged bullying incidents. Further information is available at [www.niabf.org.uk](http://www.niabf.org.uk).

The Independent Counselling Service for Schools (ICSS) has been accessible to young people of postprimary age in mainstream schools since September 2007. This service was extended to postprimary aged pupils in special schools from January 2011 and has been widely welcomed by the schools involved. An average of 1432 pupils per month use the ICSS Service. As part of the current arrangements for support following a critical incident, pupils in primary schools have access to counselling support. Work will take place later this year on how access to the counselling service might be extended to primary aged pupils.

In October 2012 the Delivering Social Change programme provided funding for a series of six Signature projects, involving the establishment of 20 new nurture units to be rolled out in Primary Schools across the north of Ireland. Nurture Units offer a short term, focussed intervention strategy which addresses barriers to learning arising from social, emotional and behavioural difficulties, aiming to develop and improve the child's behaviour enabling them, after a short time in the nurture unit, to participate effectively within their mainstream class. DE provided financial assistance to a further 10 schools with existing nurture provision for the lifetime of the Signature Project (June 2015). Latest figures indicate that a total of 116 children, 75 boys and 41 girls, are currently attending the units.

## Common Funding Formula: North Down

**Mr Weir** asked the Minister of Education for his assessment of how revised draft proposals on the Common Funding Formula would impact on each school in North Down in (i) 2014/15; and (ii) 2015/16.

**(AQW 30927/11-15)**

**Mr O'Dowd:** I have not yet made my final decisions on the proposed changes to the Common Funding Scheme (CFS).

Once I decide on the way forward for the CFS, my officials will carry out the normal processes for budget allocation, using the latest schools' census data, and schools will be advised as soon as possible of their Common Funding Formula (CFF) budget allocation for the 2014-15 year.

Departmental budgets beyond 2014-15 have not yet been agreed by the Executive and so information on school budgets for 2015-16 is not yet available.

## Asbestos: Removal from Schools

**Mr Weir** asked the Minister of Education what strategy his Department pursuing to ensure asbestos is removed from schools.

**(AQW 30928/11-15)**

**Mr O'Dowd:** Current Government policy states that if asbestos containing materials are in good condition and are unlikely to be damaged or disturbed then they should be left in place for the remaining life of the school and a system of management introduced.

The system of management includes monitoring the condition of and keeping up to date records of the condition and location of any known asbestos containing materials in the school, assessing risks from the materials and making plans to manage those risks. These plans must be put into action and should any deterioration of the materials occur and based on the assessed risk, removal, repair or encapsulation must be carried out by a licensed asbestos company.

Every school in the schools' estate, where asbestos is present, has an asbestos register that gives detail of any asbestos containing materials known to be present in the school. The information to populate these registers was obtained from asbestos surveys of the schools' estate. Following the surveys any asbestos that was deemed to pose a 'high risk' was removed by a licensed asbestos company.

It must also be ensured that anyone who is likely to work on, or disturb, the asbestos is provided with information about its location and condition.

The school sectors follow these recommendations and manage the asbestos in the estate rather than remove it unless this is deemed necessary.

## Integrated Education

**Mr D McIlveen** asked the Minister of Education to detail (i) how many new Integrated Education schools have opened; and (ii) how much of his budget has been used to promote integrated education, in each of the last five years.

**(AQW 30948/11-15)**

**Mr O'Dowd:** No new integrated schools have opened in the last five years, nor have any Development Proposals, seeking to open new integrated schools, been published during that period.

However, during the last five years, a Development Proposal to allow a school to transform from 'controlled' status to 'controlled integrated' was published and approved, as were three Development Proposals to increase enrolment numbers; two at integrated post Primary schools, and one at an integrated nursery school.

In relation to the amount of funding used to promote integrated education, Article 64 (2) of the Education Reform (NI) Order 1989 allows the Department to pay grants to a body, which has as an objective, the encouragement or promotion of integrated education. In fulfilment of this legislation, my Department provides funding annually to the Council for Integrated Education (NICIE). The amount of funding made available to NICIE during the last five years to promote and encourage integrated education is as follows:

2009/10	£579K
2010/11	£597K
2011/12	£613K
2012/13	£628K
2013/14	£646K

## Integrated Education

**Mr D McIlveen** asked the Minister of Education how he plans to promote and develop integrated education.

**(AQW 30949/11-15)**

**Mr O'Dowd:** Under Article 64 (1) of the Education Reform (NI) Order 1989, my Department has a statutory duty to encourage and facilitate the development of integrated education (i.e. the education together, at school, of Protestant and Roman Catholic pupils). I take this duty very seriously, and will continue to do so.

To help encourage and facilitate the development of integrated education, the Department of Education provides annual funding to help schools with the process of transformation to integrated status. This supports schools in the initial stages of the transformation process and with the employment of a teacher, from the minority community in the school, to assist with religious education. The budget available for 2013/14 is £185k.

In addition, Article 64 (2) of the 1989 Order allows the Department to pay grants to a body which has as an objective the encouragement or promotion of integrated education. In fulfilment of this legislation, my Department provides funding annually to the NI Council for Integrated Education (NICIE). Funding of £646k has been allocated for 2013/14.

I have met with officials from NICIE twice in recent months, to discuss proposals to further promote and facilitate the development and growth of integrated education. I remain willing to consider further innovative approaches which will facilitate the development of the sector.

I recognise the vital and valuable contribution that integrated education, together with all other types of education, makes to building a peaceful and stable future for our children.

Going forward, the Department of Education will ensure that it continues to have a rigorous approach to its duty to integrated education.

## Behaviour Analysis

**Mr D Bradley** asked the Minister of Education whether he intends hosting a public event in Parliament Buildings to hear presentations by professionals trained in the science of behaviour analysis, similar to an all-party briefing in Leinster House, Dublin in June 2013.

**(AQW 30956/11-15)**

**Mr O'Dowd:** The Department of Education does not advocate exclusive adherence to any specific single intervention or theoretical perspective in relation to autism.

I have, therefore, no plans to host a public event in Parliament Buildings to hear presentations by professionals trained in the science of behaviour analysis.

### FP7: Drawdown

**Mr Attwood** asked the Minister of Education to detail the funding under European Programme FP7 which was drawn down by (i) his Department; (ii) its arm's-length bodies; or (iii) any third party in the (a) 2010-11; (b) 2011-12; and (c) 2012-13 financial years. **(AQW 30966/11-15)**

**Mr O'Dowd:** My Department, its arm's-length bodies or third parties have not drawn down funding under the European Programme FP7 in the 2010-11, 2011-12 or 2012-13 financial years.

## Department for Employment and Learning

### Ombudsman: Recommendations

**Mr Allister** asked the Minister for Employment and Learning on how many occasions his Department not accepted the recommendations contained in an Ombudsman's finding, since May 2007. **(AQW 30614/11-15)**

**Dr Farry (The Minister for Employment and Learning):** Since May 2007, there have been no occasions where my Department did not accept the recommendations contained in an Ombudsman's finding.

### University of Ulster: Resource and Capital Bids

**Mr P Ramsey** asked the Minister for Employment and Learning to detail (i) the resource and capital bids for funding his Department have received from the University of Ulster in the last two years; and (ii) which of these have been approved. **(AQW 30641/11-15)**

**Dr Farry:** The University of Ulster has not made any bids for resource funding to my Department in either the 2012/13 or 2013/14 years.

The University of Ulster has made bids for capital funding for a number of projects. These are detailed in the table overleaf.

Project	Request	Outcome
Greater Belfast Development 1	£35m	Approved
Coleraine campus - Phase 3	£6.075m	Under consideration.
Coleraine campus – Sports provision	£4.05m	Not approved
Coleraine campus – Wind Turbine	£2.7m	Not approved
Magee campus – new teaching block.	£10.125m	Not approved

- The funding is to be provided under the Ring – Fenced Financial Transactions Funding and is a loan which is repayable. It will be routed through OFMDFM and the Strategic Investment Board.

### Maximum Student Numbers: Cap

**Ms Maeve McLaughlin** asked the Minister for Employment and Learning to detail any plans to review or remove the cap on Maximum Student Numbers. **(AQW 30728/11-15)**

**Dr Farry:** As outlined in my Department's Higher Education Strategy, Graduating to Success, I am committed to undertaking a review of the current Maximum Student Numbers formula by 2016. This is a medium term target and my officials are currently assessing the options for the review.

### North West Regional College: Action Plan

**Mr McCartney** asked the Minister for Employment and Learning to detail any problems that he is aware of at the North West Regional College regarding the implementation of the McConnell action plan, as the staff are not involved in the implementation of the action plan; or in a review of the implementation of the action plan. **(AQW 30768/11-15)**

**Dr Farry:** North West Regional College is currently implementing an action plan based on the recommendations of a review of industrial relations at the college. The Governing Body had initially decided that the implementation of the action plan

would be in the context of a wider process of change and improvement, which would involve participation from all internal stakeholders in the college. It subsequently prioritised implementing the review's recommendations and had to delay the formal establishment of the project team for the wider improvement programme.

This has meant that the Governing Body has performed the oversight role in respect of the action plan but it has not reduced the role of staff in the implementation process. The action plan requires the involvement of staff because individual actions relate to their specific role or require consultation about policy or strategic initiatives. For example, the college has provided training to middle management and has involved Curriculum Managers in discussions about the development of their role. The college has also negotiated changes to the course review process with trades unions in the college and is consulting on a new human resources strategy. On this basis, I am satisfied that staff are involved in the implementation of the action plan.

There are items in the action plan which are currently behind schedule relating to the training of the Governing Body and the implementation of a new human resources strategy. I am content that these are not problematic, given the workload of the Governing Body and the fact that it has decided to extend the consultation around the HR strategy.

I am also aware that the local branch of the University and College Union (UCU) has not participated in the Joint Consultative Committee and is not currently engaging with the Change Manager in the college. The review of industrial relations clearly stated that the local UCU branch should re-engage with the industrial relations machinery in the college as a quid pro quo for a commitment from management to begin the process of developing a strategy to rebuild trust. The college has clearly demonstrated that commitment and, indeed, agreed a reformed structure with regional officials of UCU. Therefore, it is disappointing that the local UCU branch remains outside the reformed local industrial relations machinery.

The rebuilding of trust between management and unions at the college requires reciprocity. The review made it clear that all parties in the college bore responsibility for the industrial relations difficulties and required everyone to take actions to work within the college to change the patterns of relationships. The Governing Body and senior management team have invested considerable time and energy in implementing the report's recommendations. In particular, the chair and temporary chair of the Governing Body have shown a commitment to the process which is far in excess of what could be expected of a voluntary role. Therefore, at this stage, the lack of engagement by the local UCU branch and its unwillingness to demonstrate its commitment to rebuilding trust is the major difficulty in progressing the programme of change at the college.

## Department of Enterprise, Trade and Investment

### EirGrid Compensation: Impact on Consumers

**Mr Allister** asked the Minister of Enterprise, Trade and Investment what assurances she can give that the decision by Eirgrid to launch a compensation scheme for householders living close to new pylons will not be funded directly, indirectly or partly by any increase in charges to electricity consumers in Northern Ireland.

(AQW 30424/11-15)

**Mrs Foster (The Minister of Enterprise, Trade and Investment):** The Community Gain Fund announced by Eirgrid will be funded through network charges paid by customers in the Republic of Ireland. It will not be funded by any increase in charges to electricity consumers in Northern Ireland.

### Wind Farms: Carbon Payback

**Mr Wells** asked the Minister of Enterprise, Trade and Investment whether her Department (i) commissions independent verification of the carbon payback claims of wind farm developers; and (ii) reviews the carbon balances of these developments.

(AQW 30453/11-15)

**Mrs Foster:** My Department does not commission independent verification of the carbon payback of wind farm developers or carry out reviews of carbon balances of wind farms.

### Farm Accidents

**Mr Anderson** asked the Minister of Enterprise, Trade and Investment to detail the number of farm accidents in the last three years, broken down by type of accident.

(AQW 30505/11-15)

**Mrs Foster:**

	Fatality	Major injury*	Over 3-day injury**	Injury involving a member of the public	Total
2013/14 (to date)	3	9	9	1	22
2012/13	10	10	10	2	32

	Fatality	Major injury*	Over 3-day injury**	Injury involving a member of the public	Total
2011/12	8	13	11	1	33

\* The definition of a major injury includes fractures, other than to fingers, thumbs and toes, amputations, any injury likely to lead to permanent loss of sight or reduction in sight, any crush injury to the head or torso causing damage to the brain or internal organs etc

\*\* The definition of an over 3-day injury is where an employee is away from work, or unable to perform their normal work duties, for more than three consecutive days as the result of their injury.

A summary of the main causes of these injuries is:

- 28 Incidents involving machinery/equipment
- 22 incidents caused by falls from a height/struck by falling objects
- 8 incidents caused by an animal
- 6 incidents involving drowning and asphyxia
- 10 incidents caused by slips, trips and falls
- 8 incidents caused by sprains and strains
- 5 incidents caused by other factors

The number of accidents reported to HSENI by the farming industry is low due to a combination of under-reporting and the fact that self-employed persons are not required to report incidents where they are the only person injured and the incident occurs on their own property.

### Housing Executive: Carbon Emissions

**Mr Agnew** asked the Minister of Enterprise, Trade and Investment to detail how her departmental forecast that 100 percent of Northern Ireland Housing Executive properties will be consuming gas by 2035 is in line with targets to increase renewable energy uptake and reduce carbon emissions.

**(AQW 30556/11-15)**

**Mrs Foster:** The Northern Ireland Housing Executive's (NIHE) current heating policy is to install natural gas heating to their properties, where gas is available. This policy would mean that as natural gas is provided to new areas, most NIHE properties would be converted to gas over time.

As gas is the least polluting fossil fuel, switching NIHE properties from oil or coal to natural gas will contribute towards reducing carbon emissions. Greater provision of natural gas does not preclude domestic consumers from utilising renewable heating technologies, and my Department currently incentivises the deployment of renewable heat in the domestic sector.

### Farm Safety

**Mr Swann** asked the Minister of Enterprise, Trade and Investment, pursuant to AQW 29949/11-15, to detail the amount available in her budget that has been allocated to farm safety programmes and equipment, excluding media and awareness campaigns, in (i) 2013-14; (ii) 2014/15; and (iii) 2015/16.

**(AQW 30564/11-15)**

**Mrs Foster:** The Department of Enterprise, Trade and Investment does not provide financial support for farm safety programmes and equipment on farms – financial support for farm safety equipment on farms is provided by the Department of Agriculture and Rural Development.

The Health and Safety Executive for Northern Ireland (HSENI) does not separately identify expenditure on agriculture activity from its DETI budget allocation. However, HSENI staff deliver 1,000 farm safety visits per annum and ensure the investigation of all work related fatal accidents. HSENI staff and resources are also used to promote farm safety at selected agricultural shows, health and safety awareness days and primary school farm safety presentations, as well as presentations to numerous farmers' groups.

### Ministerial Meetings: UK Trade

**Mr Allister** asked the Minister of Enterprise, Trade and Investment, pursuant to AQW 30056/11-15, what ministerial meetings have there been, in any forum, to discuss trade between Northern Ireland and the rest of the UK, since May 2007.

**(AQW 30603/11-15)**

**Mrs Foster:** The information sought is not readily available and may only be obtained at disproportionate cost.

## Ombudsman: Recommendations

**Mr Allister** asked the Minister of Enterprise, Trade and Investment on how many occasions since May 2007 has her Department not accepted the recommendations contained in an Ombudsman's finding.

**(AQW 30605/11-15)**

**Mrs Foster:** None.

## Bankruptcy

**Mr Eastwood** asked the Minister of Enterprise, Trade and Investment to detail the number of bankruptcy cases in the current financial year, broken down by constituency.

**(AQW 30640/11-15)**

**Mrs Foster:** In the current financial year to 31 January 2014, 1,159 bankruptcy orders have been made, 409 of which are sole trader business bankruptcies and 750 are consumer bankruptcies. A breakdown of the bankruptcy orders by type and constituency are as follows:

Constituency	Sole Trader Business Bankruptcies	Consumer Bankruptcies	Total
Belfast East	11	44	55
Belfast North	15	41	56
Belfast South	32	42	74
Belfast West	10	27	37
East Antrim	16	26	42
East Londonderry	23	40	63
Fermanagh & South Tyrone	17	25	42
Foyle	29	57	86
Lagan Valley	21	32	53
Mid Ulster	24	35	59
Newry & Armagh	35	40	75
North Antrim	19	43	62
North Down	32	49	81
South Antrim	25	59	84
South Down	37	45	82
Strangford	26	41	67
Upper Bann	19	59	78
West Tyrone	18	45	63
<b>Total</b>	<b>409</b>	<b>750</b>	<b>1,159</b>

## Small and Medium-sized Enterprises: Growth Loan Fund

**Mr Eastwood** asked the Minister of Enterprise, Trade and Investment to detail (i) the amount of finance provided to small and medium enterprises under the Growth Loan Fund; and (ii) how many small and medium enterprises have been granted loans to date.

**(AQW 30642/11-15)**

**Mrs Foster:**

- (i) The amount of loan finance approved to Small and Medium sized enterprises by the Growth Loan Fund, as at 30 September 2013, was £11.75million.
- (ii) The loan finance approved by the Growth Loan fund, as at 30 September 2013, has been provided to 45 small and medium sized enterprises.

## European Charter for Regional or Minority Languages: Report

**Mr McMullan** asked the Minister of Enterprise, Trade and Investment whether she will complete an investigation into the findings of the report from the Committee of Experts of the European Charter for Regional and Minority Languages, published on 15 January 2014 that there have been delays and obstructions over the provision of bilingual street signs and tourist information.

**(AQW 30654/11-15)**

**Mrs Foster:** My Department has reviewed its obligations under the European Charter for Regional or Minority Languages and, in doing so, has taken into account guidance produced by the Department of Finance and Personnel (DFP) on meeting UK government commitments contained therein.

My Department recognises its obligations under the Charter and I am satisfied that the approach adopted by the Northern Ireland Tourist Board complies with the aforementioned guidance.

## Research and Development

**Mr Agnew** asked the Minister of Enterprise, Trade and Investment to detail the Research and Development schemes that receive funding from her Department.

**(AQW 30677/11-15)**

**Mrs Foster:** My Department, through Invest NI, is responsible for promoting business-led research and development (R&D) in Northern Ireland. Invest NI offers a wide range of R&D schemes designed specifically to help companies at each stage of the innovation escalator; that is to say, to progress from doing R&D for the first time to carrying out sophisticated higher risk R&D, most beneficially on a collaborative basis.

The schemes range from Innovation Vouchers to individual company Grants for R&D through to the multi-million pound industry-led Competence Centres which are designed to encourage collaborative and strategic research by Northern Ireland businesses. Some of the more high profile companies that we have been able to help in the North Down area include Munster Simms and Valpar Industrial.

Other schemes offered by Invest NI to encourage the undertaking of more and better R&D include Collaborative Grants for R&D; EU R&D project definition grants; the Small Business Research Initiative (SBRI); Proof of Concept support to assist with the commercialization of University research and advice and guidance from a cadre of Innovation Advisers who work with businesses to identify and shape their R&D projects.

In addition to direct support to businesses through Invest NI for R&D activity, Invest NI has also established a range of venture capital loan funds including one (NISPO) which specifically provides support for early-stage research projects. Finally, Invest NI is a key sponsor of the UK wide Knowledge Transfer Partnership (KTP) programme which seeks to stimulate R&D through collaborative projects between Northern Ireland companies and the research base.

## Bilingual Signs

**Mr McMullan** asked the Minister of Enterprise, Trade and Investment (i) how many bilingual traffic signs the Tourist Board has erected; (ii) to list the councils that have approached the Tourist Board about the provision of bilingual signs; and (iii) how many applications for bilingual brown signs have been received, in each of the last eight years.

**(AQW 30730/11-15)**

**Mrs Foster:**

- (i) The Northern Ireland Tourist Board does not erect traffic signs.
- (ii) The following councils have approached The Northern Ireland Tourist Board about the provision of bilingual signs:
  - Derry City Council;
  - Down District Council;
  - Limavady Borough Council; and
  - Newry and Mourne District Council.
- (iii) The information sought is not readily available and may only be obtained at disproportionate cost.

## Firmus Energy: Domestic Connections

**Mr Dallat** asked the Minister of Enterprise, Trade and Investment to detail the number of domestic connections made by Firmus Gas in each constituency, in each of the last five years; and (ii) what criteria is in place to ensure that a natural gas provision is available to the maximum number of households.

**(AQW 30760/11-15)**

**Mrs Foster:**

- (i) firmus energy has advised that it has made the following number of domestic gas connections in each constituency within its '10 Towns' gas licensed area in each of the last five years:

	2009	2010	2011	2012	2013
East Londonderry	154	131	283	433	488
Foyle	464	593	1247	1355	1559
Lagan Valley	1	0	8	5	3
Newry and Armagh	96	62	311	347	528
North Antrim	74	279	496	593	625
South Antrim	555	288	359	434	476
South Down	0	4	2	103	87
Upper Bann	204	365	527	850	1073
<b>Totals</b>	<b>1548</b>	<b>1722</b>	<b>3233</b>	<b>4120</b>	<b>4839</b>

- (ii) firmus energy's connection policy is governed by licence conditions within the company's gas conveyance licence and through regulated Price Controls. firmus' last Price Control set a target of 2,000 domestic properties to be connected per annum over the five year period up to the end of 2013, and from 2011 this has been exceeded.

**Agri-Food Strategy Board: Action Plan**

**Mr Milne** asked the Minister of Enterprise, Trade and Investment when she will bring the Agri-Food Strategy to the Executive. (AQW 30762/11-15)

**Mrs Foster:** A joint DARD/DETI paper on the Agri-Food Strategy Board's Strategic Action Plan for the industry remains under consideration at the Executive.

**Sea Angling**

**Mr McMullan** asked the Minister of Enterprise, Trade and Investment for her assessment of the impact that recreational sea angling could have on the local economy and tourist industry. (AQW 30815/11-15)

**Mrs Foster:** According to the recent 'A Strategic Review of Angling in Northern Ireland: Final Report – February 2014' for sea angling there were strong messages from consultees that at present the quality of the fishing is poor and could not provide the basis for a sustained promotional campaign.

However, in reality, the picture is quite uneven and there clearly are 'hot-spots' of excellent sea angling particularly in the Loughs Agency coastal areas, which could benefit the local economy and tourist industry.

**Committee for Enterprise, Trade and Investment: Ministerial Appearances**

**Mr Nesbitt** asked the Minister of Enterprise, Trade and Investment how many times she has appeared before her Department's Statutory Assembly Committee in each of the last five years. (AQW 30873/11-15)

**Mrs Foster:**

2009/10	2
2010/11	1
2011/12	1
2012/13	-
2013/14	3

**Broadband Improvement Project: East Londonderry**

**Mr Campbell** asked the Minister of Enterprise, Trade and Investment to detail the rural areas in East Londonderry that will benefit from the Broadband Scheme, as part of the Northern Ireland Broadband Improvement Project. (AQW 30973/11-15)

**Mrs Foster:** The contract for the Northern Ireland Broadband Improvement Project was signed with BT on 4th February. This £23.5million project will bring more choice and improved broadband speeds to over 45,000 premises across Northern Ireland by the end of 2015. BT has commenced implementation by embarking on an extensive survey and design process which will take a number of months to complete. Until such times as that process is complete, it will not be possible to be precise as to which areas or premises are likely to benefit. Further details on the roll-out will be published as they become available.

### Local Government: Economic Development

**Mr McCallister** asked the Minister of Enterprise, Trade and Investment, in light of the transfer of local economic development policies to local councils, what discussions she has had with the Minister of the Environment.

(AQO 5562/11-15)

**Mrs Foster:** I have had no direct discussions with the current Minister of the Environment regarding the transfer of local economic development policies to local councils. However my officials continue to engage with DOE, Councils, Northern Ireland Local Government Association, Society of Local Authority Chief Executives and other stakeholders to ensure a smooth transition of economic development functions in the lead up to April 2015.

### Skills: School Leavers

**Mr Frew** asked the Minister of Enterprise, Trade and Investment what plans she has in place with the Department of Education and the Department for Employment and Learning to ensure that pupils leaving school have the appropriate skill sets to give large local employers and manufacturers the best chance of competing in the global market.

(AQO 5563/11-15)

**Mrs Foster:** The Northern Ireland Economic Strategy recognises the important role careers education can play in helping our young people develop and channel those skills which will be needed in the future workforce.

The Ministers for Education and Employment and Learning are members of the Executive Sub-Committee on the Economy. At the next meeting of the Sub-Committee I will be inviting them to discuss Careers education, information, advice and guidance and outline their plans for the review of Preparing for Success, the Career's Strategy.

### Project Kelvin: Shackleton Barracks Site

**Mr G Robinson** asked the Minister of Enterprise, Trade and Investment what opportunities Project Kelvin offers to enhance the infrastructure services available to potential investors at Shackleton Barracks, Ballykelly.

(AQO 5564/11-15)

**Mrs Foster:** Ballykelly is well placed to enable Project Kelvin services to be delivered from the Point of Presence at Coleraine. Hibernia Networks would be pleased to offer advice to any potential investor on the best way to connect to the Kelvin infrastructure.

A soft market testing exercise for the former Shackleton Barracks site at Ballykelly concluded on 24 January 2014. The exercise was to help gauge the interest in developing the site. This information will be used to inform the First Minister and deputy First Minister on options for the development of the site.

### Rugby World Cup 2023

**Mr Dallat** asked the Minister of Enterprise, Trade and Investment, following her scheduled meeting with Irish Government Ministers Leo Varadkar and Michael Ring on 22 January 2014, for an update on the planned all-Ireland support for the Irish Rugby Football Union bid to host the Rugby World Cup in 2023.

(AQO 5565/11-15)

**Mrs Foster:** At the meeting with Ministers from the Republic of Ireland on 22 January 2014 it was agreed that we would undertake the preliminary work necessary to reach a position where a decision can be made whether to submit a proposal to fund a bid to host the rugby World Cup in 2023.

It was agreed that a small group will be set up to undertake this work consisting of representatives from my Department, DCAL, the Irish Department of Transport Tourism and Sport, the Irish Rugby Football Union and the Tourism Bodies, NITB, Tourism Ireland and Fáilte Ireland.

The group will hold its first meeting on 25 February 2014.

### Broadband: Commercial Premises

**Mr Hazzard** asked the Minister of Enterprise, Trade and Investment for an update on the Executive's commitment that broadband services of at least 2 Mbps will be made available to all commercial premises by 2015.

(AQO 5566/11-15)

**Mrs Foster:** The Executive has committed to ensuring that virtually all premises, including commercial, across Northern Ireland have access to a broadband service of at least 2 Mbps by 2015. The Northern Ireland Broadband Improvement Project, the contract for which was announced on 7 February 2014, will play a key part in moving us towards this target.

## Renewable Energy: Intergovernmental Agreement

**Mr McGlone** asked Minister of Enterprise, Trade and Investment to outline any recent meetings that she has had with the Irish and British Governments on the proposed Inter-Governmental Agreement on Renewable Energy.

**(AQO 5567/11-15)**

**Mrs Foster:** The Intergovernmental Agreement is a matter between the UK and Irish Governments. My Department has representation on the Steering Group which has been formed by the two Governments to examine if a trading arrangement may be beneficial to both parties. This Steering Group meets on a monthly basis.

## Regional Aid: Guidelines

**Mr Craig** asked the Minister of Enterprise, Trade and Investment what impact the change of regional aid guidelines will have on Invest NI's ability to support businesses.

**(AQO 5568/11-15)**

**Mrs Foster:** The European Commission finalised the revised Regional Aid Guidelines for 2014-2020 in June 2013. Of key importance for Northern Ireland was the retention of our ability to support companies through the mechanism of Regional Aid. It was welcomed therefore that, apart from a 5% reduction in maximum grant rates outside of Belfast, support for SMEs is unchanged. Support for large companies of over two hundred and fifty employees is also still permissible for initial investments in favour of new economic activities or for the diversification of existing establishments into new products and new process innovations.

However, there remains a concern regarding the possible impact of the rule changes on large company follow-on expansion projects, given the importance of such investments for job creation targets and economic growth. My officials continue to seek clarification in this regard and to ensure that action can be taken to mitigate against any potential negative impact on Invest NI support post June 2014.

## Milk: County of Origin Labelling

**Mr McAleer** asked the Minister of Enterprise, Trade and Investment for an update on her discussions with the National Dairy Council to enable local dairy farmers to label their milk as being of Irish origin.

**(AQO 5569/11-15)**

**Mrs Foster:** I have brought the National Dairy Council campaign to the attention of the North South Ministerial Council, the Irish Competition Authority and the European Commission and have raised the issue directly with major retailers in the Republic of Ireland.

I am concerned that the National Dairy Council campaign is a contravention of the principles of the single market and an abuse of Country of Origin Labelling in the Republic of Ireland. I will therefore continue to work with my ministerial colleagues in the Republic of Ireland and Europe to minimise the adverse impact which the campaign is having on local businesses.

## Department of the Environment

### Waste Management Strategy

**Mr Hilditch** asked the Minister of the Environment for an update on the waste disposal strategy.

**(AQW 25835/11-15)**

**Mr Durkan (The Minister of the Environment):** The revised Waste Management Strategy for Northern Ireland, which sets out policies and measures to move the focus of waste management in Northern Ireland from resource management to resource efficiency, was published on the Department's website on 25 October 2013 and can be found at [http://www.doeni.gov.uk/wms\\_2013.pdf](http://www.doeni.gov.uk/wms_2013.pdf).

### Taxis: Single-tier Licensing

**Mr Cree** asked the Minister of the Environment whether he will reconsider the decision to have a single tier taxi system in Belfast.

**(AQO 5340/11-15)**

**Mr Durkan:** The Taxis Act (Northern Ireland) 2008, which was passed by the Assembly without division, was designed to deliver the benefits that enhanced taxi regulation could bring to Northern Ireland – including an increased choice for consumers, greater clarity for all around what taxis are permitted to do, and an increased capacity within the industry to deal with peak demand at specific times and locations, thereby helping to address public safety concerns.

A comprehensive package of consultations and stakeholder engagement since then indicated that a majority of both the public and the taxi industry would welcome the introduction of single tier licensing. In addition to the vast majority of the taxi industry, those in favour include the Consumer Council (who stated that single tier would remove public confusion and free up enforcement resource), the Inclusive Mobility and Transport Advisory Committee, Disability Action, Victim Support, Women's Aid, Pubs of Ulster, the Belfast Chamber of Trade & Commerce, Belfast City Centre Management and Visit Belfast.

Since taking office, I have engaged in a range of stakeholder engagement, during which I have met directly with representatives from all parts of the taxi industry and representatives of taxi users, in order to listen to and understand their concerns at first hand. I have also met with Minister Kennedy, recognising that a number of issues raised by stakeholders lie within the remit of his Department. From this, I have reflected on the issues raised and have taken steps to stage and therefore ease the adjustment period for the taxi industry. These include delaying the requirement to have printers until early 2016, with the requirement to undertake periodic training not commencing until September 2015. These deferrals of dates are in addition to the deferral of the date for implementing single tier licensing, to allow the industry additional time to prepare.

I know that some Members have recently expressed reservations about the implementation of single tier licensing, but I am confident that they should be persuaded of the clear benefits there are to the wider industry and, of course, consumers as a whole. In addition to addressing these concerns my Department will, therefore, continue to work towards the implementation of a single tier taxi system from September 2014.

### **Planning: Training for Councillors**

**Mr Dunne** asked the Minister of the Environment what measures are being put in place to ensure that adequate training is provided to assist councillors within the new Councils to make informed decisions on the implementation of planning policies. **(AQO 5344/11-15)**

**Mr Durkan:** I have taken significant steps to ensure that councillors will have the skills, knowledge and capability to effectively deliver local planning from 1st April 2015.

Over £3m of Executive funding has been secured to deliver a comprehensive capacity building and training programme. This programme includes workshops, seminars and role play sessions to ensure councillors are up to speed with the new planning process and fully understand their role in delivering prompt and sound planning decisions. In addition to this I have recently set up six Area Plan teams to begin preparatory work on area plans for all the new council areas. This work will involve close working and relationship building between planners and both the statutory transition committees and shadow councils. It will help to ensure that the new councils can quickly make informed decisions on the implementation of planning policies once they become the planning authorities next year.

Working in partnership with key stakeholders, this programme of measures will be rolled out during 2014 and right up to the point of transfer.

### **Good Beach Summit**

**Miss M McIlveen** asked the Minister of the Environment to outline his plans for the next Good Beach Summit. **(AQO 5345/11-15)**

**Mr Durkan:** My predecessor Alex Attwood called the first Good Beach Summit on 29 June 2011. The Summits bring together those from the public sector, NGO and voluntary sectors who have an interest in beach management and bathing water quality. To date seven Summits have been held.

The Group's remit falls under four areas:

- 1 Improving water quality
- 2 Improving beach cleanliness, facilities, management and signage
- 3 Keeping the public and media better informed
- 4 Supporting the Coastal Economy

The Summits have provided an extremely useful forum for raising and addressing many issues affecting our beaches and beach users. It is intended to continue to use this forum to benefit coastal communities and beach users alike.

Much of the current action plan has now been successfully delivered and I will review it at the next Summit which will be held in May 2014, just prior to the beginning of the bathing season.

### **Local Government: Decision-making**

**Mr Beggs** asked the Minister of the Environment whether the criteria proposed in Clause 45 of the Local Government Bill will have a legislative base for decisions to be reconsidered by Councils. **(AQO 5347/11-15)**

**Mr Durkan:** I am committed to ensuring that the interests of minorities are protected in the decision-making of councils. The criteria for, and the operation of, the procedure for the reconsideration of a decision as provided for in clause 45 of the Local Government Bill will be a mandatory element of a council's standing orders and will be specified in the regulations that my Department will make using the power provided by clause 42 of the Local Government Bill.

The regulations specifying the mandatory elements of a council's standing orders will be subject to the draft affirmative procedure in the Assembly to allow members to have the opportunity to debate these important aspects of the new governance arrangements for councils.

My officials are working with senior officers from local government to develop the draft standing orders which will be subject to consultation with key stakeholders prior to them being laid in the Assembly.

### Local Government: Transitional Funding

**Ms McGahan** asked the Minister of the Environment to outline what financial provisions are available to the new Shadow Councils to cover the costs of council convergence.

**(AQO 5348/11-15)**

**Mr Durkan:** In 2013, my predecessor secured Executive agreement to provide councils with a reform funding package of £17.8 million over the 2013 to 2015 period, with a commitment to a further £30 million for rates convergence beyond 2015.

Councils will operate in shadow form from the date of the elections to the new district councils in May 2014, until they assume full powers and responsibilities in April 2015. A newly elected council, acting in shadow form, will have the statutory authority and democratic mandate to make policy decisions that will shape the direction of the new council before it becomes fully operational. The Executive has agreed to provide up to £5.2m to establish and run the councils in shadow form.

In addition, the Executive agreed a budget of £3.5m for a councillors' severance scheme. The severance scheme underwent a period of consultation before being finalised. The Executive has also committed £0.6m for staff induction and £3m for capacity building. This covers central and local government staff and elected members.

The Executive has committed up to £1m over the period 2013/14 to 2014/15 for change management. Central to this was the appointment of change managers to each council cluster. These managers are driving convergence between merging councils and preparing for the transferring and new functions. The Executive has also provided £0.5m for the winding up of the old 26 councils in 2014/15.

The Executive also provided up to £4m, over the 2013/14 to 2014/15 period, to cover the costs of borrowing for ICT system convergence.

Funding of up to £30m will be made available for managing rates convergence as a consequence of councils merging and other boundary changes arising from implementation of the local government reform. DFP and DOE continue to work on the design of a transitional rates relief scheme, within the cost envelope of £30m, which will protect those ratepayers who otherwise would face sudden and excessive increases as a direct consequence of councils merging or due to other boundary changes. The precise model for how this £30 million will be administered and over what period of time has not yet been finalised.

The £47.8 million package is a substantial contribution from the Executive, which has made it clear that all other transitional costs arising from reform, including the costs of councils operating in shadow form, should be met by councils through use of reserves, efficiencies or borrowings.

### Trees: Legislative Protection

**Mr Kinahan** asked the Minister of the Environment whether he is considering bringing forward further legislation on (i) the protection of trees; and (ii) on the resolution of disputes over trees between neighbours.

**(AQW 30212/11-15)**

**Mr Durkan:** My Department has current legislative provisions in place for the protection of trees by virtue of Articles 64 to 66B of the Planning (NI) Order 1991. These provisions cover tree preservation orders (TPOs), the protection of trees in conservation areas and penalties for related offences.

The Planning (Northern Ireland) Act 2011 ("the 2011 Act") when fully commenced will create a new two tier planning system. This will include giving councils the responsibility for tree protection and the necessary powers to make and enforce TPOs, thereby reinforcing the strong local accountability which local government reform will bring.

The 2011 Act also strengthens current tree protection powers. The existing exemption that excludes dying trees from TPOs will be removed recognising the value of dying trees as a habitat for many species. In addition, the 2011 Act has also already increased the maximum fine for the wilful destruction or damage of a tree in contravention of a TPO from £30,000 to £100,000.

I will be bringing forward future regulations to establish the procedure for making and confirming TPOs under the new two-tier planning model in advance of the transfer of powers to councils.

The above provisions relate to tree protection in relation to land use planning. However, disputes between neighbours may be regarded as a local environmental issue and work in this area has been taken forward by my Department via the High Hedges Act (NI) 2011. The Act applies to hedges consisting of lines of two or more evergreen or semi-evergreen trees or shrubs where a complainant's reasonable enjoyment of their residential property is lost because a tall hedge situated on land owned or occupied by another person is acting as a barrier to light. The Act does not cover single trees or trees within woodland of more than 0.2 hectares in area. My Department has no current plans to amend this Act or bring forward other legislation in this area.

### River Faughan: Waste Disposal

**Mr Agnew** asked the Minister of the Environment, pursuant to AQW 29457/11-15, given that on the 23 July 2013 his Department advised River Faughan Anglers that no action would be taken against waste disposal at the site of extant landfill

permission A/1980/0782 adjacent to the River Faughan SAC, whether his Department had carried out the necessary review of that application in line with the Habitats Regulations; and if such a review was not carried out, to explain the reasons.

**(AQW 30250/11-15)**

**Mr Durkan:** I am aware of the concerns relating to the Habitats Regulations with regard to this site and others. I intend to make an announcement on this matter shortly.

## Habitats Directive

**Mr Agnew** asked the Minister of the Environment, pursuant to AQW 29460/11-15, (i) whether his Department has produced any guidance on what constitutes an extant permission to be reviewed; (ii) whether his Department is aware of existing guidance produced by other jurisdictions on this subject in order to avoid violation of the Habitats Directive; and (iii) for his assessment of the thoroughness of the review carried out by his Department when compared to those carried out in other parts of the UK.

**(AQW 30253/11-15)**

**Mr Durkan:** I am aware of the concerns relating to the Habitats Regulations with regard to this site and others. I intend to make an announcement on this matter shortly.

## Ministerial Travel: Expenditure

**Mr Allister** asked the Minister of the Environment to detail the total expenditure on departmental Ministerial travel in the periods (i) January to June 2013; and (ii) July to December 2013.

**(AQW 30358/11-15)**

**Mr Durkan:** In the period January to June 2013 the total expenditure on departmental Ministerial travel was £10,982.

In the period July to December 2013 the total expenditure on departmental Ministerial travel was £11,460.23.

## Climate Change Adaptation Programme

**Mr Allister** asked the Minister of the Environment what are the costs associated with and arising from his Department's Climate Change Adaptation Programme.

**(AQW 30422/11-15)**

**Mr Durkan:** The Northern Ireland Climate Change Adaptation Programme contains a number of actions and activities that all Government Departments have committed to, that address the most important risks to Northern Ireland from climate change.

It is not possible to provide an exact measurement of costs associated with and arising from the Adaptation Programme. Adaptation costs are difficult to estimate because of uncertainty about the precise impacts of climate change and its multiple effects.

Adaptation needs to be embedded into a wide range of relevant key policy areas, as highlighted in the Adaptation Programme. It is at the policy appraisal stage that costs associated with adaptation action can be best considered.

The Stern Review: The Economics of Climate Change highlights that adaptation costs are hard to estimate, due to uncertainty about the precise impacts of climate change and its multiple effects. The Report indicates that early adaptation action will reduce costs and disruption caused by climate change. It concludes that the costs of adaptation will rise exponentially if efforts to mitigate emissions are not successful.

## Planning: Hydroelectric Scheme Applications

**Mr Agnew** asked the Minister of the Environment (i) whether his Department considers it appropriate to allow applicants to exclude the dewatered stretch of a river affected by small hydroelectric schemes from the red line of the application; (ii) whether hydroelectric planning applications can propose in-river works and riverbed re-profiling which fall outside of the red line of the application site and; and (iii) whether such works would fall within the definition of development as set out in Article 11 of the Planning (Northern Ireland) Order 1991.

**(AQW 30446/11-15)**

**Mr Durkan:** In the submission of an application, the applicant can choose to indicate within the red line of a site boundary all lands they feel are relevant to the proposal. The onus is on the applicant to identify the application site which they wish to develop, but the Department may seek amendments if considered necessary which may include amending the red line to encompass all of the proposed development.

In the submission of an application all proposed works must fall within the red line of the application unless those works do not require permission by virtue of permitted development or if they do not constitute development.

Considering the Article 11 definition of development it would appear that the operations referred to in the question above would constitute development. However depending on the exact nature of them and the status of the developer, they may not all require planning permission as they may fall within the remit of permitted development.

## Planning: Consultation

**Mr Campbell** asked the Minister of the Environment, in light of his recent statement on Improving Planning - Preparing for 2015, how will any change in consultee performance be measured.

**(AQW 30466/11-15)**

**Mr Durkan:** Currently, consultation responses are made on an administrative basis, governed by individual Service Level Agreements (SLAs) agreed between Departmental planning staff and the various consultee bodies.

As a key element of the transfer of planning powers to the new local councils I intend exercising powers under the Planning Act (Northern Ireland) 2011 in order to provide greater clarity and certainty in the consultation process. For the first time, identified consultees will be statutorily required to provide a substantive response to a consultation request within a specified timeframe and to report on their performance in meeting their duty to respond.

The Department views this reporting requirement as an important element of the new system as it should not only expose difficulties, such as any possible bottle necks in the system, but also highlight examples of good practice.

Subordinate legislation will specify the time limits in which consultees must respond, define the criteria as to what will constitute a substantive response and outline the form, content and timing of performance reports. These proposals will be the subject of public consultation commencing in April 2014.

In advance of these changes in 2015 the Department is committed to leading by example, with NIEA launching a series of "backlog blitzes" to clear outstanding consultations and also developing new protocols to streamline their consultation processes.

The changes I am introducing, before and after transfer, mark a significant shift in the approach to consultation. My Department is currently considering how consultee performance will be best measured pre- and post-transfer of planning powers particularly prior to the first consultee performance reports.

I believe that the experience of NIEA in taking forward administrative changes will help inform this thinking and I will be meeting with NIEA senior management over coming months to get an assessment of their experiences.

## Councillor Severance Scheme

**Mr Weir** asked the Minister of the Environment how many councillors have signed up for the redundancy package scheme (i) since the start of the scheme until the 31 December 2013; and (ii) from 1 January 2014 to date.

**(AQW 30469/11-15)**

**Mr Durkan:** The Councillors' Severance Scheme was launched on 1 August 2013. Applications for severance are made directly to the councils by those councillors eligible and the payments made by the councils are then reimbursed by my Department. To be eligible, a councillor must have served a minimum of 12 years, excluding any periods when also serving as an MLA, MP or MEP.

- i Up to 31 December 2013, my Department made reimbursement payments to councils in respect of 7 councillors; and
- ii. since 1 January 2014, my Department has made reimbursement payments to councils in respect of 2 councillors.

## Wind Turbines: London School of Economics Report

**Mr McGlone** asked the Minister of the Environment whether he is aware of the recently published report by Professor Stephen Gibbons, from the London School of Economics, 'Gone with the wind: valuing the local impacts of wind turbines through house prices'; and what analysis of its findings has been undertaken by his Department.

**(AQW 30472/11-15)**

**Mr Durkan:** I am aware of and have noted the conclusions of this draft report which are focussed around the impact of wind turbines on house prices.

However, I can advise that the planning system exists to regulate development in the public interest, which involves the consideration of a wide range of material planning considerations before decisions on planning applications are reached. It does not exist to protect the private interests of one person against the activities of another. The basic question is not whether owners of neighbouring properties would experience financial or other loss from a particular development but whether the proposal would unacceptably affect amenities and the existing use of land and buildings that ought to be protected in the public interest.

Therefore, in relation to wind energy, planning policy (PPS 18) requires that wind energy development should not have an unacceptable impact upon visual amenity or landscape character through the number, scale, size and siting of turbines. Development must not cause significant harm to the safety or amenity of 'sensitive receptors' (including domestic residences) by reason of noise; shadow flicker; ice throw or reflected light.

## Taxis: Legislation

**Mr Hilditch** asked the Minister of the Environment for an update on the new taxi licensing legislation.

**(AQW 30493/11-15)**

**Mr Durkan:** The first element of taxi reform flowing from the Taxis Act (Northern Ireland) 2008 was the introduction of Taxi Operator Licensing in September 2012. At the request of the Environment Committee, implementation of the remaining legislation was deferred until September 2014 and involves the passage of a number of Regulations.

An SL1 for the Taxi Vehicle Licensing Regulations, which among other things will introduce a single tier system across NI, was considered and passed by the Committee on 27 June 2013.

A consultation on a new specification for wheelchair accessible taxis was published on 7 February 2014 and seeks views until 4 April 2014. The document can be found on the Department's website at the link below. <http://www.doeni.gov.uk/index/information/foi/recent-releases/publications-details.htm?docid=9556>

On 16 January 2014 the Committee considered an SL1 for the Taximeter and Maximum Fare Regulations, but opted to defer this for further consideration. It remains the Department's intention that the relevant regulations will come into place in September 2014 and require a taximeter to be fitted by March 2015.

You may also be interested to note that on 12 December 2013 the Committee considered and approved the SL1 relating to the reintroduction of a Taxi Driver Test and for new drivers and periodic training for all. The test is due to come into effect in September 2014 with the periodic training requirement beginning in September 2015.

My Department is maintaining close engagement with all sectors of the taxi industry to advise them of the programme of legislation and assist them in preparing for its implementation.

### **Planning: Applications Made on Medical Grounds**

**Mr McMullan** asked the Minister of the Environment how many domestic planning applications to the Planning Service were made on medical grounds; and how many of these applications required medical consultations.  
**(AQW 30497/11-15)**

**Mr Durkan:** The Department does not have a central record of how many domestic planning applications were made on medical grounds, or how many required medical consultations. Any medical evidence submitted as part or in support of a planning application is treated in accordance with Data Protection legislation and is not logged or stored on the publically accessible Planning Portal.

To provide the number of applications where this is the case would require a manual search of all planning application files and would result in the diversion of staff from normal duties for an unreasonable period of time which would have an adverse impact on the Department's ability to provide the statutory public service for which it is obligated.

### **Ombudsman: Recommendations**

**Mr Allister** asked the Minister of the Environment on how many occasions since May 2007 has his Department not accepted the recommendations contained in an Ombudsman's finding.  
**(AQW 30526/11-15)**

**Mr Durkan:** There has been no occasion since May 2007 when my department has not accepted the recommendations contained in an Ombudsman's finding.

### **Planning: Cruise Ship Docking Facility**

**Mr Hilditch** asked the Minister of the Environment for an update on the cruise ship docking planning application in Belfast.  
**(AQW 30536/11-15)**

**Mr Durkan:** A planning application has not been submitted for a new cruise ship docking facility at Belfast Harbour.

Officials from the Northern Ireland Environment Agency, Natural Heritage section are presently liaising with representatives of the Belfast Harbour Commissioners to determine whether a proposed cruise ship docking facility is likely to have significant environmental effects. It is necessary to consider potential environmental effects as the site for the facility is located within an area of archaeological interest (Alexandra Dry Dock, a scheduled monument) and adjacent to 'European Sites' (Belfast Lough Ramsar Site and Belfast Lough Special Protection Area - Special Areas of Conservation designated under the European Union Habitats Directive).

If the proposal is likely to have significant environmental effects then an application for planning permission accompanied by an Environmental Statement will be required.

### **Planning Application A/2010/0596/F**

**Mr Agnew** asked the Minister of the Environment whether retrospective planning application A/2010/0596/F to retain illegal land filling (i) forms part of the illegal landfill site at Mabuoy Road; (ii) currently remains in situ; and (iii) lies on the line of the proposed A6 dual carriageway.  
**(AQW 30557/11-15)**

**Mr Durkan:**

- (i) Planning application A/2010/0596/F forms part of the site known as City Industrial Waste at 60 Mobuoy Road, Campsie, Derry, BT47 3JQ.
- (ii) The retrospective development currently remains in situ. Pending the outcome of the Chris Mills report and ongoing Environmental Crime Unit investigations the planning applications were placed on hold. The Department has now reviewed all planning applications on the site and is proceeding to process the remaining applications to a conclusion.
- (iii) Roads Service has advised that the application lies partially underneath the footprint of the proposed A6 Londonderry to Dungiven dual carriageway.

**Radioactive and Toxic Waste Disposal**

**Mr Agnew** asked the Minister of the Environment, pursuant to AQW 29550/11-15, (i) whether any other sites were identified for special precaution burials; (ii) whether any specified Certificates of Authorisations were issued to premises; and (iii) how much radioactivity has been disposed of to landfill over the last 15 years.

**(AQW 30558/11-15)**

**Mr Durkan:**

- (i) In addition to Duncrue and Culmore, other landfill sites named in Certificates of Authorisation issued to premises for the disposal of low level solid radioactive waste by controlled burial are:
  - Newtownabbey (Bruslee Quarry)
  - Coleraine (Ballywillan Bog or Carthall Road or Letterloan Road)
  - Garvagh (Mayboy Road)

None of the above landfills were used. The practice of controlled burial stopped in Northern Ireland in 2006.

- (ii) Since 1998, 15 premises comprising hospitals, research facilities and universities, had Certificates of Authorisation allowing the disposal of low level solid radioactive waste by controlled burial.

All Certificates of Authorisation contain conditions (relating to radionuclide content and concentration) permitting the disposal of very low level solid radioactive waste to local refuse sites together with substantial quantities of non radioactive waste. The total number comprise an additional 9 premises to the 15 identified above.

- (iii) Our records show that a total of 6.9 Giga Becquerels of radioactive waste have been disposed of to landfill since 1998. For further information relating to controlled burial of low level solid radioactive waste please refer to AQW 29550/11-15.

**Planning: M2 Service Stations**

**Mr Kinahan** asked the Minister of the Environment (i) to outline the reasons for the delay in the planning applications for motorway service stations at Browns Road on the M2 in Newtownabbey; (ii) what action he is taking to ensure the developments proceed; and (iii) to outline the proposed timescale.

**(AQW 30561/11-15)**

**Mr Durkan:** The planning applications were received on the 18th November 2013 and are being prioritised by officials as they are of locally significant importance. The first round of consultations is complete and some additional information is being sought to support the application.

Departmental officials are working closely with the agent to resolve any outstanding issues and bring a decision before Newtownabbey Borough Council at the earliest opportunity.

**Driver and Vehicle Agency: Enforcement Staff**

**Lord Morrow** asked the Minister of the Environment whether any of the current Driver and Vehicle Agency enforcement staff have been investigated, suspended, reported or disciplined for either an internal or external complaint.

**(AQW 30579/11-15)**

**Mr Durkan:** All complaints received about Driver and Vehicle Agency (DVA) enforcement staff, whether internal or external, are investigated under Departmental procedures. A number of such complaints against current DVA enforcement staff have been investigated.

The Department does not comment about disciplinary action which may have been taken against any member of staff, but I can assure you that all complaints are properly investigated and any appropriate action will be taken. I can, however, state that no DVA enforcement staff member has been suspended as a result of an internal or external complaint.

**Tyre Recycling**

**Mr Agnew** asked the Minister of the Environment what methods of tyre recycling are currently licensed.

**(AQW 30678/11-15)**

**Mr Durkan:** Methods of tyre recycling currently licensed in Northern Ireland are a mixture of shredding, crumbing and retreading.

There are currently 6 licences dealing primarily with waste tyres as a waste stream, three of these have been suspended. Three are currently operating.

WML	04/35	PPP: Shredding
WML	10/24	Entyre: Baling for onward recovery (Suspended)
WML	12/25	R4: Shredding and Crumbing
WML	13/70	Ken Ferguson: Baling for onward recovery
WML	14/37	Crane Tyres: Baling for onward recovery (Suspended)
WML	25/13	Tyre Recycling: (Suspended)

There are currently 2 exemptions for recycling tyres.

WMEX02/93 AC Tyres: Crumbing Tyres for the manufacture of finished goods from waste rubber into equestrian soft surface for outdoor and indoor riding arenas.

WMEX11/54 EKS Tyres: Retreading of Tyres

All of the sites listed above have been given site specific licence conditions. A copy of the above authorisations has been placed in the Assembly Library.

The most recent available figures on the quantity of waste tyres come from a survey commissioned by the Department in March 2012 in collaboration with the Department of the Environment, Community and Local Government in the Republic of Ireland. This used the latest available figures (the 2010/11 financial year) in the report dated January 2013 subsequently published on the Department's web site in March 2013.

The report states that of the 18,597 tonnes of waste tyres generated in Northern Ireland in 2010/11 13,370 tonnes (or 72%) were sent to recycling / reprocessing facilities. Of this tonnage 7,761 were exported outside of Northern Ireland which leaves 5,609 tonnes (or 58%) sent to recycling / reprocessing facilities inside Northern Ireland.

The report provides further break-down in terms of management routes and tonnages for used tyres and can be viewed at the following web address: [www.doeni.gov.uk/all\\_island\\_used\\_tyre\\_survey\\_report.pdf](http://www.doeni.gov.uk/all_island_used_tyre_survey_report.pdf)

## Tyre Recycling

**Mr Agnew** asked the Minister of the Environment to detail (i) how many waste management licences have been issued for tyre recycling; and (ii) the conditions of the licences.

**(AQW 30679/11-15)**

**Mr Durkan:** Methods of tyre recycling currently licensed in Northern Ireland are a mixture of shredding, crumbing and retreading.

There are currently 6 licences dealing primarily with waste tyres as a waste stream, three of these have been suspended. Three are currently operating.

WML	04/35	PPP: Shredding
WML	10/24	Entyre: Baling for onward recovery (Suspended)
WML	12/25	R4: Shredding and Crumbing
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## Tyre Recycling

**Mr Agnew** asked the Minister of the Environment what proportion of tyres are recycled.  
(AQW 30680/11-15)

**Mr Durkan:** Methods of tyre recycling currently licensed in Northern Ireland are a mixture of shredding, crumbing and retreading. There are currently 6 licences dealing primarily with waste tyres as a waste stream, three of these have been suspended. Three are currently operating.

WML	04/35	PPP: Shredding
WML	10/24	Entyre: Baling for onward recovery (Suspended)
WML	12/25	R4: Shredding and Crumbing
WML	13/70	Ken Ferguson: Baling for onward recovery
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The report provides further break-down in terms of management routes and tonnages for used tyres and can be viewed at the following web address: [www.doeni.gov.uk/all\\_island\\_used\\_tyre\\_survey\\_report.pdf](http://www.doeni.gov.uk/all_island_used_tyre_survey_report.pdf)

## Tyre Recycling

**Mr Agnew** asked the Minister of the Environment what proportion of tyres are recycled locally.  
(AQW 30681/11-15)

**Mr Durkan:** Methods of tyre recycling currently licensed in Northern Ireland are a mixture of shredding, crumbing and retreading. There are currently 6 licences dealing primarily with waste tyres as a waste stream, three of these have been suspended. Three are currently operating.

WML	04/35	PPP: Shredding
WML	10/24	Entyre: Baling for onward recovery (Suspended)
WML	12/25	R4: Shredding and Crumbing
WML	13/70	Ken Ferguson: Baling for onward recovery
WML	14/37	Crane Tyres: Baling for onward recovery (Suspended)
WML	25/13	Tyre Recycling: (Suspended)

There are currently 2 exemptions for recycling tyres.

WMEX02/93 AC Tyres: Crumbing Tyres for the manufacture of finished goods from waste rubber into equestrian soft surface for outdoor and indoor riding arenas.

**WMEX11/54 EKS Tyres: Retreading of Tyres**

All of the sites listed above have been given site specific licence conditions. A copy of the above authorisations has been placed in the Assembly Library.

The most recent available figures on the quantity of waste tyres come from a survey commissioned by the Department in March 2012 in collaboration with the Department of the Environment, Community and Local Government in the Republic of Ireland. This used the latest available figures (the 2010/11 financial year) in the report dated January 2013 subsequently published on the Department's web site in March 2013.

The report states that of the 18,597 tonnes of waste tyres generated in Northern Ireland in 2010/11 13,370 tonnes (or 72%) were sent to recycling / reprocessing facilities. Of this tonnage 7,761 were exported outside of Northern Ireland which leaves 5,609 tonnes (or 58%) sent to recycling / reprocessing facilities inside Northern Ireland.

The report provides further break-down in terms of management routes and tonnages for used tyres and can be viewed at the following web address: [www.doeni.gov.uk/all\\_island\\_used\\_tyre\\_survey\\_report.pdf](http://www.doeni.gov.uk/all_island_used_tyre_survey_report.pdf)

**Planning: Supplementary Guidance**

**Mr Campbell** asked the Minister of the Environment what measures are in place locally to achieve the same objectives provided by Supplementary Planning Documents in England.

**(AQW 30697/11-15)**

**Mr Durkan:** The Department currently delivers a broad range of Supplementary Planning Guidance (SPG) in order to supplement, elucidate and exemplify the Department's planning policy documents and area plans. This includes Development Control Advice Notes, Regional Design Guidance, Conservation Area Design Guidance, Best Practice Guidance and other Supplementary Guidance for example linked to specific Planning Policy Statements. Where relevant to a particular development proposal SPG will be taken into account as a material consideration in making decisions.

Whilst the arrangements for the delivery of national planning guidance in England are undergoing change at present through their emerging National Planning Practice Guidance, a comparable range of local guidance continues to be delivered by local councils. As with SPG in Northern Ireland, this guidance is largely topic based (for example rural housing) or area specific (for example to promote the regeneration of an area). The broad aim of this guidance is to underpin and supplement the policies contained within the Council's Development Plan and its status is akin to that of SPG in Northern Ireland. In both jurisdictions, the common, ultimate aim of planning guidance is to elucidate existing planning policy in order to provide additional clarity for the developer, decision taker and other interested parties.

Under the reformed two-tier planning system to be introduced next year the arrangements for the delivery of SPG in Northern Ireland will be more closely aligned with the English model. The Department will retain responsibility for the production of regional SPG to sit under the emerging Strategic Planning Policy Statement and which would be comparable to the emerging National Planning Practice Guidance in England. Following the transfer of planning functions to local government, Councils will also have powers to prepare their own SPG to build upon or give support to their Local Development Plans. As part of the work to prepare for the transfer of planning powers to councils, the Department is considering the need to revoke, revise or produce entirely new Departmental Guidance. This work is being informed by practice in other jurisdictions and any lessons for the Northern Ireland planning system

**Taxis: Ravenhill Rugby Ground**

**Lord Morrow** asked the Minister of the Environment, pursuant to AQW 28378/11-15 and AQW 27856/11-15, whether the report that his officials made reference to at the Committee for the Environment on 6 February 2014 has been supplied to the Committee and confirmed as received by the Chairperson; and whether this report is the final determination of the legal position on the provision of private hire taxis at Ravenhill Rugby Grounds.

**(AQW 30747/11-15)**

**Mr Durkan:** The document that was referred to by officials at the Committee for the Environment on 6 February was provided to you in response to AQW 27856/11-15. This outlined the Department's final interpretation of the legal position as regards the provision of taxis at Ravenhill Rugby grounds, Mount Merrion Avenue, Belfast. This document has not been supplied directly to the Committee or the Committee Chairperson.

**Road Safety: Rural Areas**

**Mr Hilditch** asked the Minister of the Environment what progress has been made on increasing road safety in rural areas.

**(AQO 5532/11-15)**

**Mr Durkan:** Rural roads present a particular road safety challenge and this is recognised within the Road Safety Strategy. In addition to the principal casualty reduction targets, the Strategy contains a number of key performance indicators to monitor and assist in better understanding progress in improving road safety. One of these key performance indicators tracks the number of people killed in collisions on rural roads.

All indicators are measured against the appropriate average figures for 2004-2008. In 2012, the most recent year for which we have published data, 35 people were killed in collisions on rural roads. This is 62 per cent below the baseline level of 92 deaths and five per cent less than the number recorded in 2011.

While these figures show improvements on our rural roads, I am very aware of an overall increase in fatalities in 2013 and in the first month of 2014. I can assure you that my Department continues to monitor casualty data and will work in partnership with stakeholders to understand better the reasons for collisions and changes in the numbers. This will allow us to continue to improve our interventions and to target them more effectively, not least in rural areas.

### **Exploris: Financial Assistance**

**Miss M McIlveen** asked the Minister of the Environment for an update on his offer of financial assistance to Ards Borough Council to meet the running costs of the Seal Sanctuary at Exploris.

**(AQO 5533/11-15)**

**Mr Durkan:** I have given a commitment to fund all reasonable costs associated with running the seal sanctuary at Exploris.

At its meeting on 29th January, Ards Borough Council approved an outline business plan for Exploris which included the seal sanctuary.

The Council has not yet considered or approved a business case with the necessary detailed costings and assumptions supporting the options under consideration. It is this detailed business case on which I and the Executive must make our decisions. A business case has been prepared by the consultant who also prepared the business plan, and my officials, including the Department's economist are currently scrutinising the case. They are in discussion with the consultant and Council officials and they will report back to me on the outcome of these discussions.

The Council will have to agree the business case and it must also be approved by DFP.

I remain committed to my Department funding all reasonable costs associated with running the seal sanctuary, and to bringing an agreed business case to the Executive at the earliest opportunity.

### **PPS 7: Addendum**

**Mr Craig** asked the Minister of the Environment whether the Addendum to PPS 7, passed by a former Minister, is being adhered to by his Department.

**(AQO 5534/11-15)**

**Mr Durkan:** Planning Policy Statement 7: Quality Residential Environments (published June 2001), sets out the Department's planning policies for achieving quality in new residential development. The policy promotes a sustainable form of development by encouraging more compact urban form and promoting housing within existing urban areas. The policy also seeks to ensure that the design and layout of new developments do not result in unacceptable damage to local character, environmental quality or the residential amenity of those living within the area.

Two addendums have subsequently been published to provide additional policy and guidance when assessing residential development. These additional addendums are:

Addendum to PPS 7: Residential Extensions and Alterations. Published March 2008.

Addendum to PPS 7: Safeguarding the Character of Established Residential Areas. Published August 2010.

The addendums are relevant material considerations in the processing of planning applications for residential development.

I am conscious that planning applications for residential developments within established areas are often contentious and attract objections, however I am satisfied that the policies contained within PPS7 and the subsequent Addendums are adhered to and provide sufficient protection to ensure that new residential schemes are sensitive in design terms to the local character of the area and to the people living in existing neighbourhoods.

### **Taxis: Legislation**

**Mrs Cochrane** asked the Minister of the Environment to outline the progress his Department has made since September 2013 in resolving the outstanding issues impeding the implementation of the Taxis Act (Northern Ireland) 2008.

**(AQO 5535/11-15)**

**Mr Durkan:** The Taxis Act (Northern Ireland) 2008, which was passed by this Assembly without division, was designed to deliver the benefits which enhanced taxi regulation could bring to Northern Ireland – including an increased choice for consumers, greater clarity for all around what taxis are permitted to do, and an increased capacity within the industry to deal with peak demand at specific times and locations, thereby helping to address public and personal safety concerns.

Since September 2013, progress has been made on a number of fronts, including gaining Environment Committee approval for the SL1 for driver testing and periodic training. A consultation will issue this month on a proposed new wheelchair accessible vehicle specification, which has been the subject of research commissioned by my Department.

Operational work to implement the remaining reforms in September 2014 remains challenging but achievable, with steady progress being made on all streams of work.

However, I am aware that some Members have expressed reservations about the implementation of single tier licensing, something the Department have been working towards for some time. I have listened carefully to their concerns and am considering what – if any – changes might be appropriate to the plans which have been approved by the Environment Committee, and could address those concerns whilst still delivering the benefits flowing from the Act.

### **Local Government: Qualified Majority Voting**

**Mr Copeland** asked the Minister of the Environment whether he would consider including in regulations, as part of the Local Government Bill, a list of the types of council decisions that could be subject to qualified majority voting.

**(AQO 5536/11-15)**

**Mr Durkan:** I am committed to ensuring that the interests of minorities are protected in the decision-making of councils. The list of decisions that must be taken by qualified majority will be a mandatory element of a council's standing orders and will be specified in the regulations that my Department will make using the power provided by clause 42 of the Local Government Bill.

The regulations specifying the mandatory elements of a council's standing orders will be subject to the draft affirmative procedure in the Assembly, to allow members to have the opportunity to debate this important aspect of the new governance arrangements for councils.

My officials are working with senior officers from local government to develop the draft standing orders which will be subject to consultation with key stakeholders prior to them being laid in the Assembly.

### **Heavy Goods Vehicle Levy**

**Ms Fearon** asked the Minister of the Environment to outline any discussions he has had with the British Government on the proposed introduction of a Heavy Goods Vehicle levy for cross-border travel.

**(AQO 5537/11-15)**

**Mr Durkan:** The HGV Road User Levy is being introduced by the UK's Coalition Government and, as a UK-wide taxation, is an excepted matter. The Levy seeks to ensure a fairer arrangement for UK hauliers who face road charges or tolls in most other European countries.

Minister Attwood met with and exchanged correspondence with Stephen Hammond MP, Under Secretary of State for the Department for Transport, and his predecessor Mike Penning to consider the practical implications of enforcing the Levy in Northern Ireland not least due to the unique challenges faced in respect of the land border.

The Department for Transport (DfT) consulted on the legislative amendments to give full effect to the Levy from 26 September until 8 November 2013 and continues to take forward key stakeholder engagement in advance of the 'go live' date.

DfT plan to amend the GB fixed penalty notice and fixed penalty deposit schemes to allow the offence of not paying the Levy to be discharged by way of a £300 fixed penalty rather than through prosecution in court. The Department has recently consulted on similar proposals which will allow a consistent and proportionate enforcement approach to be adopted in Northern Ireland.

The Driver and Vehicle Standards Agency will enforce the Levy in Britain and the Driver and Vehicle Agency will be the enforcement authority in Northern Ireland.

### **Road Traffic (Amendment) Bill**

**Mr Lunn** asked the Minister of the Environment when he will introduce the Road Traffic (Amendment) Bill.

**(AQO 5538/11-15)**

**Mr Durkan:** The Road Traffic (Amendment) Bill is drafted and now awaits Executive approval to allow its introduction to the Assembly. As you are aware there are competing demands for Executive time but I hope we can introduce this important Bill very soon.

### **Local Government: Transfer of Responsibilities**

**Mr Givan** asked the Minister of the Environment for his assessment of the preparedness of local authorities to transfer responsibilities to the new councils.

**(AQO 5539/11-15)**

**Mr Durkan:** I am confident that the implementation structures established by my Department will ensure that all local authorities involved in the reform of local government are fully prepared for the transfer of responsibilities to the new councils in 2015.

All the necessary legislative issues relating to the transferring functions will be in place prior to 1st April 2015 and in the Transfer of Functions working group, officials from transferring departments have been working closely with senior council officials to facilitate the smooth transfer of the functions agreed by the Executive from central government departments.

Each department with a transferring function has now submitted baseline information on the resources (budget, staff and assets) attached to their package of functions transferring.

A detailed due diligence review of this baseline information is underway and will be made available to the Regional Transitional Operational Board and the Regional Transitional Committee in March 2014. The review seeks to validate the information and give necessary assurances to local government on the functions to transfer.

Work is also underway to develop a suite of organisational design principles and a support toolkit. This will help inform Statutory Transition Committees and the new councils during the shadow period in relation to organisation design, including the integration of new functions and powers. It should be noted, however, that any decisions relating to future organisational design or service delivery models will ultimately be the responsibility of individual councils.

In addition DOE Planning and DSD officials have been engaging directly with the council clusters which will form the new councils, to ensure continuity of planning, regeneration and community development services and to assist with the future planning and integration of those functions with the new council's community plans.

Where issues relating to the transfer remain to be resolved by either local or central government I will ensure that these are brought to a conclusion as quickly as possible.

Based on robust programme reporting arrangements, my assessment is that councils are in a good state of preparedness for the transfer of responsibilities from the existing councils to the new councils. Since August 2013, Statutory Transition Committees have been driving convergence between merging councils and undertaking preparatory work for the new successor councils. The Committees have been tasked with ensuring a seamless transition from 26 to 11 councils, that service delivery is maintained and that the new councils are in a position to discharge their new functions and deliver on their vision for the new districts from 1 April 2015. Through the Regional Transition Committee and through local meetings of the STCs, I have been able to monitor their preparatory duties, some of which are now beginning to materialise with the recent appointments of a few of the new council Chief Executives.

## Fuel Laundering

**Mr Allister** asked the Minister of the Environment for his assessment of the level of prosecutions in respect of illegal fuel laundering.

**(AQO 5540/11-15)**

**Mr Durkan:** HMRC are the body responsible for prosecuting what are normally termed "fuel laundering offences".

NIEA investigates environmental offences which result from the fuel laundering process. These relate to the treating, keeping or disposing of the waste (which is often hazardous waste). The NIEA Environmental Crime Unit is presently investigating a number of such cases and works closely with HMRC to attempt to identify those responsible and bring them before the courts.

## Department of Finance and Personnel

### Common Agricultural Policy: Rural Development Programme

**Mr Swann** asked the Minister of Finance and Personnel, following the debate in the Assembly on 20 January 2014, to make available correspondence between himself and the Minister of Agricultural and Rural Development in relation to the Common Agricultural Policy: Rural Development Programme Funding.

**(AQW 30333/11-15)**

**Mr Hamilton (The Minister of Finance and Personnel):** Normally Ministerial correspondence, in common with all aspects of Executive business, is treated as confidential. However, correspondence on the Common Agricultural Policy: Rural Development Programme funding has been put before the court in the judicial review proceedings. A full judgement is awaited and it would not be appropriate before a final judgement has been given to disclose aspects of the evidence before the court.

### Youth Unemployment: Bangor

**Mr Easton** asked the Minister of Finance and Personnel to detail how many young people are currently unemployed between the ages of 16 to 21 in the Bangor area.

**(AQW 30430/11-15)**

**Mr Hamilton:** The official measure of unemployment is sourced to the Northern Ireland (NI) Labour Force Survey (LFS). However, the LFS is a sample survey and estimates of unemployment, at sub-NI geographies, are not sourced to the LFS because of the relatively large confidence intervals around such estimates. This is due to sample size constraints in the LFS.

The following tables are sourced instead to the claimant count measure of unemployment. Claimant count data is collated at District Council Area (DCA) and Ward level, therefore statistics for Bangor, Holywood, Donaghadee and Millisle are not available. Instead these tables show the number of persons age 16 to 21 claiming unemployment related benefits at December 2013, in all wards in the two relevant District Council Areas - North Down and Ards.

**Table 1 – Claimant Count for 16-21 year olds at December 2013 for Ards DCA by ward**

<b>Ards Wards</b>	<b>Number*</b>
Ballygowan	15
Ballyrainey	20
Ballywalter	20
Bradshaws Brae	5
Carrowdore	15
Central	20
Comber East	10
Comber North	15
Comber West	10
Donaghadee North	10
Donaghadee South	25
Glen	15
Gregstown	20
Killinchy	5
Kircubbin	10
Lisbane	5
Loughries	15
Millisle	20
Movilla	15
Portaferry	15
Portavogie	30
Scrabo	30
Whitespots	10
Ards DCA	355

\* Data rounded to nearest 5

**Table 2 – Claimant Count for 16-21 year olds at December 2013 for North Down DCA by ward**

<b>North Down Wards</b>	<b>Number*</b>
Ballycrochan	10
Ballyholme	5
Ballymaconnell	10
Ballymagee	5
Bangor Castle	5
Bloomfield	10
Broadway	5
Bryansburn	10
Churchill	5
Clandeboye	20
Conlig	20
Craigavad	0
Crawfordsburn	5

North Down Wards	Number*
Cultra	0
Dufferin	10
Groomsport	5
Harbour	25
Hollywood Demesne	10
Hollywood Priory	5
Loughview	15
Princetown	5
Rathgael	10
Silverstream	10
Spring Hill	5
Whitehill	5
North Down DCA	215

\* Data rounded to nearest 5

### Youth Unemployment: Hollywood

**Mr Easton** asked the Minister of Finance and Personnel to detail how many young people are currently unemployed between the ages of 16 to 21 in the Hollywood area.

**(AQW 30431/11-15)**

**Mr Hamilton:** The official measure of unemployment is sourced to the Northern Ireland (NI) Labour Force Survey (LFS). However, the LFS is a sample survey and estimates of unemployment, at sub-NI geographies, are not sourced to the LFS because of the relatively large confidence intervals around such estimates. This is due to sample size constraints in the LFS.

The following tables are sourced instead to the claimant count measure of unemployment. Claimant count data is collated at District Council Area (DCA) and Ward level, therefore statistics for Bangor, Hollywood, Donaghadee and Millisle are not available. Instead these tables show the number of persons age 16 to 21 claiming unemployment related benefits at December 2013, in all wards in the two relevant District Council Areas - North Down and Ards.

**Table 1 – Claimant Count for 16-21 year olds at December 2013 for Ards DCA by ward**

Ards Wards	Number*
Ballygowan	15
Ballyrainey	20
Ballywalter	20
Bradshaws Brae	5
Carrowdore	15
Central	20
Comber East	10
Comber North	15
Comber West	10
Donaghadee North	10
Donaghadee South	25
Glen	15
Gregstown	20
Killinchy	5
Kircubbin	10

<b>Ards Wards</b>	<b>Number*</b>
Lisbane	5
Loughries	15
Millisle	20
Movilla	15
Portaferry	15
Portavogie	30
Scrabo	30
Whitespots	10
Ards DCA	355

\* Data rounded to nearest 5

**Table 2 – Claimant Count for 16-21 year olds at December 2013 for North Down DCA by ward**

<b>North Down Wards</b>	<b>Number*</b>
Ballycrochan	10
Ballyholme	5
Ballymaconnell	10
Ballymagee	5
Bangor Castle	5
Bloomfield	10
Broadway	5
Bryansburn	10
Churchill	5
Clandeboye	20
Conlig	20
Craigavad	0
Crawfordsburn	5
Cultra	0
Dufferin	10
Groomsport	5
Harbour	25
Hollywood Demesne	10
Hollywood Priory	5
Loughview	15
Princetown	5
Rathgael	10
Silverstream	10
Spring Hill	5
Whitehill	5
North Down DCA	215

\* Data rounded to nearest 5

## Youth Unemployment: Donaghadee and Millisle

**Mr Easton** asked the Minister of Finance and Personnel to detail how many young people are currently unemployed between the ages of 16 to 21 in the Donaghadee & Millisle area.

**(AQW 30432/11-15)**

**Mr Hamilton:** The official measure of unemployment is sourced to the Northern Ireland (NI) Labour Force Survey (LFS). However, the LFS is a sample survey and estimates of unemployment, at sub-NI geographies, are not sourced to the LFS because of the relatively large confidence intervals around such estimates. This is due to sample size constraints in the LFS.

The following tables are sourced instead to the claimant count measure of unemployment. Claimant count data is collated at District Council Area (DCA) and Ward level, therefore statistics for Bangor, Holywood, Donaghadee and Millisle are not available. Instead these tables show the number of persons age 16 to 21 claiming unemployment related benefits at December 2013, in all wards in the two relevant District Council Areas - North Down and Ards.

**Table 1 – Claimant Count for 16-21 year olds at December 2013 for Ards DCA by ward**

Ards Wards	Number*
Ballygowan	15
Ballyrainey	20
Ballywalter	20
Bradshaws Brae	5
Carrowdore	15
Central	20
Comber East	10
Comber North	15
Comber West	10
Donaghadee North	10
Donaghadee South	25
Glen	15
Gregstown	20
Killinchy	5
Kircubbin	10
Lisbane	5
Loughries	15
Millisle	20
Movilla	15
Portaferry	15
Portavogie	30
Scrabo	30
Whitespots	10
Ards DCA	355

\* Data rounded to nearest 5

**Table 2 – Claimant Count for 16-21 year olds at December 2013 for North Down DCA by ward**

North Down Wards	Number*
Ballycrochan	10
Ballyholme	5
Ballymacconnell	10
Ballymagee	5

North Down Wards	Number*
Bangor Castle	5
Bloomfield	10
Broadway	5
Bryansburn	10
Churchill	5
Clandeboye	20
Conlig	20
Craigavad	0
Crawfordsburn	5
Cultra	0
Dufferin	10
Groomsport	5
Harbour	25
Hollywood Demesne	10
Hollywood Priory	5
Loughview	15
Princetown	5
Rathgael	10
Silverstream	10
Spring Hill	5
Whitehill	5
North Down DCA	215

\* Data rounded to nearest 5

### Rates: Returned Payments

**Mrs Dobson** asked the Minister of Finance and Personnel, pursuant to AQW 30143/11-15, why information relating to the number of (i) domestic; and (ii) residential rate payers who have had their rates payments returned is not collected by his Department.

**(AQW 30596/11-15)**

**Mr Hamilton:** As LPS does not and cannot accept payment for rates in advance, it does not hold information relating to the number of domestic and residential rate payers who have tried to avail of making advanced payments.

### EU Funding

**Mr Allister** asked the Minister of Finance and Personnel to detail the total EU funds obtained for Northern Ireland in 2012/13. **(AQW 30613/11-15)**

**Mr Hamilton:** EU Structural Funds received in 2012/2013 were £93,690,979.35

This figure includes:

#### \*2000-2006 Programmes

INTERREG IIIA Programme	£ 13,598.67
PEACE II Programme	£ 7,321,840.83

#### 2007-2013 Programmes

EU Sustainable Competitiveness Programme	£42,098,057.70
EU Northern Ireland ESF Programme	£ 6,790,561.51

PEACE III Programme	£21,609,523.63
INTERREG IVA Programme	£15,857,397.01

Receipts from the EU for Agricultural, Rural and Fisheries Funds and competitive programmes administered by the European Commission are not recorded in my department.

\* Funds related to 2000-2006 are final payments following closure process.

### Pensions: Life Expectancy

**Mr Weir** asked the Minister of Finance and Personnel whether any consideration was given to actuarial differences in life expectancy between Northern Ireland and the rest of the United Kingdom when drawing up pension legislation.

**(AQW 30644/11-15)**

**Mr Hamilton:** The Department of Finance and Personnel did not consider regional variation in life expectancy within the United Kingdom for the purpose of the drafting of the Public Service Pensions Bill.

### Public Sector Loan Board

**Mrs Dobson** asked the Minister of Finance and Personnel for his assessment of the links between his Department and the Public Sector Loan Board.

**(AQW 30653/11-15)**

**Mr Hamilton:** My Department has no knowledge of the Public Sector Loan Board.

### Farm Mapping: Ordnance Survey/DARD

**Mrs Dobson** asked the Minister of Finance and Personnel (i) to detail the working arrangements between Ordnance Survey and the Department of Agriculture in regard to farm mapping, in each of the last 3 years; and (ii) for a breakdown of the costs associated with this collaboration, in each of the last 3 years.

**(AQW 30699/11-15)**

**Mr Hamilton:** Land & Property Services (LPS), which is responsible for Ordnance Survey mapping in Northern Ireland, has a Service Level Agreement with the Department of Agriculture and Rural Development (DARD) to provide a range of mapping and related services in connection with the DARD Land Parcel Identification System. DARD meets all costs associated with this work (including overheads).

The total LPS cost associated with the work is as follows:

Year	Amount (£k)
2011/12	4,623
2012/13	4,902
2013/14 (at Jan 14)	2,052

### Rates: Lisburn

**Mr Craig** asked the Minister of Finance and Personnel to detail the traders in Lisburn that have benefited, or will benefit from (i) a rates rebate; and (ii) property de-rating, for each of the fiscal years (a) 2011/12; (b) 2012/13; and (c) 2013/14.

**(AQW 30801/11-15)**

**Mr Hamilton:** Under the Data Protection Act we cannot release details of the individual traders in Lisburn who have benefited, or will benefit, from a rates rebate or property de-rating.

### Rural Development Programme

**Mr McMullan** asked the Minister of Finance and Personnel to outline any plans to allocate funding to rural communities for the delivery of the Rural Development Programme, 2014-2020.

**(AQW 30814/11-15)**

**Mr Hamilton:** My Department does not have responsibility for the delivery of the Northern Ireland Rural Development Programme. Policy responsibility for the Programme rests with the Department of Agriculture and Rural Development and, that being the case, it is for the Agriculture Minister to develop plans to allocate funding to rural communities.

## Committee for Finance and Personnel: Ministerial Appearances

**Mr Nesbitt** asked the Minister of Finance and Personnel how many times he has appeared before his Department's Statutory Assembly Committee in each of the last five years.

**(AQW 30875/11-15)**

**Mr Hamilton:** I have appeared before the Finance and Personnel Committee on one occasion during the 2013/14 session.

## Ulster Bank: Meetings

**Mr McKay** asked the Minister of Finance and Personnel to detail (i) any meetings recently held with Ulster Bank; and (ii) the issues discussed.

**(AQW 30912/11-15)**

**Mr Hamilton:** Together with the First and deputy First Ministers, I met with the RBS Chief Executive Ross McEwan on 11th February. At that meeting we discussed a number of strategically important issues including the current RBS review of Ulster Bank, the operation of the RBS 'Bad Bank', how Ulster Bank will continue to meet customers' requirements, and the evidence on banking practices presented in the Tomlinson Report. Mr McEwan was accompanied by Jim Brown, the Ulster Bank Chief Executive and Ellvena Graham, Head of Ulster Bank NI.

## Public Sector Reform

**Mr McKay** asked the Minister of Finance and Personnel to detail any discussions he has had with his Dublin government counterpart in regard to public sector reform.

**(AQW 30913/11-15)**

**Mr Hamilton:** I met with Brendan Howlin (Minister for Public Expenditure and Reform) on 8 November and the meeting included a discussion on public sector reform.

We agreed that our senior officials should meet to explore areas of mutual interest in more detail. This is being progressed.

## Budget: Retention

**Mr McKinney** asked the Minister of Finance and Personnel how much money is being retained at the centre.

**(AQO 5547/11-15)**

**Mr Hamilton:** I presume the member has asked the question with reference to this 2013-14 financial year.

You will of course be aware from my recent Statement that the Executive left the January Monitoring round with an overcommitment of £24.8 million on the non-ringfenced Resource DEL side. In addition, there is funding earmarked for specific purposes, which also remains held at the 'Centre'. This includes the £15 million set aside to meet the cost of Welfare Reform penalties. I want to reiterate that this is inexcusable since this money could have been used to deliver essential public services here. There is also £47.4 million held at the 'Centre' to cover the cost of interest payments associated with RRI borrowing.

There is also £23.4 million of Ringfenced Resource DEL budget held at the 'Centre'. It is important to recognise that this is non-cash budget that is ringfenced by HM Treasury and can only be used to cover depreciation and impairment costs.

There is also £0.3 million of Capital DEL and £5.9 million of ring-fenced Financial Transactions Capital remaining unallocated at the 'Centre'. The Executive has agreed to carry forward this funding into the next financial year.

## Social Clauses

**Ms Boyle** asked the Minister of Finance and Personnel for an update on the implementation of the Programme for Government 2011-15 target for all public contracts to contain social clauses.

**(AQO 5548/11-15)**

**Mr Hamilton:** Both of the key milestones in this Programme for Government (PfG) target have been achieved. The Procurement Board Strategic Plan for 2012 -2015 has been modified to include the need for departments to set targets for the inclusion of social clauses in contracts. Those departments which have set targets are reporting against them and progress in respect of 2013-2014 will be presented to the Procurement Board at its next meeting in June 2014. Initial progress has been slow but is improving.

A Procurement Guidance Note 'Integrating Social Considerations into Contracts' was published in November 2013. The publication of this guidance will assist both departments and practitioners working to meet the PfG commitment. Delivery of this milestone was delayed significantly and only progressed when I intervened personally and wrote to Ministers. Whilst the guidance received majority support some departments chose not to endorse it.

The Procurement Board has also looked at the approach on social clauses adopted in Scotland and Wales. As a result it has now broadened its definition to include wider community benefits, all of which have a positive impact on local people and communities. Community benefits include items such as prompt payment, fair dealing, recycling and reuse of materials and facilities, all of which have a positive social impact.

## Public Sector Reform

**Mrs Overend** asked the Minister of Finance and Personnel for an update on the timeline for public sector reform.  
(AQO 5549/11-15)

**Mr Hamilton:** The Public Sector Reform Division (PSRD) which is embedded within the newly established Strategic Policy and Reform (SPAR) Directorate has been building the essential capacity to progress public sector reform.

PSRD includes the work activity of PEDU, Performance and Efficiency Unit but it is also developing a range of reform tools to support Departments in different and more diverse roles.

The initial team comprises staff from several departments, including economists, statisticians, programme managers, policy designers and those with operational delivery expertise

To ensure a joined-up approach across the civil service, I have also amalgamated DFP's Business Consultancy Services (BCS) to sit within the PSRD management structure

I have recently written to Ministerial colleagues setting out at high level how the new PSRD has the potential to assist the work of Ministers across the Executive and I have a series of bilateral meetings starting shortly to discuss with my Ministerial colleagues how to maximise the value of this important resource.

## European Structural Funds

**Ms Lo** asked the Minister of Finance and Personnel what discussions he has had with the European Commission on maximising the drawdown of European Structural funds.  
(AQO 5551/11-15)

**Mr Hamilton:** I have not had discussions with the European Commission on this subject.

## Public Sector Reform

**Mrs Hale** asked the Minister of Finance and Personnel for an update on his public sector reform programme.  
(AQO 5552/11-15)

**Mr Hamilton:** The Public Sector Reform Division (PSRD) which is embedded within the newly established Strategic Policy and Reform (SPAR) Directorate has been building the essential capacity to progress public sector reform.

PSRD includes the work activity of PEDU, Performance and Efficiency Unit but it is also developing a range of reform tools to support Departments in different and more diverse roles.

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I have recently written to Ministerial colleagues setting out at high level how the new PSRD has the potential to assist the work of Ministers across the Executive and I have a series of bilateral meetings starting shortly to discuss with my Ministerial colleagues how to maximise the value of this important resource.

## Infrastructure: HM Treasury

**Lord Morrow** asked the Minister of Finance and Personnel how his Department can work with HM Treasury to increase investment in infrastructure.  
(AQO 5553/11-15)

**Mr Hamilton:** I recently hosted a seminar with Lord Deighton, the Commercial Secretary to the Treasury, in the Titanic Quarter to promote UK Government support for increasing private sector investment in local infrastructure.

One of the key issues highlighted at this seminar was the opportunity for local business to access UK wide initiatives, such as the Infrastructure Guarantee Scheme. This scheme can assist where projects are stalled due to a lack of private finance.

It is critically important that all sectors within Northern Ireland make full use of this scheme, if at all feasible. There may be opportunities within our private sector companies, our utilities or local government to access the Infrastructure Guarantee Scheme to unblock key infrastructure projects.

In addition I am working with HM Treasury to ensure that the capital available to us can be maximised through Financial Transactions Capital to our private sector and RRI Borrowing schemes including maximising the additional borrowing available under the "Together: Building a United Community" banner.

## Air Passenger Duty

**Mr Copeland** asked the Minister of Finance and Personnel to outline the impact of the elimination of Air Passenger Duty on long haul flights since 1 January 2013.

**(AQO 5554/11-15)**

**Mr Hamilton:** The Executive's decision to devolve and eliminate Air Passenger Duty on long haul flights effective from 1st January 2013 has enabled Northern Ireland to secure our only transatlantic air service between Belfast and New York.

Furthermore I believe the elimination of this tax will also make Northern Ireland more attractive to those airlines who may be considering the development of additional long haul routes.

## Well-being: Measurement

**Ms Maeve McLaughlin** asked the Minister of Finance and Personnel what measures his Department is taking in relation to the measurement of wellbeing.

**(AQO 5555/11-15)**

**Mr Hamilton:** As an initial step, I have asked NISRA officials to draw together the Northern Ireland data which has been input to the UK Measuring National Wellbeing Wheel of measures. This work has been progressing well and will be a useful addition in assessing the outcomes of public policy.

# Department of Health, Social Services and Public Safety

## Neuromuscular Nurse

**Ms S Ramsey** asked the Minister of Health, Social Services and Public Safety for an update on the business case for a neuromuscular nurse for adults.

**(AQW 30086/11-15)**

**Mr Poots (The Minister of Health, Social Services and Public Safety):** I am advised that the Belfast Health and Social Care Trust was unable to identify the necessary resources to recruit a neuromuscular nurse specialist post for adults.

My officials will raise this matter directly with the Health and Social Care Board.

## Prisoners: Prescribed Medication

**Lord Morrow** asked the Minister of Health, Social Services and Public Safety why prisoners are permitted to be in charge of controlled prescribed drugs when patients in hospitals are not.

**(AQW 30384/11-15)**

**Mr Poots:** Medicines are prescribed by GPs or other medical practitioners in line with national guidelines on prescribing and based on the practitioner's clinical judgement.

Prisoners are not permitted to be in charge of controlled prescribed drugs. All controlled drugs are held centrally in the healthcare department of each prison and administered as supervised swallow by healthcare staff.

## Prisoner Ombudsman: Report

**Lord Morrow** asked the Minister of Health, Social Services and Public Safety, in light of the report by the Prisoner Ombudsman for Northern Ireland on the death of Mr D, given the circumstances of his condition and the high level of medication identified, including controlled drugs, and being assessed as vulnerable, why he was not immediately placed in healthcare, where he may have been monitored more closely in respect of his condition, his medication and medical treatment, including changing a dressing within the stipulated time frame.

**(AQW 30385/11-15)**

**Mr Poots:** When in prison, Mr D was not located in the healthcare department as he was offered a cell in Braid House used to accommodate people with disabilities which was deemed suitable to meet his needs. The South Eastern Health and Social Care Trust (the Trust) are able to offer a nursing and medical service on a daily basis in each house location (in this case Braid House) which can comprehensively facilitate the complex needs of patients, including health issues similar to those of Mr D.

The Trust wholly accepts that it has learned lessons in relation to the care afforded to Mr D and can confirm that robust action has been taken to address the short-comings identified. Steps have been taken in relation to information gathering and accessing community equipment so that care can be delivered in a more timely way in future. For example, full access to the electronic care record (ECR) has been implemented and the process of managing, dispensing and assessing the suitability for in-possession medication has changed. Also in respect of wound management, training and access to specialist nursing staff has now been made available to all staff undertaking this programme of care. These system changes are designed to deliver safe and effective care and are subject to ongoing audit to monitor compliance with agreed standards.

## Prisoner Ombudsman: Report

**Lord Morrow** asked the Minister of Health, Social Services and Public Safety, in light of the Prisoner Ombudsman report into the death of Mr D, specifically page 37 and referring to comments made by the nurse who carried out the risk assessment on permitting him to be in charge of his own medication, whether it is standard procedure to take prisoners replies in such assessments at face value.

**(AQW 30420/11-15)**

**Mr Poots:** The South Eastern Health and Social Care Trust accepts the Prisoner Ombudsman's findings that some care fell below an acceptable standard on this occasion due to lack of community GP medical information and because of this there may have been a reliance on the information provided by Mr D.

However, since the death of Mr D, significant improvements have been made in relation to accessing prisoners' medical information. Healthcare staff now have access to community electronic care records (ECRs) which greatly minimises the risk of missing important information held by GPs. Where a prisoner is not registered with a GP, present symptoms on committal are managed immediately and a comprehensive health assessment follows at the next GP committal clinic.

Medicines are prescribed by GPs or other medical practitioners in line with national guidelines on prescribing and based on the practitioner's clinical judgement. The Trust has made significant efforts to improve medicines management through:

- the appointment of a lead pharmacist for prison healthcare;
- the appointment of a clinical lead for primary care issues, including medicines management;
- having trained existing staff in a wider range of pharmacy duties;
- having appointed specialist addiction nurses;
- putting in place specialist substance misuse programmes; and
- having developed a substitute prescribing programme.

## Locums: Payment to Agencies

**Mrs D Kelly** asked the Minister of Health, Social Services and Public Safety how many small businesses and agencies for locum doctors and nurses have had to wait more than the recommended 10 days for payment from each Health and Social Care Trust, in each of the last three years.

**(AQW 30442/11-15)**

**Mr Poots:** It is not possible to provide this information as it could only be obtained at a disproportionate cost.

## Children's Heart Surgery: International Review

**Mr Weir** asked the Minister of Health, Social Services and Public Safety to list the personnel appointed to the International Review of Children's Heart Surgery.

**(AQW 30470/11-15)**

**Mr Poots:** Three experts have been appointed to the Expert Group to carry out an Assessment of a potential all-island service for the future delivery of Congenital Cardiology and Cardiac Surgical services for both adults and children, recommending the most appropriate model that meets the population health needs and other requirements of both jurisdictions i.e. Northern Ireland and the Republic of Ireland. They are:

- Dr John Mayer, Chair in Cardiovascular Studies at the Children's Hospital, Boston (to chair the Expert Group);
- Dr Adrian Moran, Consultant Cardiologist from the Maine Medical Centre, USA, and fellow of the American Academy of Paediatrics and the American College of Cardiology;
- Dr John Sinclair, Consultant Paediatric Cardiac Anaesthetist and Intensivist at Yorkhill Children's Hospital, Glasgow.

The Expert Group will be supported by specialist professional nursing representation and other expertise as required.

## Family Law: Private Cases

**Mr Swann** asked the Minister of Health, Social Services and Public Safety to detail the cost to each Health and Social Care Trust for their involvement in Private Law family cases, over the last three years.

**(AQW 30476/11-15)**

**Mr Poots:** The information requested is not centrally available and could only be provided at disproportionate cost.

## Locums: Western Health and Social Care Trust

**Mr Eastwood** asked the Minister of Health, Social Services and Public Safety to detail the spending on locums in the Western Health and Social Care Trust in each of the last three financial years; and to express that figure as a percentage of the overall spending on doctors' and consultants' fees and salaries in the Trust in each of those three years.

**(AQW 30477/11-15)**

**Mr Poots:** Western Health and Social Care Trust has provided the following table to illustrate the spend on locum costs within the Trust for the last 3 financial years. The 13/14 year to date figure is also included.

Year	2010/11 £'000	2011/12 £'000	2012/13 £'000	2013/14 £'000 (9 months to 31/12/13)
Locum/Agency medical spend	9,343	7,288	7,028	5,948
Total medical Costs	56,215	56,763	51,698	42,104
Percentage	16.62%	12.84%	13.59%	14.13%

### Charitable Donations

**Mr Hussey** asked the Minister of Health, Social Services and Public Safety to detail (i) the charitable donations received by each Health and Social Care Trust over the last five years; (ii) the specific area for which the donations have been made; and (iii) whether the funds have been allocated to the specified area and not used by the Trust for any other purpose other than that intended by the benefactor.

(AQW 30482/11-15)

**Mr Poots:**

i Charitable donations received by each Health and Social Care Trust for the last 5 years are provided in the following table.

Trust	2008/09		2009/10		2010/11		2011/12		2012/13	
	U £000	R £000	U £000	R £000	U £000	R £000	U £000	R £000	U £000	R £000
Ambulance Service	1	2	-	1	3	0	2	0	1	0
Western <sup>(1)</sup>	34	391	21	327	13	464	8	652	7	481
Southern	-	677	-	857	-	641	-	586	384	-
Northern	485	139	392	126	318	169	339	86	1,042	53
Sth Eastern	258	273	35	199	26	660	28	352	17	365
Belfast	203	1,655	154	1,528	191	900	131	1,179	259	1,509
	<b>981</b>	<b>3,137</b>	<b>602</b>	<b>3,038</b>	<b>551</b>	<b>2,834</b>	<b>508</b>	<b>2,855</b>	<b>1,710</b>	<b>2,408</b>

**Notes:** U: Unrestricted Funds; R: Restricted Funds; <sup>(1)</sup> Includes endowment

ii. This information can only be provided at disproportionate cost.

iii. All funds have been used by each Health and Social Care Trust as intended by the benefactor.

Finance Directors of the Health and Social Care Trusts do not have sole discretion in the use of charitable donations. It is for the Gifts and Endowments/Charitable Trust Fund Committee within Trusts to manage the internal disbursements. The committee ensures that charitable donations received by the Trust are appropriately managed, invested, expended and controlled, in a manner that is consistent with the purposes for which they were given and with the Trust's Standing Financial Instructions, Departmental guidance and legislation.

Neither the committee nor Finance Directors have discretion in the use of charitable donations that are gifted with conditions or for a specific purpose. All such funds are allocated to the area specified by the benefactor and are not used for any other purpose than that intended by the benefactor.

### Charitable Donations

**Mr Hussey** asked the Minister of Health, Social Services and Public Safety whether the Finance Directors of the Health and Social Care Trusts have any discretion in the use of charitable donations that are donated for a specific cause.

(AQW 30483/11-15)

**Mr Poots:**

iv. Charitable donations received by each Health and Social Care Trust for the last 5 years are provided in the following table.

Trust	2008/09		2009/10		2010/11		2011/12		2012/13	
	U £000	R £000								
Ambulance Service	1	2	-	1	3	0	2	0	1	0

Trust	2008/09		2009/10		2010/11		2011/12		2012/13	
	U	R	U	R	U	R	U	R	U	R
	£000	£000	£000	£000	£000	£000	£000	£000	£000	£000
Western <sup>(1)</sup>	34	391	21	327	13	464	8	652	7	481
Southern	-	677	-	857	-	641	-	586	384	-
Northern	485	139	392	126	318	169	339	86	1,042	53
Sth Eastern	258	273	35	199	26	660	28	352	17	365
Belfast	203	1,655	154	1,528	191	900	131	1,179	259	1,509
	981	3,137	602	3,038	551	2,834	508	2,855	1,710	2,408

**Notes:** U: Unrestricted Funds; R: Restricted Funds; (1) Includes endowment

- v This information can only be provided at disproportionate cost.
- vi. All funds have been used by each Health and Social Care Trust as intended by the benefactor.

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Neither the committee nor Finance Directors have discretion in the use of charitable donations that are gifted with conditions or for a specific purpose. All such funds are allocated to the area specified by the benefactor and are not used for any other purpose than that intended by the benefactor.

### Myalgic Encephalomyelitis/Chronic Fatigue Syndrome

**Mrs Dobson** asked the Minister of Health, Social Services and Public Safety (i) how many Myalgic Encephalomyelitis (ME) specialists are currently employed by the Health Service; (ii) how many people with ME travel outside Northern Ireland to receive treatment; and (iii) what proportion of patients travel outside Northern Ireland for treatment.

(AQW 30550/11-15)

**Mr Poots:** I have been advised by the Health and Social Care (HSC) Board that while there are currently no designated specialists in ME/CFS in the HSC in Northern Ireland, it is working with HSC Trusts to establish a regional network of professionals with experience of working with ME/CFS patients.

The Health and Social Care Board has no record of any applications or approvals for patients with ME/CFS to travel outside NI for treatment.

### Myalgic Encephalomyelitis/Chronic Fatigue Syndrome

**Mrs Dobson** asked the Minister of Health, Social Services and Public Safety for his assessment of the care provided to patients by the Chronic Fatigue Clinic at the Belfast City Hospital.

(AQW 30551/11-15)

**Mr Poots:** There is currently no Chronic Fatigue Syndrome (CFS)/ME clinic in Belfast City Hospital, this ceased when the consultant who provided this on a special interest basis, retired.

The occupational therapy service is presently working through the treatment programmes for those patients previously referred. No new referrals have been received.

The Belfast Trust and the Health and Social Care Board are currently discussing how best to accommodate the demand for services.

### STORM Assessments

**Lord Morrow** asked the Minister of Health, Social Services and Public Safety what benefits are derived from STORM assessments.

(AQW 30581/11-15)

**Mr Poots:** Through delivery of its Training Action Plan (2012-2015), the Public Health Agency is supporting the capacity building elements of the Suicide Prevention and Promoting Mental Health Strategies. Courses are offered in a range of evidenced-based training programmes which include STORM assessment training.

Evidence shows that effective risk assessment is vitally important in caring for a person with suicidal ideation and /or displaying suicidal behaviour. STORM training helps participants to develop the skills needed to effectively assess and manage a person at risk of suicide. This type of training is crucial for staff who deliver suicide prevention services.

### **Fertility Treatment: Level 3 Services**

**Mrs Cochrane** asked the Minister of Health, Social Services and Public Safety to detail the number of couples, with at least one dependent child, who were referred to Level 3 Fertility Treatment Services since access criteria were adjusted in 2006; and what this number represents as a percentage of the total referrals.

**(AQW 30595/11-15)**

**Mr Poots:** Revised access criteria for publicly funded fertility treatment were introduced in 2006. The new criteria expanded the number of people eligible to access publicly funded services.

I have been advised by the Belfast HSC Trust that as access to fertility services is not determined by the number of dependent children a patient has, this information is not formally recorded, and, thus, cannot be provided.

### **Fertility Treatment: Level 3 Services**

**Mrs Cochrane** asked the Minister of Health, Social Services and Public Safety to detail the number of women aged 38-39 years who were referred to Level 3 Fertility Treatment Services since access criteria were adjusted in 2006; and what this number represents as a percentage of the total referrals.

**(AQW 30597/11-15)**

**Mr Poots:** Revised access criteria for publicly funded fertility treatment were introduced in 2006. The new criteria expanded the number of people eligible to access publicly funded services, including increasing the upper age limit for female partners from 37 to 39.

The number of women aged 38-39 who were referred to level 3 Fertility Treatment Services, from October 2006 to the end of January 2014, was 552. This number represents 8.6% of the total referrals.

### **Radiology: Downe Hospital**

**Mr Rogers** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 29545/11-15, whether the South Eastern Health and Social Care Trust, or his Department, has any plans to reduce radiology services at the Downe Hospital.

**(AQW 30622/11-15)**

**Mr Poots:** I have been advised that the position remains the same as my previous answer and that no significant changes to other services in the Downe Hospital have resulted from the recent weekend closures of the Emergency Department. The South Eastern Health and Social Care Trust will keep the impact of the changes on other services under regular review.

### **Bangor Minor Injuries Unit**

**Mr Agnew** asked the Minister of Health, Social Services and Public Safety to outline the reasons for the staff shortages at the Bangor Minor Injuries Unit; and when the Unit will re-open at weekends.

**(AQW 30624/11-15)**

**Mr Poots:** Due to the small number of staff working in the Bangor Community Hospital minor injuries unit and the potential for personal identification, it is not appropriate to detail the reasons, but they relate to vacancies and long term illness. The South Eastern Health and Social Care Trust is working to address the matter but is unable to confirm a date for resuming weekend opening at this time.

### **Accident and Emergency: Royal Victoria Hospital**

**Mr Agnew** asked the Minister of Health, Social Services and Public Safety to detail the number of patients that attended the Royal Victoria Hospital Accident and Emergency Department, broken down by residents in each local council area, on each day from 22 to 27 November 2013.

**(AQW 30626/11-15)**

**Mr Poots:** Between 22nd and 27th November 2013, there were 1,254 attendances at the Royal Victoria emergency care department, similar to the number who attended during the same period in 2012 (1,287). Information on the number of attendances at the Royal Victoria emergency care department, during each period is detailed in Table 1 (22nd – 27th November 2013) and Table 2 (22nd – 27th November 2012) for each day by local council area.

**Table 1: Number of Attendances at the Royal Victoria Emergency Care Department, during each Day by Local Council Area (22nd – 27th November 2013)**

Local Council Area <sup>1</sup>	22/11/2013	23/11/2013	24/11/2013	25/11/2013	26/11/2013	27/11/2013	Total
Antrim	2	4	1	5	1	4	17
Ards	1	3		1	3	1	9
Armagh	1	1		1	1	1	5
Ballymena	2			3	1	3	9
Ballymoney							0
Banbridge	1	1	1	3	2	1	9
Belfast	115	110	109	124	141	118	717
Carrickfergus	8	7	5	12	13	6	51
Castlereagh	12	13	14	18	15	19	91
Coleraine				1			1
Cookstown		1					1
Craigavon		2	1	2		1	6
Derry		1		1		1	3
Down	4	2	3	7	5	5	26
Dungannon			1			1	2
Fermanagh	1	3		3	1		8
Larne	2	3	4	2	6	1	18
Limavady			1	1			2
Lisburn	37	23	33	40	29	26	188
Magherafelt	1	1	1				3
Moyle		1		1			2
Newry & Mourne	1	3				2	6
Newtownabbey	7	8	11	17	12	7	62
North Down		2	4		5	4	15
Omagh		1			2		3
Strabane							0
<b>Northern Ireland</b>	<b>195</b>	<b>190</b>	<b>189</b>	<b>242</b>	<b>237</b>	<b>201</b>	<b>1,254</b>

Source: Symphony

1 Local Council Area has been derived from the patients home postcode.

**Table 2: Number of Attendances at the Royal Victoria Emergency Care Department, during each Day by Local Council Area (22nd – 27th November 2012)**

Local Council Area <sup>1</sup>	22/11/2012	23/11/2012	24/11/2012	25/11/2012	26/11/2012	27/11/2012	Total
Antrim	2	4	5	7	3	2	23
Ards				2		1	3
Armagh	1			1	1		3
Ballymena	1	1	2		5	4	13
Ballymoney					4		4
Banbridge		3	4	3	2		12
Belfast	109	146	96	110	146	124	731

Local Council Area <sup>1</sup>	22/11/2012	23/11/2012	24/11/2012	25/11/2012	26/11/2012	27/11/2012	Total
Carrickfergus	5	5	6	1	5	3	25
Castlereagh	9	9	14	2	15	11	60
Coleraine						2	2
Cookstown		3				2	5
Craigavon	2	3	1			2	8
Derry		1			1		2
Down	4	4	1	6	7	6	28
Dungannon	3	1		1	3	2	10
Fermanagh	1	2	1	1		1	6
Larne	3		1	4	4	5	17
Limavady		1		1	1	1	4
Lisburn	30	27	33	33	45	44	212
Magherafelt	2		1			2	5
Moyle		1				2	3
Newry & Mourne	2	2	2	2	4	6	18
Newtownabbey	15	16	9	6	16	14	76
North Down	2	3	2	2	3	2	14
Omagh	1					1	2
Strabane		1					1
<b>Northern Ireland</b>	<b>192</b>	<b>233</b>	<b>178</b>	<b>182</b>	<b>265</b>	<b>237</b>	<b>1,287</b>

Source: Symphony

1 Local Council Area has been derived from the patients home postcode.

### Drug Abuse: Treatment

Mr Weir asked the Minister of Health, Social Services and Public Safety how many people were treated for drug abuse, in each of the last five years.

(AQW 30639/11-15)

Mr Poots: The information requested is not available. The following table provides information on the number of people presenting to services with problem drug misuse for the first time or the first time in six months.

Number of people presenting to services with problem drug misuse 2008/09-2012/13

2008/09	2009/10	2010/11	2011/12	2012/13
1,755	2,008	2,593	2,999	2,824

Note: A small number of clients may be included more than once in any year.

### Nursing Homes: Northern Health and Social Care Trust

Mr McKinney asked the Minister of Health, Social Services and Public Safety what is the geographical spread for private and public nursing home provision in the Northern Health and Social Care Trust area.

(AQW 30648/11-15)

Mr Poots: There are no statutory nursing homes and 68 independent nursing homes located across the Northern Health and Social Care (HSC) Trust area. Further information on exact location of these homes can be accessed on the RQIA website via the link below link: [http://www.rqia.org.uk/what\\_we\\_do/registration\\_\\_inspection\\_and\\_reviews/service\\_provider\\_directory.cfm](http://www.rqia.org.uk/what_we_do/registration__inspection_and_reviews/service_provider_directory.cfm)

### Nursing Homes: Northern Health and Social Care Trust

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety to detail the number of residents in (i) private; and (ii) public nursing homes in the Northern Health and Social Care Trust area.

**(AQW 30649/11-15)**

**Mr Poots:** The information requested is not available centrally and was therefore requested from the Northern Health and Social Care (HSC) Trust. The information provided can be found in Table 1 below.

**Table 1. Number of Residents as at 7th February 2014, by Type of Nursing Home.**

Northern HSC Trust	Private Nursing Homes	Public Nursing Homes
No. of Residents	2,070	0

### Care Home Places: Northern Health and Social Care Trust

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety to outline the mechanism for allocating care home places in the Northern Health and Social Care Trust area.

**(AQW 30650/11-15)**

**Mr Poots:** The allocation of care home placements is based on individual choice and decided on a case by case basis. The Northern Health and Social Care (HSC) Trust assesses an individual's care needs and identifies the level of care and support required to suitably meet their needs. The individual and their families are then given a list of appropriate homes with current vacancy levels from which, the individual makes their preferred choice. The Trust then makes arrangements for the individual to be placed in the home of their choice.

### Care Home Places: Northern Health and Social Care Trust

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety whether care home places are allocated on an equitable basis between those providing residential care in the Northern Health and Social Care Trust area.

**(AQW 30651/11-15)**

**Mr Poots:** The allocation of care home placements is based on individual choice and decided on a case by case basis. The Northern Health and Social Care (HSC) Trust assesses an individual's care needs and identifies the level of care and support required to suitably meet their needs. The individual and their families are then given a list of appropriate homes with current vacancy levels from which, the individual makes their preferred choice. The Trust then makes arrangements for the individual to be placed in the home of their choice.

### Arthritis: Phospholipid Gel

**Mr Campbell** asked the Minister of Health, Social Services and Public Safety whether research has been completed on the benefits of a recently marketed over the counter product for arthritis that includes phospholipid gel.

**(AQW 30655/11-15)**

**Mr Poots:** Over the counter medical devices that include phospholipid must meet the essential requirements of the Medical Device Regulations (2002) which include clinical trials as appropriate. These trials are used to confirm its effectiveness, monitor side effects, compare it to commonly used treatments, and collect information that will allow the drug or treatment to be used safely. The published clinical data from the trials indicated that the product is effective in the treatment of osteoarthritis with a favourable safety profile.

### Autistic Spectrum Disorder: Support Services

**Mr McNarry** asked the Minister of Health, Social Services and Public Safety to detail (i) the support services to be put in place for adults with an autistic spectrum disorder diagnosis; and (ii) who will deliver these services; and (iii) what funding will be made available to each Health and Social Care Trust.

**(AQW 30663/11-15)**

**Mr Poots:** Each Health and Social Care Trust is in the process of developing autism-specific services for adults. This follows on from the considerable investment provided to develop child and adolescent autism services following the Independent Review of Autism Services in 2008.

- (i) Services for adults with an autism diagnosis are based on individual assessed needs. Support services for adults can be provided on a one-to-one basis and / or within a group format. A pilot Adult Autism Advice Service was launched in the Northern HSC Trust area in January 2014.
- (ii) Trusts directly provide these intervention and support services alongside specific voluntary sector providers (i.e. arranged/delivered as part of service level agreements). The Adult Autism Advice Service is a cross-sectoral multi-agency initiative.

- (iii) Additional funding is being provided to Trusts to develop adult-specific services over the 2013/14 to 2014/15 period. In 2013/14, £250k was provided to HSC Trusts. While still to be confirmed, an identical amount is scheduled to be allocated in 2014/15, making a total allocation of £500k, recurrent.

### **Autistic Spectrum Disorder: Reassessments**

**Mr McNarry** asked the Minister of Health, Social Services and Public Safety why all Health and Social Care Trusts are reassessing adults who have already been diagnosed with autistic spectrum disorder, given the current situation whereby different Trusts are at different stages of programme development.

**(AQW 30664/11-15)**

**Mr Poots:** Health and Social Care Trusts are not reassessing adults who have accessed the Adult Autism Service with a diagnosis that is in line with the Adult Autism Care Pathway.

Reassessment of diagnosis is not a frequent occurrence whereas re-appraisal of an individual's unique needs is a continuing process, as the needs of an individual with an autism spectrum condition can change over time. Young people moving from children's to adult services may require a re-assessment of needs to determine the most appropriate services within an 'adult services' context.

### **Autistic Spectrum Disorder: Second Appointments**

**Mr McNarry** asked the Minister of Health, Social Services and Public Safety how long it takes each Health and Social Care Trust area for a second appointment following an initial assessment for autistic spectrum disorder, which will have taken place within thirteen weeks under the children's care pathway.

**(AQW 30665/11-15)**

**Mr Poots:** In line with Ministerial access standards, HSCB currently monitors the waiting times from the point that a child/young person is referred for assessment to the commencement of the first assessment – this should occur within thirteen weeks. The HSCB does not currently monitor the time from the first appointment to second stage appointments.

Following initial appointment, the HSCB expects Trusts to ensure clear explanations are given to children and their families about the subsequent steps in their care.

### **Autistic Spectrum Disorder: Private Diagnosis**

**Mr McNarry** asked the Minister of Health, Social Services and Public Safety in instances where children and adults use a private clinician for initial Autistic Spectrum Disorder diagnosis, whether they will be offered further services within their local Health and Social Care Trust area.

**(AQW 30666/11-15)**

**Mr Poots:** Given the potential complexities involved, it is incumbent upon HSC Trusts to ensure that an apparent diagnosis of autism made within the independent sector has followed a high standard of practice. It is therefore appropriate for Trust diagnosticians to assure themselves that the diagnostic process reflects best practice.

The regional 'Six Steps of Autism Care' Childrens Pathway and the 'Adult Autism Care Pathway' notes that where a person presents with a diagnosis from an independent sector diagnostician or has a historic diagnosis, the diagnosis should be in keeping with the regional autism care pathway diagnostic standards as set out in the care pathways. Where this is not the case a referral to the specialist diagnostic team will follow. Any services offered will be based upon an assessment of need.

### **Autistic Spectrum Disorder: Children**

**Mr McNarry** asked the Minister of Health, Social Services and Public Safety whether each child who is diagnosed with autistic spectrum disorder also has an Understanding the Needs of Children Northern Ireland assessment; and to detail give the number who have received each, broken down by Health and Social Care Trust.

**(AQW 30667/11-15)**

**Mr Poots:** The information requested is not readily available and could only be provided at disproportionate cost.

### **Legislation: Consultancy Fees**

**Mr Gardiner** asked the Minister of Health, Social Services and Public Safety to detail the consultancy fees associated with the development of the (i) Tobacco Retailers Bill; (ii) Food Hygiene Rating Bill; and (iii) Mental Capacity (Health, Welfare and Finance) Bill.

**(AQW 30669/11-15)**

**Mr Poots:** Consultancy fees have not been incurred in relation to the development of the (i) Tobacco Retailers Bill; (ii) Food Hygiene Rating Bill; and (iii) Mental Capacity (Health, Welfare and Finance) Bill.

## Post-traumatic Stress Disorder

**Mr Copeland** asked the Minister of Health, Social Services and Public Safety to detail the total number of diagnosed complex post-traumatic stress disorder sufferers in 2013.

**(AQW 30670/11-15)**

**Mr Poots:** This information is not collected centrally and was requested from the five Health and Social Care (HSC) Trusts. The response from each HSC Trust is listed below:

### Belfast HSC Trust:

During 2013, 11 patients were diagnosed with post-traumatic stress disorder. Complex cases cannot be identified.

### Northern HSC Trust:

The number of patients diagnosed with complex post-traumatic stress disorder is not available. However, in 2013, 341 referrals were accepted into the Psychological Therapy Service which related to post traumatic stress disorder, trauma and childhood trauma, some of which may be complex cases.

### South Eastern HSC Trust:

In 2013, 5 patients were diagnosed with post-traumatic stress disorder, 4 of which had a primary diagnosis and 1 had a secondary diagnosis. Information on complex cases could not be provided.

### Southern HSC Trust:

Information on the number of patients diagnosed with complex post traumatic stress disorder cannot be obtained from Trust information systems.

### Western HSC Trust:

During 2013, 3 patients were discharged from acute wards with a diagnosis of post-traumatic stress disorder, 1 of which had a primary diagnosis and 2 had a secondary diagnosis. The provision of information on complex cases would require a manual trawl through individual patient records.

## Post-traumatic Stress Disorder

**Mr Copeland** asked the Minister of Health, Social Services and Public Safety whether any training will be provided to frontline nurses to equip them to identify post-traumatic stress disorder.

**(AQW 30672/11-15)**

**Mr Poots:** Qualified nursing staff in all settings apply holistic approaches to assessment of need, including psychological and emotional need, and where signs and symptoms are suggestive of any psychological/anxiety/emotional disorder, nursing staff will refer to more specialist services for diagnosis and intervention.

If specific training is required for nursing staff on any issue, in any setting, there is a very clear and robust process of education commissioning in place in Northern Ireland to identify such training needs and to ensure its delivery.

## Addiction and Mental Health: Services

**Ms Maeve McLaughlin** asked the Minister of Health, Social Services and Public Safety to detail (i) the services available in the Western Health and Social Care Trust area that specifically deal with addiction, mental health and death by suicide; and (ii) the groups dealing with these issues that are funded by his Department.

**(AQW 30687/11-15)**

### Mr Poots:

- (i) Details on alcohol and drug early intervention and treatment services commissioned by the Western Trust and the Public Health Agency (PHA) are available through the weblink:  
[http://www.publichealth.hscni.net/sites/default/files/DrugsAlcohol\\_Directory\\_Western\\_12\\_12.pdf](http://www.publichealth.hscni.net/sites/default/files/DrugsAlcohol_Directory_Western_12_12.pdf)

The following mental health services are available in the WHSCT area: the primary mental health care service; multi-disciplinary community-based mental health and home treatment services for adults, and for children and adolescents; psychological therapies; emergency psychiatric support for people in crisis; inpatient treatment for people who are acutely unwell; specialist help for people with eating disorders; and specialist help for people with significant mental health problems within criminal justice.

Suicide prevention and mental health promotion services include: Lifeline; Card Before You Leave; bereavement support; self-harm counselling and support; training for "community gatekeepers" and for HSC staff; counselling and complementary therapies; crisis response; the community grants programme; and self-help materials.

- (ii) The attached tables list the groups dealing with these issues, in the WHSCT area, which receive funding from my Department.

**Drugs and alcohol services funded through the Public Health Agency and delivered by external providers:**

Organisation	Programme
Breakthru	Breakthru Project
Divert- Dove House	DIVERT Project
Divert- Dove House	DIVERT Hidden Harm Project
Daisy West	11-17 Youth Counselling/Support
Daisy West	18-25 Youth Counselling/Support
Foyle Haven	Chronic Drinkers Support
Arc Healthy Living Centre	Chronic Drinkers Support - Solace
Derry Healthy Cities	CLEAR Standards D+A Element
Arc Healthy Living Centre	Support Legacy Project-ARC The Edge
Ferm New Horizons	Lifeskills Project-Fermanagh New Horizons
Divert- Dove House	Alcohol + Pregnancy leaflets
Divert- Dove House	Divert / Hidden Harm Training
FASA	FASA Leaflets - Alcohol and You
Arc Healthy Living Centre	Hidden Harm Service Omagh / Fermanagh
Derry Healthy Cities	Strengthening Families

**Drugs and alcohol services funded through the Public Health Agency and delivered by the Western Health & Social Care Trust:**

Organisation	Programme
Western HSCT	CAMHS Service
Western HSCT	Drugs & Alcohol Community Support
Western HSCT	Drugs & Alcohol Training Programme

**Mental health voluntary organisations funded by DHSSPS and which deliver services to people within the WHSCT area**

Organisation	Organisation
Action Mental Health	Lighthouse Ltd
ADD-NI	MindWise
Aware Defeat Depression	NIAMH
CAUSE for Mental Health	The Samaritans
Cruse in Northern Ireland	Threshold
Eating Disorders Association	

**Suicide prevention/mental health promotion groups funded through the PHA**

Organisation	Programme
Youthlife	Castleberg Outreach Support Service
Derry Healthy Cities	CLEAR Core Costs + Gatekeeper Training
Derry Healthy Cities	CLEAR Small Grants ** See Full List below
Foyle Search and Rescue	Crisis Response + Postvention Foyle Search & Rescue
Limavady Borough Council	Limavady Neighbourhood Support Programme Signed
Derry Healthy Cities	CLEAR Standards Toolkit
Zest	SHINE Project
AWARE	Lifeskills + Mood Matters

Organisation	Programme
Derry Healthy Cities	CLEAR Process Outcome Evaluation Pilot + Hands that Talk
Dry Arch Centre	Self Harm Training DVD
Youth Action NI	Right Here Fermanagh
Youthlife	Youthlife Headstart
Foyle Search + Rescue	Foyle Search + Rescue Equipment
Dennett Interchange	Dennett Interchange Health & Wellbeing Plans
Aware Defeat Depression	Aware Defeat Depression Additional Courses

**\*\* CLEAR Small Grants funded through the PHA in 2013/2014**

Delivery Organisation	Project
Aisling Centre	Pilot therapy group for those experiencing emotional or mental health problems
ARC Healthy Living Centre	SOLACE Creative Crafts Programme for 18-75 year old heavy drinkers and substance abusers
Aurora	Caring Together and Making a Difference - Counselling and complementary therapies
Beam Creative Network	Impact of Cyber Bullying - Play entitled the "Impact of Bullying" to raise young people's awareness of the impact that bullying can have on mental health and emotional wellbeing
C.A.L.M.S.	L.E.A.P.S. - Stress Awareness Clinics for 15 to 26 year olds. Counselling, life coaching, complementary therapy, creative workshops, & physical activity workshops
Clooney Estates Residents Association	Positive parenting, complimentary therapy, stress management, "Mood Matters" programme, "Drink Think" workshops, "Grow Your Own" workshops, healthy eating, & welfare rights.
Cunamh	Strong communities – counselling & complementary therapies for people with depression
Derg Valley Care & Healthy Living Centre	Working Together for Mental Health Gains (18-30 year olds) - mental health awareness raising, physical exercise, education and coping mechanisms, Safetalk
Derry Well Women	Complimentary therapy, CBT, & group therapy for: women living with eating disorders; LGBT women; & women experiencing post natal depression.
Erne East Community Partnership Ltd	Limiting Alcohol Consequences - drop-in centre activities & diversionary programme for young people.
EYEspeak	There IS Light - Creative writing & activity workshops for adults who are blind or partially sighted
Fermanagh CAB	Advice for Health - mental health advice & advocacy, including representation at Disability Appeal Tribunals, representation at Social Security appeals, & information seminars
Fermanagh Women's Aid	Journey to Freedom and My Life, My Choice
Hands that Talk	Keep fit, Keep Well Project – Exercise, social activities, relaxation therapy, life coaching, and mental health awareness for deaf people aged from 30 to 60.
Infertility Network UK	Think Positive - depression awareness, positive relationships workshops, yoga, nutrition awareness for people of child bearing age (usually 18-45).
Koram Centre	Mind Fitness – mental fitness; therapy; and counselling for males.
LAST Sure Start	Emotional health & wellbeing training, awareness & self help for expecting parents and parents of children up to the age of 4.
L'Derry Citizen's Advice Bureau	Advice For Health - Routes out of financial stress

Delivery Organisation	Project
Limavady Active Living Partnership	Limavady Adrenaline Dudes Project. Information session on coping mechanisms and stress management techniques; awareness raising for economically inactive young males (with mental health problems) on drugs, alcohol nutrition and healthy lifestyles, outdoor pursuits activities.
Lincoln Courts Youth & Community Association	Training for young people in alcohol & drug awareness, depression awareness, suicide awareness, and lifeskills.
Men's Action Network	Mental fitness and emotional resilience counselling for "hard to reach" males aged 18 to 45.
Nexus	Emotional health and wellbeing counselling - specialist sexual violence counselling sessions for over 16s who have been traumatised by sexual abuse or violence
Northwest Counselling	Beyond Depression – Provision of volunteer counselling for clients referred by local GPs in Limavady, Claudy & Eglinton.
Roe Valley Residents Assoc. & Bovalley Com Assoc.	The Mindfulness Project
Rosewood Beacon Day Support	Wellbeing in the West - Mental Health and Wellbeing information sessions & positive steps training for adults aged 18 to 65 who have severe and enduring mental ill health.
Strathfoyle Women's Activity Group Ltd	Promoting Positive Mental Health - courses for young women aged 16 to 30
SureStart Edenballymore	Food & Mood Training Programme for parents/carers
The Conservation Volunteers	Dig-'in' - Derry City - task days for men aged 18 to 35.
The Old Library Trust	Step Up to Life - physical activity, lifestyle coaching and mentoring programme for: adults living in areas of high deprivation who are living with self-harm, suicide, poor mental and emotional health, and drug and alcohol addictions.
The Playhouse	Recovery through Creativity project for adults with severe and enduring mental illness.
The Rainbow Project	Personal development programme for transgender people; production of guide for health professionals in the Western Trust on meeting the needs of LGB&T people, alcohol and drug misuse workshops and group work, counselling sessions for gay and bisexual men.
The Villages Together	Mind Fitness - Mind fitness workshops, wellbeing therapy, & counselling for males.
Youthlife	Generic counselling service to children and young people who are experiencing mental health difficulties and are engaging in self-harm.

**PHA funded resources, programmes, and services delivered by the Western Health & Social Care Trust:**

**Resource / Programme / Service**

- Suicide Strategy Liaison Officer
- Self Harm Acute Support Staff
- SP Health Improvement Training, Resources & Bereavement Support
- Training & Advisory Group (TAG)
- Koram Centre / Ashling Centre In-Year Pressures
- WHSCT Mental Health Training + Support
- WHSCT Lifeskills Programme
- North West Counselling Service Pressures
- Living Sculpture Scoping Paper

**Autism: Applied Behaviour Analysis**

**Mr P Ramsey** asked the Minister of Health, Social Services and Public Safety whether (i) his Department has met with, and is communicating with, Autism Speaks in the United States; and (ii) is aware of the evidence for Applied Behaviour Analysis based interventions that has resulted in the Affordable Care Act (Obama Care) endorsing and covering behavioural health treatments and 34 States mandating health insurance companies to pay for Applied Behaviour Analysis based treatment. (AQW 30710/11-15)

**Mr Poots:** I accepted an invitation to attend an informal visit at Autism Speaks headquarters in New York in November 2013, as it coincided with a planned conference I was attending. Autism Speaks have since initiated contact with my officials to arrange a further meeting to learn more about the recently launched Autism Strategy and explore potential opportunities for collaboration moving forward. My officials were unable to facilitate such a meeting but forwarded a copy of the Autism Strategy (2013 – 2020) and Action Plan (2013 – 2016) for information.

I am aware of the Affordable Care Act in the United States, however in Northern Ireland we provide free healthcare to service users which is based on their individual assessed needs.

### January Monitoring: Allocation

**Mrs D Kelly** asked the Minister of Health, Social Services and Public Safety, in relation to the £30m allocated to his Department in the January Monitoring Round, to detail (i) the hospitals that received funding from the allocation; (ii) the amount of funding each hospital received; and (iii) the purpose for which the funding was awarded.

**(AQW 30711/11-15)**

**Mr Poots:**

- (i) All of the HSC Trusts, with the exception of the Northern Ireland Ambulance Trust, will receive funding from the allocation.
- (ii) As the extent of the pressures facing each Trust is different, the Health and Social Care Board (HSCB) and Local Commissioning Groups (LCGs) have been working with Trusts to ensure that the amount of funding each Trust receives will be focused on helping to meet local priorities and service demands in each of the Trust areas.
- (iii) Trusts have been experiencing increasing pressures and demands across a number of areas. As a result of these pressures, £7m will be allocated to fund Safety and Quality of Services, £5m will be allocated to Domiciliary Care, £5m will be allocated to Children's Services, £7m will be directed to fund Unscheduled Care/winter pressures and £6m will be allocated towards funding Elective Care.

### Minor Injury Units: Armagh and Dungannon

**Mrs D Kelly** asked the Minister of Health, Social Services and Public Safety how many patients attended the minor injuries units in (i) Armagh; and (ii) Dungannon, in each month of the last two years.

**(AQW 30712/11-15)**

**Mr Poots:** It is assumed that this question refers to the number of attendances (new and unplanned reviews) at (i) Armagh and (ii) South Tyrone Minor Injury Units.

Information on the number of new and unplanned review attendances at emergency care departments is published on a monthly basis, and is available view or download from:

[http://www.dhsspsni.gov.uk/index/stats\\_research/hospital-stats/emergency\\_care-3/emergency\\_care-monthly\\_waiting\\_times.htm](http://www.dhsspsni.gov.uk/index/stats_research/hospital-stats/emergency_care-3/emergency_care-monthly_waiting_times.htm)

### GP Surgeries: Lurgan

**Mrs D Kelly** asked the Minister of Health, Social Services and Public Safety for his assessment of the suitability of GP surgeries in the Lurgan area.

**(AQW 30713/11-15)**

**Mr Poots:** I cannot provide an assessment of the suitability of GP surgeries in the Lurgan area as they have not been subject to any recent assessment by the HSCB.

However, work is underway as part of a regional programme to develop a 'hub' and 'spoke' model to facilitate the implementation of Transforming Your Care. I understand that HSCB officers have met with GP practices from the Lurgan locality to discuss the Primary Care Infrastructure Development programme and seek their initial views on the service model and associated infrastructure requirements to deliver the challenges set out in TYC. The HSCB and the Local Commissioning Group will engage further with the GP practices in the Lurgan locality in due course in relation to the potential development of a 'hub' in Lurgan.

The priorities identified under the infrastructure programme will have to be considered together with the overall regional priorities within the capital programme and the availability of both capital and revenue funding.

### Organ Donation

**Mr Weir** asked the Minister of Health, Social Services and Public Safety whether the next of kin or family of a registered organ donor can veto the organ donation.

**(AQW 30715/11-15)**

**Mr Poots:** Families and next of kin do not have the legal right to veto or overrule the wishes of a patient who is known to have expressed a wish to donate, for example if they were registered on the organ donor register or expressed a wish to donate verbally or in writing and the patient's wish was known at the time of potential donation; however, in practice, donation is unlikely to proceed against the family's wishes.

In most cases, families will agree to donation if they know that was their loved one's wish; the consent rate is 88% compared with 46%, where the deceased wishes were unknown. It is therefore vitally important that those who wish to donate their organs tell their family about their wishes.

### **Prisoners: Medication**

**Lord Morrow** asked the Minister of Health, Social Services and Public Safety, pursuant AQW 30298/11-15, given there has been a lack of personal responsibility in multiple instances, whether forced or deliberate, and that one of the main purposes of imprisonment is to remove people from the community, if there any justification for allowing prisoners to be in charge of their own medication in light of the drugs circumstances which exists in prisons.

**(AQW 30721/11-15)**

**Mr Poots:** Many people committed to prison have ongoing health needs and chronic conditions which require them to receive medication.

All those committed to prison who require medicine are subject to an in-possession medication assessment. This assessment considers the person's ability to manage their own medication, their past medical history and the type of medication being prescribed. This assessment will consider whether or not they are able to manage their own medication.

The South Eastern Health and Social Care Trust is aware that, unfortunately, as is the case in the wider community, there is the potential for abuse of prescribed medication. Where an individual is assessed as not being able to manage their medicine safely, they do not receive it in-possession.

In order to address the problem of medication being traded or abused, the South Eastern Health and Social Care Trust is rolling out arrangements for issuing a high risk group of medications on a "supervised swallow" basis. This is already in place in Magilligan and Hydebank Wood and progress towards the target is ongoing in Maghaberry.

One of the objectives in providing healthcare within prisons is to assist people in custody to be independent in all aspects of daily living so that a successful reintegration to the community may be achieved. There is therefore a fine balance between promoting independence and deskillling individuals by issuing all of their medication on a supervised basis.

### **Pulse Oximetry**

**Mr Wells** asked the Minister of Health, Social Services and Public Safety whether he has any plans to introduce Pulse Oximetry screening for new born babies in maternity hospitals.

**(AQW 30732/11-15)**

**Mr Poots:** In 2013, the National Screening Committee (NSC) issued for consultation a review of the evidence on adding pulse oximetry to the screening pathway to detect congenital heart disease (CHD) in newborns. The consultation closed in December 2013. It is anticipated that the outcome of the consultation will be discussed at the next NSC meeting to be held on 12th March 2014 and a way forward agreed.

No policy decision will be taken on whether to introduce pulse oximetry screening for new born babies in maternity hospitals until the advice from the NSC is considered carefully.

### **Pinewood Residential Care Home**

**Mr Frew** asked the Minister of Health, Social Services and Public Safety when the Northern Health and Social Care Trust will lift its no admissions policy for Pinewood Residential Care Home.

**(AQW 30754/11-15)**

**Mr Poots:** On 29th November 2013, the Health and Social Care Board (HSCB) launched the consultation document "Making Choices: Meeting the Current and Future Needs of Older People". The consultation, which will run until 7th March 2014, seeks views on draft criteria which, it is proposed, will be used by Trusts to assess statutory residential homes for older people.

The Regional Residential Home Planning Group was asked by the HSCB to carry out a review of the non-admissions policies across a number of Health and Social Care Trusts in January 2014. A report on this Review is expected to be considered at a public meeting of the Health and Social Care Board in March 2014. It is unlikely, however, that the admissions policy will be formally revisited until the first stage of the consultation process has concluded and the findings analysed.

### **Pinewood Residential Care Home**

**Mr Frew** asked the Minister of Health, Social Services and Public Safety how many people are currently residing in Pinewood Residential Care Home in (i) residential; (ii) respite; and (iii) rehabilitation care; and how many showers and baths are fit for use.

**(AQW 30755/11-15)**

**Mr Poots:** Currently there are 9 permanent residents in Pinewood with a further 2 receiving respite care and 12 clients receiving rehabilitation.

There are 2 shower facilities at present, one for residents requiring assistance from staff while the other is being adapted for the same purpose. There is one bath which is presently being adapted to facilitate residents who require assistance.

## Hospital Delays: Contributory Factor in Deaths

**Mr Allister** asked the Minister of Health, Social Services and Public Safety, when asked in an oral enquiry in the Assembly on 10 February 2014, why he did not convey the information held by the health authorities on whether hospital delays had contributed to any deaths; and for how long he has held the information relating to this situation.

**(AQW 30787/11-15)**

**Mr Poots:** When I made my oral statement in the Assembly on 10 February 2014 concerning the review by the Regulation and Quality Improvement Authority of the Royal Victoria Hospital's emergency department I was not aware of the information held by the health authorities on whether hospital delays had contributed to any deaths.

The information about these five possible cases only became available to my Department on Tuesday 11 February.

## Accident and Emergency: Royal Army Medical Corps

**Mr McNarry** asked the Minister of Health, Social Services and Public Safety whether he will consider requesting support from the Royal Army Medical Corps based in Belfast to help alleviate shortages in staffing levels in hospital Accident and Emergency Departments.

**(AQW 30812/11-15)**

**Mr Poots:** Health and Social Care Trusts in Northern Ireland have emergency and business continuity plans in place which can be put into operation if required. If I considered the situation in Accident and Emergency Departments required support from organisations outside the health and social care sector I would make the necessary approaches.

A request for RAMC support would only be made in the case of a national disaster.

## Urology: Causeway Hospital

**Mr McMullan** asked the Minister of Health, Social Services and Public Safety (i) to outline the reasons for the eight month waiting list at the urology department of the Causeway Hospital; (ii) how many people are currently on the waiting list; and (iii) whether he will provide the additional resources needed to meet demand.

**(AQW 30818/11-15)**

**Mr Poots:**

- (i) The Northern Health and Social Care Trust has been experiencing difficulty in meeting demand for urological services at the Causeway Hospital. This has been due to the inability to fill a vacancy and long term sick leave within the surgical team. I am advised that due to confidentiality reasons, numbers of those patients waiting over eight months cannot be disclosed because of the small number, less than five, involved.
- (ii) The latest validated figures indicate that in the Northern HSC Trust at 30th September 2013, 31.3% (187 out of 598) of patients were waiting over 9 weeks for a first consultant-led outpatient appointment in the urology specialty, with 64 (10.7%) waiting over 18 weeks. At 30th September 2013, 34.6% (214 out of 619) of patients were waiting over 13 weeks for inpatient admission in the urology specialty, with 36 (5.8%) waiting over 30 weeks.
- (iii) In recent weeks the position regarding the staff complement at the Northern HSC Trust has improved though full capacity has not yet been achieved. The HSC Board and the Trust are working closely together to resolve any difficulties in ensuring prompt access to urology services at the Causeway Hospital.

## Eye Tests: Sarcoidosis

**Mr Copeland** asked the Minister of Health, Social Services and Public Safety to detail any plans to provide free eye tests for people diagnosed with sarcoidosis.

**(AQW 30834/11-15)**

**Mr Poots:** The Department has no plans to provide free eye tests for people diagnosed with sarcoidosis. Since the ocular complications of sarcoidosis are symptomatic, no preventative medications are indicated and, because effective treatments can be readily accessed in either primary or secondary care, the merit of extending a clinical exemption for free sight tests to this group could not be justified.

## Post-traumatic Stress Disorder

**Mr Copeland** asked the Minister of Health, Social Services and Public Safety how (i) post-traumatic stress disorder; and (ii) complex post-traumatic stress disorder are currently diagnosed.

**(AQW 30835/11-15)**

**Mr Poots:** The diagnosis of post-traumatic stress disorder (PTSD) is a clinical decision and, like any clinical diagnosis, depends on certain symptoms/diagnostic criteria being present and clinicians would have various diagnostic guidelines.

In the case of PTSD generally there should be a history of significant trauma preceding the presence of typical symptoms such as:

- Re-experiencing flashbacks, nightmares, distressing intrusive images

- Emotional numbing and feeling detached from other people, lack ability to experience feelings.
- Avoidance of people, situations or circumstances that are associated with the trauma
- Hyperarousal with hypervigilance for threats, easily startled, irritable, lack sleep, poor concentration
- Associated depression, drug or alcohol misuse, unexplained physical symptoms.

PTSD can be viewed as complex where the symptoms are severe, long lasting, resistant to interventions and difficult to manage.

### Eye Movement Desensitisation and Reprocessing

**Mr Copeland** asked the Minister of Health, Social Services and Public Safety to detail the total number of eye movement desensitization and reprocessing therapy training places that were funded by his Department in each of the last three years. (AQW 30836/11-15)

**Mr Poots:** The Department for Health, Social Services and Public Safety does not directly fund any eye movement desensitization and reprocessing (EMDR) therapy training places. The Health and Social Care Trusts identify the need for EMDR training and secure its provision when required.

### College of Emergency Medicine: Meetings

**Mr Beggs** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 30391/11-15, to list the date of each meeting he has had with the College of Emergency Medicine since May 2011 on addressing staff shortages in emergency departments. (AQW 30847/11-15)

**Mr Poots:** I have had one formal meeting with the College of Emergency Medicine on 4th February 2014 on addressing staff shortages in emergency departments. I have regular informal discussions with members and office bearers of the College to discuss all matters relating to emergency medicine.

### Multiple Sclerosis

**Mr Rogers** asked the Minister of Health, Social Services and Public Safety how many people are living with a diagnosis of multiple sclerosis. (AQW 30855/11-15)

**Mr Poots:** Information on the number of people living with a diagnosis of Multiple Sclerosis is not available. It is however well established that Northern Ireland has one of the highest incidences of MS in the world.

Admissions and individuals admitted to HSC Hospitals in Northern Ireland in 2012/13 where a diagnosis of Multiple Sclerosis was recorded are shown in the table below.

HSC Trust	Admissions	Individuals
Belfast	832	352
South Eastern	375	183
Northern	421	191
Southern	479	216
Western	397	162
<b>Total</b>	<b>2,504</b>	<b>1,104</b>

Source: Hospital Inpatient System

### Multiple Sclerosis: Gilenya/Fingolimod

**Mr Rogers** asked the Minister of Health, Social Services and Public Safety how many people with Multiple Sclerosis are receiving Gilenya (Fingolimod) treatment. (AQW 30856/11-15)

**Mr Poots:** At 31st January 2014, there were 1,424 patients receiving treatment for Multiple Sclerosis, of which 12 patients were receiving Fingolimod treatment.

### Serious Adverse Incidents: Deaths

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety to detail how many deaths were referred to the coroner as a result of serious adverse incidents at the Royal Victoria Hospital, during 2012-2013. (AQW 30858/11-15)

**Mr Poots:** The duty to report deaths to the Coroner is set out in Section 7 of The Coroners Act (Northern Ireland) 1959. This puts a statutory requirement on every medical practitioner, registrar of deaths or funeral director and every occupier of a house or mobile dwelling and every person in charge of an institution or premises in which a deceased person died, to report a death to the Coroner if it resulted, directly or indirectly, as a result of violence or misadventure by unfair means, or as a result of negligence or malpractice on the part of others, or from any cause other than natural illness or disease for which the deceased had been seen and treated within 28 days of death.

There is no requirement under the Serious Adverse Incident (SAI) procedure to inform the Coroner of a death resulting from a SAI. The principle aim of the SAI system is to identify and promote learning.

### **Serious Adverse Incidents: Deaths**

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety whether all the families of individuals who died as a result of a suspected serious adverse incident, in the Belfast Health and Social Care Trust area have been informed.  
(AQW 30859/11-15)

**Mr Poots:** In respect of the five cases in the RVH, I can confirm that in all of the five cases the families have been advised of the situation.

### **Serious Adverse Incidents: Deaths**

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety how many deaths resulting from serious adverse incidents are the Belfast Health and Social Care Trust accepting liability for, over the last five years.  
(AQW 30860/11-15)

**Mr Poots:** The purpose of the Serious Adverse Incident (SAI) system is to identify and promote learning. The investigation of an SAI identifies the root causes with a view to supporting this learning. The SAI system does not record information on liability.

### **Guidance: 'Meeting the Accommodation and Support Needs of 16-21 Year Olds'**

**Mr F McCann** asked the Minister of Health, Social Services and Public Safety to detail when the protocol 'Meeting the accommodation and support needs of 16-21 year olds' (i) is to be formally released; and (ii) will become operational.  
(AQW 30871/11-15)

**Mr Poots:** There are several documents under development relating to this subject. It is assumed that the document referred to in this question relates to "Meeting the Accommodation and Support Needs of 16-21 year olds: Regional Good Practice Guidance Agreed by the Northern Ireland Housing Executive and Health and Social Care Trusts."

This good practice Guidance is jointly owned by the Northern Ireland Housing Executive (NIHE) and the five Health and Social Care Trusts (Trusts). Its development has been facilitated by the Regional Health and Social Care Board (HSCB) with assistance from the Department of Justice and the Youth Justice Agency and is currently in the final drafting stage. It should be noted that the draft Guidance, whilst not formally released, has been a focus of recent workshops. I have been advised that the lead agencies, which have been fully involved in its development, are currently working to the spirit, intent and requirements of the Guidance.

- (i) The Guidance will be issued before the 30 April 2014. Prior to its release, the document will require formal endorsement and dissemination by the Trust Directors and the NIHE Chief Executive within their respective organisations for implementation. At the same time, the HSCB will formally issue the document to relevant voluntary and community organisations for information.
- (ii) The Guidance will be operational from the point of issue and dissemination by the lead agencies.

### **Committee for Health, Social Services and Public Safety: Ministerial Appearances**

**Mr Nesbitt** asked the Minister of Health, Social Services and Public Safety how many times he has appeared before his Department's Statutory Assembly Committee in each of the last five years.  
(AQW 30876/11-15)

**Mr Poots:** Since May 2011, I have appeared before the Committee for Health, Social Services and Public Safety on 15 occasions, 4 times in 2011, 7 times in 2012, 3 times in 2013 and once so far in 2014.

My predecessor attended the statutory Committee on five occasions between February 2009 and 2011.

### **Skeagh House, Dromore**

**Mrs Dobson** asked the Minister of Health, Social Services and Public Safety for an update on the future of Skeagh House, Dromore.  
(AQW 30879/11-15)

**Mr Poots:** The Southern Health and Social Care Trust have advised a report was received from the independent Geotechnical Consulting Engineers in November 2013 and has been forwarded to the Trusts solicitors who are currently reviewing the case and will consult with the Trust as to what actions should be taken.

### Serious Adverse Incidents

**Mr Allister** asked the Minister of Health, Social Services and Public Safety to outline the practice in regard to informing the Department and the Minister of Serious Adverse Incidents in hospitals; and how many such incidents have been reported in each of the last three years.

**(AQW 30888/11-15)**

**Mr Poots:** An Early Alert System is in place and its primary function is one of rapid notification of events to the Department. It provides a channel to enable Chief Executives and their senior staff (Director level or higher) in Health and Social Care (HSC) organisations to notify the Department in a prompt and timely way of events or incidents which have occurred in the services provided or commissioned by their organisations, and which may require immediate attention by Minister, Chief Professional Officers or policy leads, and/or require urgent regional action by the Department. A copy of the guidance is available at [http://www.dhsspsni.gov.uk/hsc\\_\\_sqsd\\_\\_10-10.pdf](http://www.dhsspsni.gov.uk/hsc__sqsd__10-10.pdf)

Whilst an event notified as an Early Alert could be an SAI, this will not always be the case as different criteria are used to determine which system events fall under. This also means that not every SAI will be reported through the Early Alert System. Serious Adverse Incidents are reported to the Health and Social care Board, not to the Department.

Information on the number of Serious Adverse Incidents cannot be provided by hospital because in some cases the numbers are so small (i.e. less than five). The Department will not publish numbers less than 5 in order to protect patient confidentiality. Information on the total number of SAIs reported by Trusts in the last three years is outlined below.

Figures for 2013 are not completely comparable with previous years as the definition of an SAI and the associated guidance was changed in October 2013 to encompass a wider range of incidents.

NO OF SAIs	2011	2012	2013	Total
BHSCT	79	77	85	241
NHSCT	49	63	131	243
SEHSCT	37	47	57	141
SHSCT	49	41	57	147
WHSCT	28	37	53	118
<b>Total</b>	<b>242</b>	<b>265</b>	<b>383</b>	<b>890</b>

### Multiple Sclerosis: New Oral Treatments

**Mr Rogers** asked the Minister of Health, Social Services and Public Safety to outline the process and timeline for making new oral treatments for Multiple Sclerosis available following his Department's endorsement of National Institute for Health and Care Excellence guidelines.

**(AQW 30894/11-15)**

**Mr Poots:** My Department endorsed NICE Technology Appraisal TA303 on teriflunomide for treating relapsing forms of multiple sclerosis as applicable in Northern Ireland on 17 February 2014. As per Circular (SQSD) 2/13, my Department issued the guidance to the HSC Board on this date requesting that they prepare a Service Notification within no more than 15 weeks of confirmed receipt. The HSC Board is expected to issue the Service Notification to the HSC Trusts and other relevant providers and stakeholders setting out the routine commissioning arrangements.

It is expected that HSC Trusts will have plans in place to implement Technology Appraisals within 3 months of receiving the Service Notification from the HSC Board and that these plans are fully implemented within a further 6 months in the vast majority of cases. The precise timescale, which may be shorter, or longer in exceptional cases, will be specified in the Service Notification. This process does not prevent individual requests from an HSC Trust to the HSC Board being met in the interim.

### Transforming Your Care: Residential Homes

**Ms Maeve McLaughlin** asked the Minister of Health, Social Services and Public Safety what assurances he can give that older people who have to move from a statutory residential care home as a result of Transforming Your Care will carry protected rights through the Health and Social Care system for the rest of their lives.

**(AQW 30910/11-15)**

**Mr Poots:** I have already given an assurance that, should a resident living in a statutory residential home move to a different residential home as a result of decisions made in this process, they will not be financially disadvantaged by any such move. The relevant HSC Trust will fund any difference in the charges accruing to the resident.

More widely, residents of statutory residential homes who move to alternative accommodation will continue to avail of the support provided through the care management process.

### Mental Health: Newry and Armagh

**Ms Fearon** asked the Minister of Health, Social Services and Public Safety what investment has been made in mental health in Newry and Armagh in the last three years; and what plans his Department has to improve mental health services in the area over the next three years.

**(AQW 30920/11-15)**

**Mr Poots:** The Southern Health and Social Care Trust has received £1.7M of recurring investment in the last 3 years from Commissioners for Mental Health Services. The Trust received a further investment of £1.2M on a non-recurrent basis for 2013/14. This investment has allowed the development of:

- Primary Mental Health Care Service (for short term intervention for mid-moderate mental health problems with an outreach clinic in Kilkeel)
- Support & Recovery Teams providing longer term support and recovery for people with mental health problems
- Addiction Clinics in all localities
- Eating Disorder Clinics in all localities.

The Trust plans to enhance Mental Health Services in the following areas:

- Liaison Psychiatry services to Acute Hospitals
- Further development of community addiction services including alcohol liaison services
- Further enhancement of eating disorder services to mainstream early intervention and treatment services
- Centralisation of Psychiatric Intensive Care beds on the Acute Hospital site.

Progress against any of the above Trust plans will be dependent on the allocation of investment funds agreed by the Health and Social Care Board.

### Ambulance Service: Pay and Grading Review

**Mr McElduff** asked the Minister of Health, Social Services and Public Safety for a timeframe for the implementation of the Ambulance Service Pay Band/Grade Review; and to detail the reasons for the delay in implementing this review.

**(AQW 30921/11-15)**

**Mr Poots:** The Regional Quality Assurance Job Evaluation Panel met on 6th and 7th February 2014 to progress the job evaluation of the Northern Ireland Ambulance Service Trust's (NIASST) Paramedics, Rapid Response Vehicle Paramedics and Emergency Medical Technicians posts. The panel have requested additional information and therefore the outcome has yet to be agreed. Consideration of the timeframe for implementation will be given when the outcome is known.

In my response to AQW 24023/11-15, I have outlined the reasons for the delay in this process.

### Step-down Beds: Northern Health and Social Care Trust

**Mr McGlone** asked the Minister of Health, Social Services and Public Safety to detail the (i) number; (ii) location; and (iii) availability of step down beds in the Northern Health and Social Care Trust.

**(AQW 30925/11-15)**

**Mr Poots:** This information is not available centrally and was therefore requested from the Northern Health and Social Care (HSC) Trust. They provided information on intermediate care beds, which are used for step down, as detailed below:

#### Parts (i) and (ii)

**Table 1: Location and number of intermediate care beds in Northern HSC Trust**

Facility	Location	Number of Beds
Inver Community Hospital	Larne	16
Dalriada Community Hospital	Ballycastle	20
Robinson Community Hospital	Ballymoney	21
Brooklands PNH	Antrim	15
Whiteabbey Hospital	Whiteabbey	4
Mid Ulster Hospital	Magherafelt	3
Clonmore Residential Home	Rathcoole	7

Facility	Location	Number of Beds
Joymount Residential Home	Carrickfergus	3
Westlands Residential Home	Cookstown	4
Pinewood Residential Home	Ballymena	15
Rosedale Residential Home	Antrim	4
Roddens Residential Home	Ballymoney	3
Lisgarrel Residential Home	Larne	4
<b>Total</b>		<b>119</b>

**Part (iii)**

The availability of beds is monitored on a daily basis.

**Serious Adverse Incidents: Deaths**

**Mr Allister** asked the Minister of Health, Social Services and Public Safety what guidance exists on reporting deaths to the coroner which occur in local hospitals in connection with a serious adverse incident; and whether such guidance has been consistently followed.

**(AQW 30943/11-15)**

**Mr Poots:** The duty to report deaths to the Coroner is set out in Section 7 of The Coroners Act (Northern Ireland) 1959. This places a statutory requirement on every medical practitioner, registrar of deaths or funeral director and every occupier of a house or mobile dwelling and every person in charge of an institution or premises in which a deceased person died, to report a death to the Coroner if it resulted, directly or indirectly, as a result of violence or misadventure by unfair means, or as a result of negligence or malpractice on the part of others, or from any cause other than natural illness or disease for which the deceased had been seen and treated within 28 days of death, or in such circumstances as may require investigation.

Specific reference to reporting deaths to the coroner has been made in various documentation issued by the Department. These include guidance on Death, Stillbirth and Cremation Certification issued in September 2008 and Memorandum of Understanding for Investigating Patient Safety Incidents in 2006 and revised in 2013.

In April 2012 the Department issued a letter to HSC organisations re-iterating the guidance on Death, Stillbirth and Cremation Certification, drawing particular attention to the section on reporting deaths to the Coroner. HSC organisations were also reminded of their responsibility to promote good practice and governance by ensuring compliance with the guidance.

It is not possible to confirm at this point if all of the statutory requirements to notify the Coroner have been consistently followed across all Trusts. This is currently being considered. In the five cases highlighted in the media, the statutory requirements to report the death to the Coroner have been complied with.

**Serious Adverse Incidents: Deaths**

**Mr Allister** asked the Minister of Health, Social Services and Public Safety what guidance exists on the information to be conveyed to relatives of patients in hospitals who die arising from a serious adverse incident; and whether such guidance has been consistently followed.

**(AQW 30944/11-15)**

**Mr Poots:** Guidance on investigating Serious Adverse Incidents stresses the importance of teams involved in investigating the incident ensuring sensitivity to the needs of the service user/relatives/carers involved in the incident and agreeing appropriate communication arrangements, where appropriate. The guidance also states that the Investigation Team should provide an opportunity for the service user / relatives / carers to contribute to the investigation, as is felt necessary. The level of involvement clearly depends on the nature of the incident and the service users/relatives/carers wishes to be involved.

It is important, as part of the serious adverse incident investigation process, that regular and meaningful contact is maintained with all those concerned. If the patient or relative wishes to contribute to an investigation, this should be welcomed as a valuable and key part of the process.

Whether a case is reported as an SAI or not, if the cause of death falls under one of the categories requiring reporting to the Coroner, the family will have this explained to them. If the call to the Coroner is made during office hours the family should know before they leave the hospital whether a post-mortem examination is required. In some cases a pro-forma can be sent to the Coroner's Office and the Coroner will register the death. The family will be informed that they do not have to attend the Registrar's Office

If the death has suspicious/forensic causes, or the patient is a child, the Coroner is contacted day or night using the on-call mobile number and the family and staff will be interviewed by PSNI acting as Coroner's officers. The family should be informed that a Coroners Liaison Officer or Family Liaison Officer will be in contact with them depending on the circumstances.

In all of the above scenarios the family should be given the Trust bereavement booklet and at times other relevant booklets, to support the information that is verbally communicated to them.

In particular wards there may be follow-up contact with the family in the form of a card, letter or phone call providing bereavement support and inviting the family to seek clarification about anything around the death.

It is not possible to determine at this point if all of this guidance has been consistently followed. This is currently being considered across all Trusts. In the case of five cases highlighted in the media, the statutory requirements to report the death to the Coroner have been complied with and in three of the five cases Serious Adverse Incident Guidance on involving families in investigations does not appear to have been adhered to.

## Coronary Angiograms: South West Acute Hospital

**Mr McGlone** asked the Minister of Health, Social Services and Public Safety whether the South West Acute Hospital has the facility to carry out an angiogram; and if not, to outline the reasons for this.

**(AQW 30953/11-15)**

**Mr Poots:** The question is assumed to refer to coronary angiograms. There are no invasive cardiological procedures performed in the South West Acute Hospital (SWAH). Professional guidelines set out where invasive or interventional cardiology can be performed; these are laid down by professional groups including the British Cardiovascular Intervention Society and European Society of Cardiology and include guidance on issues such as size of unit, available back up staff and specialities, and number of procedures performed.

Patients from the SWAH are transferred to Altnagelvin Hospital for angiography, both elective and emergency.

A new cardiology consultant has been appointed to the SWAH to enhance the interventional cardiology service within the Western Trust and to enhance the non-invasive service in the SWAH, specifically to allow the SWAH to become the cardiac MRI (magnetic resonance imaging) centre for the Trust.

## Serious Adverse Incidents: Deaths

**Mr Allister** asked the Minister of Health, Social Services and Public Safety to detail (i) when; and (ii) how he learned that five deaths in the Royal Victoria Hospital related to serious adverse incidents.

**(AQW 30957/11-15)**

**Mr Poots:** I learned that there were five deaths in the Royal Victoria Hospital related to serious adverse incidents where waiting times were a consideration on Tuesday 11 February 2014 following a radio interview by Dr Tony Stevens, Medical Director of the Belfast Trust.

## Diabetes

**Mr McKay** asked the Minister of Health, Social Services and Public Safety to detail the number of people in each council area with diabetes, for each of the last five years.

**(AQW 31050/11-15)**

**Mr Poots:** Under the Quality & Outcomes Framework (QOF) of the General Medical Services contract, the total number of GP-registered patients aged 17 and over diagnosed with diabetes mellitus (both type 1 and type 2) is recorded.

The number of patients, aged 17 and over, on the QOF diabetes register in each Local Government District (LGD) for each of the last five years is shown in table 1 below. The number of patients on the diabetes register in each Local Government District has been derived based on the location of the practice; it should be noted that patients may not reside in the same LGD in which their practice is located.

Register sizes are taken from the Payment Calculation and Analysis System (PCAS) as at National Prevalence Day, 31 March each year.

Care should be taken when looking at trends in prevalence over time, as year-on-year changes in the size of QOF registers can be influenced by various factors including: changes in prevalence of the condition within the population; demographic changes, such as an ageing population; and improvements in case finding by practices.

**Table 1: Number of patients aged 17 and over diagnosed with diabetes in each LGD, 2009 - 2013.**

LGD	2009	2010	2011	2012	2013
Antrim	1780	1912	2042	2142	2252
Ards	2979	3128	3277	3409	3599
Armagh	1760	1864	1938	1965	2096
Ballymena	2549	2691	2824	2918	3059
Ballymoney	859	925	972	1038	1108

LGD	2009	2010	2011	2012	2013
Banbridge	1757	1915	2004	2139	2255
Belfast	12932	13691	14562	15147	15674
Carrickfergus	1731	1814	1915	2032	2124
Castlereagh	1815	1882	1987	2069	2129
Coleraine	2142	2286	2450	2577	2682
Cookstown	1097	1158	1231	1302	1399
Craigavon	3206	3395	3612	3729	3881
Derry	3658	3945	4154	4362	4566
Down	2598	2557	2839	3006	3132
Dungannon	1930	2036	2172	2231	2313
Fermanagh	2464	2616	2727	2788	2859
Larne	1092	1165	1230	1269	1340
Limavady	1266	1368	1469	1526	1584
Lisburn	3395	3589	3805	3990	4148
Magherafelt	1151	1244	1355	1437	1511
Moyle	876	955	1040	1087	1133
Newry and Mourne	2921	3126	3317	3483	3618
Newtownabbey	3003	3220	2975	3104	3220
North Down	2693	2860	2965	3101	3231
Omagh	1729	1852	1945	2046	2127
Strabane	1683	1786	1886	1940	2032
<b>Northern Ireland</b>	<b>65066</b>	<b>68980</b>	<b>72693</b>	<b>75837</b>	<b>79072</b>

This information is published on the Northern Ireland Neighbourhood Information Service (NINIS) website <http://www.ninis2.nisra.gov.uk/> under Statistics > Health and Social Care > Health of the Population > Disease Prevalence (administrative geographies).

## Family Fund

**Mr Allister** asked the Minister of Health, Social Services and Public Safety whether he will consider raising the funding allocation for the Family Fund for 2014-2015, in light of the 11.25 percent cut in allocation from 2012-2013 onwards and the current situation of the Family Fund not accepting applications due to lack of funds.

**(AQW 31056/11-15)**

**Mr Poots:** Through funding support of £1.57m provided by my Department to the Family Fund in the current year, 2870 families in Northern Ireland with disabled children have been helped.

I am aware that the Family Fund has recently announced that, due to a significant increase in demand for support, all funding received from my Department for the current financial year has been allocated and it is unable to process any further applications from families in Northern Ireland.

I regret this position but due to the ongoing financial challenges facing my Department I am currently unable to increase their funding provision.

I am hopeful of being able to maintain the same level of contribution to the Family Fund again in 2014-15.

## Family Fund

**Mr Allister** asked the Minister of Health, Social Services and Public Safety for an estimate of the number of families that will be not be able to avail of help from the Family Fund due to the funding not being available.

**(AQW 31057/11-15)**

**Mr Poots:** My Department has not made an estimate of this nature.

Despite the difficult financial climate, my Department again provided funding of £1.57m during this financial year for the Family Fund helped 2870 families in Northern Ireland with disabled children.

I understand that the Family Fund has stated approximately 1,100 other families were also eligible to benefit from the fund.

I am hopeful of being able to maintain the same level of contribution to the Family fund again in 2014-15.

## Acquired Brain Injury

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety what assurances he can give that any new location for the provision of services for people with Acquired Brain Injuries will not duplicate existing services.

**(AQW 31068/11-15)**

**Mr Poots:** In July 2010, my Department published an Acquired Brain Injury Action Plan which sought to coordinate actions in order to improve outcomes for patients, their families and carers.

This established clear, time-bound goals aimed at driving forward improvements in brain injury services regionally and significant progress has been made in implementing the various actions contained in the Action Plan.

A few resource-dependent actions such as accommodation needs provision remain to be finally resolved and the HSC Board is reviewing how it might take these forward. However, the HSC Board have advised that at present it is unable to provide funding for any such specialist units due to financial constraints.

## Department of Justice

### Courts and Tribunals Service: Non-registered Interpreter

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 29940/11-15, in relation to the non-registered interpreter to clarify (i) whether they have been involved in any other court cases, and if so, to detail the year and court division; (ii) the total payment expended on behalf of the Northern Ireland Courts And Tribunals Service or any other departmental agency.

**(AQW 30509/11-15)**

**Mr Ford (The Minister of Justice):** An investigation into the matter has been launched by the DOJ under the terms of the Interpretation Service Contract. The investigation is still ongoing. Once I have received a report on the matter I will write to the member with further details.

### Family Law: Penal Notices

**Mr Swann** asked the Minister of Justice (i) how many applications have been made within the Family Court system for Penal Notices over the last twelve months; (ii) if all such applications have been heard; and (iii) to detail the reasons for any applications that have not been heard.

**(AQW 30510/11-15)**

**Mr Ford:** It is not possible to identify the number of applications in the Family Court over which include a penal clause over the past twelve months without incurring disproportionate cost.

The Family Court system has been interpreted as proceedings brought under the Children (Northern Ireland) Order 1995. Information on the number of Personal Litigants who are either the father or mother in a family case is not routinely recorded. However, the following table provides details of the number of Personal Litigants involved in Children Order cases currently before the court, by gender, as at 6 February 2014.

**Table 1 - Number of Personal Litigants by gender in Children Order cases**

Court	Number of Personal Litigants (Moving Party)		Number of Personal Litigants (Responding Party)	
	Female	Male	Female	Male
High Court	6	2	21	27
Family Care Centre (County Court)	0	1	7	6
Family Proceedings Court (Magistrates' Court)	2	13	497	335
<b>Total</b>	<b>8</b>	<b>16</b>	<b>525</b>	<b>368</b>

**Source:** Integrated Court Operations System (ICOS)

The identification of successful transfer of residency applications made over the last three years would require a review of all Family Court Orders and incur disproportionate cost. However, the following table shows the total number of applications for a Residence Order and the number of orders made for the period 2011-2013.

**Table 2 - Children Order applications for a Residence Order: 2011 to 2013P**

Court Tier	Year					
	2011		2012		2013 <sup>P</sup>	
	Applications Received	Orders Made	Applications Received	Orders Made	Applications Received	Orders Made
High Court	47	48	33	41	26	36
Family Care Centre (County Court)	27	103	18	89	25	59
Family Proceedings Court (Magistrates' Court)	1,148	1,103	1,345	1,144	1,148	1,153
<b>Total</b>	<b>1,222</b>	<b>1,254</b>	<b>1,396</b>	<b>1,274</b>	<b>1,199</b>	<b>1,248</b>

Source: ICOS

P Data is currently provisional and may be subject to change.  
Orders may not be granted in the year the application is received.

### Family Law: Litigants in Person

**Mr Swann** asked the Minister of Justice how many Litigants in Person presently within the Family Courts system are (i) fathers; and (ii) mothers.

(AQW 30511/11-15)

**Mr Ford:** It is not possible to identify the number of applications in the Family Court over which include a penal clause over the past twelve months without incurring disproportionate cost.

The Family Court system has been interpreted as proceedings brought under the Children (Northern Ireland) Order 1995. Information on the number of Personal Litigants who are either the father or mother in a family case is not routinely recorded. However, the following table provides details of the number of Personal Litigants involved in Children Order cases currently before the court, by gender, as at 6 February 2014.

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**Source:** ICOS

PData is currently provisional and may be subject to change.

Orders may not be granted in the year the application is received.

### Family Law: Residency

**Mr Swann** asked the Minister of Justice to detail (i) how many applications, made within the Family Court system for Transfer of Residency, have been successful over the last three years; and (ii) the level of Court that made such determinations. (AQW 30512/11-15)

**Mr Ford:** It is not possible to identify the number of applications in the Family Court over which include a penal clause over the past twelve months without incurring disproportionate cost.

The Family Court system has been interpreted as proceedings brought under the Children (Northern Ireland) Order 1995. Information on the number of Personal Litigants who are either the father or mother in a family case is not routinely recorded. However, the following table provides details of the number of Personal Litigants involved in Children Order cases currently before the court, by gender, as at 6 February 2014.

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**Source:** ICOS

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Orders may not be granted in the year the application is received.

### Interpreter Services

**Lord Morrow** asked the Minister of Justice to provide a copy of the procedures used by his Department and/or any departmental agencies in respect of using and booking interpreter services. (AQW 30522/11-15)

**Mr Ford:** The procedure for criminal justice organisation to book a foreign language interpreter using the Department of Justice managed contract with Connect NICEM, the current service provider, is as follows.

The requesting organisation completes a booking form specifying their interpretation requirements. The booking form has provision for a range of details such as: Where, when and for how long the interpreter will be needed; the gender of the interpreter required; details of the case or session; victim and witness details; country of origin, language required and dialect; whether the interpreter is required for a trial or consultation; or whether or not a National Registered Interpreter with trial experience, is required. Any additional specific requests would be highlighted on the booking form; for example any particular needs of a witness or victim.

The booking form is then emailed to Connect NICEM who then confirm receipt and liaise with the Criminal Justice Organisation with regard to the allocation of an interpreter.

### Courts and Tribunals Service: Non-registered Interpreter

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 29940/11-15, whether costs associated with interpreter services or from any other source have been expended to the non-registered interpreter at the centre of this case.

**(AQW 30524/11-15)**

**Mr Ford:** The interpreter in this case was engaged by the Public Prosecution Service, which is a non-Ministerial Department in its own right and does not fall within my responsibilities. However, I understand that to date the PPS has not been invoiced for any costs associated with the interpretation services provided by Connect NICEM on the 13 January 2014 by the interpreter in question.

### Ombudsman: Recommendations

**Mr Allister** asked the Minister of Justice on how many occasions since May 2007 has his Department not accepted the recommendations contained in an Ombudsman's finding.

**(AQW 30528/11-15)**

**Mr Ford:** The Prisoner Ombudsman makes recommendations in respect of investigations into prisoner complaints, deaths in custody and near deaths in custody. The table below outlines how many recommendations the Prisoner Ombudsman has made to the Prison Service since April 2010 to January 2014 and those that were not accepted.

Type of report	Recommendations made	Recommendations not accepted
Complaints	1015	123
Deaths in Custody*	63	8

\* The information provided relates only to the recommendations the Prison Service has responsibility for. Other recommendations may have been made which fall under the responsibility of the South Eastern Health and Social Care Trust.

### Policing and Community Safety Partnerships: Funding

**Mr Weir** asked the Minister of Justice to detail the current level of funding provided to each Policing and Community Safety Partnership.

**(AQW 30534/11-15)**

**Mr Ford:** The Department of Justice (DoJ) and the Northern Ireland Policing Board (NIPB) provided joint funding totalling £5,107,549.99 to Policing and Community Safety Partnerships (PCSPs) for the 2013/2014 period.

During this period, PCSPs also accessed additional funding from my Department for projects aimed at reducing crime and the fear of crime, and tackling anti-social behaviour.

A breakdown of the total funding made available by DoJ and NIPB to PCSPs in 2013/14 is provided in the table below.

PCSP	DoJ/NIPB PSCP Programme Funding (excluding members' expenses)	DoJ Community Safety Warden	DoJ Priority Youth Intervention	DoJ Assets Recovery Community Scheme	DoJ Offenders Levy	Total
Antrim	£162,711.75	£20,000.00	£29,375.00			£212,086.75
Ards	£181,768.75	£20,000.00				£201,768.75
Armagh	£168,857.75		£3,000.00	£5,700.00		£177,557.75
Ballymena	£174,806.75	£20,000.00		£438.00		£195,244.75
Ballymoney	£133,648.00		£10,000.00	£35,000.00		£178,648.00

PCSP	DoJ/NIPB PSCP Programme Funding (excluding members' expenses)	DoJ Community Safety Warden	DoJ Priority Youth Intervention	DoJ Assets Recovery Community Scheme	DoJ Offenders Levy	Total
Banbridge	£157,549.25	£20,000.00		£6,340.00		£183,889.25
Belfast	£775,000.00		£15,000.00			£790,000.00
Carrick	£152,318.00		£15,000.00			£167,318.00
Castlereagh	£169,488.25		£5,000.00	£3,155.00		£177,643.25
Coleraine	£183,945.75			£12,210.00		£196,155.75
Cookstown	£150,003.50					£150,003.50
Craigavon	£203,789.25		£7,000.00		£8,000.00	£218,789.25
Derry	£253,167.50	£20,000.00	£14,920.00	£27,500.00		£315,587.50
Down	£179,883.50	£20,000.00				£199,883.50
Dungannon	£164,197.64	£20,000.00		£3,500.00		£187,697.64
Fermanagh	£164,670.75			£20,000.00		£184,670.75
Larne	£143,205.85					£143,205.85
Limavady	£158,674.00	£20,000.00				£178,674.00
Lisburn	£241,634.00		£9,000.00	£68,763.00		£319,397.00
Magherafelt	£130,319.00		£1,500.00	£15,000.00		£146,819.00
Moyle	£133,291.75	£20,000.00	£3,000.00			£156,291.75
Newtownabbey	£188,885.75		£6,000.00			£194,885.75
Newry & Mourne	£213,599.50			£12,197.00		£225,796.50
North Down	£191,666.50	£20,000.00				£211,666.50
Omagh	£164,434.00	£20,000.00	£4,500.00	£7,500.00		£196,434.00
Strabane	£166,033.25	£20,000.00	£3,500.00	£3,050.00		£192,583.25
<b>Total</b>	<b>£5,107,549.99</b>	<b>£260,000.00</b>	<b>£126,795.00</b>	<b>£220,353.00</b>	<b>£8,000.00</b>	<b>£5,722,697.99</b>

### Chief Constable: Appointment Criteria

**Mr Weir** asked the Minister of Justice to detail the groups and individuals that made representations on the criteria for the post of Chief Constable of the PSNI, prior to his recent announcement on the eligibility criteria.

**(AQW 30535/11-15)**

**Mr Ford:** Of those approached by the Department to offer their views on potential criteria, the Chief Constable, Superintendents' Association and Police Federation along with the Equality Commission made representations.

In addition, before making my announcement on the eligibility criteria, the Department noted the views expressed by individual members of the Justice Committee on behalf of their parties, and correspondence from the Policing Board.

### Legal Aid: Judicial Review

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 29980/11-15, to detail (i) the rationale for this given the use of public money and that an anonymity order has been overruled; and (ii) whether this was taken as a civil action.

**(AQW 30573/11-15)**

**Mr Ford:** The reply I gave to AQW 29980/11-15 4 February 2014 assumed that the Member's question related only to Judicial Review proceedings launched on behalf of Ryan McGreechan, which is a civil action.

I can confirm that Criminal Legal Aid was granted by the Court of Appeal in relation to proceedings launched on behalf of the appellant. Judgment in these proceedings was handed down on 17 January 2014 and the final bill has not yet been received.

## Judicial Reviews

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 29941/11-15, from the figures provided, how many of these cases are Legally Aided, broken down per category.

**(AQW 30575/11-15)**

**Mr Ford:** Of the 107 Judicial Reviews listed for hearing at 17 January 2014, 50 cases have been granted legal aid. The table below details the breakdown of the legally aided cases by category:

Applications for leave to apply for Judicial Review	17
Applications for leave to apply for Judicial Review under appeal	1
Applications for Judicial Review	28
Judicial Reviews under appeal	4
<b>Total</b>	<b>50</b>

## Flag Protests: Cost

**Mr B McCrea** asked the Minister of Justice, pursuant to AQO 5402/11-15, whether these costs will rise and if his Department has completed cost projections in case of further flag protests and civil unrest.

**(AQW 30576/11-15)**

**Mr Ford:** In recent months there has been a reduction in the number of flag protests and the number of those attending.

The deployment of police officers is a matter for the Chief Constable, but I have been informed that the number of public order units deployed for the ongoing nightly protests at Twaddell/Woodvale has also reduced over recent months, and therefore the cost of policing each event has steadily fallen. It is hoped that these costs can be further scaled back in the weeks and months ahead.

Cost projections in respect of flag protests and civil disorder are an operational matter for the Chief Constable.

## Flag Protests: Underlying Issues

**Mr B McCrea** asked the Minister of Justice, pursuant to AQO 5402/11-15, to outline what work he has done to tackle the underlying issues and try to build a truly shared society.

**(AQW 30577/11-15)**

**Mr Ford:** Success in building safer and shared communities extends beyond the remit of the Department of Justice, or indeed, the justice system. It requires a partnership approach across government and outside government.

The Department of Justice recognises its role and is leading, or is involved in, a range of important initiatives. At the heart of these is the Department's Community Safety Strategy. This was published in July 2012 and sets out eight strands of work which will assist in building safer, shared and confident communities.

Two areas of particular note at present in this Strategy are those of interfaces and hate crime.

On the former we are working closely with local communities as well as across government and with agencies to address community safety and other issues at interfaces. One aim of that work is to seek agreement with communities to reduce the number of interface structures. It is apparent to us that there is an increasing appetite for change. In working in partnership with the International Fund for Ireland, Belfast City Council and the Northern Ireland Housing Executive, we have been able to reduce the number of Department of Justice interface structures from 59 to 53. In addition, in association with our partners, we are engaging with communities on a further 38 of the Department's interface structures.

We have also set out steps in the Strategy to tackle hate crime through prevention, awareness and education and supporting victims and communities.

I have recently presented a report to the Justice Committee outlining progress against the strands of the Community Safety Strategy. The report, which will be made available on the Department's website, contains many examples of the good work being taken forward across the justice family, supported by many other organisations, to build a shared society.

So I can assure the Member that I am not only committed to a shared society but we are taking significant steps within the Department of Justice's remit to advance that objective.

## Policing and Community Safety Partnerships: Reconstitution

**Mr Weir** asked the Minister of Justice when he intends to initiate the process of the reconstitution of the Policing and Community Safety Partnerships in the eleven new councils.

**(AQW 30636/11-15)**

**Mr Ford:** Paragraph 4(4) of Schedule 1 to the Justice Act (Northern Ireland) 2011 provides for the Policing Board, following a local general election, and once it has completed the arrangements for the appointment of the independent members of the

Policing and Community Safety Partnership (PCSP) for a district, to publish notice of the reconstitution date in relation to the PCSP for that district.

The Policing Board intends to begin the recruitment process for independent members in autumn 2014, with a view to having all independent members appointed by 1 April 2015, so that the reconstitution of the new PCSPs will coincide with that of the new councils.

## Domestic Violence

**Lord Morrow** asked the Minister of Justice what plans he has in relation to the introduction of (i) a register for persons convicted of domestic violence offences; and (ii) post-conviction monitoring with an appointed designated risk manager to whom any new relationship or change in domestic arrangements/circumstances must be communicated and approved.  
**(AQW 30646/11-15)**

**Mr Ford:**

- (i) In the forthcoming Justice Bill there will be legislative proposals to introduce violent offences prevention orders (VOPO). These civil orders will be available to the court in respect of offenders who pose a risk of serious violent harm, that is, a risk of serious physical or psychological harm caused by that person committing one or more specified offences. Those offences are as listed in Part 1 of Schedule 2 to the Criminal Justice (NI) Order 2008. Although the proposals exclude the lesser offence of assault occasioning actual bodily harm (AOABH) from the list of offences which may attract a VOPO, there is an exemption from this exclusion for cases of AOABH in domestic circumstances. Offenders who receive a VOPO would also be subject to notification requirements similar to those under the Sexual Offences Act 2003.
- (ii) Under risk assessment and management arrangements, set out in the Criminal Justice (NI) Order 2008, criminal justice agencies, social services and others, already work together and share information to more effectively assess and manage the risk posed by certain sexual and violent offenders in the community. Cases assessed under these arrangements include persons who, from 1st April 2010, have been convicted of a serious violent offence (including homicide) in domestic or family circumstances; or who have a previous conviction for a violent offence in domestic or family circumstances and about whom there are significant concerns.

## Serious Case Reviews

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 30164/11-15, given there were ten Serious Case Reviews completed in the last ten years, to detail (i) why only three have been released, of which only one appears on the public protection arrangements in Northern Ireland website; (ii) why two cases are awaiting release and the cause of the delay; (iii) why the remainder have not been released; and (iv) whether he will provide copies of all reports with exception of that on the public protection arrangements in Northern Ireland website, and ensure all past, current and future reports are routinely published online.  
**(AQW 30647/11-15)**

**Mr Ford:** The Criminal Justice (Northern Ireland) Order 2008 contained provisions which created the Public Protection Arrangements for Northern Ireland (PPANI). They place a duty on agencies within the criminal justice sector, in other Government Departments, Health Trusts, Education & Library Boards, the Housing Executive and NSPCC, to cooperate in the interests of assessing and managing the risks posed by serious sexual and violent offenders.

The Department of Justice has published statutory guidance in relation to the discharge of PPANI functions contributing to risk assessment which includes establishing the criteria for a serious case review. Any report produced following a serious case review under the PPANI arrangements is jointly owned by the agencies represented on the PPANI Strategic Management Board who, as data controllers, have responsibility for decisions about their publication.

Since the introduction of the current statutory PPANI in October 2008, seven serious case reviews have been undertaken. One review has been published on the PPANI website, two reviews are awaiting publication and one review is ongoing and will be published in due course. Three reviews were not published, for reasons of data protection, as the individuals in those cases were not convicted of the alleged offence which gave rise to the review.

Of the completed reviews awaiting publication, one will be published once the individual's avenue of appeal against conviction has been exhausted and the other has only recently been completed and is being considered by the PPANI Strategic Management Board prior to publication.

Reports on case reviews completed prior to October 2008 were commissioned by the Northern Ireland Sex Offender Strategic Management Committee (NISOSMC) under the Multi Agency Sex Offender Risk Assessment and Management (MASRAM) Arrangements which were in effect at that time. Two independent case reviews completed under the MASRAM arrangements were published on the NISOSMC website in 2006 and 2008. Two further MASRAM reviews were not placed on the website. The first was not published for data protection reasons as the individual was not convicted of the alleged offence. The second was an internal review and it was not NISOSMC practice at that time to publish them.

The PPANI Strategic Management Board is committed to publishing summary reports of serious case reviews it has undertaken and the first of these, which is available for publication, is already on the PPANI website. Subject to any data protection restrictions, future reports on serious case reviews will also be routinely published on that website.

## Loyalist Protests: Policing Costs

**Mr Allister** asked the Minister of Justice, in relation to recent figures on policing costs relating to loyalist protests, to clarify if the figures quoted are wholly additional costs, none of which would have arisen in the absence of protests, or do they include the policing costs which would have arisen anyhow by reasons of officers being deployed on other duties; and if so, to provide a resultant breakdown.

**(AQW 30661/11-15)**

**Mr Ford:** The recent figures quoted for policing flag protests and related civil unrest relate to both additional and opportunity costs. As quoted previously the estimated cost incurred from 3 December 2012 to 31 March 2013 is £21.9m (this includes £12.15m additional costs and £9.76m opportunity costs.) The cost to police the parades and protests, which are linked to the Twaddell protest from 20 August 2013 to 31 January 2014 is estimated at £6.25m (this includes £4.34m additional costs and £1.91m opportunity costs).

Additional costs are mainly made up of police overtime and employers national insurance contributions but also include a significant element of other costs such as air support, operational catering and vehicle fuel costs. Opportunity costs represent the duty-time salary-related costs of those officers who have been diverted away from core policing activity.

## Domestic Violence

**Lord Morrow** asked the Minister of Justice what courses are available through the Probation Board for Northern Ireland, or any other agency, for people convicted of domestic violence offences; and to detail the estimated success rate in preventing participants re-offending.

**(AQW 30675/11-15)**

**Mr Ford:** Since 2009, the Probation Board for Northern Ireland (PBNI) has delivered the Home Office accredited Integrated Domestic Abuse Programme (IDAP). The programme is designed to reduce re-offending by adult male domestic violence offenders where the victims were females. There are currently no courses available in the UK or Ireland for female offenders convicted of domestic violence offences although PBNI has undertaken work with individuals convicted of these offences in Northern Ireland.

The Youth Justice Agency also delivers a Domestic Violence programme designed for young people, young parents and family members who have experienced domestic violence either as a perpetrator, victim or witness.

Domestic violence is not recorded as a specific offence type and as such evaluation of success rates is difficult. Most evaluations of perpetrator programmes find that about 70% of men who complete a programme cease using physical violence and significantly reduce their use of other forms of controlling behaviour. In an evaluation of IDAP in Northern Ireland, PBNI found 95% of the participating offenders felt the skills they learned on IDAP would help to prevent them reoffending in the future.

## Deaths in Custody: Independent Review

**Lord Morrow** asked the Minister of Justice whether prisons in Northern Ireland will be included in the independent review by Lord Faulks in to investigate the death in custody of people aged 18-24.

**(AQW 30676/11-15)**

**Mr Ford:** There is currently no indication that any prisons in Northern Ireland will be included in the review to be led by Lord Harris of Haringey into self inflicted deaths in custody of young people aged 18—24.

## Terrorist Threat: Cost of Policing

**Mr Allister** asked the Minister of Justice to detail the cost of policing the terrorist threat in the last twelve months.

**(AQW 30692/11-15)**

**Mr Ford:** The PSNI recently completed a comprehensive review of its costs which are directly associated with the security situation in Northern Ireland.

For the purpose of the review, security costs were defined as those unique costs incurred by the PSNI, over and above normal policing costs, as a direct result of the specific security situation in Northern Ireland now or in the past. This includes the costs of policing the terrorist threat and also the costs of policing public disorder and parading.

The review concluded that PSNI currently spends some 32% of its total budget on dealing with the current security situation.

## Hydebank Wood: Detention of Children

**Mr McGlone** asked the Minister of Justice, given that the Youth Justice Review and the Prison Review commented on the unsuitability of Hydebank Wood Young Offenders Centre for the detention of children, whether his Department will bring forward legislation to permanently end the detention of children with adults in Hydebank Wood Young Offenders Centre in all circumstances; and if so, to outline the timeframe for this.

**(AQW 30695/11-15)**

**Mr Ford:** On publication of the Youth Justice Review Implementation Plan, I gave a commitment to remove all children from custody at Hydebank Wood Young Offenders Centre and no child has been held there since November 2012. Whilst this is currently being achieved by administrative means, I will be bringing forward legislation to underpin the position. A public consultation on this, and other aspects of custodial arrangements for children, has recently concluded and we are considering the responses with a view to making the necessary legislative amendments through the Fines and Enforcement Bill, which is scheduled for introduction in the autumn.

### Prison Service: Payment to Leavers

**Mr Weir** asked the Minister of Justice why Prison Service staff who left the service in March 2012 have not received the correct payment on the calculation of their annual leave; and why the Northern Ireland Prison Service are yet to process this. (AQW 30716/11-15)

**Mr Ford:** I refer the member to the reply I gave the member on 12 February to AQW/30285/11-15.

### Serious Case Reviews

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 30164/11-15, to detail the (a) names; (b) convictions; and (c) reasons for carrying out a Serious Case Review in respect of all listed, with the exception of Shay Barry Johnston. (AQW 30720/11-15)

**Mr Ford:** Four of the serious case reviews involved individuals who were not convicted of the alleged offences which gave rise to the review. For reasons of data protection it is not possible to provide personal information about those individuals.

The remaining five serious case reviews were undertaken following the alleged commission of a further serious sexual or violent offence. The names of the individuals and the offence for which they were subsequently convicted are listed in the following table.

Name	Principal offence on conviction
Trevor Hamilton	Murder
Patrick Coleman	Indecent Assault
Arthur McElhill	No charges preferred (deceased)
Thomas Ward	Sexual Assault
David Page	Sexual Assault

### Leaving the Scene of an Accident: Convictions

**Mr Frew** asked the Minister of Justice, pursuant to AQW 30496/11-15, to detail the number of convictions and the penalties given for this offence in (i) North Antrim (ii) across Northern Ireland, in the last two years. (AQW 30722/11-15)

**Mr Ford:** Article 175(2) of the Road Traffic (NI) Order 1981 provides that it is an offence to fail to stop your vehicle after an accident and give to a constable, or any person with reasonable grounds for asking, your name and address, the name and address of the owner of the vehicle and the identification mark or number of the vehicle.

The tables below gives the number of convictions under the Article specified, for Northern Ireland and, for those offenders who had an

address in the North Antrim Constituency when charges were brought, for 2008 and 2009. These are the most recent two years for which the information requested is available.

#### Number of convictions<sup>1,2</sup> for offences under Article 175(2) of the Road Traffic (NI) Order 1981, in Northern Ireland 2008-2009

Disposal type	2008	2009
Imprisonment	0	2
Suspended custodial	3	3
Community sentence	3	2
Fine	122	97
Discharge	4	0
<b>Total</b>	<b>132</b>	<b>104</b>

**Number of convictions<sup>1,2</sup> for offences under Article 175(2) of the Road Traffic (NI) Order 1981, in North Antrim constituency<sup>3</sup> 2008-2009**

Disposal type	2008	2009
Imprisonment	0	0
Suspended custodial	1	0
Community sentence	0	0
Fine	6	3
Discharge	0	0
<b>Total</b>	<b>7</b>	<b>3</b>

**Notes:**

- 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 offence specified.
- 3 Figures relate to offenders with a known address in the North Antrim constituency when charges were brought.

**Leaving the Scene of an Accident: Custodial Sentences**

**Mr Frew** asked the Minister of Justice, pursuant to AQW 30496/11-15, to detail the number of custodial sentences handed out for this offence in the last two years.

**(AQW 30723/11-15)**

**Mr Ford:** Article 175(2) of the Road Traffic (NI) Order 1981 provides that it is an offence to fail to stop your vehicle after an accident and give to a constable, or any person with reasonable grounds for asking, your name and address, the name and address of the owner of the vehicle and the identification mark or number of the vehicle.

The tables below gives the number of convictions under the Article specified, for Northern Ireland and, for those offenders who had an address in the North Antrim Constituency when charges were brought, for 2008 and 2009. These are the most recent two years for which the information requested is available.

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<b>Total</b>	<b>132</b>	<b>104</b>

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Disposal type	2008	2009
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Suspended custodial	1	0
Community sentence	0	0
Fine	6	3
Discharge	0	0
<b>Total</b>	<b>7</b>	<b>3</b>

**Notes:**

- 4 Data are collated on the principal offence rule; only the most serious offence for which an offender is convicted is included.

- 5 The figures provided relate to convictions for all classifications of the offence specified.
- 6 Figures relate to offenders with a known address in the North Antrim constituency when charges were brought.

### Leaving the Scene of an Accident: Review of Penalties

**Mr Frew** asked the Minister of Justice, pursuant to AQW 30496/11-15, whether there are plans to introduce tougher penalties and fines for this offence.

**(AQW 30724/11-15)**

**Mr Ford:** At present I have no plans to increase the penalties for this offence though I continue to keep the legislative framework of the criminal law more generally under review.

### Tribunals: Audio Recording

**Lord Morrow** asked the Minister of Justice for an update on the provision of recorded audio proceedings of tribunals, including benefits appeals.

**(AQW 30740/11-15)**

**Mr Ford:** The Northern Ireland Courts and Tribunal Service (NICTS) have introduced the audio recording of appeals, on a point of law, from the appeals tribunal before the Social Security and Child Support Commissioners.

A pilot to audio record benefit appeal tribunal hearings is still at the preliminary planning stage and a commencement date has not yet been agreed between the Department for Social Development and NICTS officials.

### Assembly Questions: Cost of Answering

**Mr Copeland** asked the Minister of Justice to detail the cost to his Department of answering an Assembly Question.

**(AQW 30746/11-15)**

**Mr Ford:** My Department does not routinely estimate the cost of answering Assembly Questions and so the information requested is not available.

### Prisons: Drugs

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 30298/11-15 and AQW 30332/11-15, what impact cost pressures have on efforts to address the drug culture in prisons; and whether in-possession medication was introduced as a cost-saving exercise.

**(AQW 30748/11-15)**

**Mr Ford:** NIPS has a stated policy of zero tolerance in regard to the misuse of drugs, including prescription medication. NIPS, operating within its budget, has shown an increase in the number of drug seizures and in the number of people made accountable.

The move towards greater use of medication was not in itself a cost-saving exercise, but releasing nurses from the burden of dispensing medication does allow them to divert time and energy to other health improvement initiatives.

Unduly lengthy medication queues also slow down prison regimes and limit opportunities for work in education, training and offending behaviour programmes. Any measures which speed up prison routines are broadly welcomed.

### Court Services: Limavady

**Mr Dallat** asked the Minister of Justice to outline his future plans for the provision of court services in Limavady.

**(AQW 30761/11-15)**

**Mr Ford:** On 22 November 2012 I announced my decision to close Limavady Hearing Centre and transfer all Limavady business to Coleraine Courthouse.

At that stage I anticipated these changes would take effect in 2014, following the implementation of a single territorial jurisdiction for County Courts and Magistrates' Courts. However, these provisions will be carried in a Justice Bill to be introduced into the Assembly this Spring.

### Abortion: Fatal Foetal Abnormality

**Mr Agnew** asked the Minister of Justice when he will issue the consultation on the potential change to abortion law with regard to fatal foetal abnormality.

**(AQW 30767/11-15)**

**Mr Ford:** It is my intention to submit a draft consultation paper to the Justice Committee by the end of March, prior to sharing with Executive colleagues. Publication will follow as soon as possible thereafter.

### Prison Service: Drugs Policy

**Lord Morrow** asked the Minister of Justice for a copy of the Northern Ireland Prison Service's policy on tackling drugs in prisons. (AQW 30779/11-15)

**Mr Ford:** The current strategy, entitled 'Strategic Framework for the Reduction and Management of Substance Misuse in Custody' which was agreed in March 2012, is currently under review.

### Dungannon Magistrates Court

**Lord Morrow** asked the Minister of Justice how many convictions, after a contest at Dungannon Magistrates Court, have been appealed at County Court in each of the last two years; and how many of these convictions were upheld. (AQW 30781/11-15)

**Mr Ford:** In 2012 there were 103 appeals to the County Court against a conviction following a contest at Dungannon Magistrates' Court in 2012, of which 83 convictions were upheld. Provisional data for 2013 indicates 93 appeals against a conviction, of which 60 convictions were upheld.

### Prisoners: Medication Lockers

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 30419/11-15, what is the proposed cost to replace medication lockers in prisoner cells; and what assessment has been made of using this funding to allow staff to supervise the delivery of medication. (AQW 30782/11-15)

**Mr Ford:** The estimated cost for replacement lockers is approximately £75 per locker at a total cost of £190,000.

Capital expenditure on the provision of secure locker storage for individual prisoners is entirely the responsibility of the Northern Ireland Prison Service. Separately, decisions on the management of supervised swallow of medication and deployment of healthcare staff are the responsibility of the South Eastern Trust.

### Property Repossessions: North Down

**Mr Weir** asked the Minister of Justice how many writs and house repossession orders have been issued for the North Down area in each of the last three years. (AQW 30807/11-15)

**Mr Ford:** The table below details the number of writs and summonses issued and possession orders made in the High Court for commercial and domestic properties in North Down constituency in each of the last three years. It is not possible to specifically identify house repossessions without incurring disproportionate cost.

#### Writs and summonses issued and possession orders made in the High Court for properties in the North Down Constituency: 2011 to 2013P

	Year		
	2011	2012	2013 <sup>P</sup>
Writs and summonses issued	190	171	164
Possession Orders made	77	98	85

**Source:** Integrated Court Operations System (ICOS).

P Data is currently provisional and may be subject to change.

### CCTV: Licensing

**Mr Givan** asked the Minister of Justice what legislative requirement is in place for the licensing of businesses and staff that operate CCTV security monitoring. (AQW 30808/11-15)

**Mr Ford:** The Security Industry Authority (SIA) is the body which licenses individuals operating in the Public Space Surveillance (CCTV) sector. An SIA front line licence is required for any individual who (in relation to a contract for services, and for the purposes of guarding) uses CCTV to monitor the activities of members of the public in a public or private place, or identify particular individuals. A non-front line licence is required for those who manage, supervise and/or employ individuals who engage in Public Space Surveillance, as long as front line activity is not carried out - this includes directors or partners. These requirements are set out in the Private Security Industry Act 2001 and the Private Security Industry Act 2001 (Licences) Regulations 2007.

### CCTV: Guidance

**Mr Givan** asked the Minister of Justice what guidance on the holding of security footage his Department issues to businesses that operate CCTV.

**(AQW 30809/11-15)**

**Mr Ford:** Responsibility for issuing guidance on such matters rests with the Information Commissioner.

### CCTV: Licensing

**Mr Givan** asked the Minister of Justice what steps his Department has taken to ensure that businesses only allow CCTV operators who are trained and security checked to use such equipment.

**(AQW 30810/11-15)**

**Mr Ford:** In order to obtain an SIA licence to work in the Public Space Surveillance (CCTV) sector, an individual is required to pass an identity check, a criminal record check, and must have achieved the appropriate SIA-approved training qualification. Under Section 3(1) of the Private Security Industry Act 2001 it is a criminal offence to undertake licensable conduct whilst not the holder of an SIA licence. The SIA also has the power to revoke or suspend licences where an individual is no longer deemed "fit and proper" to hold a licence. The SIA works closely with police, local authorities, training providers, trade associations, industry representatives and other government agencies to ensure that individuals and companies operating within the private security industry comply with the law.

### CCTV: Retention of Footage

**Mr Givan** asked the Minister of Justice what legitimacy exists to allow a business to hold recorded CCTV footage for prolonged periods when no reports of suspicious events have taken place.

**(AQW 30811/11-15)**

**Mr Ford:** It is a legal requirement of the Data Protection Act (1998) that businesses inform the Information Commissioner about their CCTV system and its purpose. The Information Commissioner provides a Code of Practice for the use of CCTV systems which provides guidance and advice for CCTV users on how to comply with the Data Protection Act.

### Committee for Justice: Ministerial Appearances

**Mr Nesbitt** asked the Minister of Justice how many times he has appeared before his Department's Statutory Assembly Committee in each of the last five years.

**(AQW 30877/11-15)**

**Mr Ford:** The number of Committee meetings I have attended since my election as Minister of Justice in April 2010 is shown in the table below:

	2010	2011	2012	2013	2014 (to date)
Justice Committee	2	5	3	2	1
Joint Health & Justice Committee	2			1	
<b>Total</b>	<b>4</b>	<b>5</b>	<b>3</b>	<b>3</b>	<b>1</b>

### Serious Adverse Incidents: Deaths

**Mr Allister** asked the Minister of Justice how many deaths involving Serious Adverse Incidents in hospitals have been referred to the Coroner in each of the last three years.

**(AQW 30887/11-15)**

**Mr Ford:** As deaths reported to the Coroner which involve Serious Adverse Incidents are not separately categorised, this information is not available.

### Enniskillen Magistrates Court

**Lord Morrow** asked the Minister of Justice to detail the number of post-conviction appeals at Enniskillen Magistrates Court in each of the last two years; and of these, how many were upheld.

**(AQW 31048/11-15)**

**Mr Ford:** In 2012 there were 30 appeals to the County Court against a conviction following a contest at Enniskillen Magistrates' Court, 26 of which were upheld. Provisional data for 2013 indicates 35 appeals against a conviction 31 of which were upheld.

### Prisoners: Medication

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 30299/11-15 and with the exception of the Juvenile Justice Centre, to show these figures as a percentage of the respective facility population.

**(AQW 31051/11-15)**

**Mr Ford:** I refer the Member to the answer given to AQW/30299/I 1-15. As DHSSPS could not provide a figure for the number of prisoners who are in charge of their medication it is not possible to provide the information requested as a percentage.

### Interface Violence: Derry City Council Area

**Mr Eastwood** asked the Minister of Justice what action his Department is taking to tackle recent interface violence in the Derry City Council area.

**(AQO 5579/11-15)**

**Mr Ford:** The recent attacks in the vicinity of the Fountain Estate, coming so soon after such a successful year for the city, are disappointing and should be condemned by all.

Not only are such attacks a risk to public safety, they spread fear and mistrust among the people who live in the area. It is also disturbing to hear that young people were involved.

I welcome the actions of the police in dealing with these incidents. Four youths were arrested in connection with this disorder, and investigations are on-going. Part of those investigations will include reviewing CCTV footage from around the area where disorder took place.

Police deployed additional resources in the area, including video evidence gathering capabilities, and local neighbourhood officers have continued to be visible and are engaging with communities to prevent a reoccurrence.

We all recognise that tensions can be heightened around commemorative dates (Bloody Sunday). That doesn't mean we should accept that trouble is inevitable, but we must also acknowledge that the disorder was not widespread or sustained, and appears to have involved a small number of people, particularly youths.

We shouldn't lose sight of the good work that has been done by many community groups and statutory organisations in Derry in recent years, including the Youth Justice Agency, to build relationships, calm interface tensions, and divert young people away from trouble.

### Chief Constable: Appointment Criteria

**Dr McDonnell** asked the Minister of Justice to outline the consultation he undertook with the Policing Board and other stakeholders regarding the proposed changes to the criteria for the appointment of the Chief Constable.

**(AQO 5571/11-15)**

**Mr Ford:** I undertook an informal consultation which began in July 2013 with a paper to the Police Advisory Board (NI) setting out my intention to review all aspects of the minimum criteria.

My informal consultation went deeper and wider than I was required to - and I was indeed also minded to consider any reasonable suggestions respondents may have offered. Those consulted included the Chief Constable, Staff Association, the Policing Board and the Justice Committee. An oral briefing was provided to the Justice Committee in October 2013 and advice was also taken from the Equality Commission to support that informal consultation.

The Policing Board and the Justice Committee were unable to provide collective views during the informal consultation process, particularly with regards to the criterion requiring at least 2 years senior officer service outside of Northern Ireland.

Having considered input gained through the informal consultation, I indicated my intention to amend the Determination under Regulation 11 of the Police Service Northern Ireland Regulations 2005. I issued my draft Determination to the constituent members of the Police Advisory Board (NI) in line with Regulation 46 - which includes the Chief Constable, the Policing Board and Staff Association. I have, as required considered any further representations made to me in relation to the draft Determination - which would amend the minimum criteria to:

- introduce the requirement for successful completion of the Strategic Command Course (or its equivalent);
- amend the current mandatory requirement for 2 years service at Senior Officer level or above in a force outside of Northern Ireland to a desirable requirement; and
- require advertisement of the post on the Policing Board and PSNI websites.

### Hearing Damage: PSNI/RUC

**Ms Maeve McLaughlin** asked the Minister of Justice to outline the legal and medical consultancy costs for the PSNI/RUC hearing damage cases to date.

**(AQO 5577/11-15)**

**Mr Ford:** The PSNI have advised that up to 30 November 2013 the total sum paid out in respect of legal costs was £65m.

This figure relates to the disposal of over 8,000 claims. Approximately £40m relates to claimant's costs and £25m relates to defendant's costs. The costs consist of solicitors' fees, barristers' fees, medical expert's fees and other disbursements, for example; court stamp fees; fees for medical experts' court attendance; examinations and preparation of reports; fees for obtaining medical records; and in some cases fees for other experts (e.g. hearing aid experts, accountants). Many of these fees also attract VAT at 20%.

### Chief Constable: Appointment Process

**Mr Brady** asked the Minister of Justice to outline the steps he has taken to restore public confidence in the selection process for the Chief Constable.

**(AQO 5581/11-15)**

**Mr Ford:** Despite the unhelpful speculation we have witnessed over the last couple of weeks, I am not aware that public confidence has been damaged with regards to the selection process for Chief Constable.

I am sure that, when the Policing Board defines the specification for the post (including any skills or experience required above the minimum criteria set by me) as part of that Body's statutory duties, the public will have every confidence in the selection process for our next Chief Constable.

## Department for Regional Development

### Potholes: East Antrim

**Mr McMullan** asked the Minister for Regional Development to detail how much compensation has been awarded in the East Antrim area due to pot-holes and other road and surface related claims.

**(AQW 29417/11-15)**

**Mr Kennedy (The Minister for Regional Development):** The NICS accounting system does not hold details of the cause of accidents and, for that reason, it is not possible to separately identify the amount of compensation awarded from pothole and other road surface claims.

### Pedestrian Crossings

**Mr Agnew** asked the Minister for Regional Development when the crossing time at pedestrian crossings was last reviewed; and whether consideration has been given to increasing the crossing time.

**(AQW 29549/11-15)**

**Mr Kennedy:** The Department for Transport (DfT) provides advice to road authorities in GB in its Local Transport Note 2/95 (for Pelican and Puffin Crossings) and Traffic Advisory Leaflet 5/05 (for pedestrian facilities at junctions) on calculating timings for crossings. These documents were last reviewed in 1995 and 2005 respectively and my Department has adopted this guidance for use in Northern Ireland.

The design walking speed of 1.2m/s used in the guidance, covers 85% of the population. It is generally felt this allows pedestrians enough time to cross, and is long enough to accommodate people who walk more slowly. Where a crossing might be used by a large number of older people or those with mobility issues, for example outside residential care homes, it is recommended this should be taken into account when setting timings

The guidance for crossings is not statutory and my officials are able to use slower walking speeds for specific crossing sites, if appropriate.

A review of traffic signing legislation, including the Zebra, Pelican and Puffin Crossings Regulations and General Directions is currently being undertaken at a national level. Once this is concluded, my Department will determine whether any revised guidance should be followed.

My Department continues to take pedestrian safety issues very seriously and I would, therefore, stress if you have concerns about any particular crossing to contact my Department's Roads Service directly, who will look into your concerns.

### Pedestrian Crossings

**Lord Morrow** asked the Minister for Regional Development whether there is discretion to lengthen the time permitted at traffic light controlled pedestrian crossings, to allow enough time for a person with a disability who may have slowed or impaired mobility to cross.

**(AQW 29563/11-15)**

**Mr Kennedy:** The Department for Transport (DfT) provides advice to road authorities in GB in its Local Transport Note 2/95 (for Pelican and Puffin Crossings) and Traffic Advisory Leaflet 5/05 (for pedestrian facilities at junctions) on calculating timings for crossings. These documents were last reviewed in 1995 and 2005 respectively and my Department has adopted this guidance for use in Northern Ireland.

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My Department continues to take pedestrian safety issues very seriously and I would, therefore, stress if you have concerns about any particular crossing to contact my Department's Roads Service directly, who will look into your concerns.

### January Monitoring: Road Schemes

**Mr Weir** asked the Minister for Regional Development to detail the road network schemes that will receive funding as a result of the January Monitoring Round.

**(AQW 30291/11-15)**

**Mr Kennedy:** A total of 204 road network schemes will receive funding as a result of the January monitoring round. These are broken down by Roads Service Division as follows:

Eastern	11
Northern	75
Southern	62
Western	56

### NI Water: Funding

**Mr Allister** asked the Minister for Regional Development to detail (i) how much money NI Water has returned to his Department this year; and (ii) how remaining funding is committed.

**(AQW 30301/11-15)**

**Mr Kennedy:** To date NI Water has returned £988k DEL Capital and £3.3m DEL Resource to my Department through the 2013-14 monitoring rounds. My Department will continue to monitor expenditure across all areas to determine whether any further adjustments are needed before the end of the financial year.

NI Water's remaining funding for this year is committed as follows: £164.7m DEL Capital and £170.3m DEL Resource.

### Train Stations: Funding

**Mr Weir** asked the Minister for Regional Development to detail the train stations that will receive funding for maintenance or improvements.

**(AQW 30394/11-15)**

**Mr Kennedy:** The table below details the train stations where capital expenditure planned for maintenance or improvements is scheduled for the next three years. These are current plans and open to change as priorities change and finalization of the Translink Corporate Plan. The timing of implementation of many of these projects will be subject to the successful completion of the approval process as well as securing the necessary funding as part of Executive budgets or from other sources including EU sources.

#### Stations

- Adelaide / Boucher Road Halt
- Antrim Integrated Bus / Railway Station (NIR)
- Ballymartin / Templepatrick Station
- Ballymena Rail Station
- Ballymoney Railway Station
- Bangor Station
- Belfast Central Station
- Botanic Station
- Coleraine Station
- Cullybackey Station
- Cultra Station
- Derriaghy Station
- Dunmurry Station
- Europa / Great Victoria Street
- Jordanstown Station
- Larne Harbour Station
- Lisburn Station
- Lisburn West Station
- Londonderry Station
- Lurgan Railway Station
- Moira Station
- Portadown Railway Station

- Seahill Station
- Whiteabbey Station
- Whitehead Station
- Yorkgate Railway Station
- NIR/Ulsterbus - Cycle Shelter Programme
- Other Minor Works Projects (NIR) - Property

### Transport Links: Banbridge, Portadown and Lurgan

**Mrs Dobson** asked the Minister for Regional Development what actions are being taken to improve transport links between Banbridge, Portadown and Lurgan.

**(AQW 30454/11-15)**

**Mr Kennedy:** My Department's Roads Service and Translink are committed to improving transport links throughout Northern Ireland. Road improvement schemes currently being considered and under construction on the transport network in the Banbridge, Portadown and Lurgan area include:

- Millennium Way link to Gilford Road, Lurgan - my Department is continuing to develop this scheme and a new Planning Application for a revised alignment was submitted early in September 2013. I am hopeful planning permission will be granted in the near future;
- A3 Northway Portadown widening - scheme is due to commence in summer 2014 at an estimated cost of £1.5 million;
- A3 Flush Place/Avenue Road, Lurgan - junction upgrade which is due to commence in February 2014 at an estimated cost of £240K;
- Tandragee Road, Portadown - proposal to provide a missing footway link which is due to commence in March 2014 at an estimated cost of £25K;
- Plantation Road near its junction with the Clare Road - improvement works which are due to commence in March 2014 at an estimated cost of £75K;
- A26 Tullyraine Road/Old Bann Road junction - a visibility improvement scheme which is due to commence in the 2014/15 financial year at an estimated cost of £55K; and
- Edward Street/Francis Street, Lurgan - junction improvement which is currently ongoing and due to be completed in February 2014 at an estimated cost of £220K.

Other completed road improvement schemes in this area include:

- A50 Banbridge Road - bend improvement scheme;
- B3 Plantation Road at Shaws Farm - realignment completed in March 2009;
- A26 Banbridge Road/Tullyraine Road - realignment completed in January 2012;
- B3 Plantation Road at Calvertstown - completed in February 2012;
- A26/A50 Church Square, Banbridge - signal improvements;
- Union Street, Lurgan – upgrade of signals completed in 2011;
- A3 Edward Street/ Millennium Way, Lurgan - completed in 2012.
- A3 Robert Street/Malcolm Road, Lurgan - junction improvement completed in 2013;
- Sloan St/Union Street/Tandragee Road, Lurgan - junction improvement completed in 2011;
- Seagoe/Carn Roundabout - part time traffic signals completed in 2013; and
- Kernan Road/Seagoe Road, Portadown - junction signalisation completed in 2012.

During the spring and autumn of each year my Department's Roads Service presents its respective programmes to each Council containing details of all the schemes Divisions intend to construct during the current financial year and beyond, subject to funding availability. I have arranged for copies of the relevant council reports to be forwarded directly to you.

In respect of public transport in the area, there is currently a 15-minute frequency all day Monday to Friday on Ulsterbus services between Lurgan and Portadown. This is further enhanced by the Ulsterbus 51 service from Belfast to Portadown and the Goldline 250 service from Belfast to Armagh. Similarly, on the Banbridge to Portadown and Banbridge to Lurgan routes, there is an hourly service.

I am currently considering a request from Translink for support from my Department's Rural Transport Fund, to introduce a direct service from Portadown to Newcastle via Lurgan and Banbridge during the summer months.

### Park and Ride: Banbridge

**Mrs Dobson** asked the Minister for Regional Development what consideration is being given to a Park and Ride facility in Banbridge.

**(AQW 30460/11-15)**

**Mr Kennedy:** My Department is continually seeking to identify and provide opportunities that will improve park and ride and park and share facilities at appropriate locations, including Banbridge.

Whilst there are currently no schemes on the ground in Banbridge, we do hope to bring forward at least one park and share proposal in the area, at the earliest opportunity.

### Translink: Drug and Alcohol Testing of Employees

**Mr McGlone** asked the Minister for Regional Development to detail the legal or operational requirements for Translink to carry out drug and alcohol testing on employees.

**(AQW 30494/11-15)**

**Mr Kennedy:** There are general duties under the Health and Safety at Work Order and the Management of Health and Safety at Work Regulations that touch on this area and support the requirements regarding fitness to drive contained within the Road Traffic (Northern Ireland) Order 1995 and the Road Traffic (Northern Ireland) Order 2007.

The Railways (Safety Management) Regulations (NI) 2006 requires railway undertakings to hold a safety certificate and infrastructure managers to hold a safety authorisation. Assessment criteria issued by the Office of the Rail Regulators in support of certification and authorisation require holders to demonstrate how they manage safety risk. Abuse of drugs and alcohol is recognised as a risk.

### Translink: Drug and Alcohol Testing of Employees

**Mr McGlone** asked the Minister for Regional Development to outline the arrangements in place for carrying out drug and alcohol testing for Translink employees, including testing on a contractual basis.

**(AQW 30495/11-15)**

**Mr Kennedy:** Translink's internal policy on drugs and alcohol outlines the processes involved in testing. In brief, Translink carries out testing in 4 areas for safety critical and safety related workers:

- Recruitment and selection;
- Routine medicals;
- For cause (where there are reasonable grounds to suspect that the actions or omissions of an employee contributed to an incident occurring. When, for behavioural reasons, it is suspected that any employee is unfit to perform normal duties through the effects of alcohol or drugs); and
- Unannounced testing.

With regard to unannounced testing, the target is to test approximately 5% of the staff group annually.

### Translink: Drug and Alcohol Testing of Employees

**Mr McGlone** asked the Minister for Regional Development to detail (i) the date Translink last completed a procurement exercise for the provision of drug and alcohol testing services for employees; (ii) the duration of the contract, including any extensions; (iii) how drug and alcohol testing have been implementing since the contract expired; and (iv) the total spent on testing (a) during the contract; and (b) since the contract expired.

**(AQW 30515/11-15)**

**Mr Kennedy:** I have liaised with Translink officials, and would respond to each of your queries as follows:

- (i) The value of drug and alcohol testing services for employees is around £20k per annum. Translink's internal procurement control limits do not require open market tendering for spend below £30k per annum.
- (ii) Translink has stated that there is no contract in place for the reason explained in (i) above.
- (iii) Translink has stated that there is no contract in place at this time. Translink is actively seeking to commence a new procurement exercise for a multi-year contract for the provision of these services and expect to be in a position to do so by 28 February 2014.
- (iv) The amount spent on the service is commercially sensitive and disclosure would prejudice both Translink and the service provider's commercial interests.

### Translink: Drug and Alcohol Testing of Employees

**Mr McGlone** asked the Minister for Regional Development for his assessment of whether Translink are in compliance with their (i) procurement policy; (ii) legal requirements; and (iii) Central Procurement Directorate guidance in relation to the procurement of drug and alcohol testing services for employees.

**(AQW 30516/11-15)**

**Mr Kennedy:** I have liaised with Translink officials and would respond to each of your queries as follows:

- i Translink has agreed a Management Statement and Financial Memorandum with the Department which sets down Procurement Control Limits and associated approval procedures based upon the value of contracts. Translink is a Centre of Procurement Expertise (CoPE) and recently had its CoPE status renewed following a detailed review initiated by the Central Procurement Directorate (CPD)
- ii. There are general duties under the Health and Safety at Work Order and the Management of Health and Safety at Work Regulations that touch on drug and alcohol testing and support the requirements regarding fitness to drive contained

within the RoadTraffic (Northern Ireland) Orders 1995 and 2007. As a public utility Translink is also bound by EU law on utilities regulations.

- iii. I am not aware of any failures to comply with CPD guidance in relation to the procurement of drug and alcohol testing services, if any such specific guidance exists.

### **Pavements: Kerb Height**

**Mr Weir** asked the Minister for Regional Development to detail (i) the maximum kerb height for pavements; and (ii) the criteria used to determine this.

**(AQW 30533/11-15)**

**Mr Kennedy:** The height of a kerb for a pavement will vary depending on its location and purpose. The Design Manual for Roads and Bridges gives general guidance on the height of the kerb, which ranges from 100-125mm in urban situations to 75-100mm in rural situations.

However, the height of a kerb may exceed these ranges to deal with site specific issues, such as providing for future maintenance of the adjoining pavement. Kerbs have also been installed prior to the introduction of current guidance and by their historic nature, may exceed the parameters set out in current guidance which applies to new schemes.

Kerbs may be introduced for a number of reasons, for example, to add structural stability to a carriageway edge, or to address a flooding/drainage problem, and each circumstance requires consideration of the specific characteristics of the site. In addition, the kerb offers an element of restraint to errant vehicles and can be particularly effective in preventing overrunning of footways in urban situations where the safety of pedestrians is a consideration.

### **NI Water: Carrickfergus Treatment Works**

**Mr Dickson** asked the Minister for Regional Development, pursuant to AQO 5422/11-15, whether he will seek funding for additional deodorising equipment at Carrickfergus Waste Water Treatment Works.

**(AQW 30542/11-15)**

**Mr Kennedy:** I have been advised by Northern Ireland Water (NIW) that the current project underway at Carrickfergus Wastewater Treatment Works includes the installation of odour control equipment to comply with the Pollution Prevention Control Licence.

If it is considered that additional deodorising equipment is required following completion of the current work, then NIW will seek to meet the cost from within its PC15 funding allocation without the need to seek additional funding.

### **NI Water: Pumping Station**

**Mr Rogers** asked the Minister for Regional Development, given that NI Water are in the process of connecting the pumping station in Ballymartin to the station in Kilkeel, whether Roads Service plan to investigate the possibility of installing a footpath between Ballymartin village and Pat's Road.

**(AQW 30549/11-15)**

**Mr Kennedy:** Officials from my Department are due to meet with local representatives in Kilkeel to discuss this issue. I have asked my officials to write to you advising of the outcome of the meeting.

### **Street Lighting: Repairs**

**Mr Anderson** asked the Minister for Regional Development to detail the average time taken to repair defective street lights.

**(AQW 30590/11-15)**

**Mr Kennedy:** The information requested is not available as my Department does not calculate the average time taken to repair street lighting defects.

### **Street Lighting: Cost of Upgrade**

**Mr Anderson** asked the Minister for Regional Development to detail the total amount spent on upgrading street lighting in each district council area, in each of the last five financial years.

**(AQW 30591/11-15)**

**Mr Kennedy:** My Department does not maintain this information in the format requested.

### **Roads: Improvement and Maintenance**

**Mr Anderson** asked the Minister for Regional Development to detail all road improvement and maintenance schemes planned in the next financial year.

**(AQW 30594/11-15)**

**Mr Kennedy:** My Department is currently preparing work programmes for 2014/15, details of which will be published in Roads Service's Spring and Autumn Reports to Councils. Once completed, the Council Reports for the 2014/15 financial year will be placed on my Department's internet site.

### Cycle Lanes

**Mr Easton** asked the Minister for Regional Development to detail the total miles of cycle lanes.  
(AQW 30598/11-15)

**Mr Kennedy:** My Department has currently provided approximately 235 miles of cycle lanes across Northern Ireland.

### Cycle Lanes: North Down

**Mr Easton** asked the Minister for Regional Development to detail the total miles of cycle lanes in the North Down area.  
(AQW 30599/11-15)

**Mr Kennedy:** My Department has currently provided approximately 12.9 miles of cycle lanes in the North Down Council area.

### Bridges: Maintenance

**Mr Easton** asked the Minister for Regional Development to detail the total cost of road bridge maintenance, in each of the last three financial years.  
(AQW 30601/11-15)

**Mr Kennedy:** Details of my Department's expenditure on road bridge maintenance in each of the last three financial years are provided in the table below:

Year	Expenditure On Road Bridge Maintenance
2010/11	£2,542k
2011/12	£2,601k
2012/13	£3,343k.

### Bridges: Disused

**Mr Easton** asked the Minister for Regional Development to detail the total number of disused road bridges.  
(AQW 30602/11-15)

**Mr Kennedy:** I can confirm there are currently six disused road bridges.

Disused road bridges may be the responsibility of my Department or may have been disposed of along with any surplus land.

### Ombudsman: Recommendations

**Mr Allister** asked the Minister for Regional Development on how many occasions since May 2007 has his Department not accepted the recommendations contained in an Ombudsman's finding.  
(AQW 30606/11-15)

**Mr Kennedy:** My Department has accepted all the recommendations contained within Ombudsman's findings.

### Door-2-Door: Review

**Mr McCarthy** asked the Minister for Regional Development for an update on the review of the Door-2-Door Transport Service.  
(AQW 30607/11-15)

**Mr Kennedy:** The Door 2 Door Scheme ended on 31 March 2013 and an interim scheme, The Disability Action Transport Scheme was introduced on 01 April 2013.

My Department is undertaking a review of the specialist transport policies and schemes initiated by the Department to promote social inclusion. This review, which includes evaluating the Disability Action Transport Scheme, is still ongoing and the outcome will assist my Department to develop proposals to meet the transport needs of elderly and disabled people across Northern Ireland.

### Sydenham Bypass

**Mr G Robinson** asked the Minister for Regional Development to detail (i) the timescale for the completion of the current roadworks on the Sydenham Bypass; and (ii) whether it is possible to minimise the single lane operation to alleviate the impact on traffic.  
(AQW 30609/11-15)

**Mr Kennedy:** I understand that delays occurred on the Sydenham Bypass during the week commencing 3 February 2014 due to emergency repairs being carried out by NIE on a faulty electricity cable. These works were completed on Tuesday 11 February 2013.

I can also advise that the recent works on Dee Street were substantially completed on 9 February 2013.

### **Severe Weather: Coastal Roads**

**Mr Anderson** asked the Minister for Regional Development for his assessment of the impact of recent severe weather on coastal roads.

**(AQW 30634/11-15)**

**Mr Kennedy:** As the Member will be aware, a number of roads in Northern Ireland have suffered damage as a result of recent tidal events and storms.

I have placed in the Assembly Library a comprehensive list of those locations where roads have either been subject to sea wall damage, or undermining, as a result of storm damage since the turn of the year.

During last week's severe weather, a short section of road on the A2 between Rostrevor and Warrenpoint collapsed and officials are currently assessing the situation with a view to completing repairs as soon as possible.

My Department has carried out remedial works at a number of locations and additional preparatory work is underway in advance of the commencement of works at other locations. However, it may be some time before the full impact is known, necessary repairs are implemented and the full cost is realised.

The estimated cost of repairs is currently £1.2 million. However, this figure could increase significantly once detailed inspections of sea defences are completed.

Officials are continuing to assess the extent of the damage caused and although my Department received additional funding from January Monitoring, specific bids for further funding may be required, which would hopefully be considered sympathetically at a later date, if repairs cannot be funded from within existing budgets.

### **Parking: Derry City Council Area**

**Ms Maeve McLaughlin** asked the Minister for Regional Development to outline the progress, including timescales, for the resident parking scheme in the Derry City Council area.

**(AQW 30694/11-15)**

**Mr Kennedy:** Legislation is currently being developed for the residents' parking scheme in the Bogside area of Londonderry. It is anticipated implementation will take place in the autumn of 2014, however, this is subject to no objections being received to the proposals when they are formally advertised.

### **Ballysallagh Reservoir: Repair Works**

**Mr Weir** asked the Minister for Regional Development to detail the timescale for the completion of repair works at Ballysallagh Reservoir.

**(AQW 30718/11-15)**

**Mr Kennedy:** I have been advised by Northern Ireland Water (NIW) that the repair works at Lower Ballysallagh Reservoir are now complete. The filling of the reservoir commenced on 24 January 2014 and is on-going.

The repair works at Upper Ballysallagh Reservoir commenced on 27 January 2014. The repair works require the draining of the reservoir in order to undertake an inspection of the external face of the tower and completion of associated remedial works. The original duration for the repair works was 11 weeks, however NIW has experienced difficulty in lowering the water level because of the recent heavy rainfall. This has resulted in an extension to the programme of works and the current completion date is 26 May 2014.

### **Port and Harbour Commissioners: Chairperson**

**Mr Eastwood** asked the Minister for Regional Development whether he adhered to stipulated timescales when making the decision on the appointment of the new Chair to the Board of Derry Port and Harbour Commissioners, which was announced on 23 January 2014.

**(AQW 30800/11-15)**

**Mr Kennedy:** Yes. The shortlisting was held on 3 September 2014, interviews were held in the week commencing 4 November 2014, and the appointment took effect on 8 February 2014, as specified in the published Information Pack.

### Port and Harbour Commissioners: Chairperson

**Mr Eastwood** asked the Minister for Regional Development to detail the criteria he used to select the Chair of the Board of Derry Port and Harbour Commissioners from the pool of six candidates judged suitable for appointment by the selection panel in November 2013.

**(AQW 30802/11-15)**

**Mr Kennedy:** I selected the Chair of Londonderry Port and Harbour Commissioners using the four essential selection criteria set out in the person specification included in the application form and information pack for the appointment. These were:

Relevant Experience:

- 1 In accordance with the Londonderry Harbour Order (Northern Ireland) 2002, members of the Board of LPHC are appointed from among persons who appear to the Minister to have had wide experience of, and to have shown capacity in one or more of:
  - the management of harbours;
  - shipping;
  - port usage;
  - industrial, commercial or financial matters;
  - administration;
  - the organisation of workers; or
  - have in some other respect special knowledge or experience which would be of value to the Commissioners in the discharge of their functions;
  - have any other skills and abilities considered from time to time by the Department to be relevant or useful to the Commissioners;
  - such special knowledge or experience includes: logistics and estate management, marine safety, commerce and trade, human resources, management and corporate finance, planning processes, an understanding of the port's role in the local economy and working at senior level in the local community.
- 2 Strategic Thinking and Leadership
- 3 Financial Understanding and Corporate Governance
- 4 Interpersonal and Communication Skills

### Translink: Average Age of Bus Fleet

**Mr Dallat** asked the Minister for Regional Development to detail the average age of buses and coaches in the Translink fleet at 30 September (i) 2009; (ii) 2010; and (iii) 2011.

**(AQW 30827/11-15)**

**Mr Kennedy:** The table below details the average age of buses and coaches within Translink's fleet for the years required. For ease of reference I have included the details for 30 September 2012 and 30 September 2013.

Month	Average Fleet Age (Years)		
	Ulsterbus	Goldliner	Metro
30 September 2009	6.95	4.65	6.32
30 September 2010	5.96	5.62	7.2
30 September 2011	6.11	6.53	8.17
30 September 2012	6.48	4.76	7.07
30 September 2013	6.27	3.70	7.52

The Ulsterbus figures are for the entire Ulsterbus fleet, including Goldliners.

### Roads: Mosside, County Antrim

**Mr D McIlveen** asked the Minister for Regional Development for an update on the road improvement works in Mosside, Co. Antrim.

**(AQO 5587/11-15)**

**Mr Kennedy:** My Department's Roads Service commenced carriageway resurfacing works on the B147 Ballinlea Road, north of Mosside, on Thursday 6 February 2014. The work, with an estimated cost of £200,000, will take place on approximately 2.2 kilometres of the Ballinlea Road southwards from B17 Straid Road junction towards Carrowcroey Road. Road closures were required from Monday 10 to Wednesday 12 February, and again yesterday and today to surface the road. I'm sure this scheme will be well received by the local community and local elected representatives.

## Comber Greenway

**Mr Douglas** asked the Minister for Regional Development, given the drop in usage of the Comber Greenway during the winter months, whether the Minister has considered lighting the urban sections to encourage cycling and walking.

**(AQO 5588/11-15)**

**Mr Kennedy:** As I have highlighted in previous answers the new Cycling Unit was formally established in November 2013. The Unit now has its initial staffing complement and has begun its work in planning and coordinating cycling related activities within my Department.

Among the initial functions of the unit will be the development of a prioritised programme of cycling specific schemes and bidding for and allocating the necessary budget for delivery, focusing on the development of routes to promote and encourage cycling.

As the member is very familiar through his own cycling experience, the Comber Greenway is a well used cycling route which continues to attract both walkers and cyclists. In order to capitalise on this, I can assure the member that it will be considered as part of this exercise looking at ways to improve its attractiveness and any necessary safety measures such as lighting.

I would, however, remind the Member – and I know that he would recognise this – that lighting may not be appropriate along the entire route for aesthetic and conservation reasons. Furthermore, the needs of adjacent properties and neighbours will also have to be considered.

## Terrorist Memorials

**Mr Allister** asked the Minister for Regional Development what progress has been made in securing the removal of terrorist commemorations from his Department's property, including that of its arm's-length bodies.

**(AQO 5589/11-15)**

**Mr Kennedy:** I can assure Members neither I nor my Department approves of, or support the unauthorised use of Departmental property for illegally erected roadside memorials.

Memorials erected without lawful authority have much in common with other unauthorised activities, such as kerb and lamp post painting, and have the potential to create tension within local communities as well as posing a risk to those tasked with their removal.

As was the practice under my predecessors Mr Conor Murphy MP, Mr Gregory Campbell MP and Mr Peter Robinson MLA, my officials do not remove terrorist commemorations on departmental controlled or associated property unless road safety is being compromised, or there are clear indications that action to remove them would have widespread local support.

Unauthorised memorials on the property of the Department's arms-length bodies are matters for the Boards of those organisations.

## EU Funding

**Mr Copeland** asked the Minister for Regional Development for his assessment of his Department's achievements in securing European funding.

**(AQO 5590/11-15)**

**Mr Kennedy:** Quite simply, my Department is amongst the highest performing departments in the Northern Ireland Executive, and has made a hugely significant contribution to the current Programme for Government's commitment to increase competitive drawdown of European funds by 20% during the current budget period.

Since October 2011, my Department has been awarded almost 49 million pounds across a range of European programmes.

This includes an award of over 15 million pounds for upgrading of the A8 which is, in itself, the largest funding award for a single project to any Executive department in this Programme for Government period.

In addition, my Department has been awarded some 16 million pounds through the EU Competitiveness Programme which has accelerated the replacement schedule for Goldlink and Metro service vehicles.

A further 12.2 million pounds was awarded for the A2 upgrade and some 2.5 million pounds was awarded through the INTERREG Programme for the upgrading of Portadown railway station.

Another 2.5 million pounds has been awarded for a range of smaller transport related projects including ones relating to electric vehicles and modality studies.

These achievements haven't come easily – they haven't fallen into our laps. They have come about by defining and focusing on objectives, seeking out knowledge, promoting collaboration and understanding the environment in which we operate and compete.

My Department is continuing its preparations for the 2014-2020 round of European Programmes. The competitiveness of the European funding arena must not be underestimated – a recent call for applications for TEN-T funding was oversubscribed by a ratio of 4:1 in financial terms and even the highest quality applications are not necessarily guaranteed funding.

While my Department continues its activities in working to identify, highlight and expand opportunities for Northern Ireland applications, other departments must do likewise if, collectively, we are to continue to increase the overall drawdown of funds.

It is my firm belief that my Department can be as successful in the future as it has been in the past, and I sincerely hope that all Executive departments are, in this respect, equally successful in rising to the challenge we face.

### **Cycle Lanes: East Belfast**

**Mr Newton** asked the Minister for Regional Development what plans his Department has to upgrade the cycle network in East Belfast.

**(AQO 5591/11-15)**

**Mr Kennedy:** The newly formed Cycling Unit in my Department illustrates my ambition to give an increased focus and priority to the needs of cyclists and to encourage greater participation in this healthy and sustainable form of transport. A key priority for the Cycling Unit is to develop a long-term vision, and a comprehensive cycling strategy for Northern Ireland. I am keen to ensure that this Northern Ireland wide cycling strategy will guide development of a network of cycle and walking routes both in Belfast and across Northern Ireland.

In respect of specific interventions, my Department has started design work, with a view to providing a signalised road crossing at Sandown Road, as part of our ongoing strategy to provide controlled crossing facilities, where the Comber Greenway crosses busy main roads.

It is hoped this facility will be implemented and operational within the 2014/15 financial year, subject to the successful completion of the design processes and the availability of the necessary funding.

In addition, my officials are presently considering available options to improve cycle facilities between Tillysburn roundabout and Holywood Exchange and to improve signage on the public road, directing users from the Comber Greenway to Titanic Quarter.

### **Flooding: Strabane**

**Ms Boyle** asked the Minister for Regional Development how he is addressing the issue of flooding on the Cloughcor Road, Strabane, which is directly impacting on children attending St Mary's Cloughcor School.

**(AQO 5592/11-15)**

**Mr Kennedy:** I am aware that a section of the Cloughcor Road, Strabane is currently flooded as a result of drainage issues on adjacent land.

This section, which is the lowest point on the road, does experience occasional flooding due to these drainage issues, especially during prolonged rainfall events such as those we have experienced this year.

Whilst it is not a road drainage problem, my Department has worked with adjacent land owners in an effort to find a resolution, most recently in October 2012, when it supplied 42 metres of drainage pipe, to the Parish authorities, to help with drainage work being undertaken to address the flooding issue.

During this most recent flooding event, my officials erected flood warning signs and considered closing the road. However, officials are aware that traffic is making its way through the short stretch that is subject to flooding, to get to St Mary's Cloughcor Primary School, St Mary's Church and dwellings located on Cloughcor Road. All of these premises can be accessed from the other end of Cloughcor Road.

### **Water Resource Management Plan**

**Ms Lo** asked the Minister for Regional Development, in relation to the Water Resources Management Plan 2012, to outline the short term measures that can be implemented to address localised network problems.

**(AQO 5593/11-15)**

**Mr Kennedy:** The Water Resource Management Plan 2012, is a high level strategic document that looks to balance projected water demand with available supply through investment in trunk infrastructure and does not in itself identify localised network issues.

Localised network issues are highlighted through the Water Infrastructure Investment Model (WIIM). The WIIM applies a methodology to water infrastructure data to identify potential issues, analysis is carried out on the structural integrity (bursts), low pressure issues and water quality issues. From this work a prioritised list of interventions across Northern Ireland is developed. This list is then 'bundled' into work packages for delivery through NI Water's Price Control periods.

### **Roads: Reinstatement**

**Mr McNarry** asked the Minister for Regional Development what checks his Department has in place to ensure that roads opened by contractors for access to utilities are reinstated properly.

**(AQO 5594/11-15)**

**Mr Kennedy:** Those undertaking street works in Northern Ireland, mainly utility companies with statutory powers to do so, must comply with the requirements of the Street Works (Northern Ireland) Order 1995, and associated secondary legislation. This includes requirements regarding notification of works, co-operation with my Department in co-ordination of works, signing, lighting and guarding of works, qualifications of operatives and supervisors and reinstatement of openings.

The main utility companies in Northern Ireland work closely with the Department through the Northern Ireland Road Authority and Utilities Committee (NIRAUC) in order to co-ordinate works on roads in the interests of safety, to minimise inconvenience to those using our streets and to protect the structure of our streets and the integrity of the apparatus in the street.

NIRAUC has agreed codes of practice to provide practical guidance in meeting the respective obligations of the road authority and the utility companies. These include codes of practice on the specification for reinstatement of openings in roads and on the inspection of street works.

My Department carries out sample inspections of one in ten utility openings within six months of completion of reinstatement, to ensure roads are being reinstated properly. A further one in ten reinstatements is inspected during the final three months of the guarantee period, which is normally two years. Officials also extract sample cores from one in every 100 reinstatements to ensure the correct material has been placed to the required depth. Where the sample inspections reveal an unacceptable level of defects, the Department can increase inspection levels, with the additional cost borne by the utility company, as part of an improvement plan until the required level of improvement has been achieved.

Any reinstatement defects are reported to the utility company responsible, for repair or replacement. Additional inspections are carried out to ensure the defects have been corrected with the associated costs borne by the utility company.

Any surface defects identified through routine maintenance inspections, or those notified by members of the public, are also reported to the utility company for repair or replacement as necessary.

### **Railways: Belfast Terminus**

**Mr Lunn** asked the Minister for Regional Development for an update on his plans to use Great Victoria Street, rather than Central Station, as Belfast's main rail terminus.  
(AQO 5595/11-15)

**Mr Kennedy:** The project to develop a modern integrated transport hub at the existing combined Great Victoria Street Railway Station and Europa Bus Centre sites is progressing. This includes a number of different elements including potentially changing the arrival and departure point for the Belfast to Dublin enterprise service from Central station to Great Victoria Street (GVS). Great Victoria Street is already Northern Ireland's main rail terminus. Passenger flows last year exceeded 4 million compared to Central Station's 2.2 million.

Critically passenger flows for bus and rail at the Europa/GVS bus and rail terminus exceeded 8.4 million last year. The Great Victoria Street Railway Station is reaching capacity constraints for current usage as the main terminus for the Bangor, Portadown/Newry, Londonderry and Larne Lines. In addition it is recognized that there is potential to grow numbers on the Enterprise service. Relocating this service to GVS will reduce journey times and potentially allow for the introduction of an hourly frequency of service. This plan is heavily supported by users of the Enterprise service. There are no plans to make other changes to rail services to or from Central Station and it remains a key part of the rail network and one of the most heavily used stations.

In relation to the overall Transport Hub programme the tender process for an Integrated Design Team (IDT) is drawing to a conclusion and it is anticipated that an appointment will be made around the end of March or early April 2014.

The project team is currently developing a strategic business case and is in discussion with the Strategic Investment Board regarding possible funding mechanisms. Once the IDT has been appointed, design options will be developed and further consultation will be undertaken with stakeholders to identify the best way forward for both public transport and the wider community.

Subject to funding and approvals, it is currently projected that site works may begin later in 2016, with a construction programme running into several years depending on the extent of the agreed redevelopment and the number of works phases required to undertake construction around an operational public facility.

### **Park and Ride: Larne**

**Mr Hilditch** asked the Minister for Regional Development whether he has any plans to increase the park and ride facilities along the Larne railway line.  
(AQO 5596/11-15)

**Mr Kennedy:** Translink is currently considering a project to extend Park & Ride facilities at Whiteabbey Station. Assuming achievement of relevant land purchase and planning permission, it is hoped that approximately 50 additional spaces can be provided within the 2014/15 financial year.

In January 2013, the available Park & Ride capacity in Carrickfergus was increased by 242 spaces by changing the existing St. Bride's car park from a Pay & Display car park into a free over-flow Park & Ride/Share facility as part of the Temporary Traffic Management Works associated with the on-going A2 Shore Road, Greenisland Road improvement scheme. This arrangement will need to be reviewed going forward in the light of Departmental strategic priorities, the interactions with the local council on car park transfers and the continuing growth of rail passenger numbers on the Larne line.

## Department for Social Development

### Housing Executive: Response Maintenance Contracts

**Mr Allister** asked the Minister for Social Development, in relation to the current response maintenance contracts, (i) how much the Northern Ireland Housing Executive has withheld from contractors in circumstances where the amount at issue is disputed; and (ii) why this action has been taken in apparent breach of Clause 52.2 of the relevant contracts.

**(AQW 29925/11-15)**

**Mr McCausland (The Minister for Social Development):** In relation to (i): I would refer the Member to my response to AQW 29926/11-15.

In relation to (ii): The Housing Executive does not believe there is any breach of clause 52.2. However, the Housing Executive has advised that there is an adjudicator's decision that found that Clause 52.2 required the Housing Executive to go through a formal dispute process on disputed amounts to be set-off against amounts due to a contractor, before such a set-off was implemented. This decision is due to be challenged in the High Court.

### Housing Executive: New Lodge

**Mr Spratt** asked the Minister for Social Development for an update on the Housing Executive's planned repair scheme to include PVC cladding on tower blocks in the New Lodge area, in order to reduce heat loss and prevent dampness.

**(AQW 30440/11-15)**

**Mr McCausland:** I refer the Member to my answer to AQW 29937/11-15 and would add that the work is programmed to commence in March 2014.

### Employment and Support Allowance

**Lord Morrow** asked the Minister for Social Development, in relation to Employment and Support Allowance applications, under what circumstances a GP's advice that a person is unfit to work due to a serious or significant risk to health and welfare can be overruled.

**(AQW 30457/11-15)**

**Mr McCausland:** All Employment and Support Allowance claimants are subject to the Work Capability Assessment process that determines their entitlement to benefit by assessing their capability for work and carrying out everyday tasks. The assessment process includes consideration of whether or not exceptional circumstances apply because of a serious or significant risk to the claimant's health and welfare due to their physical and/or mental health-related illness.

Under current legislation, the decision on a claimant's capability for work and whether or not exceptional circumstances should apply is made by an Employment and Support Allowance Decision Maker, who will have received specialist training for this role, and who will have access to detailed supporting advice and guidance for decision-making.

In making any decision, the Decision Maker will consider all of the available medical evidence, including the Atos healthcare professional's medical report, information provided by the claimant, and any independent medical evidence from a GP or other healthcare professional.

All Social Security decisions can be reconsidered on request by another Decision Maker and/or can be appealed to the Appeal Tribunal.

### Employment and Support Allowance

**Lord Morrow** asked the Minister for Social Development how many Employment and Support Allowance applicants in 2013 were refused the benefit after presenting GP evidence of significant risk to their health from having to work.

**(AQW 30471/11-15)**

**Mr McCausland:** The information requested is not available. The IT system used to administer Employment and Support Allowance is not configured to identify claimants that have been disallowed Employment and Support Allowance after presenting GP evidence of significant risk to their health from having to work. This type of evidence along with the information provided by the claimant in their Employment and Support Allowance 50 form is considered by the Healthcare Professional as part of the Work Capability Assessment Process. The outcome of that process is then forwarded to the Social Security Agency decision maker who takes a number of factors into consideration before deciding whether there is an entitlement for benefit.

### Warm Homes Scheme

**Mr Milne** asked the Minister for Social Development whether the scheme set to replace the Warm Homes Scheme will be in place by 1 July 2014; and what contingency plans are in place should the scheme not be in place by this date.

**(AQW 30486/11-15)**

**Mr McCausland:** My Department will launch a public consultation later in February 2014 seeking views on the eligibility criteria, measures available and delivery model of a proposed new Affordable Warmth Scheme. The public consultation will run until early May 2014. I am confident that a new Affordable Warmth Scheme will be in place by July 2014.

### Housing Executive: Belfast Framework

**Mr Milne** asked the Minister for Social Development whether the contractors on the Housing Executive Belfast Framework submitted tenders in the recent secondary competition, that was run to replace the contractors that have gone out of business; and to detail the number of successful submissions for each re-tendered area.

**(AQW 30492/11-15)**

**Mr McCausland:** This information is not available as the Housing Executive has advised that the secondary competition has not yet been completed.

### Double Glazing

**Mr McKay** asked the Minister for Social Development, pursuant to AQW 29952/11-15, whether casement or reversible specification windows will be used in the new scheme.

**(AQW 30519/11-15)**

**Mr McCausland:** The Housing Executive has advised that the various styles of windows to be used within the Low Rise Double Glazing contract are detailed within the tender documentation and that there is the potential to use flush casement, storm proof and fully reversible windows. They explain that the specific style to be used on any particular scheme will not be known until after each contractor has carried out the site survey and presented proposals to the Scheme Clearing House meeting.

### Housing Executive: Direct Labour Organisation

**Mrs D Kelly** asked the Minister for Social Development where the Direct Labour Organisation will be located; and whether the Housing Executive are inviting tenders for the provision of its works.

**(AQW 30582/11-15)**

**Mr McCausland:** The Housing Executive has advised that the Direct Labour Organisation (DLO) currently delivers a response maintenance service in each of the Housing Executive's three Regions – Belfast, South and North.

Belfast Region is serviced from the Housing Executive's Glengall Street depot and from leased depots in Argyle Business Centre, North Howard Street and Musgrave Park Industrial Estate, Stockman's Way. South Region is serviced from rented premises at Annagh Hill Industrial Estate, Portadown and North Region from the Housing Executive's premises at Hillman's Way, Coleraine.

In relation to inviting tenders for the provision of its works, this information is not currently available as the Housing Executive is developing a business case which considers as an option the expansion of the DLO to cover response maintenance contracts. This will be subject to the required departmental approval.

### Social Housing: Newbuilds

**Mr F McCann** asked the Minister for Social Development how many social housing new builds have been completed in each constituency, in each of the last three financial years.

**(AQW 30588/11-15)**

**Mr McCausland:** The table below provides details of the number of social housing completions, by Parliamentary constituency, in each of the last three financial years:

Parliamentary Constituency	2010/11	2011/12	2012/13
East Antrim	25	11	6
North Antrim	5	16	9
South Antrim	11	22	127
Upper Bann	28	85	19
East Belfast	137	68	34
North Belfast	298	179	182
South Belfast	164	128	92
West Belfast	65	121	176
North Down	146	25	0
South Down	14	117	54

Parliamentary Constituency	2010/11	2011/12	2012/13
Fermanagh & South Tyrone	42	55	41
Foyle	142	175	184
Lagan Valley	155	19	57
East Londonderry	0	13	14
Mid Ulster	33	11	30
Newry & Armagh	82	106	60
Strangford	43	131	163
West Tyrone	19	28	6
<b>Totals</b>	<b>1409</b>	<b>1310</b>	<b>1254</b>

The Information provided in this response is governed by the Principles and Protocols of the Code of Practice for Official Statistics. This is enforced by UK Statistics Authority.

### Disability Living Allowance: Appeals

**Mrs Cochrane** asked the Minister for Social Development to outline (i) the maximum time which is permitted for a final decision to be reached regarding an appeal against a refusal of, or reduction in, the payment of Disability Living Allowance; and (ii) the number of Disability Living Allowance appeal cases submitted prior to 1 October 2013 which are currently outstanding. **(AQW 30592/11-15)**

**Mr McCausland:** Within the overall Appeals Service there is no maximum time permitted for a final decision to be reached in relation to DLA appeals. The determination of an appeal is the responsibility of an independent Judicial Office Holder, with each appeal considered on its own merits, taking account of the individual circumstances and evidence presented.

The Appeals Service currently has 755 outstanding DLA appeal cases which were received prior to 1 October 2013.

### Tenancy Deposit Scheme: Simon Community

**Mr Copeland** asked the Minister for Social Development whether he is aware of any conflict between the Tenancy Deposit Scheme and the Simon Community Rent and Deposit Bond Scheme. **(AQW 30600/11-15)**

**Mr McCausland:** There is no conflict between these two schemes.

The Rent and Deposit Bond Scheme operated by the Simon Community NI is aimed at those who are homeless or at risk of being homeless and who would find it difficult to fund rent in advance and/or a deposit. It provides a written bond to landlords in lieu of rent in advance and/or a deposit.

The Tenancy Deposit Schemes Regulations (NI) 2012 require that deposits paid, on or after 1 April 2013, by tenants in the private rented sector must be protected in either a custodial or insurance based scheme.

The Tenancy Deposit Scheme offers protection for both landlord tenants in that there is a mechanism in place for resolving disputes over the return of a deposit at the end of a tenancy.

### Homelessness

**Mr Copeland** asked the Minister for Social Development to detail (i) the current number of short term accommodation units; (ii) the current number of short term floating support units, which are available for people who are homeless or are at risk of becoming homeless; (iii) the current demand for these units; and (iv) how the current numbers and demand for these units compares with that in each of the last ten years. **(AQW 30604/11-15)**

**Mr McCausland:** In relation to (i) the Housing Executive has interpreted this as the number of temporary accommodation units available to enable them to provide temporary accommodation in response to its homelessness duties. Table 1 attached provides details of the number of temporary accommodation units on the Housing Executive's bed bureau at 1 November 2013: -

**Table 1**

<b>NIHE Hostels</b>	<b>Voluntary Sector Hostels including Refuges /Young Person accommodation etc.)</b>	<b>Private Sector Properties</b>
20 hostels (183 units of accommodation)	62 Hostels (Circa 1700 bed spaces)	1118 (Self-contained units across a range of property types)

In relation to (ii) Floating Support is not a temporary accommodation based service. It is a service delivered to individuals primarily in their own homes. To date in 2013/14 Supporting People funded 1,487 individuals with a floating support service.

In relation to (iii) with regard to temporary accommodation occupancy, the average service utilisation was 87% in the nine months from April to December 2013. With regard to the Floating Support Services, 1,487 were being helped during the same nine month period.

In relation to (iv) the information is only available for the last five years regarding temporary accommodation demand as detailed in Table 2 attached. This provides the total number of homeless placements made to temporary accommodation.

**Table 2**

<b>Year</b>	<b>NIHE hostels</b>	<b>Voluntary Sector Hostels</b>	<b>Private Sector Accommodation</b>	<b>Total</b>
2008/09	571	1469	2327	<b>4367</b>
2009/10	588	1576	2487	<b>4651</b>
2010/11	502	1368	2535	<b>4405</b>
2011/12	483	1345	2731	<b>4559</b>
2012/13	518	1429	2933	<b>4880</b>

With regard to Supporting People funded Homeless Floating Support Services, the information is only available since April 2012 and is detailed in Table 3 attached:

**Table 3**

<b>Year</b>	<b>Number</b>
2012/13	690
2013/14 (9 months)	1487

During the last two years new floating support services have been developed and in addition existing services have been remodelled to increase the capacity of community based service across Northern Ireland.

The Information provided in this response is governed by the Principles and Protocols of the Code of Practice for Official Statistics. This is enforced by UK Statistics Authority.

## **Social Housing: One- and Two-bedroom Units**

**Mr Copeland** asked the Minister for Social Development his assessment of the number of new build one and two bed units being constructed within the Social Housing Development Programme.

**(AQW 30608/11-15)**

**Mr McCausland:** In the current year to date (2013/14), to supplement current social housing one and two bed stock, 31 one-bed and 139 two-bed units have been started.

The table below identifies the current programmed one and two bed housing unit figures from the gross Social Housing Development Programme for the 3-year period 2014/15 – 2016/17.

	<b>2014/15</b>	<b>2015/16</b>	<b>2016/17</b>	<b>Total</b>
One-bed units	272	310	136	718
Two-bed units	1199	987	579	2765
<b>Totals</b>	<b>1471</b>	<b>1297</b>	<b>715</b>	<b>3483</b>

Where specific schemes are unable to be delivered or are slipped to later programme years, delivery will be supplemented by additional new build schemes and/or "Off-the-Shelf" schemes.

In particular, the programmed figures for one and two-bed housing in Year 3 (2016/17) will be increased through additional schemes.

## Housing Executive: Churchill Estate, Millisle

**Mr Easton** asked the Minister for Social Development to outline the maintenance schemes planned for the Churchill estate, Millisle.

**(AQW 30612/11-15)**

**Mr McCausland:** The Housing Executive advises that planned schemes for the 124 dwellings in the Churchill estate are as follows:-

External Cyclical:	124 dwellings programmed for 2015
Kitchen replacement:	24 dwellings programmed for 2014
	43 dwellings programmed for 2015
	37 dwellings programmed for 2016

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.

## Alcohol: Licensing

**Mr Rogers** asked the Minister for Social Development, in light of the number of recent forced pub closures, whether he will give consideration to amending the Liquor Licensing Legislation to allow for rolling registration, or a system whereby a reminder is issued to landlords in advance of the expiry date of the licence.

**(AQW 30616/11-15)**

**Mr McCausland:** Under the Licensing (Northern Ireland) Order 1996 any person who wishes to sell alcohol to the public must hold a valid liquor licence. An application for the initial grant of a licence is made to a County Court and subsequent applications to renew it are made to a magistrates' court. A licence is valid for a licensing period. The current licensing period runs from 1 October 2012 to 30 September 2017.

Both the Northern Ireland Court Service and my Department placed notices in the local press informing licence holders of the need to apply to their relevant magistrates' court to renew their licences in advance of commencement of the current licensing period. I understand the Pubs of Ulster, the representative body of the licensed trade in Northern Ireland, also alerted its members to this requirement.

A magistrates' court may consider a late application for a renewal of a licence which is made no later than 12 months after it has expired. Failing this an application for the grant of a new licence must be made.

I am satisfied that these arrangements are fair and reasonable and therefore have no plans to amend the renewal of licences procedure.

## Ombudsman: Recommendations

**Mr Allister** asked the Minister for Social Development on how many occasions since May 2007 has his Department not accepted the recommendations contained in an Ombudsman's finding.

**(AQW 30660/11-15)**

**Mr McCausland:** There have been no occasions where my Department has not accepted an Ombudsman's finding since May 2007.

## Crisis Loans

**Mr Allister** asked the Minister for Social Development to detail (i) the current scale of Crisis Loans; (ii) the value of the loans to be repaid; and (iii) the amount written off in the last five years.

**(AQW 30700/11-15)**

**Mr McCausland:** The Crisis Loan Budget allocation for the 2013/14 financial year was £17.5 million with expenditure on Crisis Loans amounting to £11.9 million at 31 January 2014. The value of Crisis Loans to be repaid amounted to £30.03 million at 31 March 2013 which is the last audited figure available in the Social Security Agency's Annual Report and Accounts for 2012/13. The amount of Crisis Loan debt written off in the last five years is set out in the table below and again is the last audited figure included in the Agency's Annual Report and Accounts for 2012/13:

The circumstances in which Crisis Loan debt will be written off include where the claimant has been deported or gone abroad, the claimant is in prison or similar institution, the claimant's address/whereabouts are not known, the claimant has been declared bankrupt and the bankruptcy petition date is prior to 24 December 2013 or the claimant has died and there is no estate.

Year Ended	Value of Crisis Loans Written Off
March 2013	£93k
March 2012	£101k
March 2011	£52k

Year Ended	Value of Crisis Loans Written Off
March 2010	£31k
March 2009	£50k

### Crisis Loans

**Mr Allister** asked the Minister for Social Development whether a check is carried out on new benefit applications to determine whether the claimant has repaid previous Crisis Loans.

**(AQW 30701/11-15)**

**Mr McCausland:** There is an electronic interface between the Social Fund Computer System and the main Social Security Benefit Computer Systems which will notify Social Security Agency Social Fund staff that a claimant with an outstanding Social Fund loan, including a Crisis Loan, has made a new claim to benefit. On receipt of this notification, action is taken to re-commence recovery of any outstanding loan. When a claimant stops claiming benefit, the Agency will take steps to ensure that any outstanding loan is re-paid in the first instance by contacting the claimant. If after three weeks this proves unsuccessful, the case will be referred to the Agency's Debt Centre Northern Ireland to pursue recovery.

### Crisis Loans

**Mr Allister** asked the Minister for Social Development what arrangements are in place to check the veracity of applications for Crisis Loans; and what arrangements exist to permit the payment of such loans directly to a relevant supplier, rather than the claimant.

**(AQW 30704/11-15)**

**Mr McCausland:** The Social Fund Decision Maker in determining a Crisis Loan application must have regard to the individual circumstances of each claim and the relevant Departmental Directions. It is the responsibility of a claimant to provide all the evidence necessary to substantiate their claim, but a Decision Maker may make further investigations if insufficient information has been provided or there is any reason to doubt the validity of the application. Where appropriate, a Decision Maker will seek corroborating evidence.

Sections 134(3) and 135(5) of the Social Security Contributions Act (NI) 1992 allow for payments from the Discretionary Social Fund to be made to a third party for the provision of, or arranging the provision of goods or services for the claimant. This provision is used in exceptional circumstances where the claimant or their representative requests it, or where there is evidence that the claimant may not use the payment for the items or services awarded.

### Housing: Lower Oldpark, Belfast

**Mr F McCann** asked the Minister for Social Development to detail how the refurbished houses in the Lower Old Park were allocated, including whether they were allocated to people within the area by transfer or allocated from the housing waiting list.

**(AQW 30817/11-15)**

**Mr McCausland:** Clanmil Housing Association, who own the properties in question, has advised that properties continue to be allocated in accordance with the Housing Selection Scheme. They have handed over five properties in Manor Court and four in Mountview Street. These nine properties have been allocated to applicants whose area of choice was the Lower Oldpark area; this includes one transfer.

### Giro d'Italia: Carrickfergus Borough Council

**Mr Hilditch** asked the Minister for Social Development for an update on the budget allocated to Carrickfergus Borough Council for the Giro d'Italia 2014.

**(AQW 31125/11-15)**

**Mr McCausland:** Carrickfergus Borough Council received £13,500 of capital funding from DSD towards a £15,000 scheme to help improve the appearance of properties and derelict sites which are located along the Giro d'Italia race route and this work is due to be completed by 31 March 2014.



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# Northern Ireland Assembly

Friday 28 February 2014

## Written Answers to Questions

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

#### **Ilex: Advance Payments**

**Mr Allister** asked the First Minister and deputy First Minister whether any advance payments have been made to Ilex Urban Regeneration Company office holders or members; and if so, when the payments were made and for what reason.  
(AQW 26650/11-15)

**Mr P Robinson and Mr M McGuinness (The First Minister and deputy First Minister):** Ilex has confirmed that no advance payments have been made by the company to office holders or members at any time.

#### **Good Relations: Funding**

**Ms McCorley** asked the First Minister and deputy First Minister for an update on the Central Good Relations Funding Programme.  
(AQO 5006/11-15)

**Mr P Robinson and Mr M McGuinness:** The Central Good Relations Funding Programme 2013/14 opened for applications on 4 October 2013, closed on 15 November 2013 and funding has been awarded to groups. The 2014/15 Central Good Relations Fund opened for applications on 22 November 2013 and closed at 4pm on 10 February 2014.

The Fund supports productive, time bound projects which contribute to the promotion of good relations and to building a united and shared community as identified in the good relations strategy, Together: Building a United Community, published on 23 May 2013.

#### **Illegal Organisations: Government Funding**

**Mr Dallat** asked the First Minister and deputy First Minister what action they are taking to ensure that illegal organisations, such as the IRA, UVF or UDA, do not benefit, directly or indirectly, from any government funding.  
(AQW 28729/11-15)

**Mr P Robinson and Mr M McGuinness:** Our Department does not fund illegal organisations.

OFMDFM undertakes financial and other checks on all groups and organisations in receipt of departmental funding.

#### **Social Mobility**

**Mr Agnew** asked the First Minister and deputy First Minister to detail how their Department measures social mobility and to provide the indicators of social mobility, for each of the last five years.  
(AQW 29504/11-15)

**Mr P Robinson and Mr M McGuinness:** The Executive's anti-poverty and social inclusion strategy, Lifetime Opportunities, adopted a 'lifecycle' approach to tackling poverty and social exclusion, recognising that in order to prevent a cycle of deprivation persisting through generations, issues affecting early years, children and young people are crucial.

The Lifetime Opportunities Monitoring Framework Update Report 1998/99 - 2010-11, published by our department in August 2013, presents a range of statistical targets and indicators endorsed by the Northern Ireland Executive Sub-Committee on Poverty and Social Inclusion in support of Lifetime Opportunities. The report reflects many of the commonly agreed EU and UK indicators, but also includes a number of additional indicators specific to here. A further update is anticipated in 2014.

Delivering Social Change has adopted and extended the lifecycle approach to tackling poverty and social exclusion, aiming to break the cycle of multi-generational problems by improving children and young people's health, well-being and life opportunities and reducing poverty and associated issues across all ages. However, we do not specifically measure social mobility.

### Community Relations Council: Chairperson

**Mr Allister** asked the First Minister and deputy First Minister (i) how many applicants there were for the position of Chair of the Community Relations Council; (ii) how many were interviewed; (iii) who comprised the interview panel; and (iv) whether there was ministerial sign off of the appointment.

**(AQW 29748/11-15)**

**Mr P Robinson and Mr M McGuinness:** We have no role in the selection or appointment of the Chair of NICRC.

In accordance with the NICRC's Management Statement and Financial Memorandum, the Chair is independently appointed by the NICRC and under the supervision and assurance of the CPANI.

There were 10 applicants for the position of Chair of the Northern Ireland Community Relations Council (NICRC); 5 candidates were interviewed.

The interview panel was made up of two CRC Board Members, Hazel Francey and Sylvia Gordon, an independent Commissioner for Public Appointments NI (CPANI) Assessor, Kevin Slowey, and an independent Chair, Bob Collins.

### Social Investment Fund: North Belfast

**Mr Attwood** asked the First Minister and deputy First Minister to list the name and address of each of the three successful Social Investment Fund applicants in the Belfast North Zone, announced on 10 February 2014; and to detail the approved proposals. **(AQW 30904/11-15)**

**Mr P Robinson and Mr M McGuinness:** The Local Steering Groups, appointed by us, have nominated lead partners who will be tasked to deliver the approved Social Investment Fund projects, subject to verification of their governance arrangements and delivery capacity. Lead Partners will be responsible for procuring the delivery of each project. OFMDFM is currently undertaking the necessary verification in respect of all potential lead partners.

Information on particular projects to be funded in each zone can be found at:

<http://www.ofmdfmi.gov.uk/index/delivering-social-change/social-investment-fund/sif-projects.htm>

### Social Investment Fund: South Belfast

**Mr Attwood** asked the First Minister and deputy First Minister to list the name and address of each of the three successful Social Investment Fund applicants in the Belfast South Zone, announced on 10 February 2014; and to detail the approved proposals. **(AQW 30905/11-15)**

**Mr P Robinson and Mr M McGuinness:** The Local Steering Groups, appointed by us, have nominated lead partners who will be tasked to deliver the approved Social Investment Fund projects, subject to verification of their governance arrangements and delivery capacity. Lead Partners will be responsible for procuring the delivery of each project. OFMDFM is currently undertaking the necessary verification in respect of all potential lead partners.

Information on particular projects to be funded in each zone can be found at:

<http://www.ofmdfmi.gov.uk/index/delivering-social-change/social-investment-fund/sif-projects.htm>

### Social Investment Fund: East Belfast

**Mr Attwood** asked the First Minister and deputy First Minister to list the name and address of each of the three successful Social Investment Fund applicants in the Belfast East Zone, announced on 10 February 2014; and to detail the approved proposals. **(AQW 30906/11-15)**

**Mr P Robinson and Mr M McGuinness:** The Local Steering Groups, appointed by us, have nominated lead partners who will be tasked to deliver the approved Social Investment Fund projects, subject to verification of their governance arrangements and delivery capacity. Lead Partners will be responsible for procuring the delivery of each project. OFMDFM is currently undertaking the necessary verification in respect of all potential lead partners.

Information on particular projects to be funded in each zone can be found at:

<http://www.ofmdfmi.gov.uk/index/delivering-social-change/social-investment-fund/sif-projects.htm>

### Social Investment Fund: West Belfast

**Mr Attwood** asked the First Minister and deputy First Minister to list the name and address of each of the three successful Social Investment Fund applicants in the Belfast West Zone, announced on 10 February 2014; and to detail the approved proposals. **(AQW 30907/11-15)**

**Mr P Robinson and Mr M McGuinness:** The Local Steering Groups, appointed by us, have nominated lead partners who will be tasked to deliver the approved Social Investment Fund projects, subject to verification of their governance arrangements and delivery capacity. Lead Partners will be responsible for procuring the delivery of each project. OFMDFM is currently undertaking the necessary verification in respect of all potential lead partners.

Information on particular projects to be funded in each zone can be found at:

<http://www.ofmdfmi.gov.uk/index/delivering-social-change/social-investment-fund/sif-projects.htm>

### **Social Investment Fund: Derry/Londonderry**

**Mr Attwood** asked the First Minister and deputy First Minister to list the name and address of each of the three successful Social Investment Fund applicants in the Derry/Londonderry Zone, announced on 10 February 2014; and to detail the approved proposals.

**(AQW 30908/11-15)**

**Mr P Robinson and Mr M McGuinness:** The Local Steering Groups, appointed by us, have nominated lead partners who will be tasked to deliver the approved Social Investment Fund projects, subject to verification of their governance arrangements and delivery capacity. Lead Partners will be responsible for procuring the delivery of each project. OFMDFM is currently undertaking the necessary verification in respect of all potential lead partners.

Information on particular projects to be funded in each zone can be found at:

<http://www.ofmdfmi.gov.uk/index/delivering-social-change/social-investment-fund/sif-projects.htm>

### **Social Investment Fund: Northern Zone**

**Mr Attwood** asked the First Minister and deputy First Minister to list the name and address of each of the three successful Social Investment Fund applicants in the Northern Zone, announced on 10 February 2014; and to detail the approved proposals.

**(AQW 30937/11-15)**

**Mr P Robinson and Mr M McGuinness:** The Local Steering Groups, appointed by us, have nominated lead partners who will be tasked to deliver the approved Social Investment Fund projects, subject to verification of their governance arrangements and delivery capacity. Lead Partners will be responsible for procuring the delivery of each project. OFMDFM is currently undertaking the necessary verification in respect of all potential lead partners.

Information on particular projects to be funded in each zone can be found at:

<http://www.ofmdfmi.gov.uk/index/delivering-social-change/social-investment-fund/sif-projects.htm>

### **Social Investment Fund: South-eastern Zone**

**Mr Attwood** asked the First Minister and deputy First Minister to list the name and address of each of the three successful Social Investment Fund applicants in the South Eastern Zone, announced on 10 February 2014; and to detail the approved proposals.

**(AQW 30939/11-15)**

**Mr P Robinson and Mr M McGuinness:** The Local Steering Groups, appointed by us, have nominated lead partners who will be tasked to deliver the approved Social Investment Fund projects, subject to verification of their governance arrangements and delivery capacity. Lead Partners will be responsible for procuring the delivery of each project. OFMDFM is currently undertaking the necessary verification in respect of all potential lead partners.

Information on particular projects to be funded in each zone can be found at:

<http://www.ofmdfmi.gov.uk/index/delivering-social-change/social-investment-fund/sif-projects.htm>

### **Social Investment Fund: Southern Zone**

**Mr Attwood** asked the First Minister and deputy First Minister to list the name and address of each of the three successful Social Investment Fund applicants in the Southern Zone, announced on 10 February 2014; and to detail the approved proposals.

**(AQW 30940/11-15)**

**Mr P Robinson and Mr M McGuinness:** The Local Steering Groups, appointed by us, have nominated lead partners who will be tasked to deliver the approved Social Investment Fund projects, subject to verification of their governance arrangements and delivery capacity. Lead Partners will be responsible for procuring the delivery of each project. OFMDFM is currently undertaking the necessary verification in respect of all potential lead partners.

Information on particular projects to be funded in each zone can be found at:

<http://www.ofmdfmi.gov.uk/index/delivering-social-change/social-investment-fund/sif-projects.htm>

### **Active Ageing Strategy**

**Mr Brady** asked the First Minister and deputy First Minister for an update on the Active Ageing Strategy.

**(AQO 5611/11-15)**

**Mr P Robinson and Mr M McGuinness:** The Draft Active Ageing Strategy was launched for public consultation on 21 February 2014.

## Department of Agriculture and Rural Development

### Single Farm Payment: Remote Sensing

**Mrs Dobson** asked the Minister of Agriculture and Rural Development to detail when Single Farm Payments were paid to applicants included in the 2012 remote sensing pilot, broken down by month.

**(AQW 30705/11-15)**

**Mrs O'Neill (The Minister of Agriculture and Rural Development):** 248 Businesses were inspected via Control with Remote Sensing for the 2012 scheme year, their Single Farm Payments were issued as follows:-

Month	Number of payments issued
December 2012	8
January 2013	29
February 2013	59
March 2013	56
April 2013	56
May 2013	28
June 2013	4
July 2013	1
August	1
<b>Total</b>	<b>242*</b>

\*The remaining 6 businesses were not due a payment in 2012.

### Farm Mapping: Ordnance Survey/DARD

**Mrs Dobson** asked the Minister of Agriculture and Rural Development to detail outline the relationship, with regard to farm mapping, between her Department and Ordnance Survey; and for a breakdown of the costs associated with this collaboration, in each of the last three years.

**(AQW 30706/11-15)**

**Mrs O'Neill:** A Service Level Agreement (SLA) exists between Land & Property Services (LPS) and the Department of Agriculture and Rural Development (DARD) which formalises the relationship between LPS and Land Parcel Identification System (LPIS) Improvement Branch in relation to on-going map data improvement activity.

LPS provides the following services to DARD:-

- The ongoing review of field boundaries and features;
- Delivery of datasets to DARD;
- New ortho-photography (aerial) as it becomes available
- Deployment of LPS staff to DARD Direct offices when required to meet with farm businesses;
- Accommodation where applicable;
- Software licenses and hardware for the duration of the SLA;
- Technical advice and guidance;
- Management Information.

DARD has the following responsibilities under the SLA:-

- To provide and agree a written, clear, concise and definitive request for all services required from LPS;
- To pay for Services provided by LPS

The costs associated with this work during each of the past 3 years are:

Financial Year	Amount (£K)
2011-12	4,623
2012-13	4,902
13-14 at Jan 14	2,052
<b>Total</b>	<b>11,577</b>

## Areas of Natural Constraint

**Mr Frew** asked the Minister of Agriculture and Rural Development to outline the options provided by the EU in their guidance on fine tuning Areas of Natural Constraint.

**(AQW 30725/11-15)**

**Mrs O'Neill:** The current draft guidance from the EU Commission provides options for fine tuning to identify those areas constrained by biophysical criteria that have overcome the constraint by investment or economic activity, or by evidence of normal land productivity or by production methods or farming systems that have offset the constraint.

In respect of fine tuning regarding investments, regions can use information related to levels of irrigation, artificial drainage or greenhouse cover. In respect of fine tuning regarding economic activity, etc, regions can use information related to standard output, average yield of a dominant crop, livestock density, tree density, normal land productivity or farming systems and production methods. The guidance provides thresholds that should be used when fine tuning.

The guidance also states that fine tuning must be carried out, must be complete, and must be done correctly with adequate objective criteria, otherwise the delimitation will not be deemed credible.

Work exploring the use of fine tuning is continuing and my officials are currently seeking clarification from the EU Commission on a number of issues related to the application of the fine tuning methodology. The guidance is subject to ongoing debate between Member States and the Commission and a revised version is expected in the coming week.

## Areas of Natural Constraint

**Mr Frew** asked the Minister of Agriculture and Rural Development why the existing Severely Disadvantaged Areas and Disadvantaged Areas cannot be used as an administrative unit in defining Areas of Natural Constraint.

**(AQW 30726/11-15)**

**Mrs O'Neill:** The methodology defined by Regulation (EU) No 1305/2013 and EU Commission guidance for designation of Areas of Natural Constraint (ANC) is fairly prescriptive. The designation is a two stage process, the first stage being the application of biophysical criteria to eligible agricultural land to identify those administrative units affected by biophysical constraints and the second a fine tuning exercise to remove those administrative units where it can be demonstrated that the constraint has been overcome.

In both these stages, designation must be "ensured at the level of local administrative units ("LAU 2" level) or at the level of a clear delineated local unit which covers a single clear contiguous geographical area with a definable economic and administrative boundary". This requirement derives from a similar World Trade Organisation obligation. That, therefore, requires designation at the electoral ward or townland level.

The existing Severely Disadvantaged Areas and Disadvantaged Areas do not meet this definition and, therefore, cannot be used as an administrative unit in defining the new Areas of Natural Constraint. Moreover, attempting to use such an approach would defeat the objective of the EU redesignation programme, as it would simply confirm or reject the current LFA designated areas as meeting the set of ANC designation criteria rather than enabling boundaries to be recast within Member States based on a common methodology.

## Flooding: Assistance to Southern England

**Mr Swann** asked the Minister of Agriculture and Rural Development whether she has contacted her counterpart in the Department of the Environment, Food and Rural Affairs to see if her Department can provide any assistance to alleviate any of the problems caused by flooding in southern England.

**(AQW 30731/11-15)**

**Mrs O'Neill:** I have had no direct contact with any Westminster Minister on this matter, but I understand that a senior official in Rivers Agency has had discussions with their counterparts in the Department of the Environment, Food and Rural Affairs and the English Environment Agency, as part of their normal business. I would be cautious about releasing resources from here to assist with the flood emergency, as we are also experiencing higher than normal quantities of rainfall, surge tides and coastal storms, and therefore need to keep the finite resources available to us on hand to respond to local threats of flooding.

## Areas of Natural Constraint

**Mr Frew** asked the Minister of Agriculture and Rural Development, in relation to the definition of Areas of Natural Constraint, (i) whether there will be a criterion to bring in hotspots that have low production in otherwise high production electoral wards; (ii) if so, how will that criterion be developed; and (iii) what measures will be used to determine the criterion.

**(AQW 30734/11-15)**

**Mrs O'Neill:** The methodology defined by Regulation (EU) No 1305/2013 and EU Commission guidance for designation of Areas of Natural Constraint (ANC) is prescriptive. It requires compliance "at the level of a clearly delineated local unit which covers a single clear contiguous geographical area with a definable economic and administrative identity". This requirement derives from a similar World Trade Organisation obligation. That, therefore, requires designation at the electoral ward or townland level.

The Regulation does not provide for the development of a criterion that will bring in hotspots that have low production in otherwise high production administrative units.

### Watercourses: Cleaning and Maintenance

**Mr Weir** asked the Minister of Agriculture and Rural Development how many times approved water courses have been cleaned in each of the last five years, broken down by river.

**(AQW 30738/11-15)**

**Mrs O'Neill:** Having received clarification on the information required, I can advise as follows; Rivers Agency's Maintenance Programme for all watercourses that have been designated under the terms of the Drainage (NI) Order 1973 incorporates a 6 year rolling inspection and maintenance programme for watercourses affecting rural areas, and an annual rolling inspection and maintenance programme for urban watercourses. Watercourses which are prone to siltation or dumping are inspected and maintained more frequently. In addition, culvert inlet grilles are inspected and maintained on a frequent basis, many of them weekly. Additional grille inspections are also undertaken where heavy rainfall is forecast and after heavy rainfall events, as debris can often be carried downstream by a high river flow and cause an obstruction. In assessing maintenance needs, consideration is given to whether any obstructions to flow, or reduction in channel dimensions, will have a significant impact on drainage and flood defence standards.

### North Down: Cereal, Grass and Horticultural Crops

**Mr Weir** asked the Minister of Agriculture and Rural Development to detail the area of land in North Down used for (i) cereal; (ii) grass; and (iii) horticultural crops; and what these figures represent as a proportion of the total land used for each of these crops.

**(AQW 30739/11-15)**

**Mrs O'Neill:** Information on land use is collected by DARD as part of the annual June Agricultural and Horticultural Survey. The total area of cereal, grass and horticultural crops grown in North Down and the north of Ireland is presented in Table 1 below.

**Table 1: Area of cereals, grass, horticultural crops in North Down (ha), June 2013.**

Farms	Cereal	Grass	Horticulture <sup>1</sup>
North Down	671	4,238	7
North of Ireland	35,931	787,954	3,047
Per cent in North Down	1.9	0.5	0.2

**Note 1:** Includes fruit, vegetables and flowers

### Horses: Abandonment

**Mr Agnew** asked the Minister of Agriculture and Rural Development (i) what action she is taking regarding the large number of abandoned horses; (ii) whether she intends to conduct any investigation into this issue; and (iii) whether any enforcement action will be taken.

**(AQW 30770/11-15)**

**Mrs O'Neill:** The welfare of animals here, including non-farmed animals such as horses, is protected by the Welfare of Animals Act 2011. Section 14 of that Act makes it an offence for a person to abandon an animal for which that person is responsible. Enforcement responsibility under the Act in respect of non-farmed animals rests with Councils and my Department provides annual funding to enable Councils to undertake this work.

When an incident of suspected abandonment of an equine is reported to the Council this will be investigated. In such cases Councils can take a range of actions, which will be determined by the circumstances of the case. Where the animal is suffering or likely to suffer if its circumstances do not change, the animal may be taken into the possession of the Council. The Council's Animal Welfare Officers will also try to establish the actual owner of the animal. The circumstances of each case will determine what enforcement action the Council will take.

In addition to an offence of abandonment, the 2011 Act provides strong powers to deal with any person responsible for an animal, who fails to meet the needs of that animal to the extent required by good practice, or causes that animal to suffer unnecessarily. Fines and penalties have been significantly increased from those available under the previous Act. The Courts can also deprive a person convicted of a serious animal welfare offence for such a period as it sees fit, from owning, keeping, participating in the keeping, control, or influencing the way an animal is kept. The maximum penalty for any person convicted of causing unnecessary suffering is 2 years imprisonment and, or, an unlimited fine.

In the current economic climate I am very conscious that some horse owners are struggling financially to care for their animals. Where this is the case I would encourage any person who finds themselves in this position to speak to their vet or an animal charity to obtain advice on how to resolve the problem before the animal becomes a welfare issue.

At this point in time I do not see the need for a general investigation into the issue of abandoned horses. Councils are very active on the ground investigating equine welfare incidents and abandonment cases and my officials are in regular contact with Councils on this and other animal welfare issues. In addition, this is an issue that I have already discussed with my southern counterpart, Simon Coveney TD and we have agreed that if significant equine welfare and abandonment issues arise over the coming months, any required action will be on an all-island basis. Officials north and south continue to engage on this issue and monitor the level of equine welfare and abandonment cases; I am also keeping the need for further action under review.

### **Meat: Packaging**

**Mr Allister** asked the Minister of Agriculture and Rural Development (i) whether there have been any fines or penalties for packaging failures imposed on meat plants in the last twelve months; (ii) when the fines were levied; and (iii) for what reason. (AQW 30788/11-15)

**Mrs O'Neill:** The Food Standards Agency (FSA) is the central competent authority in matters of food safety and authenticity in the north of Ireland.

DARD is the competent authority in the north of Ireland for the Beef Labelling Regulations. DARD officers undertake regular unannounced inspections of the traceability and labelling of beef and beef products, both fresh and frozen, in abattoirs and approved cutting plants across the north of Ireland under the Beef Labelling Regulations.

No fines or penalties have been applied for beef labelling failures in any approved slaughter house, cutting plant or cold store in the north of Ireland in the past 12 months.

District Councils are responsible for implementing Beef Labelling Regulations on processed meat products, in cold stores and at retail level. They are also responsible for enforcement of food labelling requirements under food compositional and labelling legislation.

District Councils are required to report all enforcement activity to the FSA on an annual basis. These returns are made to the FSA at the end of May following the end of the financial year. FSA is not aware of any fines or penalties for labelling failures having been imposed on meat plants in the last twelve months.

### **Meat: Packaging**

**Mr Allister** asked the Minister of Agriculture and Rural Development whether any improperly packaged meat has been detected in connection with any local meat plants in the last twelve months; (ii) if so, when the detection occurred; and (iii) to outline the extent of the problem. (AQW 30789/11-15)

(AQW 30789/11-15)

**Mrs O'Neill:** The Food Standards Agency (FSA) is the central competent authority in matters of food safety and authenticity in the north of Ireland.

DARD is the competent authority in the north of Ireland for the Beef Labelling Regulations. DARD officers undertake regular unannounced inspections of the traceability and labelling of beef and beef products, both fresh and frozen, in abattoirs and approved cutting plants across the north of Ireland under the Beef Labelling Regulations.

During the past year 121 inspections were conducted to check beef labelling information. Beef labelling was found to be unsatisfactory on 3 occasions: 23 April 2013, 20 September 2013 and 24 January 2014. In all cases the traceability of the beef could be confirmed. The problems detected related to deficiencies such as incomplete information and the use of abbreviations for information which should have been given in full. In all cases the problems had been corrected when a follow-up inspection was conducted.

District Councils are responsible for implementing Beef Labelling Regulations on processed meat products, in cold stores and at retail level. They are also responsible for enforcement of food labelling requirements under food compositional and labelling legislation.

District Councils are required to report all enforcement activity to the FSA on an annual basis. These returns are made to the FSA at the end of May following the end of the financial year. FSA is not aware of improperly labelled meat having been detected by District Councils in connection with any local meat plants in the last twelve months.

### **Meat: Packaging**

**Mr Allister** asked the Minister of Agriculture and Rural Development whether any improperly packaged meat from Poland has been detected in connection with any local meat plants in the last twelve months; if so, (ii) when the detection occurred; (iii) where the meat was detected; and (iii) to outline the extent of the problem. (AQW 30790/11-15)

(AQW 30790/11-15)

**Mrs O'Neill:** The Food Standards Agency (FSA) is the central competent authority in matters of food safety and authenticity in the north of Ireland.

DARD is the competent authority in the north of Ireland for the Beef Labelling Regulations. DARD officers undertake regular unannounced inspections of the traceability and labelling of beef and beef products, both fresh and frozen, in abattoirs and approved cutting plants across the north of Ireland under the Beef Labelling Regulations.

During the past year 121 inspections were conducted to check beef labelling information. No improperly packaged beef from Poland was detected during the past twelve months.

District Councils are responsible for implementing Beef Labelling Regulations on processed meat products, in cold stores and at retail level. They are also responsible for enforcement of food labelling requirements under food compositional and labelling legislation.

District Councils are required to report all enforcement activity to the FSA on an annual basis. These returns are made to the FSA at the end of May following the end of the financial year. FSA is not aware of improperly labelled meat from Poland having been detected by District Councils in connection with any local meat plants in the last twelve months.

### Committee for Agriculture and Rural Development: Ministerial Appearances

**Mr Nesbitt** asked the Minister of Agriculture and Rural Development how many times she has appeared before her Department's Statutory Assembly Committee in each of the last five years.  
(AQW 30793/11-15)

**Mrs O'Neill:** Since taking up post in May 2011 I have appeared before the Department's Statutory Assembly Committee on eight occasions.

In addition, I have also held separate meetings with the Chairperson and Deputy Chairperson of the Department's Statutory Assembly Committee as appropriate.

### Farm Labour: North Down

**Mr Weir** asked the Minister of Agriculture and Rural Development for an estimate of the total farm labour headcount in North Down; and what this figure represents as a proportion of the total farm labour workforce.  
(AQW 30804/11-15)

**Mrs O'Neill:** Information on agricultural labour is collected by DARD as part of the annual June Agricultural and Horticultural Survey. Total farm labour (headcount basis) in the north of Ireland including farmers and spouses was 47,796 in June 2013. Of this an estimated 252 people, equivalent to 0.5 per cent, worked in the North Down constituency.

### Farms: North Down

**Mr Weir** asked the Minister of Agriculture and Rural Development to detail the number of (i) cattle; (ii) sheep; (iii) pig; and (iii) poultry farms in North Down; and what these figures represent as a proportion of the total number of each farm type.  
(AQW 30805/11-15)

**Mrs O'Neill:** Information on farm numbers is collected by DARD as part of the annual June Agricultural and Horticultural Survey. The number of farms with cattle, sheep, pigs, or poultry in North Down and the north of Ireland is presented in Table 1 below.

Due to data confidentiality restrictions, information on geographies where less than five farms occur is suppressed. Therefore it is not possible to provide information on the number of farms with Pigs or Poultry in North Down.

**Table 1: Number of Farm in North Down, by enterprise type, June 2013**

Farms	Cattle	Sheep	Pigs	Poultry
North Down	82	22	n/a	n/a
North of Ireland	20,201	8,852	418	740
Per cent in North Down	0.4	0.2	n/a	n/a

### Dog Licences

**Mr Easton** asked the Minister of Agriculture and Rural Development how many dog licences have been issued in each of the last three years.  
(AQW 30846/11-15)

**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.

The number of dog licences issued here in each of the last three years is detailed in Table 1 below.

**Table 1 – Dog licences issued**

Year	Number of dog licences issued
2011	130,667
2012	123,034
2013	129,180

### Single Farm Payment: Upper Bann

**Mr Moutray** asked the Minister of Agriculture and Rural Development how many Single Farm Payments to farmers are still outstanding, for the year 2013, within the Upper Bann Constituency.

**(AQW 30853/11-15)**

**Mrs O'Neill:** The Department has delivered a record payment performance for the 2013 year with 96% of Single Farm Payment claims paid by February 2014.

32 Single Farm Payments to farmers are outstanding for the 2013 year within the Upper Bann Constituency.

### Agricultural Shows: Funding

**Mr Moutray** asked the Minister of Agriculture and Rural Development to detail (i) the amount of funding her Department awards on an annual basis to agricultural shows; and (ii) which agricultural shows have benefited from this funding.

**(AQW 30854/11-15)**

**Mrs O'Neill:** Each year my Department provides £5000 funding to agricultural shows.

The agricultural shows which have benefitted from this funding are Balmoral Show, NI International Ploughing Championships, Mullhead Ploughing Championships, the Rare Breeds Survival Trust and local agricultural shows at Ballymena, Ballymoney, Lurgan, Armagh, Lisburn & Saintfield District, Newry, Omagh, Castlewellan, Derry/Limavady, Antrim, Clogher and Fermanagh.

### Flooding: Assistance to Victims

**Mr McNarry** asked the Minister of Agriculture and Rural Development to outline what elements of the Prime Minister's declaration that money is no object in relation to help for flood victims, she plans to replicate and adapt locally.

**(AQW 30861/11-15)**

**Mrs O'Neill:** First of all, I should say that the scale and extent of the recent flooding in England has been hugely different from anything that has been experienced here and therefore the British Prime Minister's comments need to be understood in that context. Funding for flooding has always been a priority for me and that will continue to be the case. You will be aware that over the past 2-3 years I have been able to secure significant additional funding to allow a number of capital schemes to be undertaken and I shall continue to commit resources to ensure that the risk we face from flooding is adequately managed.

### Central Investigation Services: Grant

**Mr Swann** asked the Minister of Agriculture and Rural Development, pursuant to AQW 30449/11-15, to outline the details of the £125k grant that was withheld due to recommendations made by Central Investigation Services.

**(AQW 30862/11-15)**

**Mrs O'Neill:** The £125,000 grant withheld due to recommendations made by Central Investigation Service related to three NI Rural Development Programme (RDP) grant funding prosecution cases and one land subsidy scheme. The amounts withheld were £49,500, £47,000 and £7,500 in respect of the RDP cases and £21,000 in respect of the land subsidy scheme.

### Single Farm Payment: Remote Sensing

**Mrs Dobson** asked the Minister of Agriculture and Rural Development, with regard to the Icon Group contract, to detail any clauses whereby the Department could seek financial recompense when remote sensing imagery does not match farm maps held by the Department.

**(AQW 30863/11-15)**

**Mrs O'Neill:** The purpose of the remote sensing contract is to assist the Department in undertaking a number of On-the-Spot checks remotely to determine land eligibility. It is not to match imagery with farm maps held by the Department. Within the contract, there are clauses that clearly set out procedures to be followed where there are performance issues on the part of the contractor in relation to standards of service, a material breach or default of the contract all of which can lead to financial recompense.

## Single Farm Payment: Risk Analysis

**Mrs Dobson** asked the Minister of Agriculture and Rural Development to outline the risk analysis processes used to identify Single Farm Payment recipients who are chosen for inspection.

**(AQW 30864/11-15)**

**Mrs O'Neill:** EU rules require on-the-spot eligibility checks to be carried out on 5% of claimants. Of this 5%, the Commission require that between 1% and 1.25% should be selected randomly and the remainder should be selected on the basis of a risk analysis.

For the 2013 SFP scheme year, 1.25% (approximately 475 businesses) were selected randomly by automatically selecting 1 in every 80 applications received. The remaining 3.75% (approximately 1,425 farm businesses) were selected using a risk-based methodology.

In addition, in 2013, inspections on 1,139 farm businesses were undertaken by remote sensing. All remote sensing inspections are undertaken within randomly selected zones. The remaining classic inspections are undertaken outside the zones.

Most of the risk factors applied by the Department are based on those suggested by the Commission. A risk weighting is attributed to each of the risk criteria and claims that accrue the highest total score are subject to an inspection. The same risk criteria and risk weightings are applied to all claims. Once a claim has been selected for inspection, it cannot be removed.

## Single Farm Payment: Remote Sensing

**Mr I McCrea** asked the Minister of Agriculture and Rural Development, pursuant to AQW 30525/11-15, for a breakdown of the number of farm businesses in the Mid Ulster constituency that did not received their Single Farm Payment as a result of the Remote Sensor Inspections.

**(AQW 30924/11-15)**

**Mrs O'Neill:** The Department has delivered a record payment performance for the 2013 year with 96% of Single Farm Payment claims paid by February 2014.

3947 farm businesses in the Mid Ulster constituency have received their Single Farm Payment. 123 farm businesses in the Mid Ulster constituency are still to be paid following a Control with Remote Sensing Inspection.

Control with Remote Sensing has contributed to the 2013 payment performance and has speeded up payments to farmers overall.

## FP7: DARD Funding

**Mr Attwood** asked the Minister of Agriculture and Rural Development to detail the funds provided under the European Programme FP7 to (i) her Department; (ii) arm's-length bodies; and (iii) any third party in (a) 2010/11; (b) 2011/12; and (c) 2012/13 financial years.

**(AQW 30964/11-15)**

**Mrs O'Neill:** The table below sets out funding provided under the European Programme FP7 to the Department, its arm's length bodies (ALB) and any relevant third party.

	2010/11	2011/12	2012/13
DARD	£0	£0	£0
ALB	£31,215	£99,973	£87,732
Relevant 3rd party	£0	£0	£0

## Single Farm Payment: Land Prone to Flooding

**Mr Rogers** asked the Minister of Agriculture and Rural Development whether land that is prone to flooding will continue to be eligible for Single Farm Payment.

**(AQW 30983/11-15)**

**Mrs O'Neill:** The EU rules only allow payment on land used for an eligible agricultural activity for the entire calendar year (1 January – 31 December).

It is generally expected that eligible land will, within the last 2 years, have been grazed or used to grow and harvest an agricultural crop or have been maintained through normal agricultural operations, such as moving or topping of grass.

If land is prone to short term flooding, and the activities outlined above take place, it is likely that it will be eligible for SFP purposes.

## Fishing: Single Boat Payment

**Mr Hazzard** asked the Minister of Agriculture and Rural Development whether she has had discussions with European colleagues regarding the possibility of developing a Single Boat Payment, similar to the Single Farm Payment.

(AQW 31033/11-15)

**Mrs O'Neill:** The new Common Fisheries Policy (CFP) came into operation on 1 January 2014. Europe will provide financial assistance to the sea fishing sector to help it to achieve the objectives of the new CFP, and the rules governing this assistance will be set out in the new European Maritime and Fisheries Fund (EMFF) which is expected to be formally adopted by mid 2014. I am not aware of any discussion amongst Member States relating to a type of assistance similar to a single farm payment for fishing vessels at this time.

## Farm Safety

**Mrs Dobson** asked the Minister of Agriculture and Rural Development, pursuant to AQW 30202/11-15, to provide a full breakdown of all funding provided by her Department for farm safety measures.

(AQW 31034/11-15)

**Mrs O'Neill:** In response to the worsening situation in relation to fatalities on farms, the Farm Safety partnership was established in May 2012. The Partners include the Health and Safety Executive NI (HSENI), DARD, Ulster Farmers Union (UFU), NFU Mutual, Young farmers Clubs of Ulster and NIAPA.

Through its participation in the Farm Safety Partnership my Department, in 2013/14, provided £139k funding to HSENI towards the cost of producing the highly successful Farm Safety Multi Media Campaign.

During the Period 2011 to 2013 my Department has awarded £3.352m of financial support under the second and third tranches of the Farm Modernisation Programme to farm businesses for the purchase of items that promote safer working practices on farms.

A breakdown by year is as follows:

1 Farm Modernisation Programme – All items

Farm Modernisation Programme Tranche	Financial Year	Financial Support Awarded in Letters of Offer £m
2	2010/11	6.894
2	2011/12	0.975
3	2012/13	7.016
3	2013/14	0.010
3 (Extension)	2013/14	2.880
	<b>Total</b>	<b>17.775</b>

2 Farm Modernisation Programme – Items promoting safer working practices on farms

Farm Modernisation Programme Tranche	Financial Support Awarded for Items Promoting Safer Farm Working Practices £m
2	1.519
3	1.329
3 (Extension)	0.504
<b>Total</b>	<b>3.352</b>

My Department has also made funding available through the Rural Development Programme for the Farm Safe Awareness training. A breakdown of the funding by year is as follows:

	12/13	13/14	Total
Administration	£21,584.37	£77,726.11	£99,310.48
Programme Costs	£13,583.93	£47,718.59	£61,302.52
<b>Total</b>	<b>£35,168.30</b>	<b>£125,444.70</b>	<b>£160,613.00</b>

## Social Action Projects

**Mr Frew** asked the Minister of Agriculture and Rural Development, pursuant to AQW 30133/11-15 and in relation to the two project officers assigned, to detail (i) the officers role; (ii) the officers funding; (iii) how churches and faith-based groups can apply for assistance; and (iv) the projects supported in (a) North Antrim; and (b) Northern Ireland.

**(AQW 31066/11-15)**

**Mrs O'Neill:**

- (i) The project officers' role is to encourage community development work in the life of churches and faith based organisations across the rural north.
- (ii) The project officer posts are funded through the Churches' Community Work Alliance (CCWA) and represent an additional investment of £173k in rural areas over the next two years.
- (iii) Churches and Faith Based groups can apply for assistance by contacting the Churches' Community Work Alliance.
- (iv) Since their appointment in November 2013 the project officers have supported a number of groups including:
  - (a) Ballycastle Church Action – Support to access suicide awareness training for church volunteers;
    - St Jude's, Muckamore – Working with a group of church leaders examining the potential future use of the old rectory on a neighbouring disadvantaged estate; and
    - Duneane Parish, Toome – Working with the Parish Council around the needs of isolated older people.
  - (b) Cleenish Parish, Bellnaleck – Facilitated discussion and action planning with church leaders around local poverty issues, including debt.
    - Derrylin – Assistance with the development of a church led Social Farming Project.
    - Omagh and Fermanagh Church Fora – workshops around the potential pro-active role of the church in light of local government reform.

## Ministerial Correspondence: Judicial Review

**Mr Swann** asked the Minister of Agriculture and Rural Development, pursuant to AQW 30333/11-15, when she expects a full and final judgement.

**(AQW 31145/11-15)**

**Mrs O'Neill:** The Lord Chief justice's conclusion on the case, setting out his reasoning and the outcome, has been published on the NI Court and Tribunal Service website. I understand it is possible that a more comprehensive version of the judgement may be given in due course.

## Rivers: Dredging

**Mr I McCrea** asked the Minister of Agriculture and Rural Development whether her Department has considered completing additional river maintenance work, specifically river dredging to help avoid flooding.

**(AQW 31153/11-15)**

**Mrs O'Neill:** Rivers Agency has an extensive inspection programme for all watercourses designated under the terms of the Drainage (NI) Order 1973, to determine if they are free flowing and performing their drainage function. Maintenance works often entail silt removal or dredging and, in certain circumstances, Rivers Agency may consider re-profiling the river bed as a means of increasing the flow capacity to reduce flood risk.

## Single Farm Payment: Application Process

**Mrs Dobson** asked the Minister of Agriculture and Rural Development whether she is aware of the confusion amongst Single Farm Payment applicants relating to making applications from 1 April 2014; and to detail the written communication she will send to claimants to clarify any changes to enable them to complete their claims and avoid any delay in payments.

**(AQW 31255/11-15)**

**Mrs O'Neill:** 2014 is the final year of the Single Farm Payment (SFP) scheme. As in previous years, farmers will receive a Single Application pack which includes a booklet: "Guide on how to complete your 2014 Single Application Form (SAF1) and Field Data Sheet (FDS)".

This booklet contains important advice to farmers to help them complete their 2014 SAF accurately. This booklet, along with other relevant information, is also available on the DARD website at <http://www.dardni.gov.uk/index/grants-and-funding.htm>

Following the recent press statement in which I provided an update on the definition of active farmer that will apply under CAP reform from 2015, there has been considerable interest from claimants as to whether it is to their advantage to trade entitlements in 2014. I am in the process of writing to all farm businesses that hold SFP entitlements in 2014 to tell them how they can access up-to-date information on this issue, but the Department cannot ultimately advise them on business decisions as to whether to trade entitlements or otherwise.

The letter will also confirm that I have extended the deadline for trading SFP entitlements in 2014 until 2 May. This will give farmers more time to consider their options taking account of the active farmer issue and decide whether or not they wish to trade their entitlements for the 2014 scheme year.

### **Fishing: Assistance**

**Miss M McIlveen** asked the Minister of Agriculture and Rural Development what assistance her Department is providing to the local fishing fleet following the recent months of adverse weather.

**(AQW 31322/11-15)**

**Mrs O'Neill:** I announced on 25th February that I would bring forward proposals to the Executive for some immediate help for the fishing industry. I also plan to appoint a Fishing Industry Taskforce to undertake a fundamental examination of the challenges and opportunities facing the industry and to identify options for reform to help to ensure the future sustainability of the local fishing sector. This Taskforce will help my Department to identify the key priorities under the new European Maritime and Fisheries Fund (EMFF) and advise how this fund can best help to assist the industry meet its obligations under the reformed Common Fisheries Policy.

### **Flooding: Fermanagh**

**Mr Flanagan** asked the Minister of Agriculture and Rural Development what steps her Department will take to reduce the risk of further flooding in Fermanagh, given the current high levels in Lough Erne and the forecast for further rainfall.

**(AQW 31323/11-15)**

**Mrs O'Neill:** You will be pleased to know the Lough levels have started to fall, although they remain high and will rise again if more rain falls within the catchment. The levels in Lough Erne are monitored daily and water is currently being discharged at a rate in excess of 300 cubic metres per second by ESB, from their hydroelectric power station at Cliff, to draw down the water as quickly as possible. Rivers Agency has been in contact with the Western Emergency Planning Co-ordinator, PSNI and other government agencies and a planning meeting was held on Monday 24 February. In addition Rivers Agency has 3 pumps on site at Derrychara Link to enable water to be removed from the road to minimise the impact on businesses and the road network. This pumping can take place, as following the severe flooding of November 2009, localised flood walls and a sump were constructed. I can assure you that all that can be done is being done, but the inflows into Lough Erne during periods of wet weather are greater than the outflows, meaning that rising water levels are unavoidable.

### **Fishing: Assistance**

**Mr Wells** asked the Minister of Agriculture and Rural Development what assistance her Department is providing to fishermen who have experienced severe financial difficulties due to the recent weather conditions.

**(AQW 31327/11-15)**

**Mrs O'Neill:** I announced on 25th February that I would bring forward proposals to the Executive for some immediate help for the fishing industry. I also plan to appoint a Fishing Industry Taskforce to undertake a fundamental examination of the challenges and opportunities facing the industry and to identify options for reform to help to ensure the future sustainability of the local fishing sector. This Taskforce will help my Department to identify the key priorities under the new European Maritime and Fisheries Fund (EMFF) and advise how this fund can best help to assist the industry meet its obligations under the reformed Common Fisheries Policy.

### **Trade: Cooperation with Irish Government**

**Mr Sheehan** asked the Minister of Agriculture and Rural Development whether she is working with the Irish Government to promote international trade.

**(AQO 5637/11-15)**

**Mrs O'Neill:** I am committed to growing exports of our high quality produce and am using every avenue available to me to promote international trade.

I have discussed international trade issues at the North South Ministerial Council where I outlined ongoing trade negotiations and sought advice on how best to progress negotiations with China given that the south have accessed this market.

My officials have arrangements in place to share information to support international trade in dairy products. They also drew on their southern counterparts' experiences when agreeing premises approval for meat exports to Russia.

Most recently I have secured agreement for a north south international trade working group, the scope of which is being finalised. There is much we can learn from the south on their experiences of negotiating terms for international trade and much they can learn from us. This offers a great opportunity to draw on the successes we have both achieved.

As an excepted matter Defra take the lead on international trade negotiations and I have been liaising with the Defra Secretary of State, Owen Patterson and Defra Ministers to ensure every effort is made to open markets of interest to exporters in the north.

This has included raising issues in relation to exports of meat and other animal products to Russia, Australia and China. I have also offered the support of my officials who have travelled with their Defra counterparts on three separate trade missions

to China. Following the most recent mission in January this year the Chinese authorities have confirmed their intention to undertake an inspection visit of the pork plants and associated cold stores with a view to approving them for export. We are working closely with industry to ensure we put our best foot forward as this is a lucrative market opportunity.

### **DARD Direct: Strabane**

**Ms Boyle** asked the Minister of Agriculture and Rural Development what progress has been made in establishing a departmental office in Strabane.

**(AQO 5630/11-15)**

**Mrs O'Neill:** Work on a new purpose built Government building on the site of the current Social Security Office at Urney Road, Strabane is due to begin in Autumn 2014, subject to planning permission and the Central Procurement Division's tender process. This will be the venue for the Strabane DARD Direct Office and also a modern Jobs and Benefits office. I expect the full range of DARD services to farmers in the surrounding area to be available from this office by Spring 2016. When delivered, the Strabane DARD Direct office will complete the full roll-out of 12 DARD Direct Offices across the north.

Feedback from farmers about DARD Direct has always been very positive and I believe co-locating with DSD and DEL is a very cost effective way for DARD to ensure our customers in the North West enjoy the same benefits as others.

### **DARD Headquarters: Relocation**

**Mr Campbell** asked the Minister of Agriculture and Rural Development what preparatory work will be carried out by her Department, in the forthcoming financial year, in advance of her departmental headquarters moving to Ballykelly.

**(AQO 5633/11-15)**

**Mrs O'Neill:** Internal assurance on the business case for the relocation of my departmental headquarters to Ballykelly is now complete. Preparatory work planned for the next financial year includes the appointment of a design consultant to design the new building and the steps necessary to secure planning permission. It is also intended to carry out some activities at the Shackleton site such as a Land Quality Survey, an Ecology Study and Archaeology Study and a traffic impact survey. Work is also continuing on the development of a HR Strategy and Plan.

### **AgriFood Loan Scheme**

**Mr McAleer** asked the Minister of Agriculture and Rural Development what impact the delay in the Agri-Food Loan scheme will have on the Going for Growth strategy.

**(AQO 5635/11-15)**

**Mrs O'Neill:** The Agri-Food Loan Scheme was launched by the DETI and DFP Ministers on 6 October 2013. The scheme is designed to provide access to banking finance for producers engaged in integrated supply chains to increase supply of primary produce for processors. It is disappointing that the scheme was unable to open in 2013 and I hope that it will open shortly.

The scheme is one of the early initiatives taken forward by departments to deliver on the aims and objectives of Going for Growth. It addresses one of the key issues raised by the Agri-Food Strategy Board, namely access to finance. The Board made a number of wide ranging recommendations to develop sustainable growth in the agri-food sector. The DETI Minister and I have brought forward proposals to the Executive for a response to the report as a whole and I hope we will have the opportunity to discuss these in the near future.

### **Flooding: Additional Funding**

**Mr Rogers** asked the Minister of Agriculture and Rural Development what extra monies will be made available to deal with recent flooding.

**(AQO 5636/11-15)**

**Mrs O'Neill:** Whilst there has, thankfully, been no widespread flooding here, recent weather events have reinforced the ongoing need by DARD to invest in flood alleviation and drainage infrastructure works to protect people from flooding from rivers and the sea. Given these extreme weather patterns, this will continue to be an ongoing priority for future years. I was very pleased with the additional £2m secured from the Executive for flood alleviation works in 2014/15, as announced by the Finance Minister in October 2013, as part of the outcome of the 2014/15 Capital Budget exercise.

In addition to an extensive programme to maintain and upgrade existing drainage infrastructure, protecting some 15,500 properties, Rivers Agency is progressing a number of flood alleviation projects around the north of Ireland, including a major project in East Belfast.

The Agency is making significant progress with the £11 million East Belfast flood alleviation scheme, which, once complete, will provide enhanced protection to 1,700 properties, including many in the Sydenham area.

Construction of a flood alleviation scheme at Ballygawley has recently been completed and construction of a scheme at Beragh is currently out to tender. This should be complete during Spring 2015.

## Fuel Poverty

**Ms Lo** asked the Minister of Agriculture and Rural Development how she plans to ensure that her Department's contribution to reducing fuel poverty in rural areas is maintained in light of the proposed reform to the Warmer Homes Scheme.

**(AQO 5639/11-15)**

**Mrs O'Neill:** My Department has collaborated effectively with the Department of Social Development over the last six years in providing supplementary funding, from successive Tackling Rural Poverty and Isolation programmes, towards the Warm Homes Scheme in particular. This collaborative working has ensured that many vulnerable rural households received much needed home energy efficiency measures such as insulation and central heating systems.

I remain committed to ensuring there is action to address the challenges facing people living in rural areas and to improving their quality of life and will continue to work with key stakeholders to ensure that action is taken to target fuel poverty in rural areas. My officials continue to meet regularly with DSD in monitoring the ongoing intervention and look at what role DARD can play going forward.

## Glenariff Forest Park

**Mr McMullan** asked the Minister of Agriculture and Rural Development to outline the progress made on re-opening the trails in Glenariff Forest.

**(AQO 5640/11-15)**

**Mrs O'Neill:** As a result of the heavy snow storms in Spring 2013, severe damage was caused to recreation paths at Glenariff Forest Park. Subsequent tree falls and land slippage led to the closure of some paths on health and safety grounds. A major programme of work was required to clear storm damaged trees, particularly within the area where the Waterfall Walk is situated. This was a highly complex operation due to the severity of the damage and the access difficulties caused by the challenging river gorge terrain.

On the basis of engineering advice, a full structural and geotechnical survey was commissioned to determine the repairs and strengthening works required to facilitate the safe re-opening of the Waterfall Walk. Due to access restrictions and health and safety considerations the survey had to be carried out using specialist rope access engineers.

The recommended improvement works identified by the survey were quality assured by Central Procurement Directorate engineers and the necessary repair works commissioned.

I am pleased to be able to inform you that repair works to the Waterfall Walk commenced on Monday 13 January 2014 with an expected timescale for works of 6-8 weeks. Central Procurement Directorate engineers have confirmed that works to re-open the walk are currently on programme despite the excessive rainfall hindering works within the river.

I am acutely aware of the importance of Glenariff Forest Park as a tourist attraction and I am keen to see that access to the Waterfall Walk is re-opened as quickly as possible while ensuring public safety.

## Department of Culture, Arts and Leisure

### Capital Projects: Foyle

**Mr Eastwood** asked the Minister of Culture, Arts and Leisure, pursuant to AQW 28878/11-15, to detail the applications for capital projects to her Department, including its Arm's-Length Bodies, in the Foyle constituency in (i) 2012; and (ii) 2013.

**(AQW 30744/11-15)**

**Ms Ní Chuilín (The Minister of Culture, Arts and Leisure):** Details of applications for capital projects for the financial years 2012/13 and 2013/14 (to date) are provided in Table 1 attached. The answer only incorporates those instances where a third party has applied for a capital grant. Instances where the Department or its ALBs have initiated capital spend (e.g. in the case of refurbishment of libraries) are not included.

**Table 1 – Capital Applications in the Foyle Constituency in 2012/13 and 2013/14**

Capital Project Name	Description of Capital Project	Anticipated Cost £
Lumiere Stitch in Time	To purchase the Stitch in Time lighting installation from Artichoke	50,000
Portable Marquee	Purchase of a portable marquee by the Brandywell Bogside Initiative, for use by other communities across the city and region.	50,000
Armoured Pram	Acquisition of Eamonn O Doherty's unique artwork, Armoured Pram for Derry, as a key legacy of 2013.	30,000
Oak Leaf Amateur Boxing Club	Boxing Investment Programme -capital works	56,610

Capital Project Name	Description of Capital Project	Anticipated Cost £
Rochester's Amateur Boxing Club	Boxing Investment Programme -capital works	45,288
Eglinton Amateur Boxing Club	Boxing Investment Programme -capital works	7,752
St Joseph's Amateur Boxing Club	Boxing Investment Programme -capital works	200,000
Springtown Amateur Boxing Club	Boxing Investment Programme -capital works	200,000
County Derry Amateur Boxing Board	Boxing Investment Programme - equipment	10,067
Ring Amateur Boxing Club	Boxing Investment Programme - equipment	13,110
St Mary's Amateur Boxing Club	Boxing Investment Programme - equipment	9,408
Eglinton Amateur Boxing Club	Boxing Investment Programme - equipment	11,064
Oak Leaf Amateur Boxing Club	Boxing Investment Programme - equipment	20,269
Rochester's Amateur Boxing Club	Boxing Investment Programme - equipment	9,397
Springtown Amateur Boxing Club	Boxing Investment Programme - equipment	17,304
St Joseph's Amateur Boxing Club	Boxing Investment Programme - equipment	21,241
Abridged	To commission and publish contemporary/experimental poetry	10,029
Bounce Education	Purchase equipment for special needs access.	16,380
Creative Village Arts Ltd	Installation of Security Cameras, Door and Window Shutters and equipping Community Artists Resource and Education Hub.	11,113
An Gaelaras Ltd	Culturlann Ui Chanain - high-quality audio/visual archive	22,421
Greater Shantallow Community Arts	Purchase Equipment	16,818
North West Play Resource Centre (The Playhouse)	Theatre Equipment	22,309
Verbal Arts Centre	Equipment to establish "the 2D Learning and Training classroom".	15,150
Centre for Contemporary Art Derry - Londonderry	Series of six temporary public artworks	12,000
The Void Art Centre	Creation of a series of three gardens or a 'garden-trail'	99,379
Waterside Theatre Company Ltd	Update sound and lighting equipment	76,000
Echo Echo Dance Theatre Company	Building Fit Out	78,000
William King Memorial Flute Band	Musical Instruments for Bands 2012/13	4,988
Craigbane Accordion Band	Musical Instruments	3,374
Holywell Trust	Bishop Street Public Art	73,500
In Your Space (NI) Ltd	Equipment to enhance and develop circus skills provision in the North West	11,940
Killaloo Accordion Band	Purchase Musical Instruments	4,920
The Pride of the Orange and Blue Auld Boys Flute Band	Purchase of musical instruments	5,000

### Erne Salmon Management Programme

Mr Ó hOisín asked the Minister of Culture, Arts and Leisure what elements of the 2001 Erne Salmon Management Programme (i) have been; and (ii) are yet to be implemented.

(AQW 30840/11-15)

**Ms Ní Chuilín:**

- (i) The Erne Salmon Management Programme is an important initiative in conserving salmon stocks in the Erne system and I am pleased to report that there has been significant progress in implementing the Programme's main recommendations as follows:
- There is an on-going upstream stocking programme for juvenile salmon produced at the ESB hatchery at Ballyshannon and co-ordinated by ESB, IFI and my Department. There is also a brood stock rearing programme at the Ballyshannon hatchery.
  - Work has been undertaken to examine fish passage at the dams at Cathleen's Falls and Cliff and the removal of halogen lighting and downstream gates have resulted in increased movement of salmon through the fish pass. Protocols have been developed to ensure fish passage at the dams and minimise mortalities.
  - Micro tagging of smolts continues to be carried out to assess marine survival and to identify groups of brood stock fish. GIS habitat data has been used to assess the suitability of habitat to support salmon stocks and to map areas of wild salmon spawning. The areas where habitat is suitable for salmon is used to stock hatchery salmon out to utilise as much available habitat as possible.
  - Water quality is an issue for the NIEA and EPD in the North and South respectively, however with the Water Framework Directive the focus is on improving water quality where it is poor. My Department works closely with these agencies to identify and address any factors that would affect salmon stocks in the Erne system.
  - There is no commercial salmon fishing allowed in the Ballyshannon region and I am introducing legislation imposing mandatory catch and release for salmon angling across the DCAL jurisdiction. This will further protect salmon stocks in the Erne system.
- (ii) Many of the recommendations of the Erne Salmon Management Programme are on-going and are underway and these often lead to additional pieces of work. A review of salmon on the Erne is due to be undertaken involving the ESB, IFI and my Department which is likely to commission additional research using acoustic tags to look at fish movements at the dams and in the upstream catchment. This will be part of the work to inform the development of a fisheries management plan for the Erne.

**Foras na Gaeilge**

**Mr D Bradley** asked the Minister of Culture, Arts and Leisure whether she can confirm that those appointed as lead organisations by Foras na Gaeilge, as announced on 17 January 2014, are the same organisations approached by Foras na Gaeilge over one year prior to commencement of the application process.

**(AQW 30936/11-15)**

**Ms Ní Chuilín:** In September 2012 Foras na Gaeilge were exploring options for a new funding model that would direct a higher proportion of the allocated funding to service delivery.

In order to assess the feasibility of funding organisations to deliver services on an all-island basis under specific themes, Foras na Gaeilge held a series of meetings with existing core funded organisations. Some organisations declined the opportunity to meet with Foras na Gaeilge at that time. Seven organisations did meet, separately, with Foras na Gaeilge on the understanding that the meetings were being held on a without prejudice basis.

Six of the seven organisations who did meet with Foras na Gaeilge at that time have been selected as the new lead organisations.

**IÚR FM: Foras na Gaeilge**

**Mr D Bradley** asked the Minister of Culture, Arts and Leisure to detail how much money IÚR-fm received from Foras na Gaeilge, including a breakdown of how it was spent.

**(AQW 30963/11-15)**

**Ms Ní Chuilín:** In September 2012 Foras na Gaeilge were exploring options for a new funding model that would direct a higher proportion of the allocated funding to service delivery.

In order to assess the feasibility of funding organisations to deliver services on an all-island basis under specific themes, Foras na Gaeilge held a series of meetings with existing core funded organisations. Some organisations declined the opportunity to meet with Foras na Gaeilge at that time. Seven organisations did meet, separately, with Foras na Gaeilge on the understanding that the meetings were being held on a without prejudice basis.

Six of the seven organisations who did meet with Foras na Gaeilge at that time have been selected as the new lead organisations.

**Stadiums: International Competitions**

**Mr Campbell** asked the Minister of Culture, Arts and Leisure, once the capital works at Ravenhill Stadium, Casement Park and Windsor Park have been completed, what international competitions will she seek to stage at these venues.

**(AQW 31075/11-15)**

**Ms Ní Chuilín:** Good progress is being made on the redevelopment of all three stadiums. Once completed it will be a matter for the Governing Bodies of each of the three sports to consider what international competitions they host.

I have indicated my support for the IRFU's proposal to bid to host the Rugby World Cup in Ireland in 2023. I would be hopeful that one or more of these stadiums might be considered for that competition in due course.

### **Committee for Culture, Arts and Leisure: Cancelled Briefings**

**Mr Nesbitt** asked the Minister of Culture, Arts and Leisure on how many occasions (i) she; and (ii) departmental officials cancelled briefings, which were part of the forward work programme, to her Department's Statutory Assembly Committee, in each of the last five years.

**(AQW 31132/11-15)**

**Ms Ní Chuilín:** On no occasion have I, or departmental officials, cancelled a briefing to the CAL Committee.

### **European City of Culture: Assistance**

**Mr Campbell** asked the Minister of Culture, Arts and Leisure to outline the procedures in place to assist cities, such as Londonderry, to be better placed in any future bid to become European City of Culture.

**(AQW 31225/11-15)**

**Ms Ní Chuilín:** My Department supports the development of culture, arts and leisure with the aim of promoting equality, and tackling poverty and social exclusion. In doing this, DCAL and its arms length bodies contribute to culturally and economically vibrant cities in the North of Ireland, helping to place them in a strong position to apply for the EU City of Culture title.

Cities themselves must apply for the designation. I understand that Derry City Council and stakeholders in the City have indicated a desire to apply for the title. However, their current priority is to embed a legacy from the City of Culture 2013 and seek the Irish City of Culture designation in 2016. I have publicly voiced my support for Derry to seek the Irish City of Culture designation.

My Department does not have in place specific procedures to assist cities in seeking the EU City of Culture title, however, my officials are closely engaged with stakeholders in Derry and my Department provide on-going advice and support for organisations seeking European funding in line with Barosso Taskforce commitments.

### **Curling**

**Mr Weir** asked the Minister of Culture, Arts and Leisure to detail the funding provided to curling, in each of the last five years.

**(AQW 31276/11-15)**

**Ms Ní Chuilín:** Sport NI, an arm's-length body of my Department, is responsible for the development of sport in the north of Ireland, including the distribution of funding.

In the last five financial years up to March 2013, Sport NI has received no applications for funding from the sport of curling.

### **Sickness Absence**

**Mr Dallat** asked the Minister of Culture, Arts and Leisure, following the Northern Ireland Audit Office Report: Sickness Absence in the Northern Ireland Public Sector April 2013, what steps she has taken to improve sickness absence levels within her Department.

**(AQO 5648/11-15)**

**Ms Ní Chuilín:** My Department applies the NICS Managing Sickness Absence policy making full use of phased returns to work; reasonable adjustments to duties; the services of the NICS Employee Assistance Provider - CareCall; and the NICS Welfare Support Services and Occupational Health Service to encourage and support earlier returns to work. Line managers and Departmental HR also actively encourage and support staff to return to work.

A new on-line, NICS mandatory training package on managing sickness absence is being rolled out to all staff within the Department this month. It will ensure our staff and line managers are fully aware of the procedures to be followed in managing sickness absence.

In addition, DCAL has a proactive Workplace Health Improvement Programme (WHIP) now run under the NICS WELL banner. The programme serves to raise awareness and understanding of the key health issues occurring amongst staff to encourage preventive action.

Research has shown that there is a strong correlation between staff engagement and reduced sickness absence. My Department has an established Staff Engagement Forum made up of representatives from across the Department. This Forum provides the opportunity to engage with staff and discuss issues arising.

### **St Colman's College, Newry: Athletics Track**

**Mr Anderson** asked the Minister of Culture, Arts and Leisure for her assessment of the recent Northern Ireland Audit Office investigation into the contracts for the installation of a new athletics track and associated sports facilities at St Colman's College, Newry.

**(AQO 5649/11-15)**

**Ms Ní Chuilín:** I welcome the recommendations contained in the Audit Report, which clearly lays out failings in the project management of the St Colman's sports facility. The Department is liaising closely with Sport NI to ensure that it implements the recommendations in future management of projects and has received assurance from the Sport NI Accounting Officer that the lessons learned are being applied

It is of paramount importance that we apply best practice project management in all of the projects we are responsible for, to ensure that value for money is achieved. Therefore, we will also apply the lessons learnt around the management of projects across the Department and its Arms Length Bodies.

The important issues around the management of the project aside, the facilities provided at St Colman's are of high quality and will provide opportunities to service the needs of the local community for many years to come.

### **Windsor Park: Community Facilities**

**Mr Spratt** asked the Minister of Culture, Arts and Leisure for an update on discussions between her Department, Belfast City Council and the Irish Football Association regarding the inclusion of community and leisure facilities within the new Windsor Park development.

**(AQO 5650/11-15)**

**Ms Ní Chuilín:** My Department wishes to maximise the community & socio- economic returns associated with the Windsor Park development.

To this end my Department has entered into discussions with Belfast City Council and the IFA around the potential for inclusion of community and leisure facilities adjacent to the West Stand of the new Windsor Park development.

These discussions are ongoing and the Department has no binding commitment at this stage with either Belfast City Council or IFA.

DCAL will only consider a joined up development with Belfast City Council and the IFA where such a development has no adverse impact on the programme timeline for the Windsor Park stadium development.

In any event, the Department will expect to see the IFA deliver community and leisure facilities at the stadium site regardless of whether this is carried out in partnership with Belfast City Council or not.

As part of the planning application process for a Belfast City Council community and leisure facility, Belfast City Council would be required to carry out extensive community consultation similar to that carried out around the planning process for the Windsor park project.

With regards to timeframes, my department wishes the IFA and Belfast City Council to reach agreement by the end of May 2014, and I would expect the results of the community consultation to be reflected in any future agreement reached between all parties.

### **Rugby World Cup 2023**

**Mr Flanagan** asked the Minister of Culture, Arts and Leisure to outline the agreement between her Department, the Department of Enterprise, Trade and Investment and the Irish Government in relation to support for the 2023 Rugby World Cup bid.

**(AQO 5651/11-15)**

**Ms Ní Chuilín:** I have indicated my full support for the proposed bid by the IRFU to host the Rugby World Cup competition in Ireland in 2023.

I have met with the IRFU, the DETI Minister and my Ministerial colleagues in the South, Ministers Varadkar and Ring to discuss the way forward.

We have agreed to set up a working group and on Wednesday 19th February, I along with Minister Foster met Hugo MacNeill in relation to the proposed bid.

That group will examine key issues necessary to develop a bid and report to Ministers for consideration of a proposal to the Executive and Government of Ireland.

### **Irish Language**

**Mr B McCrea** asked the Minister of Culture, Arts and Leisure what action she is taking to depoliticise the Irish language.

**(AQO 5652/11-15)**

**Ms Ní Chuilín:** Since becoming Minister I have taken steps to ensure that there is no discrimination, political or otherwise, against either Ulster-Scots or Irish in regard to policy or funding. Irish and Ulster-Scots cultural and language development are treated even handedly and with equal importance and recognition for their traditions and value to all sections of the community.

The Irish Language is part of our shared heritage and history. For too many years it has been the subject of political disagreement. I believe that the rich cultural and linguistic heritage is something that all of us can share, embrace and enjoy. That is why I launched the Lófa campaign, in September 2011, as I wanted to broaden the appeal of the Irish language to all communities especially those who have not normally seen the Irish language as part of their culture.

Yesterday, my Department launched a TV advertising campaign to promote the Irish Language. A key message of this advertising campaign is that the Irish language belongs to everyone “Líofa Le Cheile” and is around us every day, in words and place names. In addition, a new Líofa website has also launched, and this will increase access to the Irish Language and learning materials.

### **Belfast Central Library**

**Mr A Maginness** asked the Minister of Culture, Arts and Leisure for an update on the redevelopment of Belfast Central Library into the regional library.

**(AQO 5653/11-15)**

**Ms Ní Chuilín:** During an Assembly debate in September 2013 I recognised the deficiencies of the existing Belfast Central Library facility and said that I was broadly supportive of its redevelopment. I also outlined my Vision for a redeveloped library as being one that helps build good community relationships in the area and contributes to my priorities of tackling poverty and inequality.

I am mindful as well of the Department of Social Development’s plans to regenerate the ‘Library Square’ area of Belfast, where the Central Library is currently located, and the potential for this to be a signature building alongside a new University of Ulster campus.

Clearly, any proposed redevelopment of the Library must demonstrate value for money and show merit against the competing requests for funding put to the Executive. Libraries NI is currently preparing an Outline Business Case in order to provide an objective assessment of the costs and benefits of any potential investment. This Case must evaluate the full range of options for redevelopment including upgrading the existing building or transferring to an alternative location in the city.

Work on the Case is still in progress and I understand that Libraries NI hopes to be in a position to submit it to DCAL for consideration in early spring 2014.

### **World Police and Fire Games: Legacy**

**Mr Boylan** asked the Minister of Culture, Arts and Leisure to outline the legacy plan for the World Police and Fire Games.

**(AQO 5654/11-15)**

**Ms Ní Chuilín:** The World Police and Fire Games were very successful as a showcase for the North of Ireland and to demonstrate that we are capable of hosting large-scale sporting events successfully. This is a significant legacy for the Games, in itself.

The Games were always going to be more than a sporting event and they will have a lasting legacy as a result of the extensive Services engagement in the community, particularly with schools and young people. There are a number of legacy projects which have already been delivered such as the donation of defibrillators to 45 local schools and the three official charity partners who benefitted from the exposure they received during the Games.

I have been and am committed to taking forward initiatives to create a lasting legacy and positively impact on local communities.

DCAL has already engaged with a number of Sports Governing Bodies to look at opportunities to increase capacity, skills and experience and this work will continue to ensure there is a lasting legacy from the Games.

One of the major legacies has been in volunteering. We engaged 3,600 volunteers, many of whom are keen to volunteer again and will be helping out at future sporting events such as the Giro.

My Department is funding a project to support young people interested in developing a career in sport.

I am also funding a number of projects directly aimed at developing new sports such as Dodgeball and Softball and encouraging greater participation in existing sports.

These are a direct result of the World Police and Fire Games and a legacy from them.

Through these initiatives we are using sport as a way to inspire young people, particularly those who are disengaged, to provide new skills, and improve their health both mentally and physically.

### **Foras na Gaeilge**

**Mr Kinahan** asked the Minister of Culture, Arts and Leisure for her assessment of the implications of the rationalisation plan by Foras na Gaeilge, which results in all groups that receive funding being concentrated in Dublin.

**(AQO 5655/11-15)**

**Ms Ní Chuilín:** The approval of the new funding arrangements at the North South Ministerial Council on 10 July 2013 represented a significant shift in the strategic co-ordination and delivery of services to language communities and is consistent with Government language policy and strategy north and south.

While the previous core funding arrangements served the needs of communities well, they were unsustainable in terms of the increasing amount of money spent on administration as opposed to service delivery.

In accordance with the NSMC approval Foras na Gaeilge have now selected six lead organisations to deliver the six thematic schemes. Four of the new lead organisations are based in Dublin and two are based in Co. Meath. All six organisations have demonstrated, as part of the selection process, their ability to provide a service on an all-island basis.

The new funding arrangements will mean a higher proportion of the money allocated will be spent on service delivery. This will have a positive impact for the Irish language and the Irish language community.

### **Sport: Gender Imbalance**

**Mr Hilditch** asked the Minister of Culture, Arts and Leisure what progress has been made in addressing the gender imbalances detailed in Sport Matters: The Northern Ireland Strategy for Sport and Physical Recreation, 2009 - 2019. (AQO 5656/11-15)

**Ms Ní Chuilín:** The strategy for sport, Sport Matters, states that in 2005/06 the Continuous Household Survey (conducted by NI Statistics and Research Agency) found that 25% of females participated in sport at that time. To help improve female participation rates in sport, a specific target is included in Sports Matters to deliver a 6% increase in women's participation rates by 2019.

A series of actions to address this target have been outlined in the Sport Matters action plan and associated progress reports, which are publicly available on the DCAL website. The most recent progress report shows that the 2012/13 Continuous Household Survey records that female participation in sport has increased to 41%, an increase of 16%. As a result the relevant target in Sport Matters is deemed to be on track for achievement. However, fewer women than men participate in sport, therefore, while this progress is welcome, it is important that this good work continues. As such, the Sport Matters action plan and progress reports will continue to be used as a vehicle to promote and encourage female participation in sport.

## Department of Education

### **Computer Programming: Teacher Training**

**Mrs Overend** asked the Minister of Education whether extra money has been directed towards training teachers to deliver computer programming in (i) primary; and (ii) post-primary schools. (AQW 30798/11-15)

**Mr O'Dowd (The Minister of Education):** In 2012/13 and 2013/14, the Department provided funding of £20,000 per annum, through the STEM initiative to deliver a computer science continuing professional development programme for up to 20 post-primary teachers. The programme which is run by the SELB on behalf of the other five ELBs, aims to provide opportunities for teachers to develop their skills and knowledge in programming and to develop an understanding of the career opportunities within the IT sector here.

In addition I can advise that in support of the new A-level in Software and Systems Development qualification introduced in September 2013, CCEA has held information, training and support events during the period March to December 2013. The aim of these events was to ensure that teachers are, and continue to be, trained and prepared to deliver the qualification.

In relation to initial teacher education, although my Department has not provided funding, I can advise that students completing a teaching qualification in our local higher education institutions are provided with training in coding through various mediums including HTML, Scratch and Raspberry Pi.

### **Planning Application S/2009/0839/F**

**Mr Craig** asked the Minister of Education for his assessment of the time spent by the South Eastern Education and Library Board in working on Planning Application (S/2009/0839/F) for a Caravan Park on Ballylesson Road, Belfast. (AQW 30813/11-15)

**Mr O'Dowd:** As advised in my response to AQW 29793/11-15, public bodies are bound by guidance from Land and Property Services 'Central Advisory Unit: Disposal of Surplus Public Sector Property in Northern Ireland – March 2013'. This requires them to keep their assets under continual review and release surplus assets with the least possible delay.

In disposing of surplus assets, a planning application may be submitted if professional advice indicates that the market value of the site will be enhanced by securing planning approval prior to marketing.

In this particular case, the South Eastern Education and Library Board (SEELB) submitted a planning application in August 2009. Whilst the application was advertised and both neighbour and standard consultations were issued at the time, Lisburn City Council did not meet about the application until January 2014.

SEELB has advised that the actual time they have spent on the planning application has been fairly negligible when compared to the overall output of their Property and Planning Services department. The Board is still endeavouring to dispose of the land at best market value and awaits the outcome of the planning application.

## Planning Application S/2009/0839/F

**Mr Craig** asked the Minister of Education how much it has cost the public purse, in terms of employee time and consultancy fees, for the South Eastern Education and Library Board to pursue its planning application S/2009/0839/F for a caravan park at 44 Ballylesson Road, Belfast.

**(AQW 30820/11-15)**

**Mr O'Dowd:** On the basis of professional advice received from Land and Property Services (LPS), South Eastern Education and Library Board (SEELB) made an application for planning permission in an attempt to enhance the market value of the site at 44 Ballylesson Road.

The SEELB does not have records indicating how much officer time was spent working specifically on the preparation of planning application S/2009/0839/F. The Board's financial records indicate that £2,947.90 has been spent on consultancy fees relating to this application.

Proceeds from the sale of surplus education assets are reinvested in capital works needed within the existing schools' estate. In order to maximise the potential for the public purse to achieve best market value, extra expenditure may sometimes be incurred. In such cases it is expected that the overall benefits will outweigh the extra resources.

## Special Education Schools: Budget Allocations

**Mr Kinahan** asked the Minister of Education when special education schools will receive their budget allocations.

**(AQW 30841/11-15)**

**Mr O'Dowd:** Special schools do not receive budget allocations directly from the Department. Their budgets are determined and allocated by the five Education and Library Boards.

## Community Relations, Equality and Diversity Scheme

**Mr Storey** asked the Minister of Education to detail (i) how much funding was allocated to each Education and Library board for the Community Relations, Equality and Diversity in Education Enhancement scheme in 2013/14; and (ii) how much has been expended to date.

**(AQW 30865/11-15)**

**Mr O'Dowd:** I can confirm that in 2013/14 the Education and Library Boards allocation and spend on the CRED Enhancement Scheme is as follows:

	Allocation	Spend (up to 31 Jan 2014)
BELB	£114,618	£114,618
NEELB	£55,421.30	£55,421.30
SEELB	£94,252	£66,415
SELB	£71,000	£66,163.58
WELB	£20,500	£16,815.90
<b>Total</b>	<b>£355,791.30</b>	<b>£319,433.78</b>

## British Council

**Mr Storey** asked the Minister of Education to detail how many schools have taken part in programmes funded by the British Council, in each of the last 3 years, broken down by (i) sector and (ii) Education and Library Board.

**(AQW 30867/11-15)**

**Mr O'Dowd:** The British Council has provided the following information:

i)

School Type	Total no. of schools British Council engaged with 2011	Total no. of schools British Council engaged with 2012	Total no. of schools British Council engaged with 2013
Nursery	1	3	2
Primary	130	148	114
Grammar	61	59	58
Secondary	85	83	64
Special	11	14	17

School Type	Total no. of schools British Council engaged with 2011	Total no. of schools British Council engaged with 2012	Total no. of schools British Council engaged with 2013
Preps	2	0	1
<b>Total</b>	<b>290</b>	<b>307</b>	<b>256</b>

Management Type	Total no. of schools British Council engaged with 2011	Total no. of schools British Council engaged with 2012	Total no. of schools British Council engaged with 2013
Controlled	101	127	98
Controlled Integrated	8	6	4
Grant Maintained Integrated	18	18	15
Other Maintained	4	4	12
Roman Catholic Maintained	113	110	84
Voluntary	46	42	43
<b>Total</b>	<b>290</b>	<b>307</b>	<b>256</b>

ii)

Board	Total no. of schools British Council engaged with 2011	Total no. of schools British Council engaged with 2012	Total no. of schools British Council engaged with 2013
Belfast Education & Library Board	58	63	64
Western Education & Library Board	58	53	40
North Eastern Education & Library Board	62	75	54
South Eastern Education & Library Board	51	52	39
Southern Education & Library Board	61	64	59
<b>Total</b>	<b>290</b>	<b>307</b>	<b>256</b>

## Teacher Exchange

**Mr Storey** asked the Minister of Education how many teachers have participated in Teacher Exchange programmes in each of the last 3 years.

**(AQW 30868/11-15)**

**Mr O'Dowd:** The British Council has provided the following information on the number of teachers that have participated in teacher exchange programmes in each of the last 3 years through the programmes they administer.

Financial Year	Comenius	Fulbright Teacher Exchange Programme
2010/11	c222 teachers (37 school partnerships and 119 In-Service Training (IST) placements)	2
2011/12	c150 teachers (25 school partnerships 74 IST placements)	1
2012/13	c264 teachers (44 school partnerships 100 IST placements)	1

## Schools: Minor Works in Newry and Armagh

**Ms Fearon** asked the Minister of Education to detail the instances where minor works were carried out in schools in Newry and Armagh over the last three years, including the total financial investment this represented.

**(AQW 30917/11-15)**

**Mr O'Dowd:** The following table details minor work schemes that have been approved in the Newry and Armagh constituency during the period April 2011 to January 2014:

School Name	Scheme Description	Month Approved	Approved Cost
Ashgrove Nursery School	Extension and Alterations	Jul-12	169,664.00
Tandragee Nursery School	Inescapable Statutory Requirements	Nov-13	5,352.00
Mullavilly Primary School	DDA Works to Hygiene Room	Feb-12	5,970.00
Mullavilly Primary School	Transfer of Mobile Unit from Banbridge Academy	Apr-11	62,339.00
Mullavilly Primary School	Provision of DDA Entrance and Accommodation Upgrade for needs of Disabled Pupil	Oct-12	97,072.00
Armstrong Primary School	Mobile Classroom	Aug-12	36,041.00
Armstrong Primary School	Two Classroom Extension	Jun-13	281,543.00
Killylea Primary School	1 Single Modular Classroom	Nov-12	119,498.00
Clare Primary School	1 Classroom Extension and Staff Car Parking	Jan-13	239,801.00
Kingsmills Primary School	Modular Unit to provide PE, Dining, Staffroom and SEN Teaching Facilities	Dec-13	93,980.00
Kingsmills Primary School	Works to Servery	Nov-13	20,830.00
Cortamlet Primary School	Construction of Toilets and Storage Area with Traffic Management	Dec-12	112,501.00
Cortamlet Primary School	Bin Compound	Nov-13	3,100.00
Drumhillery Primary School	Extension to Office, Refurb of Staffroom & Pupil Toilets plus Resource Area & Car Parking	Nov-13	285,579.00
Poyntzpass Primary School	Transfer of Mobile Unit from Banbridge Academy	Apr-11	39,478.00
Windsor Hill Primary School	MUGA Pitch	Feb-12	185,581.00
Orchard County Primary School	Modular Nursery Unit	Feb-12	133,950.00
Orchard County Primary School	Traffic Management	Dec-13	20,800.00
St Malachy's Primary School, Whitecross	Provision of CCTV	Dec-13	11,536.80
St Michael's Primary School, Newry	Resurface Playground	Sep-13	4,020.00
Clonalig Primary School	Provision of SMA Storage	Nov-13	31,376.00
Clea Primary School	Replacement of Entrance Gate	Aug-11	1,200.00
Christian Brothers' Primary School	External Toilet Refurbishment	Jul-11	38,408.00
Christian Brothers' Primary School	School Meals Access Ramp	Jan-13	11,500.00
Mount St Catherine's Primary School	Relocation of Secretary's Office	Jan-14	42,064.25
Cloughoge Primary School	Staff/Visitor Car Park	Jun-13	80,400.00
Cloughoge Primary School	Fire Risk Assessment Works	Dec-13	2,371.71

School Name	Scheme Description	Month Approved	Approved Cost
St Malachy's Primary School, Armagh	Replace Floor Covering in Corridors & Stairs	Jan-14	17,730.38
St Malachy's Primary School, Armagh	Refurb of Toilets	Dec-13	111,503.64
St Patrick's Primary School, Crossmaglen	Installation of New Vision Panels	Jan-14	13,568.06
St Patrick's Primary School, Crossmaglen	Additional Accommodation	Jan-14	171,360.00
Killeen Primary School	Toilet Refurb	Oct-11	102,605.41
Killeen Primary School	Replacement of Double Mobile	Jun-13	270,794.40
St Patrick's Primary School, Newry	Covered Play Area	Nov-13	27,630.33
St Patrick's Primary School, Newry	Additional Car Park Spaces	Dec-11	19,200.00
St Patrick's Primary School, Newry	Door Access Control	Feb-13	24,000.00
St Patrick's Primary School, Newry	Fencing around Play Area	Sep-12	1,800.00
St Patrick's Primary School, Newry	Provision of CCTV	Dec-13	10,682.27
St Patrick's Primary School, Newry	Vision Panels	Dec-13	12,960.02
St Michael's Primary School, Armagh	Fence off Subsidence Area of Playground	Dec-11	6,834.36
St Brigid's (Drumilly) Primary School	Fencing	Jul-12	17,100.00
St Brigid's (Drumilly) Primary School	Traffic Management	May-13	29,700.00
St Mary's Primary School, Armagh	Replacement SMK	Jan-13	210,338.00
St Peter's Primary School, Bessbrook	Traffic Barrier	Jul-12	600.00
St Patrick's Primary School, Armagh	Replace Steps/Kerbs/Wall	Jul-11	51,000.00
St Patrick's Primary School, Armagh	Handrails at Entrance	Jul-11	3,345.00
St Patrick's Primary School, Armagh	Vision Panels in Four Classroom Doors	May-12	13,102.00
St Patrick's Primary School, Armagh	Disability Access	Jul-11	2,100.00
St Patrick's Primary School, Armagh	Provision of Playground	Apr-12	12,681.25
St Joseph's Primary School, Newry	Double Door Playground Access	Sep-11	13,230.00
St Joseph's Primary School, Newry	Fire Alarm and Intruder Alarm	Dec-13	133,073.82
St Clare's Convent Primary School	Replacement Boiler	Aug-11	50,213.65
St Clare's Convent Primary School	Fencing	Sep-11	6,000.00
St Clare's Convent Primary School	Installation of Two Ramps	May-12	6,682.40
St Joseph's Convent	Provision of Fencing	Nov-11	13,800.00
St Joseph's Convent Primary School	Security Improvements	Dec-13	31,695.48
St Colman's Abbey Primary School	Replacement Windows	Mar-13	11,931.59
St Mary's Primary School, Barr	Toilet Refurb	Sep-12	66,645.00
St Mary's Primary School, Newry	Traffic Calming/Parking/Fencing	Nov-13	156,000.00
St Mary's Primary School, Newry	Controlled Door Access	Mar-12	2,249.70
St Joseph's Primary School, Bessbrook	Disabled Toilet	May-11	99,399.09
St Joseph's Primary School, Bessbrook	Toilet Refurb	Apr-13	200,371.90

<b>School Name</b>	<b>Scheme Description</b>	<b>Month Approved</b>	<b>Approved Cost</b>
St Jarlath's Primary School	Fire Alarm	Apr-13	20,229.00
St Laurence O'Toole's Primary School	Toilet Refurb and Vision Panels	Jan-12	8,856.00
St Laurence O'Toole's Primary School	Toilet Refurb & Reconfiguration of Toilet Doors	Dec-13	51,630.14
St Laurence O'Toole's Primary School	Car Park and Traffic Management	Oct-13	9,600.00
St Peter's Primary School, Dungannon	Perimeter Fencing	Jun-12	37,800.00
St Peter's Primary School, Dungannon	Provision of Double Mobile	Nov-11	122,713.65
St Peter's Primary School, Dungannon	Toilet Refurb and Heating Upgrade	Jun-12	138,000.00
St Peter's Primary School, Dungannon	Replacement Mobile	May-13	154,548.00
St Peter's Primary School, Dungannon	Installation of Fire Alarm	Jan-14	47,252.81
St Peter's Primary School, Dungannon	Special Needs Adaptations	Jan-14	4,465.07
St Peter's Primary School, Dungannon	Door Access Control	Jan-14	5,580.83
St Francis of Assisi Primary School	Traffic Management	Dec-11	77,128.62
St Francis of Assisi Primary School	Health & Safety Site Improvements	Jan-14	5,400.00
St John's Primary School, Armagh	CCTV	Jun-11	8,167.50
Our Lady's and St Mochua's Primary School	Security around Oil Tank	Sep-11	4,080.00
St Josephs and St James Primary School	Replace Wooden Shed and Metal Shed	Sep-11	4,434.75
St Joseph's and St James' Primary School	Perimeter Fencing	Dec-11	20,400.00
St Josephs and St James Primary School	Extension of Fire Alarm System	Aug-12	2,100.00
St Josephs and St James Primary School	Repair Concrete Steps & Concrete Area	Jul-12	6,600.00
Drelincourt Infants School	Fire Alarm/Fire Doors	May-12	3,600.00
Drelincourt Infants School	Fire Alarm/Fire Doors	Mar-13	18,630.26
Saints & Scholars Int Primary School	Nursery Mobile	Nov-11	197,789.85
Saints & Scholars Int Primary School	Mobile Classroom Repairs	Jan-14	26,837.74
Saints & Scholars Int Primary School	Drainage	Jun-13	50,400.00
Newtownhamilton High School	Transfer of Mobile from Banbridge Academy	Apr-11	53,709.00
Newtownhamilton High School	SMA	Mar-13	574,469.00
Markethill High School	Refurb of Art & Design Suite	Dec-12	255,469
Tandragee Junior High School	Extension to Provide Art & Design	Dec-13	256,500.00
Newry High School	Provision of Grass Pitch	Nov-13	89,000.00

School Name	Scheme Description	Month Approved	Approved Cost
St Joseph's Boys' High School, Newry	Car Parking and Vehicle Access	Dec-12	42,000.00
St Joseph's Boys' High School, Newry	Refurb of Art Room	Oct-13	192,644.60
St Mary's High School	Toilet for Post 16 Male Pupils	Aug-11	73,471.70
St Mary's High School	Upgrade of Telephone System	Dec-11	6,856.00
St Mary's High School	Reduction of Gas Levels in Science Room	Oct-12	4,045.42
St Paul's High School	Fencing	Aug-12	35,443.62
St Joseph's High School, Crossmaglen	Provision of Sixth Form Study	Mar-12	112,482.00
St Joseph's High School, Crossmaglen	Addition Classroom	Nov-12	3,216.00
St Catherine's College	Raising Height of Banisters	Feb-12	3,420.00
St Catherine's College	Extension to Footpath	Aug-11	6,000.00
St Catherine's College	New Walkway between Existing Blocks	Jun-13	41,247.46
St Catherine's College	Provision of 3G/4G Pitch	Dec-13	900.00
Our Lady's Grammar School	DDA Works - Visual Impairment Adaptations	Oct-12	6,517.80
Our Lady's Grammar School	Ramps to Main Building	Jul-13	3,000.00
Lisanally Special School	Provision of 1 Double and 1 Single Modular Unit	Jun-12	298,273.00
Rathore School	Transfer of Mobile from Banbridge Academy	Apr-11	53,877.00
Rathore School	Internal Alterations	May-11	112,087.00
Rathore School	New 3 Classroom Modular Unit	Jun-12	384,999.00
Rathore School	Classroom Extension and Refurb of 1 Classroom, Stores, Toilets and Car Parking	Jun-13	346,426.00
<b>Total</b>			<b>8,040,181.33</b>

### Schools Enhancement Programme: Newry and Armagh

**Ms Fearon** asked the Minister of Education to detail the schools in Newry and Armagh which benefitted from the Schools Enhancement Programme, including the total financial investment this represented.

**(AQW 30919/11-15)**

**Mr O'Dowd:** On 18 October 2013, I announced that 51 projects would proceed to the next stage in selection process of the Schools Enhancement Programme (SEP). Economic Appraisals are currently being carried out on all 51 project proposals and an announcement of the projects that will receive funding, and the level of that funding, will be made in due course.

I can confirm that the Department is examining project proposals from four schools in the Newry and South Armagh area.

### Looked-after Children: School Attendance

**Mr Storey** asked the Minister of Education, pursuant to AQW 30290/11-15, to explain the reasons for the differences between the attendance rates of looked after children and other pupils between the primary and post-primary sectors; and what action his Department is undertaking to address this issue.

**(AQW 31002/11-15)**

**Mr O'Dowd:** There is no single or definitive reason as to why there are differences between the attendance rates of looked after children and other pupils between the primary and post-primary sectors. In 2011 my Department commissioned a Study into how the education system can improve the attendance of looked after children at post-primary school. The study,

conducted by PricewaterhouseCoopers, identified a number of underlying causes and influences that impact on the non-attendance of looked after children, including:

- Peer pressure;
- Behavioural issues;
- Underlying social and personal issues;
- Personal factors;
- Contact with birth parents;
- Socio-economic circumstances;
- Age when a child enters the care system;
- Placement type and stability; and
- Attitudes to education in the home/care environment.

Schools should refer pupils to the Education Welfare Service (EWS) for support, if appropriate, if their attendance falls below 85% or if there is a cause for concern.

Intervention by the EWS is tailored to the individual child following the assessment of their circumstances including their needs, the parents/carer's capacity to meet those needs and the family and environmental factors. Provision of advice and support, consideration of warnings or any onward referral is completely determined by the outcome of this assessment.

A number of initiatives are also aimed at improving the attendance of looked after children. For example:

- The North Eastern Education and Library Board, through the Residential Study Support Project have been facilitating homework and study support in residential units in the Northern Health and Social Care Trust area during the evenings. A particular focus to this work over recent years is to undertake capacity building for residential social workers in relation to their corporate parenting responsibilities in respect of looked after children education.
- The Attachment Project (TAP) is a pilot project within the Belfast and South Eastern Education and Library Boards which focuses on building capacity and awareness in schools on understanding and managing attachment issues for looked after children. This project will be evaluated through Queen's University of Belfast in the coming months and it is hoped to extend its reach in the coming academic year. This project also has the benefit of enabling teachers to utilise the skills learned through TAP to apply them to children in the general school community.

### **Dickson Plan: Southern Education and Library Board**

**Mr Allister** asked the Minister of Education how he will adjust his policy approach to take into account the decision of the Southern Education and Library Board to abandon the consideration of Option A on the future provision of post-primary education.

**(AQW 31055/11-15)**

**Mr O'Dowd:** I am aware that the Southern Education and Library Board (SELB), at its meeting on 12 February 2014, decided to stop the consultation on the Board's preferred option in respect of 'Updating the Dickson Plan: the SELB proposals', and to move forward with a more wide ranging consultation process.

I am concerned that despite recognition for several years that all pupils in the controlled sector in the Craigavon area do not have access to equitable educational provision and despite the SELB pronouncement in June 2013 that retaining the status quo is not an option, the Board has failed to come forward with a strategic plan to address the fundamental inequality at the heart of this matter. I will be seeking robust assurances aligned to a timeframe as to how they intend to eradicate education inequality for the controlled sector in the Dickson plan area.

The issues present in Craigavon, and in fact in many areas, highlight the need for area planning. The decision of the SELB does not give me cause to adjust the strategic approach being undertaken.

### **Asthma: Inhalers for Pupils**

**Mr Kinahan** asked the Minister of Education what plans he has to ensure that inhalers for pupils diagnosed with asthma are available in schools.

**(AQW 31062/11-15)**

**Mr O'Dowd:** The joint DHSSPS/DE guidance "Supporting Pupils with Medication Needs" recommends that pupils with asthma carry an inhaler with them at all times and also that the parents provide the child's school with an additional inhaler to be available as necessary. The guidance recommends that in primary school settings, a spare inhaler should be kept in the child's classroom and in a post-primary setting, it should be kept in an unlocked central room.

My officials worked in close partnership with officials from DHSSPS and other interested stakeholders, including trade unions, in developing the joint guidance document and I believe it remains effective in ensuring pupils with asthma have access to an inhaler.

### **Asthma: Inhalers for Pupils**

**Mr Kinahan** asked the Minister of Education what discussions he has had with (i) the Minister of Health, Social Services and Public Safety; and (ii) teaching unions, to ensure that inhalers for pupils diagnosed with asthma are available in schools.

**(AQW 31064/11-15)**

**Mr O'Dowd:** The joint DHSSPS/DE guidance "Supporting Pupils with Medication Needs" recommends that pupils with asthma carry an inhaler with them at all times and also that the parents provide the child's school with an additional inhaler to

be available as necessary. The guidance recommends that in primary school settings, a spare inhaler should be kept in the child's classroom and in a post-primary setting, it should be kept in an unlocked central room.

My officials worked in close partnership with officials from DHSSPS and other interested stakeholders, including trade unions, in developing the joint guidance document and I believe it remains effective in ensuring pupils with asthma have access to an inhaler.

### School Transport

**Mrs Hale** asked the Minister of Education how much has been spent on home to school transport in each of the last three years. (AQW 31116/11-15)

**Mr O'Dowd:** The cost of the Home to School Transport scheme in each of the last three years is given in the table below.

The recurrent costs represent the day-to-day operational costs of providing the Home to School Transport scheme to transport approximately 90,000 pupils to and from school. The capital costs relate to the replacement of ageing vehicles in the Education & Library Board fleet of yellow and white buses. Also, in the 2012-13 year funding was spent on fitting additional flashing warning lights and signs to Board buses. This is part of a one-off exercise to ensure that all the Board vehicles conform to new DoE safety legislation by 1 September 2014.

Financial Year	Recurrent costs *	Capital costs	Lighting & signage
2010-11	74,462,213	1,712,000	Nil
2011-12	72,375,711	919,000	Nil
2012-13	72,681,012	1,982,000	842,998

\*Source: The Education and Library Boards Actual Outturn Expenditure Home to School Transport.

### Schools: Shared Campuses

**Mr Lyttle** asked the Minister of Education to detail the definition of a shared education campus and the target date for the delivery of the Together: Building a United Community Objective of ten shared education campuses. (AQW 31237/11-15)

**Mr O'Dowd:** The definition of a Shared Education Campus and indicative timetable, for the first call under the Shared Education Campuses Programme, are available on my Department's website. A link to the Shared Education Campuses Programme page and associated protocol document is provided below.

<http://www.deni.gov.uk/shared-education-campuses-programme.htm>

### Holy Trinity Primary School: Nursery Places

**Mr McGlone** asked the Minister of Education, regarding the application by Holy Trinity Primary School for an additional 26 nursery places for September 2014, to detail (i) what decision has been made on the application; and (ii) if no decision has been made yet, when the school can expect a response from his Department. (AQW 31245/11-15)

**Mr O'Dowd:** A Development Proposal (DP) proposing an increase in nursery places at Holy Trinity PS from 1 September 2014, or as soon as possible thereafter, was published on 16 December 2013. Following the publication of a DP, a statutory two month objection period begins which affords all interested and affected parties an opportunity to submit their comments on the proposal to DE. The statutory objection period ended on 17 February 2014.

I am aware that other preschool providers in the Cookstown area are also in the process of bringing forward proposals for new or additional nursery places from September 2014.

DE officials have begun the process of collating all the relevant and pertinent information and comments received. However, given the timing of the proposals and the complexities involved it is likely to be some weeks before I am in a position to consider the proposals.

### School Principal: Suspension

**Mr D Bradley** asked the Minister of Education why a school Principal is in their 21st month of precautionary suspension; and what is the cost of this suspension to the public purse. (AQW 31261/11-15)

**Mr O'Dowd:** The information you have requested cannot be disclosed as it is third party, personal data on a living person. To disclose this information would be in breach of the Data Protection Act 1998 and, in particular, the first principle to process data "fairly and lawfully."

## Department for Employment and Learning

### South Eastern Regional College: Theatre

**Mr Agnew** asked the Minister for Employment and Learning to outline what steps he is taking to ensure the construction of the South Eastern Regional College theatre in Bangor will continue without delay, despite planning issues.

**(AQW 30161/11-15)**

**Dr Farry (The Minister for Employment and Learning):** All necessary steps are being taken to progress South Eastern Regional College's Performing Arts Centre. The tendering process was completed in January 2014. The Award of Contract letter has been released to enable the construction phase to commence. Planning permission remains valid.

### South Eastern Regional College: Theatre

**Mr Agnew** asked the Minister for Employment and Learning to detail (i) when it first came to his attention that the planning permission for the South Eastern Regional College theatre in Bangor had expired; and (ii) what action has he taken to ensure construction can continue without delay.

**(AQW 30162/11-15)**

**Dr Farry:** Planning permission for the planned new Performing Arts Centre at the South Eastern Regional College's Bangor campus has not expired. The Award of Contract letter has been released allowing the college to move forward with the delivery of the project. The project is expected to be completed for the 2015 student intake.

### South Eastern Regional College: Theatre

**Mr Agnew** asked the Minister for Employment and Learning to detail how construction was allowed to commence at the South Eastern Regional College theatre in Bangor despite the planning permission having expired.

**(AQW 30163/11-15)**

**Dr Farry:** Planning permission for the planned new Performing Arts Centre at the South Eastern Regional College's campus in Bangor has not expired.

### University of Ulster: Magee Campus

**Ms Maeve McLaughlin** asked the Minister for Employment and Learning to detail how his Department will support the developing business case for the expansion of the University of Ulster, Magee.

**(AQW 30727/11-15)**

**Dr Farry:** It is my understanding that Derry City Council on behalf of the Derry/Londonderry Strategy Board has put the development of the business case out to tender. It is the Derry/Londonderry Strategy Board which will approve the business case before the University of Ulster submits it to my Department. My Department will review the submitted business case to ensure that it meets the standards set down in the Northern Ireland Guide to Expenditure Appraisal and Evaluation and will assess the merits of the arguments put forward. In order to undertake this assessment and exercise its approval role, my Department must maintain independence. Consequently, it would not be appropriate for my Department to become involved in the development of the business case.

### University Students: Study outside Northern Ireland

**Mr Weir** asked the Minister for Employment and Learning to detail the number or proportion of local students who are forced to study outside of Northern Ireland due to a lack of available third level places.

**(AQW 30742/11-15)**

**Dr Farry:** The latest figures available show that, in 2012/13, 33% of local students were studying at universities in Great Britain and the Republic of Ireland.

Research has indicated that, in the main, those who opt for a university place in Great Britain or the Republic of Ireland as their first choice, do so because they believe that their chosen institution is the best place to study their preferred subject. Other reasons given included a preference to study at a particular university and the development opportunity to live and study away from home.

### Stranmillis University College: Capital Expenditure

**Lord Morrow** asked the Minister for Employment and Learning to detail (i) the completed capital expenditure and the specific projects on the Stranmillis campus in (a) 2011/12; and (b) 2012/13; and (ii) any planned expenditure and specific projects in the current financial year and 2014/15.

**(AQW 30743/11-15)**

**Dr Farry:** I have provided the details requested in the table overleaf.

	2011/12 Actual £'000s	2012/13 Actual £'000s	2013/14 Current £'000s	2014/15 Forecast £'000s
Central Building: 1st Floor Refurbishment	150	414		
Stranmillis House: Disability Project			450	295
Central Building: Foyer Upgrade				522
Dunseverick Hall Upgrade		340		
Relocation of student social facilities & DDA works to Refectory			1,125	
Stranmillis House: Additional Works			371	
Main Building: Asbestos Removal				3,121

### Teacher Training: Transfer of Functions

**Mr McNarry** asked the Minister for Employment and Learning, pursuant to AQO 5499/11-15, answered by the Minister on 10 February 2014, to confirm the accuracy of this response.

**(AQW 30772/11-15)**

**Dr Farry:** I can confirm the accuracy of my response to AQO 5499/11-15. My Department does not determine the number of teachers to be trained. That responsibility falls to the Minister of Education. My Department's responsibility for teacher training relates to resourcing the Initial Teacher Education providers.

### Stranmillis University College: Merger with Queen's University Belfast

**Lord Morrow** asked the Minister for Employment and Learning (i) to detail the cost to date of carrying out reviews into the proposed merger of Stranmillis Teacher Training College and Queens University; (ii) whether he will confirm, given his response in the Assembly during Topical questions on 10 February 2014, there is no consensus for this project; and (iii) whether he will formally abandon this project in the interests of equality and costs.

**(AQW 30780/11-15)**

**Dr Farry:** To date, costs of £4,066 have been incurred and met by my Department in relation to the proposed merger. From November 2008 to March 2012, Queen's University Belfast and Stranmillis University College have advised that they have incurred, and met, costs of £154,568 and £178,840 respectively. The costs incurred total £337,474.

As I stated during the recent Topical Questions (AQT 691/11-15 on 10 February) the merger proposal was not driven by my Department on either a cost or equality basis but was initiated by the SUC Governing Body which proposed the merger in 2008. There was not the necessary support within the Assembly to take the merger forward.

The Chair of the Governing Body of SUC has now indicated to me that this position in relation to the merger has been superseded by the Stranmillis submission to the Second Stage of the Review of Teacher Training Infrastructure in Northern Ireland. I await the outcome of the Review.

### Common Funding Scheme: Salisbury Review

**Mr Buchanan** asked the Minister for Employment and Learning for an update on the Salisbury Review.

**(AQW 30783/11-15)**

**Dr Farry:** The independent Salisbury Review was commissioned and led by Colleges NI on behalf of the further education sector. I understand from Colleges NI that it expects to be in a position to release the report within the coming weeks.

### Lecturers' Negotiating Committee

**Mr Buchanan** asked the Minister for Employment and Learning to detail any progress made in replacing the management side, joint secretary to the Lecturer's Negotiating Committee.

**(AQW 30784/11-15)**

**Dr Farry:** All employment matters, including those relating to negotiating committees, are the responsibility of the College Employers. My Department neither appoints nor is party to the proceedings of these committees.

However, I have been advised by Colleges NI, that the College Employers have not replaced the management side joint secretary whilst the Salisbury Review has been progressing. It is hoped that this issue will be addressed once this Review has been published.

## Committee for Employment and Learning: Ministerial Appearances

**Mr Nesbitt** asked the Minister for Employment and Learning how many times he has appeared before his Department's Statutory Assembly Committee in each of the last five years.

**(AQW 30796/11-15)**

**Dr Farry:** From January 2009 until April 2011 Ministers appeared in front of the Committee for Employment and Learning six times. Since my appointment to the position in May 2011 until December 2013 I have attended 10 Committee meetings on 15 separate agenda items.

## Stranmillis University College: Statement

**Lord Morrow** asked the Minister for Employment and Learning for his assessment of the statement from the Chairman of the Board of Governors of Stranmillis Teacher Training College on 7 February 2014.

**(AQW 30880/11-15)**

**Dr Farry:** As I explained in my response to AQW 3005/11-15, the Chair of the Governing Body of Stranmillis University College had indicated to me that their position in relation to the proposed merger with Queen's University Belfast had been superseded by the University College's submission to the Second Stage of the Review of Teacher Training Infrastructure in Northern Ireland.

I have now been advised that the Chair of the Stranmillis Governing Body has issued a statement to this effect to staff at the College. The Department is liaising with Stranmillis on finalising the governance arrangements arising from this change of policy position and also awaits the outcome of the Stage Two Review.

## Success Through STEM

**Mr Lyttle** asked the Minister for Employment and Learning for an update on the progress of the STEM Strategy 'Success Through STEM'.

**(AQW 30883/11-15)**

**Dr Farry:** My Department has led on the implementation of the STEM Strategy, 'Success through STEM', which was endorsed by the Executive in March 2011. The Strategy aims to promote STEM and was produced by the STEM Government sub group, which consists of officials from the Departments of Employment and Learning; Education; Culture, Arts and Leisure; Enterprise, Trade and Investment Agriculture and Rural Development and Health, Social Security and Public Safety. The Strategy outlines 20 recommendations which highlight how Government and business intend to encourage more of our young people to study and pursue a career in STEM. The Departments on the Government sub group were assigned responsibility for taking forward specific recommendations from the Strategy.

Each Department represented on the STEM government sub group continues to take forward their own initiatives to implement the relevant actions from the Strategy. These were initially captured in the 'STEM One Year On' report, which was published in March 2012. The overall progress on the Strategy is monitored by an overarching STEM Implementation Steering Group.

My Department's initiatives include continued funding of the 'Step up' science programme at the University of Ulster, pilot Higher Level Apprenticeships in ICT and Food Engineering and a 'College Industry Initiative' to up-skill Further Education lecturers. By 2015/16 I will also have provided an additional 1350 STEM places at undergraduate level in Northern Ireland and 351 PhD places in STEM and economically relevant subjects. Additionally, in conjunction with employers and the further education sector my Assured Skills branch has delivered a number of academies to meet identified skills needs. Academies have now been established in Software Testing, Data Analytics and Cloud Computing. In engineering, a computer numerical control course is also being piloted in conjunction with South Eastern regional College and the Northern Regional College.

I have also established, and chair, focussed working groups to specifically address skills shortages in the ICT and Advanced Manufacturing sectors. The ICT Working Group has been particularly effective and key achievements so far include an MSc conversion course for non-IT graduates and the Public/Private ICT Apprenticeship Scheme. The latter scheme recruited 32 Apprentices in 2012 and 44 in 2013. Work is ongoing with employers to launch a similar scheme in the North West in 2014.

Since November 2012 my Department has funded a 'STEM business co-ordinator' to work directly with employers and business leaders from the STEM Business sub group to help them take forward their specific actions from the Strategy. One of the key activities taken forward by the STEM Business co-ordinator has been to work with the Equality Commission to engage with businesses to look at the issue of gender bias. Others areas have been to share best practice and to identify additional steps that businesses can take to make careers in STEM industries more attractive.

In January 2014 my Department organised for several key delivery partners to give presentations on their current STEM activities to a delegation from the United States, led by Andrew O'Brien of the US Department of State. The presentations highlighted the current STEM initiatives being taken forward across Northern Ireland. Feedback on the event was very positive and my Department will be developing these links for mutual benefit in the coming months.

### Social Investment Fund: South Belfast

**Mr Attwood** asked the Minister for Employment and Learning what consultation was conducted between his Department and the Office of the First and Deputy First Minister regarding the Employment Programme for the Belfast South Zone of the Social Investment Fund.

**(AQW 30942/11-15)**

**Dr Farry:** As requested by the Office of the First and Deputy First Minister, officials from my Department offered comments on the proposed employment projects being considered under the Social Investment Fund for the Belfast West, Belfast East, Belfast North and Belfast South investment zones. In addition, an official from my Department sits on the Social Investment Fund Programme Board and one also sits on the recently established Social Investment Fund Sub-Group.

### Social Investment Fund: North Belfast

**Mr Attwood** asked the Minister for Employment and Learning what consultation was conducted between his Department and the Office of the First and Deputy First Minister regarding the Employment Programme for the Belfast North Zone of the Social Investment Fund.

**(AQW 30945/11-15)**

**Dr Farry:** As requested by the Office of the First and Deputy First Minister, officials from my Department offered comments on the proposed employment projects being considered under the Social Investment Fund for the Belfast West, Belfast East, Belfast North and Belfast South investment zones. In addition, an official from my Department sits on the Social Investment Fund Programme Board and one also sits on the recently established Social Investment Fund Sub-Group.

### Social Investment Fund: East Belfast

**Mr Attwood** asked the Minister for Employment and Learning what consultation was conducted between his Department and the Office of the First Minister and deputy First Minister regarding the Employment Programme for the Belfast East Zone of the Social Investment Fund.

**(AQW 30994/11-15)**

**Dr Farry:** As requested by the Office of the First and Deputy First Minister, officials from my Department offered comments on the proposed employment projects being considered under the Social Investment Fund for the Belfast West, Belfast East, Belfast North and Belfast South investment zones. In addition, an official from my Department sits on the Social Investment Fund Programme Board and one also sits on the recently established Social Investment Fund Sub-Group.

### Social Investment Fund: West Belfast

**Mr Attwood** asked the Minister for Employment and Learning what consultation was conducted between his Department and the Office of the First Minister and deputy First Minister regarding the Employment Programme for the Belfast West Zone of the Social Investment Fund.

**(AQW 30995/11-15)**

**Dr Farry:** As requested by the Office of the First and Deputy First Minister, officials from my Department offered comments on the proposed employment projects being considered under the Social Investment Fund for the Belfast West, Belfast East, Belfast North and Belfast South investment zones. In addition, an official from my Department sits on the Social Investment Fund Programme Board and one also sits on the recently established Social Investment Fund Sub-Group.

### Collaboration and Innovation Fund

**Mr Weir** asked the Minister for Employment and Learning to outline whether the funding available via the Collaboration and Innovation Fund (CIF), dealing with the 16-24 year old age group not in education, employment or training, can be used for matched funding alongside the European Social Fund.

**(AQW 30998/11-15)**

**Dr Farry:** Collaboration and Innovation Funding can contribute to an organisation's ability to act as a public match funder for its own European Social Fund project. The relevant details are published in the European Social Fund Promoter's Operating Manual 2007-2013, Section 3.1.4b Self Match Funding, available at

<http://www.delni.gov.uk/esf-promoters-operating-manual-2007-2013-revised-september-2013.pdf>

### Collaboration and Innovation Fund

**Mr Weir** asked the Minister for Employment and Learning whether there is any EU funding contained within the Collaboration and Innovation Fund.

**(AQW 31001/11-15)**

**Dr Farry:** There is no EU funding contained within the Collaboration and Innovation Fund.

### Collaboration and Innovation Fund

**Mr Weir** asked the Minister for Employment and Learning to detail the rationale for Departmental guidance regarding match funding on Collaboration and Innovation Fund programmes.

**(AQW 31004/11-15)**

**Dr Farry:** Match funding is not required for Collaboration and Innovation Fund projects.

### Collaboration and Innovation Fund

**Mr Weir** asked the Minister for Employment and Learning what guidance is in place regarding match funding against Collaboration and Innovation Fund programmes.

**(AQW 31005/11-15)**

**Dr Farry:** There is no guidance in place regarding match funding for Collaboration and Innovation Fund projects as match funding is not required.

### South West College: Special Needs

**Lord Morrow** asked the Minister for Employment and Learning to detail (i) the amount paid to South West Regional College to supply tutors for specialist classes in special needs schools, in each of the last three years; and (ii) the current hourly rate for these staff.

**(AQW 31013/11-15)**

**Dr Farry:** My Department does not hold the information requested by the Member as this activity is funded through DE and schools as part of the Entitlement Framework. Also, the supply of tutors from further education colleges to work with special needs schools is a matter for individual colleges under this policy area.

Further education colleges are employing authorities in their own right and are responsible for all matters relating to staff. My Department does not hold details of individual tutor salaries.

I have forwarded your request to the Director of South West College, Malachy McAleer, and have asked him to respond to you directly on this matter.

### Economic Inactivity Strategy: People over 45

**Mr Swann** asked the Minister for Employment and Learning to outline the details of the current consultation that his Department is jointly undertaking with the Department of Enterprise, Trade & Investment in regard to tackling the high number of people over 45 who are economically inactive.

**(AQW 31069/11-15)**

**Dr Farry:** My Department and the Department of Enterprise, Trade and Investment have jointly launched a 12 week public consultation on 'Enabling Success' – a new strategic framework to tackle economic inactivity in Northern Ireland.

The public consultation will run from 23 January 2014 to 17 April 2014 and full details, including a series of public consultation engagement events held throughout Northern Ireland, are available on both departmental websites –

<http://www.delni.gov.uk/index/consultation-zone/economic-inactivity-consultation.htm>

<http://www.detini.gov.uk/index/homepage-newpage-consultations.htm>

Following the conclusion of the consultation period, my Department will publish a summary of responses and will use the findings from the consultation exercise to inform the development of the final strategy.

## Department of Enterprise, Trade and Investment

### Growth Loan Fund: Derry City Council Area

**Mr Eastwood** asked the Minister of Enterprise, Trade and Investment to detail (i) the amount of finance provided to small and medium enterprises under the Growth Loan Fund in the Derry City Council area; and (ii) how many of these small and medium enterprises have been granted loans to date.

**(AQW 30643/11-15)**

**Mrs Foster (The Minister of Enterprise, Trade and Investment):** Growth Loan Fund – Derry City Council area:

- (i) As at 30 September 2013, the amount was £2.5million.
- (ii) As at 30 September 2013, 5 small and medium sized enterprises have been granted loans.

## St Patrick's Day: Tourism Ireland

**Mr Frew** asked the Minister of Enterprise, Trade and Investment to outline how Tourism Ireland is marketing locations in Northern Ireland with a strong Christian heritage in overseas markets around St. Patrick's Day.

**(AQW 30682/11-15)**

**Mrs Foster:** Information on Christian heritage and St Patrick is included across Tourism Ireland's suite of 22 international market websites, market guides and social media. This includes an article/editorial piece about the St Patrick's Trail in Co. Down and Co. Armagh which has been translated into all European languages and will feature on this suite of websites and social media from the 10th of March.

Tourism Ireland's key market offices will be running online advertising to drive additional traffic to the article before, during and after St Patrick's Day in order to promote Northern Ireland as a top holiday destination and to encourage potential overseas visitors to book now. Tourism Ireland's US website is currently featuring video content on the story of St Patrick, which also includes the promotion of the St Patrick Centre in Co. Down.

Tourism Ireland has offered Northern Ireland industry partners including the St Patrick Centre in Downpatrick, the opportunity to promote alongside them at the upcoming Best of Britain and Ireland Show in Birmingham this St Patrick's week.

As part of Tourism Ireland's publicity campaign for St Patrick's Day the organisation is currently inviting key overseas travel journalists to visit Northern Ireland before and after the St Patrick's Day festival. They will then write about their experience encouraging more overseas visitors who have an interest in Christian heritage to choose Northern Ireland as their holiday destination in 2014.

Coach and group familiarisation trips to Downpatrick are also being organised to promote Northern Ireland's Christian Heritage tourism product and, in the United States, Tourism Ireland is rolling out targeted co-operative activity with tour operators aimed at religious travel group leaders.

Tourism Ireland has developed a specific car touring itinerary along St Patrick's trail for promotions in GB, including a specific St Patrick's story itinerary for international media familiarisation trips which will be rolled out throughout 2014.

Tourism Ireland has developed a joint marketing plan for St Patrick's Trail which has been presented to Down District Council and will be implemented at a number of upcoming trade events throughout 2014.

## Agri-food Loan Scheme

**Mr Frew** asked the Minister of Enterprise, Trade and Investment, pursuant to AQW 28395/11-15, for an update on the plans to roll out the Agri-Food Loan Scheme to other agri-food sectors.

**(AQW 30683/11-15)**

**Mrs Foster:** At the outset, Invest NI and the participating banks committed to exploring the potential of an Agri-Food Loan Scheme (AFLS) for poultry, pork, beef and dairy by March 2014. My officials have been exploring the feasibility of extending the AFLS to other agri-food sectors, with the specific terms of the scheme to be adapted to the needs of each industry for each phase.

The first phase of the scheme relates to broiler production, and there is a proposal on the table encompassing Invest NI, banks, producers and poultry processors. The required legal agreements are anticipated to be signed imminently and the banks will then open the scheme to applications. With the 'rules of engagement' clearly documented during the first phase of the scheme, it should hopefully enable the scheme to be adapted to meet the needs of other sectors in a more timely and efficient manner than would otherwise have been the case. We have already started to see evidence of a more collaborative approach from the banks in examining the potential of the scheme for other sectors.

We have been approached by a section of the pork industry with a proposal and have met with the banks to gauge this proposal, with positive initial discussions. Officials have also had exploratory discussions with industry representatives from the other agri-food sectors specified at the outset of the scheme. There has also been some interest in the AFLS from other agri-food sectors beyond those specified at the outset and my officials have met with industry representatives to illustrate the broad offer under the scheme and examine the feasibility of extending it to further agri-food sectors.

My officials are keen to engage with any agri-food sector which can demonstrate an integrated supply chain and I would encourage other agri-food sectors to bring forward proposals developed by the industry to my officials for further consideration.

## Pig Farming

**Mr Frew** asked the Minister of Enterprise, Trade and Investment to detail the grants, finance and support available for farmers wishing to invest in pig farming and the pork sector.

**(AQW 30684/11-15)**

**Mrs Foster:** Support for pig producers is primarily the responsibility of DARD. It is not within the remit of Invest NI to provide grant or other financial support for farmers wishing to invest in pig farming and the pork sector.

However, as an outcome of the Agri-food Strategy Board report – Going for Growth - a new Agri-Food Loan Scheme was announced by myself and the Finance Minister in October 2013. This new Scheme is aimed at local food producers who form part of an integrated supply chain. The Scheme will be delivered jointly by Government and the banks and will help producers

to access the finance needed to allow them to invest in farm buildings necessary to increase supply of the primary produce for processing.

The first phase of the Scheme will be open to broiler producers. However, there are plans to extend further phases of the loan scheme to other agri-food sectors such as pork, red meat and dairy over the coming months. Officials have had positive initial discussions with pork processors and the banks.

### **Petroleum Prospecting Licence**

**Mr Milne** asked the Minister of Enterprise, Trade and Investment whether she has received an application for a Petroleum Prospecting Licence (PL1/13) from an American based company called CHx Capital LLC.  
**(AQW 30774/11-15)**

**Mrs Foster:** My Department is processing an application for a Petroleum Licence from CHx Capital LLC whose registered office is in the United States of America.

### **Petroleum Prospecting Licence**

**Mr Milne** asked the Minister of Enterprise, Trade and Investment, in the initial stages of a Petroleum Prospecting Licence application, whether the applicant is bound by law to disclose the detail of everything they are potentially prospecting to her Department.

**(AQW 30775/11-15)**

**Mrs Foster:** DETI grants petroleum licences "to search and bore for and get petroleum" in accordance with The Petroleum (Production) Act (Northern Ireland) 1964.

In this Act, "petroleum" includes any mineral oil or relative hydrocarbon and natural gas existing in its natural condition in strata, but does not include coal or bituminous shales or other stratified deposits from which oil can be extracted by destructive distillation.

Any significant exploration activity such as drilling, whether for conventional or unconventional hydrocarbons, requires further Departmental approval and other consents and would require to be assessed on its own merits.

### **Petroleum Prospecting Licence**

**Mr Milne** asked the Minister of Enterprise, Trade and Investment whether Petroleum Prospecting Licence applicants must outline all of the techniques they would use to find and extract their targeted mineral or substance throughout the term of the licence.  
**(AQW 30776/11-15)**

**Mrs Foster:** At the time of application a company will usually only be in a position to provide an outline of their proposed work programme for the initial term (exploration phase) of the licence. The type of exploration activity (e.g. pre-drilling) will be described but not the specific technology or location.

This is because plans for the later stages of exploration are strongly influenced by the results from the earlier stages with Licensees interpreting the results to decide if they should continue to explore and, if so, where and how they should focus their ongoing exploration.

When a Licensee wishes to carry out field-based exploration, they are required to submit detailed proposals to my Department and, where appropriate, to other regulatory authorities. Following this, the suitability of their proposed methodologies and operations are rigorously assessed in accordance with regulatory requirements.

### **Giro d'Italia: Tourism**

**Mr Campbell** asked the Minister of Enterprise, Trade and Investment what tourism promotion will be carried out when the Giro d'Italia cycle race is held during May 2014.  
**(AQW 30825/11-15)**

**Mrs Foster:** 2014 represents an unprecedented opportunity to promote Northern Ireland to millions of potential cycling enthusiasts around the world, as Northern Ireland gears up for the 'big start' or 'Grande Partenza' of the Giro d'Italia 2014 race - the second biggest cycling race in the world. The race also offers an opportunity to showcase Belfast City, Titanic Belfast, Parliament Buildings, the Giant's Causeway, the Causeway Coastal route and Armagh to the world-wide media and entice millions of potential visitors to put Northern Ireland at the top of their holiday destination list in 2014.

The event will be promoted by both the Northern Ireland Tourist Board (NITB) and Tourism Ireland through marketing campaigns in our key consumer markets both at home, in the Republic of Ireland, in Great Britain and overseas.

The domestic and ROI marketing campaign, which went live on 10 February, will focus on TV advertising, cinema, radio sponsorship, taxi branding, press and digital advertising. This will be underpinned by extensive PR, Social Media and activation activity in both markets and through [discovernorthernireland.com](http://discovernorthernireland.com).

Tourism Ireland's international suite of websites features information on the race as well as dedicated articles on the Giro and special offers including a Giro d'Italia 2014 guided cycling tour offer. Extensive promotion is being undertaken in Italy as

well as in Great Britain and other important markets such as Germany, the Netherlands, France, Spain, the Middle East and South Africa.

A high level campaign is ongoing in Italy targeting specialist and non specialist media contacts. In Milan last month a press conference was organized to showcase the Giro d'Italia race locations which attracted 45 specialist travel and lifestyle media. A new guide to the "Grande Partenza" and Northern Ireland is being distributed to Italian media and specialist sports media are being targeted in collaboration with the Giro d'Italia race organizers, and will include a familiarisation trip to Northern Ireland in February for journalists from one of Italy's leading sports magazines – La Gazzetta dello Sport.

In the GB market a press familiarisation visit for leading publications to visit Northern Ireland is planned for the end of February. The focus of their articles will be the 'Giro d'Italia and the sights and cycle routes of Northern Ireland.

## Science and Engineering Graduates

**Mr Craig** asked the Minister of Enterprise, Trade and Investment how her Department is working with the Department of Education and the Department for Employment and Learning to address the significant shortfall in science and engineering graduates.

**(AQW 30849/11-15)**

**Mrs Foster:** The importance of STEM is widely recognised and my Department works with DE and DEL on a range of STEM initiatives. For example the Economy and Jobs Initiative contains a commitment for an additional 500 undergraduate STEM places each year, bringing the total increase to 1,200 by 2015.

During 2014 the DE and DEL Ministers plan to review Preparing for Success, the Careers Education, Information, Advice and Guidance Strategy. DETI will contribute to that review as a member of its Steering Group and there are plans for the review to be discussed at the Executive Sub-Committee on the Economy.

There is also joint policy and programme development between my Department, DEL and DE through the implementation of the STEM Strategy, 'Success through STEM'. The MATRIX panel also works with DEL to identify emerging STEM skills needs and the STEM Champion, Dr Joanne Stuart, is a member of MATRIX.

Invest NI and DEL, with third level education, provide a bespoke Software Testers Academy, Big Data Academy and Cloud Academy to address the skill needs of the ICT sector. Invest NI also supports DEL's work with the North West Engineering Skills Working Group to develop engineering skills at technical and graduate level. My officials also work with DEL on its Advanced Manufacturing and Engineering Services Working Group and the ICT Skills Working Group.

## Renewables Grid Liaison Group

**Mr Lynch** asked the Minister of Enterprise, Trade and Investment what progress the Renewables Grid Liaison Group has made since it was established by the Utility Regulator.

**(AQW 30909/11-15)**

**Mrs Foster:** Since it was established in 2012, the Regulator-led Renewables Grid Liaison Group has facilitated discussion on issues such as wind farm cluster development, small scale generation connections and offshore connections. It has also published a bi-annual Renewable Integration Status Report which sets out progress for all participants on NIE grid development plans. These reports, together with the Group's Terms of Reference and minutes of meetings can be accessed on the Regulator's website – [www.uregni.gov.uk](http://www.uregni.gov.uk).

## Foreign Direct Investment: Newry and Armagh

**Ms Fearon** asked the Minister of Enterprise, Trade and Investment how her Department is working to attract foreign investment to Newry and Armagh.

**(AQW 30922/11-15)**

**Mrs Foster:** Invest NI is responsible for attracting high quality Foreign Direct Investment (FDI) that will benefit all of Northern Ireland. The global market for FDI is intensely competitive and in order to compete effectively, Invest NI must leverage the capabilities of all of Northern Ireland as a region where an investor can thrive and grow. Our talented and loyal workforce, advanced telecoms infrastructure, high skilled business clusters, a pro-business environment, competitive operating costs and proximity to major markets form the basis of our FDI sales message.

It is important to note that an investor will make the decision about where the company will locate based on the area's ability to meet the requirements of their business. Typically an investor will look for existing investors in the same business sector (Invest NI's key target sectors being ICT, business services, financial services and renewables); universities and colleges that offer courses relating to that sector; and suitable, available property. In addition, potential investors are often drawn to population centres that they consider will provide the appropriate number of suitably skilled potential employees.

Areas in which these desired features do not exist, or are not clearly presented, are unlikely to attract the attention of potential investors to visit or locate in the area.

Invest NI is working with stakeholders in the Newry and Armagh areas to help foster an understanding of the typical requirements of an FDI project in order to help those areas become "investor ready". For example, in February 2014, the agency's International Investment Division met with representatives of Newry Chamber of Commerce and Newry & Mourne

District Council to hear about the area's investment proposition and initiatives to build its capabilities. The day concluded with a visit to Southern Regional College (SRC) to hear about the work that the college is doing to increase the area's skills capability, in particular i3, SRC's business support centre.

Invest NI has also developed an 'FDI app' and a 'District Council App' which will help present a snapshot of the benefits of setting up in Northern Ireland to potential investors. Newry & Mourne District Council has indicated that it wishes to be involved and Invest NI is working with the Council to develop these downloadable mobile applications which will form part of a promotional toolkit highlighting each Council area's attractiveness as a potential investment location.

Ultimately however, the investor will make the decision as to where they locate based on their specific business needs and having considered the options available to them.

### Giro d'Italia: North Antrim

**Mr McKay** asked the Minister of Enterprise, Trade and Investment to detail the money her Department is investing in North Antrim in relation to the hosting of the Giro d'Italia 2014.

**(AQW 30991/11-15)**

**Mrs Foster:** My Department, through the Northern Ireland Tourist Board (NITB), has set up a number of working groups specifically designed to address all aspects of the Giro d'Italia 2014.

These working groups are exclusively created to discuss how the Local Councils can capitalise on the Giro and the opportunities it brings to the area.

My Department, through NITB, has already committed £3 million to secure the Giro d'Italia for Northern Ireland which will facilitate this global event coming to Northern Ireland and indeed travelling through the North Antrim area.

### Renewable Energy

**Mr McKay** asked the Minister of Enterprise, Trade and Investment to detail the current percentage of energy that is generated from renewable sources.

**(AQW 30993/11-15)**

**Mrs Foster:** In the twelve month period to end January 2014, approximately 18% of electricity consumption was from renewable sources. The Programme for Government target is 20% by 2015.

It is estimated that we are on track to achieve the Programme for Government target of 4% renewable heat by 2015. However, to verify progress, DETI will carry out analysis as part of a future review of the Renewable Heat Incentive.

### Farm Safety

**Mrs Dobson** asked the Minister of Enterprise, Trade and Investment, pursuant to AQW 30202/11-15, to provide a full breakdown of all funding provided by her Department for farm safety measures.

**(AQW 31035/11-15)**

**Mrs Foster:** The Department of Enterprise, Trade and Investment, through the Health and Safety Executive for Northern Ireland (HSENI) has contributed the following expenditure towards raising awareness of health and safety across the farming industry:

Year	Media, shows and marketing	Child Safety
2011/12	£75,000	£25,000
2012/13	£410,000	£45,000
2013/14	£300,000 (to end of 3rd quarter of the financial year)	£100,000 (includes production of 2 new child safety DVDs)

The above expenditure includes the following promotional and educational activities:

- A high profile media campaign
- Health and safety awareness days
- Primary school farm safety presentations
- Presentations to numerous farmers' groups
- Promotion of farm safety at selected agricultural shows

In addition HSENI has and will continue to carry out other statutory activities including:

- 1,000 farm safety inspections each year
- Investigation of work related fatal accidents
- Investigation of complaints
- Secretarial support to the Farm Safety Partnership

HSENI does not separate costs for these activities as they are resourced from within its running costs.

### **Committee for Enterprise, Trade and Investment: Cancelled Briefings**

**Mr Nesbitt** asked the Minister of Enterprise, Trade and Investment on how many occasions (i) she; and (ii) departmental officials cancelled briefings, which were part of the forward work programme, to her Department's Statutory Assembly Committee, in each of the last five years.

**(AQW 31135/11-15)**

**Mrs Foster:** My Department does not hold this information.

### **Golf: Irish Open**

**Mrs McKevitt** asked the Minister of Enterprise, Trade and Investment what funding package will be provided to ensure the successful delivery of the Irish Open 2015.

**(AQW 31250/11-15)**

**Mrs Foster:** The Department of Enterprise, Trade & Investment and The Northern Ireland Tourist Board are in regular discussions with event organisers about possible future events.

It is not possible to disclose the nature of these discussions until agreements have been finalised.

## **Department of the Environment**

### **EU Directives: Northern Ireland Environment Agency**

**Mr Kinahan** asked the Minister of the Environment whether the new targets relating to Freshwater directives from the Northern Ireland Environment Agency have been discussed and agreed with EU officials.

**(AQW 29711/11-15)**

**Mr Durkan (The Minister of the Environment):** The Water Framework Directive (WFD) is the key EU water Directive, requiring Member States to aim to achieve good ecological status or good ecological potential for waterbodies by Dec 2015. The Directive allows Member States to set alternative objectives for 2021 or 2027 in certain circumstances, such as where there are technical feasibility and/or disproportionate cost issues preventing the achievement of good ecological status by 2015.

To meet the requirements of the WFD, the Northern Ireland Environment Agency published River Basin Management Plans (RBMPs) in December 2009, which cover the period 2009-2015. The RBMPs stated that around 28% of water bodies were at good status in 2009 and through the measures in the Plans the aim is to reach around 59% at good status by 2015.

To date, the Department has implemented measures and produced progress reports in accordance with the targets and timetable set out in the Water Framework Directive. My Department also provided details of the objectives of the first cycle RBMPs to EU officials in March 2010 and NIEA will submit a further progress report in 2016. The second cycle RBMPs, which will cover the period 2016-2021, will set out the objectives for the second cycle based on progress achieved by the end of 2015, the assessment of pressures on the water environment and an assessment of what is achievable by 2021.

The targets for other EU water Directives (such as the Urban Wastewater Treatment Directive and the Nitrates Directive) are set within the Directives and have been in place for a number of years. As is the case with the WFD, the Department has engaged with EU officials and provided information in terms of implementation and reporting as required by the Directives.

At this stage, there are therefore no new targets in relation to any of these key Directives concerned with improving the condition of our freshwaters.

### **Lough Neagh: Nitrates**

**Mr Wells** asked the Minister of the Environment for his assessment of the programmes to reduce nitrate levels in Lough Neagh.  
**(AQW 29719/11-15)**

**Mr Durkan:** As a key part of Northern Ireland's implementation of the EU Water Framework Directive (WFD), the Neagh Bann River Basin Management Plan (2009-2015) was published in December 2009. The Northern Ireland Environment (NIEA) continues to work in partnership with stakeholders, including the Lough Neagh Partnership, to help meet targets to improve and protect the Neagh Bann water environment.

A Neagh Bann Significant Water Management Issues overview report has recently been published for public consultation: [www.doeni.gov.uk/niea/swmi.htm](http://www.doeni.gov.uk/niea/swmi.htm).

The report sets out the latest assessment of the pressures and impacts on the water environment and the progress made towards achieving the objectives for 2015.

At this point of the first river basin planning cycle, little improvement has been seen in overall ecological status from 2009. Progress has, however, been made in implementing measures in the River Basin Management Plans and there are signs of

improvement in some of the individual biological and chemical parameters that contribute to the overall assessment of status. For example, as a result of measures taken largely since the introduction of the Nitrates Action Programme in 2006, and also the Phosphorus (Use in Agriculture) Regulations (NI) 2006, to address nutrient enrichment of the water environment, the levels of phosphorus and nitrates in rivers are either stable or decreasing though concentrations of phosphorus in the majority of rivers are still above environmentally acceptable levels to bring about ecological improvement.

Assessment of water quality is mainly based on monitoring by NIEA and is reported in the four-yearly "Report on the State of Implementation of the Nitrates Directive in the United Kingdom (Northern Ireland)". This is submitted to the European Commission in accordance with Article 10 of the Nitrates Directive (the Article 10 report). The latest Article 10 report (for 2008-2011) was produced in 2012 and is available on the DOE website at:  
[http://www.doeni.gov.uk/2012\\_ni\\_nitrates\\_article\\_10\\_report\\_-\\_final.pdf](http://www.doeni.gov.uk/2012_ni_nitrates_article_10_report_-_final.pdf)

The EC Drinking Water Directive nitrate standard is 50 mg NO<sub>3</sub>/l and NIEA monitors nitrate concentrations against this standard at 4 stations in Lough Neagh. Annual average nitrate concentrations at the four monitoring stations over 2004-2007 were all below 10 mgNO<sub>3</sub>/l with one site below 2 mg NO<sub>3</sub>/l. When maxima were considered, all 4 sites were below 10 mgNO<sub>3</sub>/l. Over 2008-2011, all 4 sites had an annual average nitrate concentration below 2 mg NO<sub>3</sub>/l and when maxima were considered, all 4 sites were again below 10 mg NO<sub>3</sub>/l.

Trend assessments have compared 2008-2011 data with the previous four-year data set 2004-2007. Between the two reporting periods, the 4 sampling locations in Lough Neagh showed stable<sup>3</sup> average nitrate concentrations, with all sites showing a decreasing trend in maximum nitrate concentrations.

However, Water Framework Directive (WFD) trophic classification (based on total phosphorus and biological parameters) for Northern Ireland's 27 surveillance lakes for 2009-2011 shows that phosphorus levels remain high in Lough Neagh leading (in conjunction with biological parameters) to the lake being considered hypereutrophic and classified as at "bad" status under WFD. This situation has changed little since the previous two assessment periods (2000-2005, 2006-2008). The lack of change in lake systems may not be unexpected for a variety of reasons including differences highly related to individual lake typologies e.g. flushing times of these systems and the release of phosphorus reserves already built up in sediments.

The Nitrates Action Programme is currently being reviewed by DOE and DARD (to be completed by 31 December 2014) and that review provides an opportunity to examine this issue and consider whether any further measures to address the situation are necessary.

## Friends of the Earth

**Mr D McIlveen** asked the Minister of the Environment how much funding his Department has given to Friends of The Earth in each of the last three years.  
**(AQW 30733/11-15)**

**Mr Durkan:** No funding has been provided by my Department to the Friends of the Earth for the period in question.

## Alcohol and Drugs: Private Hire Coaches

**Mr Allister** asked the Minister of the Environment what procedures are in place to review the licences of private hire coaches which permit excessive drinking and drug abuse by patrons.  
**(AQW 30753/11-15)**

**Mr Durkan:** The offence of consuming alcohol on a bus is committed only by the person consuming the alcohol. The bus operator commits no offence, nor is it an offence for failure to prevent the commission of an offence.

However, bus operators are required to act in a responsible manner in line with the requirement to be of good repute to hold an operator's licence. The Department considers any evidence presented in relation to bus operators, and where complaints are substantiated by the evidence available, it takes appropriate regulatory action such as the issue of warning letters, interviews to issue advice or warnings or, where appropriate, the revocation of the licence.

## Quarry Safety

**Mrs Cameron** asked the Minister of the Environment for his assessment of the quarry safety campaign 'Stay out! Stay safe!'.  
**(AQO 5541/11-15)**

**Mr Durkan:** The objective of the "Stay Out! Stay Safe!" campaign was to target young people and their parents across the country to make them aware of the dangers of disused quarries, particularly the danger associated with swimming in quarry pools. My predecessor, Alex Attwood, requested delivery of a high impact awareness campaign before the July holiday period.

As part of the campaign 1,000 'DANGER - NO SWIMMING' warning signs were made available to councils on 10th July 2013, for immediate erection at sites considered to be at highest risk.

Advertisements were placed in the daily and Sunday newspapers, as well as all the regional weekly newspapers.

<sup>3</sup> 'Stable' refers to the change in annual average NO<sub>3</sub> (mg/l) between 2004-07 and 2008-11 of >-1 to ≤1 mg/l as defined by Nitrates Directive reporting requirements

The campaign, which included the production of 1,500 campaign posters for display in public buildings, was also supported by extensive media relations including social media activities, information on NIDirect and other relevant websites (councils, NILGA, NI4Kids etc) and internal communications across DOE and the wider NICS.

Given the need to act quickly to prevent further loss of life, no formal measurement of awareness before campaign delivery was undertaken. However since the launch of the campaign in July 2013, there have been no further deaths as a result of swimming in disused quarries in Northern Ireland.

### **Driver and Vehicle Agency: Enforcement Staff**

**Lord Morrow** asked the Minister of the Environment, pursuant to AQW 29848/11-15, on the three occasions Driver and Vehicle Agency enforcement officers attended Ravenhill Rugby Ground, Mount Merrion Avenue between March 2013 and Sept 2013, whether they were accompanied by any taxi-operator officials, or were met at the venue by taxi-operator officials or representatives; and if so, who were the representatives.

**(AQW 30785/11-15)**

**Mr Durkan:** On the first occasion that Driver and Vehicle Agency (DVA) enforcement officers attended Ravenhill Rugby Ground, to assess the provision of taxis, a representative from fonaCAB Ltd and a representative from the Public Hire Coalition introduced themselves to uniformed officials. This was not a prearranged meeting.

On subsequent visits, DVA officials were not accompanied nor did they meet with any taxi operator officials or representatives.

### **Taxis: Review of Fares**

**Mr Irwin** asked the Minister of the Environment for an update on the review of taxi fares.

**(AQW 30786/11-15)**

**Mr Durkan:** My Department commissioned a review of taxi tariffs and levels in 2010, which included the development of a suitable maximum fare tariff structure for Northern Ireland. Responses to a subsequent public consultation in November 2011 indicated that 69% of consultees agreed with the proposed tariff.

The SL1 for the Taximeter and Maximum Fare Regulations was considered by the Environment Committee on 16 January 2014. Members referred to recent queries around Single Tier Licensing which had not yet been concluded, and agreed to defer until further consideration.

Prior to the making of the Regulations, and periodically thereafter, the arithmetic in the calculation will be updated by officials – this will allow for factors such as changes in the price of fuel, repair costs, insurance and the like.

### **Strategic Planning Policy Statement: Town Centre Retail**

**Mr Campbell** asked the Minister of the Environment how his draft Strategic Planning Policy Statement will protect retailing in town centres as being distinct from out of town developments.

**(AQW 30822/11-15)**

**Mr Durkan:** The draft Strategic Planning Policy Statement (SPPS) brings forward a new town centre first approach for local development plans and decision taking regarding planning applications for retail and main town centre uses.

For development plans Councils will be required to define a hierarchy of centres and define their role and function and the policy for what retail development will be appropriate in them. Plans will also incorporate a new 'call for sites' approach to identify available land to meet retail need. A sequential approach will be adopted for this with preference being given to town centre sites, then edge of centre before considering out of centre sites.

A sequential test will also be applied to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Development Plan.

I await the outcome of the public consultation on the SPPS which closes 29 April 2014 and encourage everyone to become involved and submit their views.

### **Strategic Planning Policy Statement: Town Centre Retail**

**Mr Campbell** asked the Minister of the Environment whether the potential consequences that further significant out of town retailing development could have on town centres will be outlined in the consultation period for his draft Strategic Planning Policy Statement.

**(AQW 30823/11-15)**

**Mr Durkan:** A consultant team led by GL Hearn carried out a review of town centres last year and helped inform the new retailing and town centres planning policy in the draft Strategic Planning Policy Statement (SPPS). The report highlights current pressures town centres are facing, including those from out of centre developments. I am satisfied that this report has provided strong evidence for the decline in our town centres and the need for a new planning policy approach. The consultant's report was published for information alongside the draft SPPS. There are no plans to outline additional potential consequences that further significant out of town retailing development could have on town centres in the consultation period draft SPPS. I expect the new policy to ensure that town and city centres are the first choice for new retail development in the

future. I await the outcome of the public consultation on the SPPS which closes 29 April 2014 and encourage everyone to become involved and submit their views.

### **Local Government: Training for New Councillors**

**Mr Easton** asked the Minister of the Environment what training will be made available to councillors elected to the new councils. (AQW 30842/11-15)

**Mr Durkan:** I have put in place a process that will allow for a range of training to be made available to councillors elected to the new councils. I have provided funds directly to each new council cluster which will allow them to address training needs identified and tailored at a local level to address local need. This will include localised induction that will help address the priorities for that Cluster.

In addition, my Department has commissioned a range of training interventions designed for elected members to be delivered by the Local Government Training Group. This training will cover issues such as New Member Induction, the Councillors' Code of Conduct and Ethical Standards. My Department is also funding a range of training support to develop councillor knowledge and skills on a range of important new functions transferring to local government such as planning and community planning.

My officials are in regular contact with NILGA and other representative bodies to help identify further training opportunities that may benefit councillors as the Reform programme is taken forward. This will help meet emerging needs of members elected to the new councils.

The total budget I am allocating to capacity building and induction for local government reform amounts to £3.6m.

### **Environmental Crime**

**Mr Humphrey** asked the Minister of the Environment, following the publication of the Mills report in December 2013, what steps his Department has taken to reduce waste crime and illegal dumping. (AQO 5531/11-15)

**Mr Durkan:** A number of actions have been taken, even before we received the Mills Report.

My predecessor secured £1.5m in the 2013 June Monitoring Round and this has been used to:

- Employ ten extra waste enforcement experts in NIEA's Environmental Crime Unit
- Clean-up some of the waste at the Campsie illegal waste dump that posed the most immediate environmental risk
- Buy specialist investigation equipment

This funding has helped NIEA to set up a major waste crack-down through what is known as 'Operation Toothfish'.

This operation is being led by NIEA's Environmental Crime Unit with the assistance of the PSNI.

Operation Toothfish currently involves 25 investigations covering 31 sites and 42 suspected companies and individuals across Northern Ireland.

This is a comprehensive crack down which is targeting a variety of potential types of waste crime – illegal landfill, refuse derived fuel, fuel laundering, end of life vehicles and waste tyres.

This operation is the start of a programme of action over the next few years to reduce the creation of waste and establish a fully compliant waste industry in Northern Ireland.

### **Committee for the Environment: Ministerial Appearances**

**Mr Nesbitt** asked the Minister of the Environment how many times he has appeared before his Department's Statutory Assembly Committee in each of the last five years. (AQW 30874/11-15)

**Mr Durkan:** Since becoming Minister in July 2013 I have twice appeared before the Environment Committee.

### **CCTV: Ravenhill Rugby Ground**

**Lord Morrow** asked the Minister of the Environment, pursuant to AQW 28201/11-15, AQW 28378/11-15, AQW 27856/11-15, whether the Departmental Solicitors Office viewed all the video footage recorded at Ravenhill Rugby Ground, Mount Merrion Avenue on 23 August 2013. (AQW 30881/11-15)

**Mr Durkan:** The concept of legal professional privilege safeguards the rights of a person or organisation, including the Department, to obtain legal advice on a confidential basis and not to disclose such information, or other such information pertaining to that advice, in the interests of the wider administration of justice. The Department is, therefore, unwilling to waive the legal professional privilege vested in it, and is therefore unable to provide the information sought.

## Driver and Vehicle Agency: Bus and Coach Operators

**Lord Morrow** asked the Minister of the Environment (i) how many private hire bus or coach operators have been reported to the Driver and Vehicle Agency for regulation breaches, such as permitting passengers to consume alcohol, in the last three years; (ii) how many were prosecuted, or had their operators licences revoked; (iii) on how many occasions no further action was taken; and (iv) how many are currently subject to investigation.

**(AQW 30882/11-15)**

**Mr Durkan:** In the last three years, the Department has received 10 reports about consumption of alcohol on buses.

- (i) The offence of consuming alcohol on a bus is committed only by the person consuming the alcohol. The bus operator commits no offence. Enforcement of the ban on consumption of alcohol on board a bus is the responsibility of the PSNI.
- (ii) Bus operators are required to act in a responsible manner in line with the requirement to of good repute to hold an operator's licence. The Department considers any evidence presented in relation to bus operators, where complaints are substantiated by the evidence available, and it takes appropriate regulatory action such as the issue of warning letters, interviews to issue advice or warnings or, where appropriate, the revocation of the licence.
- (iii) The reports received in the last three years were largely unsubstantiated reports and, in the absence of any substantial evidence, the Driver and Vehicle Agency was unable to take any action.
- (iv) There are currently no ongoing investigations in relation to identified operators.

## Taxis: Wheelchair Access

**Lord Morrow** asked the Minister of the Environment what terms of wheelchair accessibility or disabled access are unlikely to be met by a number of existing Private Hire taxis, as claimed by a Driver and Vehicle Agency official at the Committee for the Environment meeting on 12 December 2013.

**(AQW 30884/11-15)**

**Mr Durkan:** My Department published a consultation on a new specification for wheelchair accessible taxis on 7 February 2014. The proposed new specification was recommended as a result of recent research carried out by Integrated Transport Planning on behalf of the Department. It aims to balance the needs of wheelchair users, those of the industry and to take account of vehicle availability and affordability.

At the meeting on 12 December 2013, rather than referring to Private Hire taxis, officials advised that there may some Belfast Public Hire vehicles which may not meet the new WAV specification. This assertion is based on the consultants' report, available from the link below, that states there are likely to be a number of vehicles that will not meet the new specification.

<http://applications.doeni.gov.uk/publications/document.asp?docid=19799>

It is difficult to determine definitively how many vehicles might fail to meet the accessibility specification as a result of an inadequate ramp, step or wheelchair tie-down equipment, as this will depend on individual vehicle adaptations. However, there are certain vehicle models that will not meet the requirements for door aperture size and internal headroom, which are factors that are not changed during any conversion process of a vehicle to become a taxi.

Of those vehicles licensed as Belfast Public Hire at the time of the study (spring 2013), the consultants estimated that 101 may not meet the internal dimension requirements stated in the new specification. However, vehicle makes and models change over time, and it may be the case that one version of a particular model may be acceptable but a newer or older version may not share the same dimensions. Therefore, it will be necessary to ensure each vehicle purchased after September 2014, which is to be licensed as wheelchair accessible taxi, is checked for suitability against the published specification.

Taking into account the cost of purchasing a new wheelchair accessible vehicle, the Department has proposed in the consultation that any taxi currently licensed as Belfast Public Hire and thus currently licensed and tested as a wheelchair accessible taxi will be permitted to continue to be licensed as wheelchair accessible for 5 years following the introduction of the regulations, provided each individual taxi continues to comply with the existing specification. After that period, any taxi currently licensed as Belfast Public Hire which does not comply with the new specification will not be categorised as wheelchair accessible and will not be able to advertise itself as such, although they will of course be eligible to be used as another class of taxi.

The consultation closes in early April 2014, after which I will make final decisions on the vehicle specification.

## Taxis: Public Hire

**Lord Morrow** asked the Minister of the Environment, pursuant to AQW 30050/11-15, and given that the official in question used the figure 437 four times prior to then reading it as 350, and not 347 as claimed, for his assessment of this explanation.

**(AQW 30886/11-15)**

**Mr Durkan:** My officials have advised that an error in reading the relevant figure was made during the meeting on 12 December 2013. I am content with the explanation provided and that appropriate steps were taken to advise the Committee of the accurate figure in relation to Belfast Public Hire taxis.

## Vehicle Licensing: Centralisation

**Mr McQuillan** asked the Minister of the Environment, in light of the integration of the Driver and Vehicle Agency (DVA) and the Driver and Vehicle Licensing Agency, (i) how many permanent posts in the integrated body will be filled by DVA staff; (ii) what impact the merger will have on DVA staff; and (iii) whether any DVA staff will be redeployed.

**(AQW 31017/11-15)**

**Mr Durkan:** The Department for Transport's Driver and Vehicle Licensing Agency (DVLA) has proposed centralising all vehicle licensing work in Swansea. If this proposal, which I have strongly opposed, were to be agreed by Ministers in London, all of the vehicle licensing (motor tax) offices across Northern Ireland would close. In defending the retention of these jobs, I have pointed out to the London Government, that removing this excellent local service would have a significant impact on staff, customers and the local economy.

Since there would be no vehicle licensing work carried out here, other than by Post Offices, no Driver and Vehicle Agency (DVA) staff would be employed in this work. All 302 full time equivalent posts in DVA, currently funded by DVLA, would be impacted. 265 of these posts are engaged wholly on vehicle licensing work and, if centralisation were to go ahead, all of these jobs would be lost. The remaining 37 posts are engaged partly on vehicle licensing related work and partly on work related to DVA's other functions. Some of these 37 posts are likely to be retained if the centralisation of vehicle licensing were to proceed.

Any staff that become surplus in DVA as a result of centralisation would be considered for redeployment within the Northern Ireland Civil Service in line with the NICS Redeployment Policy.

## Arc21: Payment of Bond

**Mr Kinahan** asked the Minister of the Environment whether any councils within the Arc21 area have been recently asked to provide a £1million bond to cover professional fees for the Arc21 preferred bidder in the event that the project may not receive planning approval; and how this would represent value for money for ratepayers.

**(AQW 31126/11-15)**

**Mr Durkan:** The Department is not a party to any of the procurements being taken forward by the Waste Management Groups. Management of their project is a matter for arc21 and its constituent councils to determine in line with their governance arrangements, and it would not be appropriate for the Department or any other third party to offer any public comment which would be in breach of legally binding procurement rules relating to commercial sensitivity and confidentiality.

## Safeguarding of Young People: Coach Operators and Private Tour Organisers

**Mr Craig** asked the Minister of the Environment to detail how coach operators and private tour organisers are governed with regard to the safeguarding of young people of post-primary school age in their care.

**(AQW 31165/11-15)**

**Mr Durkan:** There are a number of measures in place to govern the safeguarding of young people in respect of licensing conditions.

Holders of bus operator licences are required to be of good repute and, as part of the process of determining if an applicant meets this requirement, a basic disclosure certificate for every person named on the application (such as owners, partners, directors and transport managers) must be submitted in support of applications for licences. Basic disclosure certificates, issued by AccessNI, show all unspent convictions. This information is taken into consideration when assessing an application for a licence.

In addition, bus drivers, who, unlike bus operators, will be in contact with passengers, must also be judged to be fit persons to hold a licence to drive a bus and they too must submit a basic disclosure certificate that will reveal any unspent convictions recorded against them. Again, this information is considered as part of the application process.

Where an applicant for an operator's or a driver's licence has been convicted of an offence, and the conviction remains unspent, the Department will assess the nature and severity of the offence before deciding whether the licence should be granted. Offences that might suggest any danger to children or any vulnerable person will be given a great deal of weight in this judgment.

## Local Government: Procurement of Services

**Mr P Ramsey** asked the Minister of the Environment whether councils will be able to procure services under the banner of community planning, such as enhanced health services from the Health and Social Care Board.

**(AQW 31256/11-15)**

**Mr Durkan:** The new duty of community planning will require councils to lead the process of creating a long term vision for the social, environmental and economic well-being of their area and its citizens, in partnership with the community and service providers in their area.

The community planning approach will allow the council to join with other service providers to co-operate and co-ordinate effort to best meet the needs of citizens.

The general power of competence contained in the Local Government Bill complements the community planning duty. This power will mean that councils can act with similar freedom as an individual, unless the law prevents it. Therefore, a council will have the ability to develop innovative approaches to addressing issues in its area.

Using this power a council may wish to consider options to provide additional services such as enhancing health service provision where a need is identified. If a council wished to pursue such an option, it would of course need to ensure that it works closely with partner agencies and takes full account of both the needs of the whole district and the regulatory framework that may exist in relation to the particular service.

## Department of Finance and Personnel

### January Monitoring: Medical Negligence

**Mr McCarthy** asked the Minister of Finance and Personnel, following his statement on the January monitoring round on the 21 January, to detail how the £30 million he has allocated to the Department for Health, Social Services and Public Safety will be spent and whether any of it will be used to deal with medical negligence cases.

**(AQW 30027/11-15)**

**Mr Hamilton (The Minister of Finance and Personnel):** The allocation was provided to relieve pressures on the integrity of frontline health care. In response to AQW 30037/11-15, the Health Minister has detailed how the allocation will be spent and has confirmed that funding has not been provided at this stage for clinical negligence cases.

### Review of Public Administration: Rural Businesses

**Mr McMullan** asked the Minister of Finance and Personnel what assurances can he give that small to medium sized rural businesses will not be disadvantaged in the procurement process, when applying for public sector contracts, following the establishment of the Review of Public Administration,

**(AQW 30263/11-15)**

**Mr Hamilton:** Although the local government sector is not subject to Northern Ireland Public Procurement Policy it is currently taking a number of steps, at a regional level, to help ensure that all SMEs can avail of procurement opportunities. Proposed initiatives include:

- The development of a supplier charter which will result in greater engagement with the local business community through meet-the-buyer events, trade exhibitions/conferences and through policies such as pro-active feedback to support the development and competitiveness of local suppliers in the Northern Ireland economy.
- Advertising tender opportunities where the value is over £30k and obtaining quotations from local suppliers, where possible, if the value of the contract is less than £30k.
- Advertising tenders on eSourcingNI (the NI Ireland Public Sector Procurement portal), or its replacement system. This will enable local SMEs to find both local and central government procurement opportunities in a single location rather than having to search national and local newspapers and council websites.

These initiatives, which are contained in a proposed local government procurement toolkit currently being considered by councils, should help ensure that local SMEs are not disadvantaged following the establishment of the Review of Public Administration.

### Ombudsman: Recommendations

**Mr Allister** asked the Minister of Finance and Personnel on how many occasions since May 2007 has his Department not accepted the recommendations contained in an Ombudsman's finding.

**(AQW 30530/11-15)**

**Mr Hamilton:** The title of Northern Ireland Ombudsman is the popular name for two offices – the Assembly Ombudsman for Northern Ireland and the Northern Ireland Commissioner for Complaints. I am assuming that you are interested in our dealings with the Assembly Ombudsman for Northern Ireland and am answering on that basis.

There have not been any occasions since May 2007 when my Department has not accepted the recommendations in the Assembly Ombudsman's findings.

### Flooding: Rowreagh Road, Kircubbin

**Mr McNarry** asked the Minister of Finance and Personnel to detail any assistance provided by his Department for flood victims, in Rowreagh Road Kircubbin, seeking funding from the EU Solidarity Fund.

**(AQW 30773/11-15)**

**Mr Hamilton:** My Department does not have responsibility for providing assistance to flood victims, nor have I been approached by any department with responsibility for this type of assistance for approval for such resources.

## National Asset Management Agency

**Mr McKay** asked the Minister of Finance and Personnel to outline what his Department has done to improve National Asset Management Agency funding of projects.

**(AQW 30911/11-15)**

**Mr Hamilton:** I have no direct responsibility for the National Asset Management Agency or how it funds its projects.

## Procurement: Sub-economic Tendering

**Mr McKay** asked the Minister of Finance and Personnel to detail how many contractors have been excluded from procurement processes as a result of sub-economic tendering.

**(AQW 30916/11-15)**

**Mr Hamilton:** Eight contractors and one consultancy practice have been excluded from procurement processes as a result of sub-economic tendering.

## Access to Finance Implementation Panel

**Mr Lyttle** asked the Minister of Finance and Personnel, pursuant to AQW 30521/11-15, to detail when the action plans being developed by the Access to Finance Implementation Panel, addressing the recommendations in the Economic Advisory Group report, will become operational.

**(AQW 30958/11-15)**

**Mr Hamilton:** The Implementation Panel is still in the process of engaging with the local banks and business organisations. Once this work is complete, I understand the Panel then plans to assess the information gathered before re-engaging with the banks and those organisations to agree the precise actions to be taken forward to deliver on the Economic Advisory Group recommendations. The Panel has not yet specified a timescale for this, but I know they are taking forward this work as a matter of urgency and I expect to see significant progress in the coming months.

## Welfare Reform: Penalties

**Mr Wilson** asked the Minister of Finance and Personnel to outline any communication between HM Government and the Executive on the question of sanctions, should Welfare Reform not be implemented.

**(AQO 5604/11-15)**

**Mr Hamilton:** The Chief Secretary to the Treasury, Danny Alexander MP, wrote in June 2013 on the penalties to be applied to the Executive's DEL budget allocation, should welfare reform not be progressed by January 2014. Mr Alexander estimated the penalties at an initial £5 million per month but indicated that these would quickly rise as welfare reforms are rolled out in Great Britain. Of course, the latest estimate suggests that by 2017-18 the costs will exceed £270 million.

I also discussed the issue of welfare reform with the Chief Secretary to the Treasury at the Finance Minister's quadrilateral meeting held in November 2013. At this meeting the Chief Secretary reinforced the UK Government's intention to apply penalties from January 2014.

My officials also met with their HM Treasury counterparts on 14 February 2014 to discuss welfare reform. At this meeting HM Treasury officials outlined the mechanics of adjusting the Northern Ireland Block Grant.

## Obesity: Deaths

**Mr McKay** asked the Minister of Finance and Personnel to detail the number of obesity related deaths in each council area, in each of the last five years.

**(AQW 31052/11-15)**

**Mr Hamilton:** Information on obesity is only recorded on a death certificate, where the doctor certifying the death considers this to be the underlying cause of death or where it has contributed to the death.

The attached table gives the number of deaths registered in Northern Ireland, where obesity was mentioned on the death certificate, broken down by Local Government District (2008 to 2012).

**Table 1: Number of Obesity Related<sup>1</sup> Deaths Registered in Northern Ireland by Local Government District, 2008-2012**

Local Government District	2008	2009	2010	2011	2012
Ards	2	0	1	3	2
Belfast	5	8	9	14	12
Castlereagh	1	4	2	1	2
Down	3	4	2	1	2

Local Government District	2008	2009	2010	2011	2012
Lisburn	2	1	2	4	4
North Down	1	3	2	1	2
Antrim	0	1	3	5	3
Ballymena	2	1	3	2	4
Ballymoney	1	2	0	2	1
Carrickfergus	1	4	0	2	1
Coleraine	1	2	2	2	0
Cookstown	0	0	1	0	0
Larne	2	0	1	3	2
Magherafelt	0	0	2	0	1
Moyle	0	1	0	1	0
Newtownabbey	0	3	4	6	8
Armagh	3	3	1	2	0
Banbridge	0	2	3	0	1
Craigavon	1	2	4	4	4
Dungannon	0	1	1	2	0
Newry & Mourne	2	2	4	4	0
Fermanagh	1	1	2	3	2
Limavady	1	1	0	1	1
Derry	1	1	0	3	1
Omagh	1	0	0	2	0
Strabane	2	0	1	1	2
Northern Ireland	33	47	50	69	55

Obesity related deaths were defined where 'Obesity' was mentioned on the death certificate. These deaths are recorded under International Classification of Diseases, Tenth Revision (ICD-10) code 'E66 - Overweight and obesity'.

### Drug-related Deaths: South Antrim

**Mr Girvan** asked the Minister of Finance and Personnel to detail how many drug related deaths have been recorded in South Antrim, in each of the last five years.

**(AQW 31142/11-15)**

**Mr Hamilton:** The table overleaf shows the number of drug related<sup>1</sup> deaths registered in the South Antrim Constituency in each year between 2008 and 2012.

**Table 1: Number of Drug Related<sup>1</sup> Deaths Registered in the South Antrim Constituency, 2008 - 2012<sup>2</sup>**

Assembly Constituency	Registration Year				
	2008	2009	2010	2011	2012
South Antrim	4	6	4	2	3
Northern Ireland	89	84	92	102	110

1 International Classification of Diseases, Tenth Revision codes:  
 F11-F16, F18-F19 - Mental and behavioural disorders due to drug use (excluding alcohol and tobacco)  
 X40-X44 - Accidental poisoning by drugs, medicaments and biological substances.  
 X60-X64 - Intentional self-poisoning by drugs, medicaments and biological substances.  
 X85 - Assault by drugs, medicaments and biological substances.  
 Y10-Y14 - Poisoning by drugs, medicaments and biological substances, undetermined intent.

2 Mortality data for the 2012 registration year are the latest available. Data for 2013 will be available in summer 2014.

## Rates: South Antrim

**Mr Girvan** asked the Minister of Finance and Personnel to detail the (i) domestic; and (ii) commercial rates collected in South Antrim, in each of the last four years, broken down by ward.

**(AQW 31143/11-15)**

**Mr Hamilton:** The domestic and commercial rates collected in South Antrim in each of the last four years, broken down by ward is not available for the South Antrim constituency as data is collated at District Council and Ward level only. The attached tables provide information on the domestic and non-domestic rates collected in Antrim and Newtownabbey Borough Council areas, in each of the last four years, broken down by ward.

(i) Domestic Receipts for Antrim Borough Council, 2009/10 to 2012/13

Ward Name	Receipts 2012/13	Receipts 2011/12	Receipts 2010/11	Receipts 2009/10
Aldergrove	£1,363,749	£1,311,457	£1,246,632	£1,171,119
Balloo	£447,148	£452,854	£426,779	£389,327
Ballycraig	£392,174	£368,105	£361,137	£361,356
Clady	£1,278,852	£1,296,296	£1,203,283	£1,137,435
Cranfield	£811,754	£787,890	£755,211	£720,850
Crumlin	£1,248,128	£1,160,693	£1,140,750	£1,098,274
Drumanaway	£621,832	£616,689	£592,389	£568,480
Farranshane	£289,605	£283,400	£265,161	£261,653
Fountain Hill	£547,168	£529,736	£520,819	£497,570
Greystone	£467,746	£469,732	£464,086	£444,879
Masserene	£1,816,269	£1,756,199	£1,690,751	£1,570,132
Parkgate	£1,208,864	£1,179,431	£1,094,775	£1,054,849
Randalstown	£958,514	£910,558	£892,615	£868,861
Shilvodan	£898,242	£858,053	£807,051	£767,468
Springfarm	£735,696	£651,025	£675,108	£570,706
Steeple	£458,765	£488,762	£455,163	£441,227
Stiles	£439,463	£428,718	£420,663	£409,536
Templepatrick	£1,375,341	£1,324,453	£1,274,639	£1,219,883
Toome	£696,096	£671,927	£612,091	£572,621
Antrim BC	£16,055,405	£15,545,979	£14,899,105	£14,126,228

Totals may not add due to rounding

(i) Domestic Receipts for Newtownabbey Borough Council, 2009/10 to 2012/13

Ward Name	Receipts 2012/13	Receipts 2011/12	Receipts 2010/11	Receipts 2009/10
Abbey	£852,917	£798,055	£795,503	£757,229
Ballyclare North	£1,209,378	£1,134,496	£1,107,667	£1,074,221
Ballyclare South	£1,009,908	£969,241	£951,484	£885,174
Ballyduff	£645,824	£636,522	£627,306	£602,607
Ballyhenry	£771,914	£744,928	£730,782	£700,845
Ballynure	£1,335,514	£1,289,260	£1,244,747	£1,176,915
Ballyrobert	£1,518,337	£1,441,691	£1,371,516	£1,300,056
Burnthill	£689,901	£646,254	£647,565	£633,617
Carnmoney	£743,033	£710,520	£691,705	£682,231
Cloughfern	£720,754	£699,383	£665,827	£643,745
Collinbridge	£986,125	£946,965	£918,089	£898,899

Ward Name	Receipts 2012/13	Receipts 2011/12	Receipts 2010/11	Receipts 2009/10
Coole	£428,583	£430,209	£401,482	£396,582
Doagh	£1,314,996	£1,235,155	£1,189,466	£1,157,396
Dunanney	£389,144	£376,261	£370,690	£351,691
Glebe	£928,027	£901,668	£862,972	£813,921
Glengormley	£705,509	£692,706	£657,865	£632,565
Hawthorne	£552,207	£530,832	£519,063	£511,841
Hightown	£627,505	£556,689	£583,986	£539,455
Jordanstown	£2,651,329	£2,553,300	£2,499,422	£2,401,316
Mallusk	£3,033,579	£2,893,207	£2,739,878	£2,541,533
Monkstown	£677,064	£656,476	£644,487	£616,963
Mossley	£727,735	£716,828	£694,561	£707,961
Rosstulla	£1,577,567	£1,490,090	£1,431,237	£1,392,930
Valley	£753,026	£703,276	£704,967	£669,826
Whitehouse	£454,358	£448,698	£421,790	£390,723
Newtownabbey BC	£25,304,233	£24,202,708	£23,474,054	£22,480,242

Totals may not add due to rounding

(ii) Non-Domestic Receipts for Antrim Borough Council, 2009/10 to 2012/13

Ward Name	Receipts 2012/13	Receipts 2011/12	Receipts 2010/11	Receipts 2009/10
Aldergrove	£5,951,051	£5,779,391	£6,365,249	£5,352,598
Balloo	£149,591	£154,557	£140,456	£125,123
Ballycraigy	£42,313	£41,628	£40,655	£41,221
Clady	£775,083	£858,801	£787,982	£811,465
Cranfield	£97,595	£101,776	£102,069	£90,697
Crumlin	£672,479	£645,585	£486,422	£427,814
Drumanaway	£90,185	£70,326	£66,484	£43,813
Farranshane	£1,102,933	£1,137,559	£1,157,819	£830,752
Fountain Hill	£470,919	£469,279	£465,914	£448,058
Greystone	£50,325	£49,132	£48,162	£46,898
Masserene	£7,239,975	£7,506,997	£7,570,196	£6,918,518
Miscellaneous*	£921,657	£903,036	£837,858	£889,765
Parkgate	£156,456	£166,540	£181,593	£159,263
Randalstown	£719,916	£738,072	£702,202	£668,207
Shilvodan	£161,775	£165,672	£157,490	£171,597
Springfarm	£1,547,611	£1,656,326	£1,590,513	£1,364,407
Steeple	£34,736	£34,182	£33,507	£32,252
Stiles	£52,239	£52,622	£75,141	£44,126
Templepatrick	£935,667	£752,195	£806,385	£683,681
Toome	£259,980	£290,022	£239,650	£225,706
Antrim BC	£21,432,489	£21,573,699	£21,855,747	£19,375,962

Totals may not add due to rounding

\* The 'Miscellaneous' ward relates to properties that cover more than one ward.

## (ii) Non-Domestic Receipts for Newtownabbey Borough Council, 2009/10 to 2012/13

Ward Name	Receipts 2012/13	Receipts 2011/12	Receipts 2010/11	Receipts 2009/10
Abbey	£850,463	£882,197	£876,855	£722,925
Ballyclare North	£314,952	£321,736	£304,122	£282,425
Ballyclare South	£1,227,094	£1,222,525	£1,313,160	£1,263,746
Ballyduff	£16,495	£11,980	£13,552	£14,545
Ballyhenry	£918,761	£796,258	£713,671	£727,023
Ballynure	£329,019	£334,589	£341,666	£299,252
Ballyrobert	£907,814	£796,297	£838,618	£731,408
Burnthill	£9,905	£8,821	£8,895	£11,765
Carnmoney	£220,459	£236,114	£226,845	£215,325
Cloughfern	£345,272	£373,088	£352,305	£333,615
Collinbridge	£571,801	£535,806	£498,815	£512,624
Coole	£168,789	£146,711	£143,873	£203,619
Doagh	£197,076	£203,532	£185,470	£181,667
Dunanney	£547,264	£545,046	£537,328	£748,206
Glebe	£43,890	£43,341	£44,745	£46,232
Glengormley	£590,801	£622,880	£607,142	£572,398
Hawthorne	£26,905	£51,999	£51,467	£48,753
Hightown	£598,800	£586,017	£577,597	£497,325
Jordanstown	£225,233	£223,180	£230,829	£200,770
Mallusk	£7,057,518	£6,916,967	£6,410,896	£6,769,602
Miscellaneous*	£1,346,532	£1,308,199	£1,259,496	£1,052,129
Monkstown	£558,168	£534,816	£493,825	£597,132
Mossley	£389,608	£381,494	£400,157	£478,441
Rosstulla	£2,078,404	£1,838,142	£1,817,033	£1,836,219
Valley	£8,418,176	£7,896,811	£7,979,655	£7,462,142
Whitehouse	£304,931	£292,470	£311,647	£323,630
Newtownabbey BC	£28,264,131	£27,111,014	£26,539,662	£26,132,918

Totals may not add due to rounding

\* The 'Miscellaneous' ward relates to properties that cover more than one ward.

## EU Funding

**Mr Allister** asked the Minister of Finance and Personnel, pursuant to AQW 30613/11-15, whether the figures quoted in respect of Peace III and Interreg funding relate only to expenditure made locally.

**(AQW 31160/11-15)**

**Mr Hamilton:** Yes.

## Narrow Water Bridge

**Mr Rogers** asked the Minister of Finance and Personnel to detail the amount contained in each tender received in relation to the construction of the proposed bridge at Narrow Water.

**(AQW 31172/11-15)**

**Mr Hamilton:** It is not possible to detail the amount contained in each tender due to commercial sensitivity around information disclosure.

## Narrow Water Bridge

**Mr Rogers** asked the Minister of Finance and Personnel whether he has commenced any work on identifying funding that may be directed towards the Narrow Water Bridge project in the future.

**(AQW 31173/11-15)**

**Mr Hamilton:** My Department has no plans to identify funding that may be directed towards any future Narrow Water Bridge project.

## Department of Health, Social Services and Public Safety

### Clinical Negligence Claims

**Mr Dallat** asked the Minister of Health, Social Services and Public Safety to detail the number of outstanding claims for clinical negligence; and the (i) number; and (ii) cost of claims settled in each of the last five years including legal fees, court costs and other incidentals.

**(AQW 30830/11-15)**

**Mr Poots (The Minister of Health, Social Services and Public Safety):** It is assumed that outstanding claims for clinical negligence refer to the number of open clinical/social care negligence cases.

At 31st December 2013, 2,851 clinical/social care negligence cases were open in Northern Ireland.

& (iii) Information on the number and amount paid on clinical/social care negligence cases that were settled by each HSC Trust and Legacy HSS Board in each of the last five years is detailed in Table 1 and Table 2 respectively. However, it should be noted that costs associated with a case may not be paid in the same financial year in which the case was settled

**Table 1: Number of Clinical/Social Care Negligence Cases Settled (2009/10 – 2013/14)**

Year	Number of Cases Settled
2009/10	322
2010/11	258
2011/12	223
2012/13	275
2013/14*	148

\* Period covering 1 April 2013 - 31 December 2013 (Excludes Western HSC Trust as data is not yet available)

**Table 2: Amount Paid on Clinical/Social Care Negligence Cases That Were Settled, by Type of Payment (2009/10 – 2013/14)**

Year	Amount Paid			
	Damages	Legal Costs <sup>1</sup>	Other Costs	Total
2009/10	£9,004,310	£3,289,382	£61,757	£12,355,450
2010/11	£23,855,374	£5,507,876	£84,554	£29,447,804
2011/12	£16,907,546	£8,724,415	£139,000	£25,770,960
2012/13	£18,632,823	£7,108,125	£221,311	£25,962,259
2013/14 <sup>2</sup>	£26,182,843	£8,703,681	£1,079,487	£35,966,011

1 Legal costs for the Western HSC Trust were not available for 2009/10

2 Period covering 1 April 2013 - 31 December 2013 (Excludes Western HSC Trust as data is not yet available)

### Accident and Emergency: Altnagelvin Area Hospital

**Mr Eastwood** asked the Minister of Health, Social Services and Public Safety whether any patients either came to harm, or died while waiting to be treated in Altnagelvin Hospital's Accident and Emergency Department in each of the last three years; and if so, how many patients came to harm or died in each of those years.

**(AQW 30837/11-15)**

**Mr Poots:** I am unable to provide the information requested at this time. It is assumed this question relates to Serious Adverse Incidents in the emergency department. In light of recent reports about Serious Adverse Incidents in emergency

departments, I have asked my officials to ascertain comparable data for hospitals across Northern Ireland and any available comparable data for other jurisdictions. My Department will only be able to determine what information can be published without breaching patient confidentiality when that work has been completed.

### Multiple Sclerosis: Funding Requests

**Mr Rogers** asked the Minister of Health, Social Services and Public Safety (i) how many Individual Funding Requests for Multiple Sclerosis treatments were submitted to each Health and Social Care Trust in (a) 2011; (b) 2012; and (c) 2013; and (ii) how many of these were approved.

(AQW 30857/11-15)

**Mr Poots:** Individual funding requests (IFRs) are submitted for approval to the Health and Social Care Board; information has been held centrally since 01 January 2012.

	2012	2013	2014 (to 17 Feb)
No. IFRs for MS submitted	10	10	2
Approved	1	2	1
Additional information sought	9	7	1
Declined	0	1	0

Northern Ireland has the highest uptake rate for specialist MS drugs in the UK and at January 2014, there were over 1,400 people on active treatment. Currently the range of specialist treatments for MS includes:

Therapy	Total number of patients on therapy
Copaxone	308
Rebiff 22	210
Rebiff 44	276
Betaferon	83
Avonex	435
Extavia	12
Tysabri	88
Fingolimod	12

All of these regimes are routinely commissioned by the HSC Board and therefore available to patients in NI. Significant annual investment is made every year in MS specialist drugs for patients in Northern Ireland and the current budget for the service is in excess of £9m.

### Skeagh House, Dromore

**Mrs Dobson** asked the Minister of Health, Social Services and Public Safety to detail all costs associated with Skeagh House, Dromore, including all legal fees, since it was evacuated on 27 March 2013 as a result of a landslip.

(AQW 30878/11-15)

**Mr Poots:** The Southern Health and Social Care Trust has advised that the following costs have been incurred since the evacuation of Skeagh House on 27 March 2013:

#### Estates costs - to December 2013.

Professional/Legal Fee (approx)	£16,000
Security Measures & hoarding for protection from debris	£6,000
<b>Total</b>	<b>£16,000</b>

#### Staff & Goods & Service costs

Payroll Costs	£379,741.31
Goods & Services	£ 33,567.91
<b>Total</b>	<b>£413,309.22</b>

Payroll costs quoted are for displaced Skeagh House staff only.

### Odyssey Arena: SOS Bus

**Mr Allister** asked the Minister of Health, Social Services and Public Safety whether his Department holds a record of the ages of people who were intoxicated and assisted by the SOS bus, or otherwise, at the Odyssey complex on 6 February 2014; and for a summation of the ages.

**(AQW 30891/11-15)**

**Mr Poots:** The Northern Ireland Ambulance Service (NIAS) responded to a call at 19:25 hours on 6 February 2014 to the SOS bus outside the Odyssey. On arrival there were 20 patients in the SOS bus. NIAS carried out a scene survey which included the medical provision inside the Odyssey.

Inside the venue 68 patients were medically assessed by a private medical provider to the event (Pro-Paramedics), two of those patients were transported to hospital by NIAS resources.

Outside the Odyssey 40 patients were assessed and treated by NIAS staff assisted by BASICS doctors and the SOS bus staff. 15 patients were transported from the scene to Belfast Trust Hospitals. Patients were in the age range of 15 – 18 years.

### Clinical Negligence Claims

**Mr Eastwood** asked the Minister of Health, Social Services and Public Safety to detail the number of outstanding claims for clinical negligence in the Western Health and Social Care Trust; and the (i) number; and (ii) cost of claims settled in each of the last five years including legal fees, court costs and other incidentals.

**(AQW 30893/11-15)**

**Mr Poots:** It is assumed that outstanding claims for clinical negligence refer to the number of open clinical/social care negligence cases.

- (i) At 31st December 2013, 413 clinical/social care negligence cases were open in the Western Health and Social Care (HSC) Trust.
- (ii) & (iii) Information on the number and amount paid on clinical/social care negligence cases that were settled by the Western HSC Trust in each of the last five years is detailed in Table 1 and Table 2 respectively. However, it should be noted that costs associated with a case may not be paid in the same financial year in which the case was settled.

**Table 1: Number of Clinical/Social Care Negligence Cases Settled (2008/09 – 2012/13)**

Year	No. Settled
2008/09	28
2009/10	25
2010/11	59
2011/12	34
2012/13	31

**Table 2: Amount Paid on Clinical/Social Care Negligence Cases That Were Settled, by Type of Payment (2008/09 – 2012/13)**

Year	Amount Paid		
	Damages	Legal Costs*	Total Costs
2008/09	£1,323,500	£0	£1,323,500
2009/10	£357,293	£0	£357,293
2010/11	£1,115,569	£195,431	£1,311,000
2011/12	£1,671,322	£1,257,678	£2,929,000
2012/13	£870,750	£1,422,250	£2,293,000

\* Information on legal costs paid in 2008/09 – 2009/10 was not available

### Multiple Sclerosis: Review Appointments

**Mr Rogers** asked the Minister of Health, Social Services and Public Safety how often a person diagnosed with Multiple Sclerosis (MS) should be issued with a review appointment to attend a Consultant or MS Nurse led clinic.

**(AQW 30895/11-15)**

**Mr Poots:** I have been advised by the Health and Social Care Trusts that there is no recommended frequency for review appointments with Consultants or Nurse-led clinics for patients diagnosed with Multiple Sclerosis. Each case is determined on clinical need on a case-by-case basis.

### Outsourcing: Private Health Sector

**Ms S Ramsey** asked the Minister of Health, Social Services and Public Safety to detail (i) the procedures, treatments and surgery that have been out-sourced to the private health sector, over the last three years; (ii) the average waiting time for each of these functions in the (a) Health Service; and (b) private health sector; and (iii) the cost of these procedures in the (a) Health Service; and (b) private health sector.

**(AQW 30914/11-15)**

**Mr Poots:** The HSC transfers patients to the independent sector to address waiting time delays following a detailed examination of demand and capacity in a specialty. The Health and Social Care Board will fund HSC Trusts non-recurrently to undertake such additional activity until such times as investments to increase local Trust capacity are in place in specialties where there is an ongoing gap between capacity and demand.

The tables attached at ANNEX A set out the requested statistical information detailing records for activity which has been commissioned from the independent sector (IS) in each of the last 3 years and the overall cost of this procurement.

It is not possible to identify the pricing at specialty level as IS tariffs are at procedure level. There is a HSC NI tariff list of costs by individual procedure which details some hundreds of procedures and varies very significantly in price, from £50 to £22k, dependent on each procedure.

Information on average waiting times is not available as information is not collated on this basis.

### Annex A

#### Independent Sector activity for 2010/11 (Other" column is mainly diagnostic procedures)

Specialty	Currency				
	Inpatients	Daycases	New Outpatients/ Outpatients with procedures	Review Outpatients	Other
Breast Reconstruction	6		0		
Breast Surgery	53	3	0		
Cardiac Surgery	210	0	0	139	
Cardiology	0	0	0	0	
Colposcopy		0	0	44	
Dental Surgery	0	58	0	3	
Dermatology	1	1216	2183	675	
ECG	0	0	0	0	
ENT	15	20	251	362	896
Gastroenterology	1	113	0	27	
Gen Surgery Scopes	0	1	0		
General Medicine	5	496	195	172	
General Surgery	63	314	0	151	
Gynaecology	66	333	35	430	
MRI			0		2800
Neurology	0	4	43	522	
Neurophysiology			0		135
Neurosurgery			0		

Specialty	Currency				
	Inpatients	Daycases	New Outpatients/ Outpatients with procedures	Review Outpatients	Other
Ophthalmology	3	507	1900	563	
Oral Surgery	1	158	61	65	18
Orthopaedics	1386	1749	13207	5726	
Paediatric Dentistry			0		
Paediatric Plastics		1	0		
Paediatric Surgery	0	0	0	0	
Pain Management	0	28	114	209	
Plastic Surgery	19	326	10	65	
Rheumatology	2	73	344	190	
Thoracic Surgery	0	0	146	25	
Urology	17	248	81	233	
Vascular Surgery		0	0		
<b>Grand Total</b>	<b>1848</b>	<b>5648</b>	<b>18570</b>	<b>9601</b>	<b>3849</b>

Value of Activity	£24.7m
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**Independent Sector activity for 2011/12 (Other" column is mainly diagnostic procedures)**

Specialty	Currency				
	Inpatients	Daycases	New Outpatients/ Outpatients with procedures	Review Outpatients	Other
Breast Reconstruction	42		0		
Breast Surgery	77		0		
Cardiac Surgery	239		0	145	
Chronic Pain			107	10	13
Dermatology			2551	727	405
Echo			0		37
ENT	62	29	442	93	236
Gastroenterology	1	2495	335	5	253
General Medicine	1	1301	780	45	318
General Surgery	164	1055	596	160	129
Gynaecology	199	110	1021	95	632
Heptology		1	0		
Immunology			429	15	
Max Fax	55	46	570	71	323

Specialty	Currency				
	Inpatients	Daycases	New Outpatients/ Outpatients with procedures	Review Outpatients	Other
Medicine		57	0		
Neurology	0	0	1291	14	264
Neurophysiology			1347		
Neurosurgery			169	3	
Ophthalmology	4	1407	4760	1823	133
Oral Medicine			200	370	
Oral Models			0		13
Oral Surgery		15	413	8	
Orthopaedics	3900	2069	10083	15598	
Paed Dental			170		
Paed Ortho	3		0		
Paed Surgery		17	0	1	
Pain		73	121	64	4
Plastic Surgery	272	221	901	122	39
Radiology (MRI Scans)			0		3385
Rheumatology	0	0	2227	124	456
Scopes		1616	0		
Thoracic Surgery	19		76	25	15
Urology	7	90	2	80	
Vascular Surgery	25	12	0	89	
<b>Total</b>	<b>5070</b>	<b>10614</b>	<b>28591</b>	<b>19687</b>	<b>6655</b>

Value of Activity	£52.6m
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**Independent Sector activity for 2012/13 (Other\* column is mainly diagnostic procedures)**

Speciality	Currency				
	Inpatients	Daycases	New Outpatients/ Outpatients with procedures	Review Outpatients	Other*
Breast Surgery	200	0	0	0	
Cardiac Surgery	154	0	0	0	
Cardiology	4	0	0	0	457
Cardiology (EP only)	0	0	0	0	
Clinical Genetics	0	0	0	0	

Speciality	Currency				
	Inpatients	Daycases	New Outpatients/ Outpatients with procedures	Review Outpatients	Other*
Dermatology	88	347	3773	1086	
Endocrinology	0	0	0	0	
Endoscopy	0	360	0	0	
ENT inc Paeds	567	172	4505	1167	
Gastroenterology	597	186	1496	352	
General Medicine	409	59	1440	144	
General Medicine - Respiratory	0	0	364	19	
General Surgery	1750	747	3092	324	
Geriatric Medicine	0	0	0	0	
Gynae Oncology	0	0	0	225	
Haematology (Clinical)	0	0	0	0	
Immunology	0	304	1613	0	
Nephrology	0	0	0	0	
Neurology	48	10	2022	443	3856
Neurosurgery	0	0	0	0	
Obs & Gyn (Gynaecology)	839	580	1516	919	
Old Age Psychiatry	0	0	0	0	
Oncology	0	0	0	0	
Ophthalmology	498	2288	5912	1948	
Oral Medicine / Restorative / GP	0	0	0	21	
Oral Surgery	138	190	2501	100	
Neuroradiology	0	0	0	0	
Oral Surgery (Special Needs/ other)	250	0	1048	0	
Orthopaedics	1055	0	5382	1452	
Orthopaedics Spinal	42	0	0	0	
Orthoptics	0	0	0	0	
Paediatric Cardiology	0	0	0	0	
Paediatric Dentistry	0	0	0	11	
Paediatric Neurology	0	50	50	5	
Paediatric Surgery	88	0	0	0	

Speciality	Currency				
	Inpatients	Daycases	New Outpatients/ Outpatients with procedures	Review Outpatients	Other*
Paediatrics	26	0	982	109	
Pain Management	314	615	756	291	
Plastic Surgery	837	0	2700	215	
Rehabilitation	0	0	0	0	
Restorative Dentistry	0	23	910	46	
Rheumatology	0	114	3127	678	
Specialist Medicine (GUM)	0	0	0	0	
T&O	2985	984	6413	8292	8358
Thoracic Medicine	0	0	100	15	
Thoracic Surgery	86	0	0	0	
Urology	716	1473	1183	100	
Vascular	220	102	0	109	
Hepatology	0	0	0	0	
<b>Grand Total</b>	<b>11910</b>	<b>8603</b>	<b>50885</b>	<b>18071</b>	<b>12671</b>
Value of Activity	£66.0m				

Value of Activity	£66.0m
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\* Other: complete activity count of diagnostic procedures is not currently available for 2012/13

### Care Homes: Admission Criteria

**Mr Weir** asked the Minister of Health, Social Services and Public Safety whether there are uniform criteria across each Health and Social Care Trust for admissions to residential care homes.

(AQW 30930/11-15)

**Mr Poots:** An individual's admission to Residential Care should be based on an individual comprehensive assessment of need in line with Departmental Circular ECCU 1/2010 'Care Management, Provision of Services and Charging Guidance'.

The individual and, where requested, their family and/or carer, should be fully involved in this process and informed of the range of options available and any potential financial implications to the individual or family member. This will include providing information on the available suitable facilities in the locality which the individual or their representatives may wish to visit in order to inform their decision making process.

### Accident and Emergency: Admissions

**Mr Allister** asked the Minister of Health, Social Services and Public Safety to detail (i) how far the frequent crisis conditions in hospital emergency departments have contributed to an inadequacy of associated beds for admissions; and (ii) how the number of such beds in each hospital compares with 2009.

(AQW 30946/11-15)

**Mr Poots:** The number of patients requiring emergency admission has increased by 3.5% over the past five years. It is essential that Health and Social Care (HSC) Trusts ensure that bed capacity is used to the best effect so that patients do not wait excessive lengths of time in emergency departments. The HSC has adopted a whole system approach to improve the smooth movement of patients through and out of hospital, with improved internal hospital processes, multidisciplinary team working and interface between hospital and community services.

We know from a Rapid Review of Northern Ireland Health and Social Care funding needs and the productivity challenge: 2011/12 – 2014/15 (Appleby 2011) that acute beds in Northern Ireland in 2008/09 were approximately 25% higher than England, and were not used as intensively and lengths of stay were longer. Hospital bed numbers have therefore decreased since 2009. This change has been managed by more efficient use of beds through changing clinical practice, increasing use of day surgery, better anaesthetics, and improved community rehabilitation options. These developments in changing the patterns of hospital bed use have resulted in shorter stays in hospital. Consequently the average length of stay for all patients in Northern Ireland has fallen by 13.5% since 2008/09. For the acute programme of care, the reduction is 7.3%. As a result fewer beds are needed to meet demand.

The average number of available beds in each HSC Hospital in Northern Ireland during 2009 and 2013 is given in the table below.

Trust	Hospital	Average Available Beds	
		2009	2013 <sup>P</sup>
Belfast	Belfast City	544.9	464.8
	Cancer Centre	84.6	69.2
	Forster Green	37.6	0.0
	Knockbracken Healthcare Park	307.0	165.0
	Mater Infirmorum	296.8	252.1
	Muckamore Abbey	260.2	192.4
	Musgrave Park	258.3	245.3
	RBHSC	97.5	84.6
	Royal Maternity	167.6	122.0
	Royal Victoria	661.7	643.6
	Windsor	35.2	4.0
	Young Peoples Centre	12.0	29.4
South Eastern	Ards	30.2	20.0
	Bangor	20.0	20.0
	Downe	64.0	49.4
	Downshire	142.9	91.2
	Lagan Valley	144.4	91.2
	Lagan Valley PNU	40.0	36.5
	Thompson House	35.0	35.0
	Ulster	563.4	589.2
	Ulster MHU	14.8	24.0
Northern	Antrim	452.8	480.9
	Braid Valley	36.3	0.0
	Causeway Hospital	254.4	233.0
	Dalriada	32.0	32.0
	Holywell	226.9	175.5
	Mid Ulster	99.7	27.1
	Moyle	22.8	18.0
	Robinson Memorial	23.8	25.0
	Whiteabbey	112.9	44.2
	Whiteabbey PNU	17.0	0.0

Trust	Hospital	Average Available Beds	
		2009	2013 <sup>P</sup>
Southern	Craigavon Area	506.7	464.6
	Craigavon Area PNU	67.3	74.0
	Daisy Hill	250.4	206.8
	Longstone	85.8	34.4
	Lurgan	59.8	51.0
	Mullinure	29.6	0.0
	South Tyrone	34.6	45.0
	St Lukes	135.2	52.3
Western	Altnagelvin Area	496.4	476.6
	Erne/South West Acute	213.0	215.6
	Gransha	109.0	62.0
	Lakeview	52.2	24.0
	Tyrone & Fermanagh	101.9	93.2
	Tyrone County	57.0	44.0
	Waterside (Ward 1-4)	78.0	66.0

Source: KH03a

P The data shown for 2013 is provisional and may change.

Note – Forster Green, Braid Valley, Whiteabbey PNU and Mullinure Hospital are now closed.

### Serious Adverse Incidents

Mr Allister asked the Minister of Health, Social Services and Public Safety to detail how many serious adverse incidents have there been in each hospital in each of the last five years; and of these, how many have been reported to the families.

(AQW 30947/11-15)

Mr Poots: Information on the number of Serious Adverse Incidents cannot be provided by hospital because in some cases the numbers are so small (i.e. less than five). The Department will not publish numbers less than five in order to protect patient confidentiality.

Summary information on the total number of SAIs reported during the period 1 January 2009 to 30 April 2010 is outlined below. The information for this period is not immediately available analysed by Hospital or Trust.

Information on the total number of SAIs reported by Trusts for the period 1 May 2010 to 31 December 2013 is shown in a separate table below.

Figures for 2013 are not completely comparable with previous years as the definition of an SAI and the associated guidance has been revised over time, most recently in October 2013

A Serious Adverse Incident is defined as any event or circumstance that led or could have led to serious unintended or unexpected harm, loss or damage.

#### Total Number of SAIs reported during the period 1 January 2009 to 30 April 2010

Year	No of SAIs
1 January 2009 – 31 December 2009	287
1 January 2010 – 30 April 2010	75
<b>Total</b>	<b>362</b>

#### Total number of SAIs reported by Trusts for the period 1 May 2010 to 31 December 2013

Trust	01/05/10 – 31/12/10	01/01/11- 31/12/11	01/01/12 -31/12/12	01/01/13- 31/12/13	Total
Belfast	37	79	77	85	278

Trust	01/05/10 – 31/12/10	01/01/11- 31/12/11	01/01/12 -31/12/12	01/01/13- 31/12/13	Total
Northern	29	49	63	131	272
South Eastern	25	37	47	57	166
Southern	33	49	41	57	180
Western	22	28	37	53	140
<b>Total</b>	<b>146</b>	<b>243</b>	<b>269</b>	<b>386</b>	<b>1044</b>

The issue of overall Trust compliance with guidance on involving families is still being considered. In three of the five Serious Adverse Incident cases highlighted in the media, guidance on involving families in investigations does not appear to have been adhered to.

### Health and Care Centre: Ballymena

**Mr McKay** asked the Minister of Health, Social Services and Public Safety when the new health centre in Ballymena is due for completion.

**(AQW 30968/11-15)**

**Mr Poots:** The building of the Health and Care Centre at the Braid Valley Hospital site, Ballymena, is due for completion in early May 2015. It is anticipated that the Trust will occupy the new building in phases, all of which should be completed to enable the facility to open by autumn 2015.

### Health and Care Centre: Ballymena

**Mr McKay** asked the Minister of Health, Social Services and Public Safety what assurances he can give that work on the new health centre in Ballymena is achieving value for money.

**(AQW 30971/11-15)**

**Mr Poots:** I can confirm that the business case process applied to all capital projects by my Department, including the development of the Ballymena Health and Care Centre, encompasses value for money assessment in line with the Northern Ireland Guide to Expenditure Appraisal and Evaluation (NIGAEA) as laid down by the Department of Finance and Personnel.

Following approval of the business case in respect of the Ballymena Health and Care Centre in March 2012, tenders for the Health and Care Centre project were received from 7 shortlisted contractors. In accordance with Northern Ireland Public Procurement Policy, tender evaluation and acceptance was based upon both Quality (20% weighting) and Cost (80% weighting) to achieve the most economically advantageous tender for the Northern Health and Social Care Trust. The Quality element took into account contractor proposals for sustainable development and maintainability.

### Northern Health and Social Care Trust: Procurement Review

**Mr Frew** asked the Minister of Health, Social Services and Public Safety, given that the Senior Director of Corporate Management in the Northern Health and Social Care Trust is in a position to act on the 72 recommendations contained in the report on the Trust's procurement, why the Trust is commissioning an independent review into the investigation of procurement issues; and how much this review will cost.

**(AQW 30984/11-15)**

**Mr Poots:** The report on the Special Investigation into Estates at the Northern Health and Social Care Trust was published in January 2014 and made recommendations for correcting the internal control weaknesses identified. The Trust is acting to implement these recommendations.

The Trust has commissioned an independent review to examine the management and/or governance weaknesses which allowed the internal control weaknesses to happen and where appropriate, identify matters of potential employee misconduct. It will cost up to £28,000.

### Dementia: Support

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety what support is available to people with dementia; and whether they will consider attending the Dementia Friendly Communities information session in Parliament Buildings on 26 February 2014.

**(AQW 30986/11-15)**

**Mr Poots:** As dementia services are a health matter this question has been transferred to my Department.

Following the publication of The Dementia Strategy for Northern Ireland in November 2011, an Action Plan was developed to report progress on the implementation of the strategy. The Action Plan focuses on a number of initiatives including Reducing the Risk or Delaying the Onset of Dementia, Raising Awareness, Prompting Early Assessment and Diagnosis, Supporting People with Dementia and Supporting Carers

The Health and Social Care Board has invested £2m in Memory Services with more staff in attendance at memory clinics to enhance support for people and their carers when they receive their diagnosis. H&SC Trusts are introducing a Dementia Navigator service located close to memory clinics to enable service users and their carers to navigate the range of various support services available.

Three work streams, under the auspices of the Joint Programme on Dementia which is co funded by Delivering Social Change and Atlantic Philanthropies, are due to start work from April 2014. These will cover training requirements for staff as well as people with dementia and their carers, awareness raising and innovative short breaks/ respite.

Unfortunately due to prior diary commitments I was unavailable to attend the Dementia Friendly Communities information session.

## **Multiple Sclerosis: Respite Services**

**Mr Rogers** asked the Minister of Health, Social Services and Public Safety what respite services are available in each Health and Social Care Trust for people diagnosed with multiple sclerosis.

**(AQW 30997/11-15)**

**Mr Poots:** Details of Health and Social Care Trusts' respite provision for people with Multiple Sclerosis in Northern Ireland are attached.

### **Belfast HSC Trust**

People aged 18-65 with MS in the Belfast Trust area have access to a range of respite provision including nursing and residential homes with appropriate RQIA registration.

Belfast Trust has a recurrent contract with the MS Society to provide a range of respite services for people with MS. These include yoga, neuro physiotherapy, counselling, art classes, exercise classes, aromatherapy, hand massage, mindfulness course, computer class, bowls, outings, history talks, and reminiscing class.

The Trust also contracts with a wide range of voluntary and independent organisations to provide a range of services for people with disabilities, including MS. These organisations have expertise in working with a full range of disabilities. The ultimate goal is to ensure the equality and social inclusion of people with disabilities.

The Trust has three day centres for people with disabilities providing a range of rehabilitative, social and respite functions which can be accessed by people with MS – Beech Hall in West Belfast, Woodlands in North Belfast, and Island Resource Centre in East Belfast.

Some service users are in receipt of direct payments which are used to purchase respite services tailored to their individual needs.

### **Northern HSC Trust**

People in the Northern Trust area with MS have access to a range of respite provision including nursing and residential homes with appropriate RQIA registration; the MS unit in Dalriada; Thompson House in Lisburn; Foster Green Brain Injury Unit in Belfast and the Share Centre in Lisnaskea. Respite is also provided by way of respite grants from the voluntary sector; used to help people to go away for respite breaks and also through Direct Payments.

### **Southern HSC Trust**

People aged 18-65, diagnosed with MS in the SHSCT area, are provided with respite in nursing and residential homes, at the Neurology Unit at Musgrave Park Hospital, at Thompson House in Lisburn and at Newry Hospice. Respite is also accessed through the flexible use of Direct Payments.

The Trust also support patient's application to receive funding for a short break/ respite care through the MS Society's short break fund

### **South Eastern HSC trust**

Within South Eastern Trust there are 7 neurological respite beds situated in Thompson House Hospital which can be accessed by people with MS. In addition, people with MS may avail of the usual range of respite options, including residential or nursing homes or domiciliary based services.

### **Western HSC Trust**

Within the Western HSC Trust area, people with MS have access to respite provision including Spruce House, Londonderry (in-patient respite); the MS Unit in Dalriada; the Share Centre in Lisnaskea; Strangford Lough Lodge Disabled Holiday Centre in Portaferry and at a range of nursing and residential homes –

Hill Crest Nursing Home, Omagh; Silverdale Nursing Home, Castlederg; Woodmount Nursing Home, Strabane; Culmore Manor, Londonderry; Longfield PNH, Londonderry; Brooklands Nursing Home, Belfast; Cornfield Care Home, Londonderry; Deanfield PNH, Londonderry; Daleview House, Londonderry; Edgewater, Londonderry; Templemoyle, Londonderry; Rush Hall, Limavady.

### Counselling: Specialist Care for Children

**Mrs Dobson** asked the Minister of Health, Social Services and Public Safety what resources his Department provides to specialist local counselling services to provide early intervention services to primary school age children who need specialist care.

(AQW 31008/11-15)

**Mr Poots:** The information requested is not available. Specialist care for children covers a wide spectrum of services including child protection, exposure to domestic abuse, child mental health, disability and life limiting conditions.

Children's needs are assessed using the Understanding the Needs of Children in Northern Ireland (UNOCINI) Framework. In accordance with assessed need, a range of early intervention support services are provided, some in conjunction with colleagues in Education.

Core children's services such as Child Health, Child and Adolescent Mental Health (CAMHS), Community Paediatrics and Children with a Disability are provided across the continuum of childhood. These services include counselling, and also include areas such as behaviour management, bereavement counselling, and more specialist/ clinical interventions to assist children and their families to manage or understand specific conditions.

### Accident and Emergency: Royal Victoria Hospital

**Mr Agnew** asked the Minister of Health, Social Services and Public Safety to detail the number of patients that attended the Royal Victoria Hospital Accident and Emergency Department, broken down by residents in each local council area, on each day from 4 to 9 of January (i) 2011; (ii) 2012; and (iii) 2013.

(AQW 31020/11-15)

**Mr Poots:** Information on the number of attendances at the Royal Victoria emergency care department, during the period 4th – 9th January is detailed in the tables below for each of the last 3 years, by local council area.

#### Attendances at the Royal Victoria Emergency Care Department between 4th and 9th January 2011, by Local Council Area

Local Council Area <sup>1</sup>	04/01/ 2011	05/01/ 2011	06/01/ 2011	07/01/ 2011	08/01/ 2011	09/01/ 2011	Total
Antrim	3	2	2	0	2	1	10
Ards	3	2	2	1	1	2	11
Armagh	0	0	0	0	0	1	1
Ballymena	0	2	0	1	0	1	4
Ballymoney	0	0	0	0	0	0	0
Banbridge	4	2	1	0	0	0	7
Belfast	106	118	108	90	87	94	603
Carrickfergus	5	7	7	4	4	8	35
Castlereagh	5	4	7	7	2	10	35
Coleraine	0	0	0	0	0	0	0
Cookstown	1	0	0	0	0	3	4
Craigavon	0	1	0	1	1	2	5
Derry	0	0	0	1	0	0	1
Down	3	8	7	3	2	2	25
Dungannon	1	0	0	1	1	0	3
Fermanagh	1	0	0	0	0	0	1
Larne	2	1	2	2	1	0	8
Lisburn	35	20	28	22	28	22	155
Magherafelt	0	1	2	0	1	2	6
Moyle	0	0	0	0	0	0	0
Newry & Mourne	2	0	0	1	2	3	8
Newtownabbey	13	9	9	11	5	4	51

Local Council Area <sup>1</sup>	04/01/ 2011	05/01/ 2011	06/01/ 2011	07/01/ 2011	08/01/ 2011	09/01/ 2011	Total
North Down	2	2	0	5	0	2	11
Omagh	1	0	0	0	0	0	1
Strabane	1	0	0	0	0	0	1
Northern Ireland	188	179	175	150	137	157	986

Source: Symphony

1 Local Council Area has been derived from the patients home postcode.

**Attendances at the Royal Victoria Emergency Care Department between 4th and 9th January 2012,  
by Local Council Area**

Local Council Area <sup>1</sup>	04/01/ 2012	05/01/ 2012	06/01/ 2012	07/01/ 2012	08/01/ 2012	09/01/ 2012	Total
Antrim	0	0	5	3	1	0	9
Ards	1	1	2	0	0	1	5
Armagh	1	0	1	1	0	0	3
Ballymena	0	0	2	0	1	1	4
Ballymoney	1	1	0	0	0	1	3
Banbridge	2	1	3	4	2	2	14
Belfast	122	138	129	103	102	167	761
Carrickfergus	11	3	6	4	7	5	36
Castlereagh	15	18	21	16	14	19	103
Coleraine	1	0	0	0	0	0	1
Cookstown	0	0	2	2	0	1	5
Craigavon	2	5	0	1	1	3	12
Derry	0	0	0	0	1	0	1
Down	3	5	4	2	6	6	26
Dungannon	0	0	0	1	2	1	4
Fermanagh	0	0	0	2	0	0	2
Larne	2	2	4	0	1	4	13
Lisburn	43	34	34	28	30	34	203
Magherafelt	0	1	1	0	3	1	6
Moyle	0	0	0	0	0	0	0
Newry & Mourne	0	1	3	0	1	2	7
Newtownabbey	11	12	13	8	9	15	68
North Down	6	4	2	1	2	3	18
Omagh	0	0	1	0	0	2	3
Strabane	0	0	0	0	0	0	0
Northern Ireland	221	226	233	176	183	268	1,307

Source: Symphony

1 Local Council Area has been derived from the patients home postcode.

**Attendances at the Royal Victoria Emergency Care Department between 4th and 9th January 2013, by Local Council Area**

Local Council Area <sup>1</sup>	04/01/ 2013	05/01/ 2013	06/01/ 2013	07/01/ 2013	08/01/ 2013	09/01/ 2013	Total
Antrim	4	2	3	4	4	3	20
Ards	4	0	0	1	3	2	10
Armagh	0	0	0	1	0	1	2
Ballymena	1	1	1	2	1	2	8
Ballymoney	0	0	0	0	0	0	0
Banbridge	3	1	2	1	2	2	11
Belfast	141	110	112	142	138	120	763
Carrickfergus	8	4	5	10	9	4	40
Castlereagh	16	10	9	17	11	13	76
Coleraine	1	0	0	0	1	0	2
Cookstown	0	0	1	1	2	1	5
Craigavon	2	0	1	1	3	0	7
Derry	1	0	0	1	1	0	3
Down	4	3	1	5	3	6	22
Dungannon	0	1	1	1	3	1	7
Fermanagh	0	0	0	0	2	0	2
Larne	1	3	3	5	4	2	18
Lisburn	36	33	35	47	41	35	227
Magherafelt	1	2	2	4	3	1	13
Moyle	1	0	0	0	0	0	1
Newry & Mourne	2	1	0	2	2	1	8
Newtownabbey	17	10	8	11	14	8	68
North Down	5	1	0	4	1	0	11
Omagh	0	0	1	2	0	1	4
Strabane	0	0	0	0	0	0	0
Northern Ireland	248	182	185	262	248	203	1,328

Source: Symphony

1 Local Council Area has been derived from the patients home postcode.

### Fluoridation: Drinking Water

**Mrs Cochrane** asked the Minister of Health, Social Services and Public Safety what consideration he has given to the introduction of water fluoridation.

(AQW 31060/11-15)

**Mr Poots:** Children in Northern Ireland have the worst oral health in the United Kingdom. The last national survey of children's dental health, published in 2003, revealed that 61% of our five year old children have obvious dental decay experience compared to the UK average of 43%. For fifteen year olds it was 78% compared to the UK average of 57%. In 2012, over 5,200 children attended hospital for a general anaesthetic to have almost 24,600 teeth extracted. It is clear that something needs to be done to address this problem and reduce the gaps with the rest of the United Kingdom and, indeed, Europe.

Water fluoridation can also improve adult oral health, and by delivering fluoride to 'hard to reach' groups, has the potential to lead to a reduction in health inequalities. Fluoridation of the water supplies is internationally recognised as the most effective, cost-effective and equitable way of improving dental health and its effectiveness and safety is endorsed by many reputable health bodies. A recent European Commission report found there is a negligible environmental impact.

I continue to consider the wide range of evidence and garner the opinions of my Executive colleagues on this sensitive matter before coming to a decision.

If a proposal to fluoridate water supplies is made, the appropriate evidence from reputable scientific and medical sources would be considered, and my Department would consult and ascertain public opinion.

### **Patient Safety: Infections**

**Mr G Robinson** asked the Minister of Health, Social Services and Public Safety what assurances his Department receives from Health and Social Care Trusts that staff comply with existing procedures, protocols and practices in place to ensure maximum safety and protection from infection for patients placed in their care; and that non-compliant staff are held to account through measured and appropriate disciplinary action.

**(AQW 31061/11-15)**

**Mr Poots:** The Controls Assurance Standard (CAS) for infection prevention and control is the main mechanism that provides the Department with assurances that staff working in Health and Social Care Trusts comply with existing procedures, protocols and practices to ensure maximum safety and protection from infection for patients in their care. This CAS is supported by a publication entitled Ten Elements, which is designed to strengthen board-to-ward assurance on healthcare-associated infections (HCAIs). Controls Assurance Standards (CAS) are a component of the Health and Social Care governance and accountability arrangements, and the CAS for infection prevention and control (IPC) helps to ensure that IPC is an integral part of Trusts' risk management regime. The IPC standard requires that "There is a managed environment, which minimises the risk of infection, to patients, staff and visitors". The standard is based on existing statutory, mandatory and best practice guidance and is reviewed and updated.

Changing the Culture 2010 (CtC 2010), is the strategic regional action plan for the prevention and control of HCAIs in Northern Ireland, and provides the context for each Trust's HCAI action plans. Objective 1 in CtC 2010 is to "ensure that all health and social care settings provide a safe environment", and the first commitment under this Objective is concerned with strengthening board-to-ward assurance for the prevention and control of HCAIs. In July 2012 the Department published Ten Elements as a practical guide to help Trust Board members, Non-Executive Directors in particular, to understand and focus on the key elements of board-to-ward assurance with regard to HCAIs. The ten elements are: Leadership; Culture; Communicating with patients and relatives; Clean hands; Isolation; Antibiotics; Learning; Audit; and Closing the loop.

For each of the elements there is a statement describing infection prevention and control in a high-performing Trust, and features that should be in evidence. The aide-mémoire includes examples of the kind of focused questions that Trust Board members should ask about IPC, and provides useful web links.

Ten Elements is intended to complement the information that Trust Board members, Chief Executives and Directors receive routinely, and to offer a concise and clear overview written in non-technical language.

Staff who do not comply with existing procedures, protocols and practices to ensure maximum safety and protection from infection for patients will be held to account for their conduct under existing disciplinary procedures.

Since the restoration of devolved government in 2007, Health and Social Care staff have achieved significant reductions in HCAIs: between 2006/07 and 2012/13 MRSA episodes in hospital in-patients were reduced by 72% from 248 to 72, and over the same period Clostridium difficile episodes in in-patients aged 65 and over were reduced by 67% from 1026 to 338. While it is important to acknowledge the substantial progress that HSC staff have made, it is more important to maintain the focus on reducing HCAIs and making our hospitals safer. Reducing HCAIs will continue to be a priority and I will continue to set challenging targets for the Trusts.

### **Healthcare: Innovative Technologies**

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety what progress has been made in using innovative technologies in the delivery of healthcare.

**(AQW 31067/11-15)**

**Mr Poots:** Technological solutions are increasingly being deployed across the HSC to create a more networked approach, facilitating the delivery of services remotely and improving communication both across the health sector and between health professionals and patients.

The most significant development in recent months has been the implementation of the Electronic Care Record (ECR), a web-based portal system which gives healthcare professionals a single, secure overview of key information about their patients. The ECR aggregates the information which was previously held on a variety of systems across acute, community, primary and social care, ensuring that the correct information is available to clinicians where and when it is needed.

We are also seeing increased provision of services through remote and mobile platforms. This reflects a growing provision of services at community level and a requirement for healthcare professionals to work across multiple sites. For example, in January this year the South Eastern Health and Social Care Trust installed a new data centre facility which is enabling the implementation of a 'Bring Your Own Device' and mobility strategy. This will give the Trust's healthcare professionals secure access to patient information from any location using any device. 'Virtual clinics' are being established to facilitate communication between patients and clinicians – an example is the remote diabetes service which came into operation last

year between the Ulster Hospital and Bangor Community Hospital using a video-conferencing facility. It is proving popular with patients who are no longer required to travel to Belfast to attend appointments.

There is also a remote telemonitoring service which enables patients with long term conditions such as diabetes, congestive heart failure and respiratory disease to have their vital signs monitored remotely. Since its implementation more than 2,500 patients have benefited from the service.

All of these initiatives are making a positive impact on frontline service delivery, giving health and social care professionals more time to devote to patients, supporting the delivery of services built around the needs of service users and ultimately improving the quality of care and the patient experience.

### Dementia: Ards Peninsula

**Mr Weir** asked the Minister of Health, Social Services and Public Safety how many people on the Ards Peninsula are diagnosed with dementia.

**(AQW 31081/11-15)**

**Mr Poots:** Under the Quality & Outcomes Framework (QOF) of the General Medical Services contract, the total number of GP-registered patients diagnosed with dementia is recorded.

The Ards Peninsula is not a defined geographical area under the administrative boundaries currently in use in Northern Ireland. The closest approximation is Ards Local Government District, which encompasses the Ards Peninsula area as far north as Donaghadee, Newtownards town, Comber, Ballygowan and the area south as far as Killinchy. The North Down area east from Groomsport and Bangor is not included.

There are 640 patients on the dementia registers of practices located in Ards LGD.

The number of patients on the QOF dementia register in each of the 16 practices located in Ards Local Government District (LGD) is shown in table 1 below. It should be noted that patients may not reside in the same LGD in which their practice is located.

**Table 1: Number of patients diagnosed with dementia in Ards LGD 2013.**

Practice Number	Address	Postcode	Number of patients on the dementia register
Z00276	Donaghadee Health Centre, 3 Killaughey Road, Donaghadee	BT21 0BU	131
Z00259	The Health Centre, 44 High Street, Portaferry, Newtownards	BT22 1QT	17
Z00279	The Health Centre, 44 High Street, Portaferry, Newtownards	BT22 1QT	31
Z00282	The Health Centre, Fowler Way, Ballywalter, Newtownards	BT22 2PY	25
Z00283	Lough View Surgery, 2 Main Street, Kircubbin, Newtownards	BT22 2SP	21
Z00271	Old Mill Surgery, Church Street, Newtownards	BT23 4AS	85
Z00265	The Surgery, 1 Church Street, Newtownards	BT23 4FH	30
Z00278	The Surgery, 1 Church Street, Newtownards	BT23 4FH	45
Z00284	The Surgery, 1 Church Street, Newtownards	BT23 4FH	20
Z00261	Killynether Practice, 2A Frederick Street, Newtownards	BT23 4LR	55
Z00275	Regency Medical Centre, 2A Frederick Street, Newtownards	BT23 4LR	46
Z00263	7A Newtownards Road, Comber, Newtownards	BT23 5AU	25
Z00267	The Health Centre, 5 Newtownards Road, Comber, Newtownards	BT23 5BA	16
Z00273	The Health Centre, 5 Newtownards Road, Comber, Newtownards	BT23 5BA	22
Z00272	16 A The Square, Comber, Newtownards	BT23 5DT	38
Z00254	24 Lisbarnett Road, Lisbane, Newtownards	BT23 6AW	33
<b>Total</b>			<b>640</b>

Register sizes are taken from the Payment Calculation and Analysis System (PCAS) as at National Prevalence Day, 31 March 2013.

## Royal Victoria Hospital: Patient Deaths

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety how many of the five deaths in 2013, that may have been caused by the patients' waiting times at the Royal Victoria Hospital, were referred to the coroner.

**(AQW 31085/11-15)**

**Mr Poots:** The duty to report deaths to the Coroner is set out in Section 7 of The Coroners Act (Northern Ireland) 1959. This puts a statutory requirement on every medical practitioner, registrar of deaths or funeral director and every occupier of a house or mobile dwelling and every person in charge of an institution or premises in which a deceased person died, to report a death to the Coroner if it resulted, directly or indirectly, as a result of violence or misadventure by unfair means, or as a result of negligence or malpractice on the part of others, or from any cause other than natural illness or disease for which the deceased had been seen and treated within 28 days of death, or in such circumstances as may require investigation.

In the five cases highlighted in the media, the statutory requirements to report the death to the Coroner have been complied with.

## Serious Adverse Incidents: Deaths

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety whether all of the deaths in 2013, where Serious Adverse Incident forms were completed, were referred to the coroner on the same day.

**(AQW 31086/11-15)**

**Mr Poots:** The duty to report deaths to the Coroner is set out in Section 7 of The Coroners Act (Northern Ireland) 1959. This puts a statutory requirement on every medical practitioner, registrar of deaths or funeral director and every occupier of a house or mobile dwelling and every person in charge of an institution or premises in which a deceased person died, to report a death to the Coroner if it resulted, directly or indirectly, as a result of violence or misadventure by unfair means, or as a result of negligence or malpractice on the part of others, or from any cause other than natural illness or disease for which the deceased had been seen and treated within 28 days of death.

There is no requirement under the Serious Adverse Incident (SAI) procedure to inform the Coroner of a death resulting from a SAI. The principle aim of the SAI system is to identify and promote learning.

The arrangements for reporting deaths to the coroner cover reporting both during normal working hours and also out of hours reporting. The cases were reported promptly to the coroner.

## Family Fund

**Mr Allister** asked the Minister of Health, Social Services and Public Safety to outline any disparity between Northern Ireland the rest of the UK in relation to applying successfully to the respective Family Funds; and whether local families are at a disadvantage due to lack of funding.

**(AQW 31107/11-15)**

**Mr Poots:** The criteria for applying to the Family Fund for support are the same across the UK. In that respect families in Northern Ireland are not disadvantaged. However, due to an increase in demand for support, I understand the Family Fund has allocated all funding provided by my Department for the current financial year and is unable to process any further applications from families in Northern Ireland.

Officials met with representatives from the Family Fund recently to discuss the current funding situation.

Despite the challenging financial circumstances, I am hopeful of being able to maintain my Departments contribution to the Family Fund again next year.

## Serious Adverse Incidents: Deaths

**Mr Allister** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 30943/11-15, in respect of each of the five deaths reported in the media, to detail the time which elapsed between each death and it being reported to the media.

**(AQW 31154/11-15)**

**Mr Poots:** The Department is not in a position to answer questions as to when media organisations became aware of these cases.

## Daisy Hill Hospital: Fracture Unit

**Mr Hazzard** asked the Minister of Health, Social Services and Public Safety for an update on the future of the Daisy Hill Fracture Unit, and any further plans to remove services from the Daisy Hill Hospital.

**(AQW 31205/11-15)**

**Mr Poots:** The Health and Social Care Board has recently agreed investment of £4 million to support the provision of orthopaedic and fracture services in the Southern Health and Social Care Trust area, including Daisy Hill Hospital. This investment will allow the expansion of local assessment and treatment services and the maintenance of the existing fracture clinics at Daisy Hill Hospital.

While the arrangements for the provision of acute and other services remain under on-going review in the context of Transforming Your Care and other drivers, the Health and Social Care Board has confirmed that there are currently no plans

to seek the removal of any specific services from Daisy Hill Hospital; the Board continues to work with the Southern Health and Social Care Trust to ensure Daisy Hill and Craigavon Area Hospitals work in a networked system to provide acute care for the residents of the southern area.

### Daisy Hill Hospital: Fracture Unit

**Mrs McKeivitt** asked the Minister of Health, Social Services and Public Safety (i) for his assessment of the proposal to move the Fracture Unit from Daisy Hill Hospital to Craigavon Area Hospital; (ii) what public consultation has taken place on this proposal; and (iii) whether this proposed move would be on a permanent or temporary basis.

(AQW 31209/11-15)

**Mr Poots:** The Health and Social Care Board has confirmed that there are currently no plans to remove the fracture unit from Daisy Hill Hospital and, in fact, has recently agreed an additional investment of £4 million with the Southern Health and Social Care Trust to support the provision of orthopaedic and fracture services. This investment will allow the expansion of local assessment and treatment services and the maintenance of the existing fracture clinics at Daisy Hill Hospital.

### Termination of Pregnancy: Guidance

**Ms Lo** asked the Minister of Health, Social Services and Public Safety when he will publish the revised guidance on the termination of pregnancy.

(AQW 31271/11-15)

**Mr Poots:** Work on termination of pregnancy guidance is ongoing, taking account of the responses to the public consultation on the guidance and the legal advice that I received on lethal fetal abnormality.

I intend to bring the revised guidance to the Northern Ireland Executive as soon as possible.

### Tobacco: Sale to Children

**Mr Gardiner** asked the Minister of Health, Social Services and Public Safety for details of the test purchasing exercise for the sale of tobacco products to under-age children carried out between 2008 and 2011 in the Craigavon Borough and Banbridge District Council areas, including (i) the number of premises visited over the period; (ii) the number of occasions when under-age sales took place; and (iii) what this figure represents as a percentage of total sales.

(AQW 31361/11-15)

**Mr Poots:** The following information in relation to underage sales of tobacco products, for the period covering April 2008 to March 2011, has been made available to my Department by the relevant councils:

	Banbridge District Council	Craigavon Borough Council
(i) Number of premises visited as part of a test purchasing exercise	67	56
(ii) Number of occasions when underage sales took place	17	13
(iii) What this figure represents as a percentage of total sales made during the test purchasing exercises	25%	23%

### Accident and Emergency: Royal Victoria Hospital

**Mr Copeland** asked the Minister of Health, Social Services and Public Safety for his assessment of the further recent pressures on the Emergency Department at the Royal Victoria Hospital, Belfast.

(AQW 31384/11-15)

**Mr Poots:** Emergency departments experience fluctuations in the number of patients attending and who need to be admitted to hospital, especially during the winter period. All Trusts have escalation plans in place which enable them to deal with routine winter pressures through a range of measures.

The Belfast Trust has advised that the emergency department in the Royal Victoria Hospital experienced an increase in the number of people attending over the weekend of 22/23 February and into Monday. The Trust monitored the situation very closely put in place several escalation measures including opening extra beds throughout the Trust and calling in extra staff.

### Accident and Emergency: Royal Victoria Hospital

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety to outline the situation at the Royal Victoria Hospital's Emergency Department on 24 February 2014 that led to escalation procedures being actioned.

(AQW 31385/11-15)

**Mr Poots:** Emergency departments experience fluctuations in the number of patients attending and who need to be admitted to hospital, especially during the winter period. All Trusts have escalation plans in place which enable them to deal with routine winter pressures through a range of measures.

The Belfast Trust has advised that the emergency department in the Royal Victoria Hospital experienced an increase in the number of people attending over the weekend of 22/23 February and into Monday. The Trust monitored the situation very closely and put in place several escalation measures including opening extra beds throughout the Trust and calling in extra staff.

## Department of Justice

### Prisons: Drugs

**Lord Morrow** asked the Minister of Justice to detail (i) when the problem of drugs in prisons was first noted as increasing to a problematic state; (ii) when concerns were first raised to the authorities of an upsurge in supply and usage amongst prisoners; (iii) whether any sustained increase and peak usage corresponded with the introduction of allowing prisoners to be in charge of their own medication; and (iv) how current statistics compare to those prior to the introduction of allowing prisoners to be in charge of their own medication.

**(AQW 30719/11-15)**

**Mr Ford (The Minister of Justice):**

- (i) The level of misuse of drugs in prison has always mirrored that in the community. NIPS has steadily directed more efforts and resources to this problem over the last 15 years.
- (ii) Drug counselling partners, who have worked in prisons since 2000, have noticed an increase in the number of prisoners who use drugs. This situation is confirmed by landing staff.
- (iii) This question should be directed to the Department of Health, Social Services and Public Safety.
- (iv) Statistics for any drug testing before the introduction of in possession medication are not held.

### Rural Crime

**Mrs Dobson** asked the Minister of Justice for his assessment of the measures being taken by the Rural Crime Unit, to combat tractor thefts occurring in E District.

**(AQW 30918/11-15)**

**Mr Ford:** In December 2013 the Rural Crime Unit announced an initiative to provide a subsidy to farmers in E and F police districts to encourage them to fit security equipment to farm machinery to combat thefts.

In response to queries, including from Policing and Community Safety Partnerships, the closing date for this initiative was extended to 28 February 2014, to facilitate further dissemination of information regarding this initiative at a local level.

Policing and Community Safety Partnerships have been proactive in raising awareness of this initiative and encouraging the local farming community to avail of this subsidy. A recent example of this work was the promotional event held by Banbridge Policing and Community Safety Partnership at the Rathfriland Farmers Co-op Mart on 14 February 2014.

I understand that, to date, eighty eight orders for the security equipment available under the incentive scheme have been confirmed across both districts, and the fitting of this equipment is due to take place in the coming weeks.

A number of other crime prevention measures are proactively operated across E District to combat rural crime, including tractor thefts. These include a Farm Watch scheme, a text alert scheme and bespoke rural information and crime reduction events.

I also understand that the Police Service of Northern Ireland has made two arrests in relation to the recent tractor thefts in E District.

### Prisoner Edward Connors

**Lord Morrow** asked the Minister of Justice to detail the current position, in relation to Edward Connors, following his absconsion whilst on bail.

**(AQW 30932/11-15)**

**Mr Ford:** Edward Connors is currently being held in custody in the Republic of Ireland pending extradition proceedings

### Magilligan Prison: Staff Days Lost

**Mr Campbell** asked the Minister of Justice, pursuant to AQW 30271/11-15, given that the number of working days lost has doubled in the last three years, what steps are being taken to reduce this figure in the next twelve months.

**(AQW 30975/11-15)**

**Mr Ford:** Every effort is made to encourage any member of staff back to work as soon as possible following an assault at work.

NIPS continues to apply the Northern Ireland Civil Service Sickness Absence & Inefficiency Policy and will continue to deal with all absenteeism robustly through an established set of procedures.

NIPS would want to eradicate all assaults on staff, however, the sometimes unpredictable nature of a prison environment does not allow NIPS to provide any such guarantee.

All areas within Magilligan prison are regularly risk assessed and control measures have been put in place to monitor the staff prisoner interface as well as support staff in their dealings with prisoners.

These measures include work area risk assessments which evaluate the effectiveness of control measures such as CCTV, staff training and Control and Restraint training.

### **Prison Service: CCTV Footage**

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 30520/11-15, why four staff members were suspended in this case if they had not been on duty at the time of, or prior to, the death.  
(AQW 31014/11-15)

**Mr Ford:** The inquest into John Deery's death has still to be held. This is a judicial process and I am unable to comment on matters which will form part of the Coroner's/jury's finding.

### **Courts: Behaviour**

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 30645/11-15, in light of the content of the answer and taking into consideration the behaviour of some persons, both defendant and non-defendant within the court setting, including applause, cheering, gesturing and verbal outbursts, which would amount to misbehaviour and being rude and/or disrespectful in court, whether he will bring forward legislation to deter such actions which apply across all courts at all levels.  
(AQW 31101/11-15)

**Mr Ford:** The behaviour described in AQW/31101/11-15 could constitute contempt 'in the face of the court'. This type of contempt is normally dealt with at the time of the incident by the court. The judge may, for example, order that the perpetrator be immediately detained for a period of time or may impose a custodial sentence and/or fine.

There are currently no plans to bring forward further legislation to deal with such actions.

### **Investigations: Prisoner Ombudsman and Prison Service**

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 6477/11-15, with particular reference to the last paragraph, to clarify whether, from investigations conducted by the Prisoner Ombudsman for Northern Ireland and the Northern Ireland Prison Service, the actions of staff suspended from duty in connection with the John Deery case were found to have either led directly, or contributed to, his death.  
(AQW 31147/11-15)

**Mr Ford:** I refer the Member to the response I gave the Member to AQW 31014/11-15.

## **Department for Regional Development**

### **Waste Water: Treatment Works**

**Mr Buchanan** asked the Minister for Regional Development how many Waste Water Treatment Works in the (i) Omagh District Council; and (ii) Strabane District Council areas are operating over capacity.  
(AQW 26296/11-15)

**Mr Kennedy (The Minister for Regional Development):** I have been advised by Northern Ireland Water (NIW) that it operates and maintains a wide range of Wastewater Treatment Works (WwTWs), from septic tanks serving two or more houses to the large Belfast WwTW at Duncrue Street. NIW collects and treats domestic wastewater, storm water and trade effluent discharges which are measured in terms of the equivalent population (PE). NIW continues to invest in improving and maintaining wastewater treatment and is currently achieving its highest ever wastewater discharge compliance. In 2013 over 98% of the population was served by compliant works and this compares with 84.5% in 2007.

- (i) Within Omagh District Council, 13 WwTWs serve population equivalents greater than 250 people of which 6 are currently operating at capacity. 11 WwTWs serve population equivalents between 250 and 50 of which 2 are currently operating at capacity. However it should be noted that of these sites currently operating at capacity all are currently complying with their NIEA Water Order Consent.
- (ii) Within Strabane District Council, 15 WwTWs serve population equivalents greater than 250 people of which 6 are currently operating at capacity. 11 WwTWs serve populations between 250 and 50 of which 1 is currently operating at capacity. However it should be noted the site currently operating at capacity is complying with the NIEA Water Order Consent.

With reference to WwTWs below 50 PE, there are 23 within Omagh District Council and 34 within Strabane District Council area and it would be anticipated that headroom would be limited at many of these sites. However, given the rural nature of these very small works any significant new development is likely to require an increase in treatment capacity.

It is important to note that although Works may be operating at capacity, they may continue to comply with their discharge consent. In these circumstances additional capacity is required before connecting new development.

The funding for the upgrades of the WwTWs is determined by the Utility Regulator during the Price Control (PC) process based on the public sector capital funding available. The funding available and the priority for investment is set out in the Social & Environmental Guidance prepared by my Department. For the PC13 period, 2013-2015, funding is available for the upgrade of 1 site above 250PE within Omagh District Council. Within Strabane District Council funding is available for the upgrade of 3 sites above 250PE. For the PC15 period (2015-2021) NIW plans to upgrade 2 sites in the band between 250PE and 50PE within both Omagh District Council and Strabane District Council. The final list of WwTWs to be upgraded during PC15 will be confirmed following further stakeholder engagement and a final determination by the Utility Regulator in December 2014.

## Roads: Shortcuts

**Mr McKay** asked the Minister for Regional Development whether his Department has considered closing off further roads used for cut-through driving or shortcuts in major towns and cities.

**(AQW 29553/11-15)**

**Mr Kennedy:** My Department carries out an annual programme of traffic calming works which aims to ensure traffic speeds, primarily in residential streets, are commensurate with local road characteristics. Other measures, such as one-way traffic schemes, may also be considered on occasions in order to make specific routes, in congested or residential areas, less attractive to through traffic.

I am aware that through traffic in congested or residential areas poses a particular risk for pedestrians and cyclists and am keen that their access needs and safety are given a higher priority in my Department's traffic management plans.

When reviewing local traffic management arrangements or within the normal scheme design and development process, officials will consider the potential impact on adjoining streets and determine if further measures are needed.

However, if requests to close particular roads are received, officials will consider these on their specific merits.

## Bilingual Signs

**Mr McMullan** asked the Minister for Regional Development to outline his Department's position on bilingual traffic signs; and to list any applications for bilingual traffic signs in each of the last eight years.

**(AQW 30729/11-15)**

**Mr Kennedy:** I can confirm that my Department does not provide bi-lingual traffic signs.

My Department has received two (2) applications for bi-lingual signs in the last eight years:

- Direction signs to the Upper Andersonstown Community Forum; and
- Gateway signs from Belfast City Council.

## Railways: Breakdowns

**Mr Dallat** asked the Minister for Regional Development to detail the number of locomotive breakdowns experienced on the Coleraine-Derry section of the Belfast-Derry railway since the line reopened following its upgrade; and whether a substitute service was provided on each occasion.

**(AQW 30759/11-15)**

**Mr Kennedy:** Translink have advised that in the period March 2013 to February 2014, NI Railways have experienced four service failures between Coleraine and Londonderry as a result of train set failures.

Details are as follows:

<b>Cancellations</b>		
24/01/2014	Set failure, Londonderry	16:33 service Londonderry-Coleraine
<b>Bus Substitutions</b>		
29/08/2013	Set failure, Bellarena	07:13 service Londonderry to Coleraine
13/01/2014	Set failure, Londonderry	07:13 service Londonderry to Coleraine
27/01/2014	Set failure, Londonderry	07:13 service Londonderry to Coleraine

During the period a total of 5,118 services were scheduled to operate, resulting in a service failure rate of 0.098%.

The service cancelled on the 24 January did not have a specific bus substitution but existing Ulsterbus services were re-routed to accommodate passengers.

### Parking: East Belfast, Dundonald and Comber

**Mr Agnew** asked the Minister for Regional Development whether he is aware of the difficulties that people have been experiencing with regards to parking in East Belfast, Dundonald and Comber; and whether he has any plans to develop park and ride facilities for Dundonald, Comber or Newtownards.

(AQW 30769/11-15)

**Mr Kennedy:** I am aware of different parking issues at numerous locations throughout Northern Ireland. Typical issues include the availability and cost of parking, residents' parking as well as the obstruction of roads, footways and private driveways by inconsiderate parking. In Dundonald, for example, I am aware of local concerns relating to parking issues associated with the Ulster Hospital.

I can inform you that, my Department's Transport Projects Division is working through the Park and Ride Strategic Delivery Programme 2013–15 which sets out commitments to be delivered over that period. Future sites and potential locations for Park and Ride facilities throughout Northern Ireland, including Newtownards or Comber, may feature when my Programme Board reviews this programme for future years.

As part of the Belfast Rapid Transit project, my Department has recently received planning approval for a new 520 space Park and Ride site at Dunlady Road, Dundonald. Work is due to start on the construction of this facility in spring 2014. It is anticipated the facility will become operational by the end of 2014. In advance of the introduction of Belfast Rapid Transit in 2017, the facility will be served by existing Translink bus services.

### Antisocial Behaviour: Buses and Trains

**Mr Dallat** asked the Minister for Regional Development to detail the number of reported cases of anti-social behaviour, abuse and vandalism on buses and trains in each of the last three years; and the number of successful prosecutions taken against offenders.

(AQW 30828/11-15)

**Mr Kennedy:** Translink has advised me that the relevant statistics need to be separately reported for bus and rail.

The reported number of recorded incidents of vandalism, and anti-social behaviour information required is as follows.

Calendar Year	NIR					
	Safety-related		Anti-social behaviour		Vandalism	
	No. of incidents	No. of successful prosecutions	No. of incidents	No. of successful prosecutions	No. of incidents	No. of successful prosecutions
2011	78	46	236	42	45	2
2012	85	49	249	40	48	0
2013	51	41	210	42	36	2
<b>Totals</b>	<b>214</b>	<b>136</b>	<b>695</b>	<b>124</b>	<b>129</b>	<b>4</b>

**Notes:** Safety-related incidents include infringements at level crossings (both vehicles and pedestrians), trespass, etc.

**Anti-social behaviour incorporates cases of abuse.**

Calendar Year	Ulsterbus/Metro							
	Assaults		Vandalism			Inappropriate behaviour	Disruption by member of public	Intoxication of member of public
	on staff	on passengers	Stone throwing	on board bus	at bus station			
	No. of incidents							
2011	24	21	381	21	5	133	11	5
2012	24	14	310	15	4	139	9	2
2013	16	16	354	18	6	178	9	4
<b>Totals</b>	<b>64</b>	<b>51</b>	<b>1045</b>	<b>54</b>	<b>15</b>	<b>450</b>	<b>29</b>	<b>11</b>

Prosecutions in relation to bus operations are recorded as follows:

Calendar Year				
Ulsterbus	Anti-social behaviour		Vandalism/Criminal Damage	
	No. of incidents	No. of successful prosecutions	No. of incidents	No. of successful prosecutions
2011	0	0	1	1
2012	1	3	0	0
2013	0	0	0	0
<b>Totals</b>	<b>1</b>	<b>3</b>	<b>1</b>	<b>1</b>

There were no successful prosecutions in relation to Metro services.

### Puffin Crossings: Ballymena

**Mr Swann** asked the Minister for Regional Development to detail any plans he has to increase the number of puffin crossings in Ballymena.

**(AQW 30831/11-15)**

**Mr Kennedy:** I am pleased to advise the Member that my Department plans to upgrade five existing Pelican Crossings to Puffin Crossings in the Ballymena area within the next financial year.

Four of the crossings to be upgraded are associated with the extensive public realm scheme in Ballymena town centre, which will be delivered by the Council and funded by DSD. The locations of the crossing are:

- Wellington Street (2);
- Broughshane Street near Broadway; and
- Thomas Street.

The other crossing to be upgraded is on Cullybackey Main Street, where the existing zebra crossing is being converted to a Puffin Crossing. My Department's Roads Service, along with NIE, carried out extensive works last summer to move existing overhead services underground and it is planned to carry out resurfacing of both the carriageway and footways throughout the village over the summer months. The crossing upgrade will be provided as part of these works.

### Railways: Londonderry Line

**Mr Swann** asked the Minister for Regional Development to detail the number of passengers on the Londonderry to Belfast line during the 2013/14 financial year compared to the previous three years, in the ten month period to the end of January.

**(AQW 30832/11-15)**

**Mr Kennedy:** The table below details relevant passenger journey statistics on the Londonderry line for the years in question, up to end of Period 10.

Year	No. of passenger journeys
2013/14	1,760,944
2012/13	1,297,661
2011/12	1,283,080
2010/11	1,214,554

### Storm Damage: Windmill Road, Kilkeel

**Mr Wells** asked the Minister for Regional Development what work will be undertaken to repair the recent storm damage which occurred on the Windmill Road, Kilkeel.

**(AQW 30833/11-15)**

**Mr Kennedy:** The Windmill Road, Kilkeel remains in private ownership. My Department's Roads Service, therefore, has no responsibility for its upkeep or repair.

### Speed Limit: Residential Areas

**Mr Ó hOisín** asked the Minister for Regional Development (i) to list the residential areas subject to 20 mph restrictions; (ii) who identified these areas; (iii) what criteria was used to select these areas; and (iv) who is responsible for enforcing the speed restrictions.

**(AQW 30838/11-15)**

**Mr Kennedy:** My Department has been creating 20 mph zones with traffic calming measures for many years to improve pedestrian and other vulnerable road user road safety. Their installation has resulted in a considerable reduction in road casualties. With regard to your specific queries I would advise as follows:

Details of the roads with a 20 mph speed limit that my Department has legislated for, from 1996 to date, are available in the Assembly Library;

- (i) Those areas to be made subject to 20 mph speed limits are identified by Traffic Management officials from my Department's Roads Service. This often follows requests for traffic calming received from local residents and elected representatives;
- (ii) The Department's policy document, RSPPG E027: Road Safety Engineering Procedures, sets out the procedures and methodology for assessing streets and areas for the implementation of 20 mph restrictions. For roads to be selected for a 20 mph speed limit, the roads need to be residential in nature and within a traffic-calmed zone containing vertical traffic calming measures; and
- (iii) Responsibility for enforcing speed restrictions on the public road rests with the PSNI. However, as these 20 mph zones include engineering measures to make them self-enforcing, the PSNI will usually only become involved if excess speed remains a road safety issue.

### Reservoirs: Disposal

**Mr Easton** asked the Minister for Regional Development for an update on the disposal of the Conlig reservoirs.

**(AQW 30843/11-15)**

**Mr Kennedy:** The Conlig Impounding Reservoirs are surplus to NI Water's requirements and will be disposed of at some time in the future. In disposing of surplus assets, NI Water must ensure that it obtains best price, achieves value for money and maintains high standards of public propriety. Any sale is dependent on a number of factors, not least the market conditions at the time of the sale and the level of expressions of interest.

NI Water has not yet identified a timeframe for offering the reservoirs to the market. However, I have asked NI Water to explore the possibility of transferring ownership of reservoirs within the public sector, before offering them for sale on the open market.

### Electric Cars: Charging Point, Bangor

**Mr McCarthy** asked the Minister for Regional Development when the electric car charging point parking bay at the Royal Hotel, Bangor will be designated solely for the use of those charging their cars, with appropriate penalties for those using it simply for parking.

**(AQW 30848/11-15)**

**Mr Kennedy:** Amendments to legislation are progressing to designate one bay for electric vehicles which are charging at the charge point on Quay Street, Bangor. Work is to be completed by 31 March 2014.

Once the bay has been designated Traffic Attendants will issue Penalty Charge Notices (parking tickets) to vehicles which are detected as illegally parked.

### Parking: Fines

**Mr Moutray** asked the Minister for Regional Development to detail (i) recipients of revenue received from parking enforcement fines; and (ii) where this revenue has been allocated within the past two financial years.

**(AQW 30851/11-15)**

**Mr Kennedy:** My Department is the sole recipient of all revenue from Penalty Charge Notices (PCNs).

The revenue from PCNs is used, along with revenue from car parking and other charges, to supplement the overall financing of Roads Service by Central Government.

### Parking: Fines

**Mr Moutray** asked the Minister for Regional Development to detail (i) how much revenue was obtained from parking enforcement fines within the Craigavon and Banbridge area over the past three financial years; and (ii) how much remains outstanding from unpaid enforcement fines.

**(AQW 30852/11-15)**

**Mr Kennedy:**

- (i) The income from Penalty Charge Notices (PCNs) is not maintained on a town or District Council basis.
- (ii) The amount of outstanding PCN debt, for the whole of Northern Ireland, for the last three financial years is as follows:
- 2010/11 £531,165.94
  - 2011/12 £686,222.73
  - 2012/13 £1,019,745.94

These figures are, of course, subject to change as debt is recovered.

**Reservoirs: Disposal**

**Mr Easton** asked the Minister for Regional Development for an update on the disposal of the Craigtlet reservoirs.  
(AQW 30900/11-15)

**Mr Kennedy:** The Craigtlet Impounding Reservoirs, known individually as Ballysallagh Upper, Ballysallagh Lower, Creighton's Green and Church Road, Holywood are surplus to NI Water's requirements and will be disposed of at some time in the future. NI Water has not yet identified a timeframe for disposal. Disposal will be dependent on a number of factors, including the market conditions at the time of the sale and the level of expressions of interest.

**Reservoirs: Disposal**

**Mr Easton** asked the Minister for Regional Development for an update on the disposal of the Portavoe reservoir.  
(AQW 30901/11-15)

**Mr Kennedy:** Portavoe Impounding Reservoir is surplus to NI Water's requirements and will be disposed of at some time in the future. NI Water has not yet identified a timeframe for disposal. Disposal will be dependent on a number of factors, including the market conditions at the time of the sale and the level of expressions of interest.

**Pavements: Donaghadee and Millisle**

**Mr Easton** asked the Minister for Regional Development for an update on the footpath resurfacing at the (i) Millisle shops; and (ii) the pathways between Beechfield and Ashfield Estate, Donaghadee.  
(AQW 30903/11-15)

**Mr Kennedy:** I recall the Member raising these issues with me during my visit with him to Millisle and Donaghadee last year. At that time, my Department undertook to give consideration to inclusion of these schemes, along with others of a more significant scale, on the works programme for 2013–14.

I am pleased to report that schemes, with a total value of approximately £140,000, have been successfully completed at Northfield Road and Cannyreagh Road in Donaghadee, and Masonic Avenue in Millisle.

I can also confirm that the work on the pathways between the Beechfield and Ashfield Estates in Donaghadee is still scheduled to take place before the end of the current financial year.

The Member has also been advised that the footway resurfacing scheme at the shops in Millisle has been re-scheduled for early in the new financial year. This is due to potential conflict with the diversionary route associated with the current road closure on the A2 Whitechurch Road, Ballywalter, which is in place due to the road collapse that occurred during the recent tidal surge.

**Coastal Roads: North Down**

**Mr Weir** asked the Minister for Regional Development what assessment has, or will, take place of coastal roads in North Down regarding their state of repair following the recent heavy storms.  
(AQW 30931/11-15)

**Mr Kennedy:** I have placed in the Assembly Library a comprehensive list of the locations, where roads have either been subject to sea wall damage or undermining as a result of storm damage since the turn of the year, including those in North Down.

The estimated cost is currently almost £1.4 million. However, this figure could increase significantly once detailed inspections of sea defences are completed.

Officials are continuing to assess the extent of the damage caused and specific bids for further funding may be required, if repairs cannot be funded from within existing budgets.

### **Pedestrian Scheme: Cullybackey**

**Mr Frew** asked the Minister for Regional Development for an update on (i) the Footway Scheme; and (ii) the relocation of the railway cabinet and barrier in Cullybackey.

**(AQW 30954/11-15)**

**Mr Kennedy:** My Department has been working over a period of time on this project to provide a continuous footway link between the village of Cullybackey and Ballymena. To date, approximately 2 kilometres of the footway link have been provided with only a short length in the vicinity of the railway crossing still to be constructed.

Agreement has been reached with Translink regarding the acquisition of land on either side of the level crossing and progress is being made on the acquisition of additional land required, which was previously owned by Pattons (in Administration) and is now in private ownership.

Subject to a successful outcome to these negotiations, my Department is aiming to progress the works by the end of March 2014.

In relation to the relocation of the railway cabinet and barrier, Translink officials advise that an outline design has been developed and approved. A detailed design is currently being prepared following which formal funding approval, by means of an Economic Appraisal, will be required. Projected completion remains on course for autumn 2014.

### **River Bann: Road Bridge, Coleraine**

**Mr Campbell** asked the Minister for Regional Development to detail the estimated costings in each major expenditure category for another road bridge across the River Bann in Coleraine.

**(AQW 30977/11-15)**

**Mr Kennedy:** A third bridge across the River Bann at Coleraine, linking Union Street to Castlerock Road, was included in the Coleraine Town Centre Masterplan prepared by the Department for Social Development and Coleraine Borough Council. The Masterplan considered that a bridge would be required at some stage in the future should significant development proposals identified within the Masterplan proceed.

To date, estimated costings are not yet available.

### **Departmental Bank Accounts**

**Mr Allister** asked the Minister for Regional Development to detail (i) any departmental bank accounts that have been inactive for twelve months or more; (ii) the reason they are inactive; and (iii) the balance of each account.

**(AQW 30980/11-15)**

**Mr Kennedy:** The Department for Regional Development has no inactive bank accounts.

### **Committee for Regional Development: Ministerial Appearances**

**Mr Nesbitt** asked the Minister for Regional Development how many times he has appeared before his Department's Statutory Assembly Committee in each of the last five years.

**(AQW 30999/11-15)**

**Mr Kennedy:** From my appointment in May 2011 to date I have appeared 11 times before the Committee for Regional Development. During the previous mandate (2007 to 2011) my predecessor appeared on 14 occasions with six of these being in the period in question. Total appearances for the last five years is therefore 17.

These are detailed in the table below:-

<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>
1	3	4	5	4

### **Roads: Maintenance of Gullies**

**Mr G Robinson** asked the Minister for Regional Development to outline the system in place for the cyclical cleaning of blocked gullies during the winter months.

**(AQW 31016/11-15)**

**Mr Kennedy:** My Department's Roads Service is responsible for the cleaning and maintenance of more than 550,000 gullies across Northern Ireland. Roads Service aims to inspect and clean, where necessary, all gullies in urban areas twice each year, and gullies in rural areas once each year. This is in line with the Road Maintenance Standards for Safety.

This policy ensures that a reasonable level of maintenance is carried out to drainage systems, taking account of the Department's finite funding and staff resource levels.

In addition, Roads Service undertakes additional inspection and cleaning of gullies at locations where fallen leaves present ongoing problems at certain times of year, or where there has been a history of gullies becoming blocked for other reasons.

### Waste Water Treatment Works: Odour Control

**Mr Dickson** asked the Minister for Regional Development, pursuant to AQW 30542/11-15, to detail the estimated completion date for the installation of odour control equipment.

**(AQW 31080/11-15)**

**Mr Kennedy:** Northern Ireland Water has advised that the odour plant at Carrickfergus Wastewater Treatment Works will be operational from the end of June 2014.

### Departmental Pension Schemes: Senior Management

**Mr Dallat** asked the Minister for Regional Development to detail (i) the amount of money contributed to pension schemes for senior management within the Department for Regional Development; and (ii) the number of employees involved, in the last five years.

**(AQW 31140/11-15)**

**Mr Kennedy:** For the purposes of this question, senior management has been interpreted as meaning those staff within the Senior Civil Service (i.e. Grade 5 and above). The numbers of SCS staff in post within my Department fluctuated within each of the 5 years specified.

The amounts of employer's contributions paid to pension schemes for senior management with my Department are detailed below:

Year	Number of Senior Civil Service staff in DRD	Total amount of Employer's Pension Contributions paid £
2009/10	17-19	279,515
2010/11	18-20	316,462
2011/12	17-21	290,403
2012/13	16-19	271,304
2013/14 (to date)	14-17	232,806

### Roads: Reinstatement

**Mr McNarry** asked the Minister for Regional Development to outline the (i) procedures for dealing with; and (ii) penalties imposed on utility providers who fail to reinstate roads to an acceptable standard following works.

**(AQW 31204/11-15)**

**Mr Kennedy:** The required standards for reinstatement of roads are set out in the Northern Ireland Road Authority and Utilities Committee (NIRAUC) Specification for Reinstatement of Openings in Roads, a Code of Practice approved by my Department. Procedures for inspection of reinstatements and for dealing with reinstatement failures are set out in the NIRAUC Code of Practice for Inspections.

Where a utility provider fails to reinstate a road to an acceptable standard, the reinstatement defects are reported to the utility company responsible for repair or replacement. Additional inspections are carried out at the utility company's expense to ensure the defects have been corrected.

Where a utility provider's overall performance in terms of reinstatement is found to be unacceptable, the Department can increase inspection levels at the expense of that utility company as part of an improvement plan until the required improvement has been achieved.

Finally, street works legislation makes failure to comply with certain duties, including those related to safety and to reinstatement, an offence. The Courts can impose fines on street works undertakers found guilty of such offences. Details of fines imposed in the last three years were set out in my response to your recent question AQW 31175/11-15.

## Department for Social Development

### Savings: 2013-14 Target

**Mr Allister** asked the Minister for Social Development to detail where the £8.3m extra savings, above the 2013/14 target, have been made within the Department and the impact on frontline services.

**(AQW 30411/11-15)**

**Mr McCausland (The Minister for Social Development):** The £8.3m to which the increased "savings" refer is a cumulative figure over the 3 years to the end of March 2014 and reflects a higher than envisaged level of income available to the NIHE over that period. £1.5m of this relates to this financial year (2013-14), and the balance was generated in 2011-12 and 2012-

13. This additional income remained in the operational budget of the NIHE over that period and there has therefore been no adverse impact on frontline services.

### Disability Living Allowance: Appeals

**Lord Morrow** asked the Minister for Social Development, pursuant to AQW 30085/11-15, to provide the information requested in any available format.

**(AQW 30417/11-15)**

**Mr McCausland:** Disability Living Allowance decisions fall into a number of different categories. Claimants can dispute those decisions through the reconsideration and/ or appeal process across the different categories.

The Department of Work and Pensions IT system used to administer Disability Living Allowance does not record the specific Disability Living Allowance category where the reconsideration arose. The table below details the total number of reconsiderations requested a the claimant or instigated by the Department and the number where a more advantageous decision was given in each of the last five years in all Disability Living Allowance categories.

Period	Number of Disability Living Allowance Reconsiderations Received	Number of More Advantageous Disability Living Allowance Reconsideration Decisions
2009/10	8,577	1,841
2010/11	7,469	1,579
2011/12	6,648	1,429
2012/13	6,057	1,511
April 2013 to December 2014	4,181	998

The IT system used by the Tribunal Appeal Services to record appeal outcomes similarly does not record the specific Disability Living Allowance category where the appeal arose. The table below details for each of the last five years the number of Disability Living Allowance appeals that have received a final determination/outcome and how many of those received a more advantageous decision in all Disability Living Allowance categories.

Period	Number of Disability Living Allowance Appeals with a Final Outcome	Number of More Advantageous Disability Living Allowance Appeal Decisions
2009/10	5,147	1,836
2010/11	4,607	1,651
2011/12	3,826	1,511
2012/13	3,819	1,395
April 2013 to December 2014	2,841	944

It is important to note that there may be an overlap of cases in the Reconsideration/Appeal figures as claimants who receive a more advantageous reconsideration decision may still appeal as they remain dissatisfied with the decision. Decisions are normally revised as a result of the provision of new and additional evidence.

### Social Housing: Homelessness and Welfare Reform

**Mr Copeland** asked the Minister for Social Development how the current Social Housing Development Programme, as well as existing social housing stock, has been changed to reflect (i) the current pressures of homelessness; and (ii) possible changes to housing support under welfare reform.

**(AQW 30610/11-15)**

**Mr McCausland:** Homelessness

Supported housing needs have been identified over the three year Social Housing Development Programme (SHDP) and the matter is kept under review.

The SHDP currently includes 21 units in the 2014/15 year, programmed specifically for the Single Homeless Needs Group. In the 2015/16 year, there are 42 units programmed specifically for the Single Homeless Needs Group.

Also, General Needs housing delivered through the SHDP is allocated through the Housing Selection Scheme, and will therefore be available for letting to applicants who are owed the Full Homeless Duty (Full Duty Applicants) under the Scheme.

Additional homeless services are also provided and commissioned via the Supporting People Programme and help support services via the voluntary sector.

## Welfare reform

With regard to the SHDP, the NIHE is actively encouraging and supporting the inclusion of 1 bed accommodation within all Housing Association new build proposals.

In order to help address any mismatch between existing stock and additional demand from small/single person households, my Department has requested that Housing Associations include a minimum of 200 x 1 bed units within each year of the SHDP.

Currently Housing Associations have indicated the following breakdown of units to be delivered within schemes included on the 3 year SHDP:

### 2014/15 to 2016/17 SHDP– Housing Mix Units @Jan 2014

Year	1 Bed	2 Bed	3 Bed	4 Bed	Mix TBC
2014/15	272	1199	710	28	547
2015/16	310	987	557	4	405
2016/17	136	579	430	13	359
<b>Total* With Mix Identified</b>	<b>718</b>	<b>2765</b>	<b>1697</b>	<b>45</b>	

\* There are schemes with design and planning still to be considered that do not as yet have final housing mixes identified.

Tenant mobility through re-lets of existing social housing stock – 7000 / 8000 per annum – can also help address the potential impact of welfare reform. To facilitate this, the NIHE have agreed amendments to the housing selection scheme that will be enacted with the introduction of welfare reform in Northern Ireland. This will give priority status to tenants who under-occupy their property and who wish to transfer to a suitable dwelling.

In addition tenants may want to exchange homes with someone who has another tenancy through the exchange scheme. The Housing Executive has re-subscribed for a further 2 years for an online mutual exchange scheme which will continue to be free for Housing Executive and housing association tenants. Any social sector tenant interested in exchanging their home with another social tenant can register details of their current home and the kind of home they want to swap with for free at [www.homeswapper.co.uk](http://www.homeswapper.co.uk). After this they will be matched with other social tenants and receive regular updates of suitable exchanges.

The Housing Executive has also carried out an analysis of its existing housing stock and secured preliminary technical advice and costings on the viability of converting larger units of accommodation into one bedroom self-contained units or bedsits. Work is ongoing with plans to conduct a pilot study which will inform any decision to undertake such conversions; more widespread progression of this work will proceed when details of the welfare reform changes in Northern Ireland are known.

## Housing Executive: Evictions

**Mr Campbell** asked the Minister for Social Development how many Housing Executive tenants have been evicted from their properties as a result of a conviction for an offence relating to their tenancy agreement, in each of the last five years. (AQW 30696/11-15)

**Mr McCausland:** The Housing Executive has advised that the wording of the legislation upon which they may ask the Court to grant an Order for Possession, is where the tenant (or a person residing in or visiting the dwelling house) has been convicted of an indictable offence committed in, or in the locality of, the dwelling house.

However, even where the indictable conviction ground has been met, the Court must still be satisfied that it is reasonable and proportionate to make an Order for Possession. In order to meet the reasonableness requirement, there normally needs to be the demonstration of some sort of impact on the local community. There are a number of factors that the Court will take into account when considering the reasonableness and proportionality of making a Possession Order in any given case; for instance, issues such as continuing nuisance; the length and previous history of the subject tenancy; whether the behaviour of the subject of the conviction was a one-off event; the number of complainants coming forward.

The Housing Executive usually only becomes aware of convictions when a complaint is received and investigations occur. Therefore the conviction of an indictable offence will not guarantee Housing Executive success in possession proceedings. The Housing Executive does not record cases based on conviction alone.

The list below details figures for all cases in which the Housing Executive has repossessed a property where an Anti-Social behaviour case has been opened. This could happen at various stages throughout the process, ranging from a tenant giving up possession prior to a notice being served, to a court granting a decree or the case going to the Enforcement of Judgements Office (EJO).

**Total possessions for all repossessions by year where Anti-Social Behaviour is involved:**

Year	Number
2007/08	33
2008/09	43
2009/10	54
2010/11	62
2011/12	51

The Housing Executive advises that figures for 2012/13 are not available as their Housing management System was being implemented during this time and reporting had been suspended during that period.

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.

**Crisis Loans**

**Mr Allister** asked the Minister for Social Development when a recipient of an unrecovered Crisis Loan no longer receives benefits, what arrangements are in place to pursue recovery.

**(AQW 30702/11-15)**

**Mr McCausland:** Where an individual who has a Crisis Loan is no longer in receipt of a Social Security benefit from which deductions can be made, the following arrangements are in place to pursue recovery.

- The claimant is contacted by letter and asked to pay the outstanding balance in full or contact the Social Security Agency to agree a suitable repayment arrangement within 14 days.
- If no response is received, the case will be referred to the Agency's Debt Centre who will attempt to make contact by telephone and letter in order to agree repayment arrangements.
- If the claimant does not respond to the request to agree repayment terms or cannot be contacted then the case will be considered for referral to a private sector debt collection company. The individual will be advised by letter that this action is being taken and of the potential consequences.
- If after a set period of time the debt remains outstanding the case will be returned to the Debt Centre for Civil Proceedings to be considered.
- In cases where a claimant is deceased, recovery from their estate will also be considered.
- If the claimant returns to benefit at any stage whilst the loan remains outstanding the Agency will again seek recovery by deduction from benefit.

**Housing Executive: Village Area, Belfast**

**Mr Spratt** asked the Minister for Social Development to detail the funding available to the Northern Ireland Housing Executive to secure derelict properties awaiting renovation in the Village Regeneration area; and whether all such properties are waterproofed to protect any occupied adjacent houses.

**(AQW 30709/11-15)**

**Mr McCausland:** The Housing Executive has a responsibility to secure vacant dwellings and address health and safety issues, including nuisance to neighbouring properties. This is funded through the Housing Executive's Response Maintenance budget.

The Housing Executive do not routinely undertake waterproofing to all vacant properties in the Village area, but have addressed nuisance issues resulting from vacant properties. To date, ten vacant properties have been transferred and rehabilitated by Fold Housing Association. A further twelve, including 108/110 Donegall Avenue, will be transferred to Fold for rehabilitation in March 2014.

**Social Housing: Donaghadee and Millisle**

**Mr Weir** asked the Minister for Social Development how many social housing new builds are planned for (i) Donaghadee; and (ii) Millisle.

**(AQW 30714/11-15)**

**Mr McCausland:** The table provides details of the schemes in the Social Housing Development Programme 2014/15 – 2016/17 for Donaghadee and Millisle.

Donaghadee	Units (2014/15)	Units (2015/16)
18 Warren Road	10	0

<b>Donaghadee</b>	<b>Units (2014/15)</b>	<b>Units (2015/16)</b>
PSNI site, 5 Millisle Road	10	0
Kilaughey Road	0	24
Beechfield	0	10
Millisle	0	
Moss Road	4	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.

### **Housing Executive: Evictions**

**Mr Weir** asked the Minister for Social Development how many tenants have been evicted from Housing Executive properties on the grounds of anti-social behaviour in each of the last five years, broken down by constituency.

**(AQW 30736/11-15)**

**Mr McCausland:** The information is not available in the format requested because the Housing Executive does not routinely collate information by Parliamentary constituency. However, the table below provides details, by Housing Executive Regions, for all cases in which the Housing Executive has repossessed a property where an anti social behaviour case has been opened. The Housing Executive has advised that this could happen at various stages throughout the process ranging from:-

- a tenant giving up possession prior to a notice being served;
- a court granting a decree; or
- the case going to the Enforcement of Judgements Office.

### **Repossessions by NIHE Region**

<b>NIHE Region</b>	<b>07/08</b>	<b>08/09</b>	<b>09/10</b>	<b>10/11</b>	<b>11/12</b>
Belfast	3	4	7	18	0
South	16	21	31	30	25
North	14	18	16	14	16

The Housing Executive is unable to provide figures for 2012/13 as their new Housing Management system was being implemented during that time and reporting was suspended.

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.

### **Tribunals: Audio Recording**

**Lord Morrow** asked the Minister for Social Development for an update the provision of recorded audio proceedings of benefits appeals tribunals.

**(AQW 30741/11-15)**

**Mr McCausland:** Procedural and technical issues involved in the audio recording of tribunal hearings continue to be investigated. A commencement date for the pilot cannot be confirmed at this point.

### **Welfare Reform Bill**

**Mrs D Kelly** asked the Minister for Social Development to outline the timetable for bringing forward the Welfare Reform Bill.  
**(AQW 30756/11-15)**

**Mr McCausland:** I issued an Executive Paper on 28 January for the Executive meetings on 30 January and 13 February, seeking approval for a package of measures designed to shape how Welfare Reform could be implemented in Northern Ireland. This paper was not discussed as a substantive agenda item at either meeting. I remain fully committed to taking the Bill through its remaining legislative stages and am frustrated by the lack of progress.

### **Employment and Support Allowance: Appeals**

**Mr Dallat** asked the Minister for Social Development to detail (i) the number of tribunals held to consider Employment and Support Allowance appeals in each of the last three years; (ii) the geographical breakdown of the successful appeals; and (iii) the cost of these tribunals.

**(AQW 30757/11-15)**

**Mr McCausland:** The information cannot be provided in the format requested as The Appeal Service (TAS) arranges for Employment Support Allowance (ESA) appeals to be heard at venues throughout Northern Ireland determined by the postal district within which the appellant resides. The data is only available by tribunal district.

The Chairman of the Tribunal records whether the decision made on appeal was either more or less advantageous than a previous decision. A more advantageous decision may increase the allowance or direct that a new award be made. A less advantageous decision may reduce the allowance or make no change to the original determination. Table 1 sets out the number of ESA appeals held by tribunal district and how many had a more advantageous outcome in the last two financial years and the period 1 April 2013 to 31 December 2013.

The average cost of an ESA appeal cannot be provided as resources within TAS are allocated across a wide range of benefit appeals and a number of variables influence the cost. Table 2 sets out the actual expenditure within TAS in each of the last three years, the total number of decisions made and the proportion of which were specific to ESA appeals.

**Table 1**

Tribunal District	1st April 2011 - 31st March 2012		1st April 2012 - 31st March 2013		1st April 2013 - 31st December 2013	
	Appeals Held <sup>1</sup>	More Advantageous	Appeals Held	More Advantageous	Appeals Held	More Advantageous
Armagh	150	43	240	77	265	63
Ballymena	398	116	619	188	715	218
Ballymoney	72	35	113	36	106	30
Banbridge	114	29	166	47	205	48
Belfast	2054	705	2939	934	2851	651
Coleraine	259	67	296	96	391	98
Cookstown	88	25	150	41	215	65
Craigavon	479	163	647	222	829	279
Downpatrick	224	66	293	100	348	87
Dungannon	292	105	332	101	510	141
Enniskillen	292	129	296	116	292	119
Limavady	120	60	182	64	215	71
Londonderry	505	235	680	273	882	369
Magherafelt	189	59	203	63	244	75
Newry	369	89	436	135	538	127
Newtownards	324	106	471	166	488	146
Omagh	270	112	288	110	392	150
Strabane	119	49	208	87	251	84
<b>Grand Total</b>	<b>6318</b>	<b>2193</b>	<b>8559</b>	<b>2856</b>	<b>9737</b>	<b>2821</b>

**Table 2**

Period	Projected/Annual Spend	Total Number of Decisions Made	ESA Decisions Made
1st April 2011 - 31st March 2012	£5,954,000	12562	6318
1st April 2012 - 31st March 2013	£6,897,000	14561	8559
1st April 2013 - 31st December 2013 2	£5,238,000	14147	9737

**Footnotes:** Appeals held are final decisions at hearing and exclude adjourned appeals.

This figure is provisional and subject to the final accounts for 2013-14.

## Disability Living Allowance: Appeals

**Mr Dallat** asked the Minister for Social Development to detail (i) the number of tribunals held to consider Disability Living Allowance appeals in each of the last three years; (ii) the geographical breakdown of the successful appeals; and (iii) the cost of these tribunals.

**(AQW 30758/11-15)**

**Mr McCausland:** The information cannot be provided in the format requested as The Appeal Service (TAS) arranges for Disability Living Allowance (DLA) appeals to be heard at venues throughout Northern Ireland determined by the postal district within which the appellant resides. The data is only available by tribunal district.

The Chairman of the Tribunal records whether the decision made on appeal was either more or less advantageous than a previous decision. A more advantageous decision may increase the allowance or direct that a new award be made. A less advantageous decision may reduce the allowance or make no change to the original determination. Table 1 sets out the number of DLA appeals held by tribunal district and how many had a more advantageous outcome in the last two financial years and the period 1 April 2013 to 31 December 2013.

The average cost of a DLA appeal cannot be provided as resources within TAS are allocated across a wide range of benefit appeals and a number of variables influence the cost. Table 2 sets out the actual expenditure within TAS in each of the last three years, the total number of decisions made and the proportion of which were specific to DLA appeals.

**Table 1**

Tribunal District	1st April 2011 - 31st March 2012		1st April 2012 - 31st March 2013		1st April 2013 - 31st December 2013	
	Appeals Held <sup>1</sup>	More Advantageous	Appeals Held	More Advantageous	Appeals Held	More Advantageous
Armagh	79	23	91	31	62	14
Ballymena	190	67	214	71	216	71
Ballymoney	46	12	45	16	47	13
Banbridge	60	18	64	16	42	10
Belfast	1,197	405	1,293	436	940	323
Coleraine	170	62	162	64	139	52
Cookstown	78	35	77	22	48	18
Craigavon	247	95	280	97	184	64
Downpatrick	151	47	121	40	107	45
Dungannon	116	48	155	56	105	38
Enniskillen	128	61	164	63	105	42
Limavady	83	38	96	42	62	26
Londonderry	527	308	367	179	256	114
Magherafelt	92	41	100	46	67	19
Newry	169	56	155	61	141	33
Newtownards	263	93	240	90	199	65
Omagh	121	50	92	35	49	18
Strabane	109	52	103	30	72	29
<b>Grand Total</b>	<b>3,826</b>	<b>1,511</b>	<b>3,819</b>	<b>1,395</b>	<b>2,841</b>	<b>994</b>

**Table 2**

Period	Actual Spend	Total Number of Decisions Made	DLA Decisions Made
1st April 2011 - 31st March 2012	£5,954,000	12,562	3,826
1st April 2012 - 31st March 2013	£6,897,000	14,561	3,819
1st April 2013 - 31st December 2013 <sup>2</sup>	£5,238,000	14,147	2,841

**Footnotes:** Appeals held are final decisions at hearing and exclude adjourned appeals.

This figure is provisional and subject to the final accounts for 2013-14.

## Land Banks

**Mr F McCann** asked the Minister for Social Development to list the location of the land banks owned by his Department. (AQW 30765/11-15)

**Mr McCausland:** The location of all land banks owned by my Department as at December 2013 is detailed in the attached annex. This does not include surplus land which is not held for regeneration.

With the introduction of the Reform of Local Government from 1 April 2015 all land banks held by the Department will transfer to the relevant local council.

## Annex

### BRO

#### Description

■ 10 Castlereagh St Belfast	■ 310 Shankill Road, Belfast
■ 10 York Road	■ 312 Shankill Road, Belfast
■ 102 Mayo Street	■ 35-55 Carrs Glen Park
■ 118-120 Antrim Road Belfast	■ 36-38 Oldpark Rd
■ 12 York Road, Belfast	■ 42-44 Old Park Road
■ 12-14 Castlereagh St	■ 42-48 Shankill Rd
■ 130-138 Castlereagh St & Clan	■ 44-50 Carrs Glen Park
■ 136-152 Beersbridge Road	■ 50-55 York Road, Plot B
■ 139/141 Albertbridge Road	■ 50-58 York Rd Belfast
■ 14 York Road	■ 519 Falls Road
■ 141 Shankill Rd	■ 52/56 Clandeboye Street
■ 143-145 Shankill Rd	■ 57-63, Templemore Ave
■ 15-15A Greenland St Belfast	■ 61-63 Donegall Pass
■ 155/157 N/Ards Road	■ 8 Castlereagh Street
■ 16/18 Castlereagh St	■ 9-11 Welland Street
■ 183-191 Beersbridge Rd	■ 970-976 Shore Rd
■ 184 North Queen St Belfast	■ 98/98A Templemore Ave
■ 1A Stormount Lane Belfast	■ Ainsworth Community Centre
■ 2 Connswater St	■ Alessie Car Park
■ 2,4 & 6 Castlereagh Street	■ Armagh House, Ormeau Road
■ 20 Oldpark Rd Belfast	■ Ballysillan Pk/Carrs Glen Pk
■ 20/24 Castlereagh St Belfast	■ Beresford St., Belfast
■ 211-217 Beersbridge Rd	■ Bogtown Glen
■ 22-28, 40 Old Park Road	■ Colin Way
■ 232 Newtownards Road	■ Community Garden Poleglass
■ 25 Rydalmere St Belfast	■ Cooke St/River Terrace Belfast
■ 2-6 Bellevue St & 1A Sugerfield	■ Craven St Youth Club
■ 269 Albertbridge Road	■ Derelict Building Shankill Rd
■ 273 Albertbridge Road	■ Derprob Bd 93-107 Shankill Rd
■ 275 Albertbridge Rd Belfast	■ Former Nicholl Engineering
■ 277 Albertbridge Rd Belfast	■ Land Adjacent To Old Colin Woo
■ 279 Albertbridge Rd	■ Land Adjoining Dairy Farm
■ 28 Duncairn Gardens	■ Land At 1-3 Bellevue St Bfast
■ 284 - 296 Shankill Road	■ Land At 294-296 Crumlin Rd
■ 286-294 Shankill Rd	■ Land At 294-296 Crumlin Road
■ 2A Adam St Belfast	■ Land At 52-126 Ormeau Rd
■ 3 Stormount Lane	■ Land At Alliance Crescent
■ 301-303 Donegall Road	■ Land At Alliance Rd / Glenbryn
■ 30-34 Oldpark Rd Belfast	■ Land At Ballysillan Park
■ 308 Shankill Road, Belfast	■ Land At Denmark St

- Land At Denmark St, Belfast
- Land At Meadowbank
- Land At North Howard Link
- Laural Glen Shops
- Merkland Place / Cupar Way
- Paisley Park
- Pani Site Springfield Parade
- Property 128-138 Peters Hill
- Ravenhill Reach
- Roe Street, Belfast
- Sites A&B Springfield Rd
- Sites C&D Springfield Rd
- Springfield Dam
- St Mary's Gardens
- Stewartstown Road
- Trading Kiosk Castle Place
- Woodvale Campus Site

**BCCRD****Description**

- 109-113 Royal Avenue
- 23-25 Donegall Street
- 38 Bank St
- 42 Waring Street
- 46-50 Kent Street
- BANK SQUARE, BELFAST
- Blackstaff Square Belfast
- Corporation Square
- Custom House Square Open Space
- Donegall Quay - Open Space Ame
- Donegall Quay (Hanover Quay)
- GIRDWOOD ARMY BARRACKS
- GIRDWOOD ARMY BASE
- Gordon Street Open Space
- Lagan - Look Out Amenity
- LAND AT MILLFIELD
- LAND AT SAMUEL STREET
- Lanyon Place Plot 1
- Little Patrick Street
- NORTHSIDE VESTING
- Queens Quay I
- Queens Quay II
- Ravenhill Reach Amenity
- Station Street/Queens Quay
- Tomb Street
- Waring St Open Space
- Writers Square Belfast

**RDO****Description**

- 11 Market Square, D'gannon
- 34 Union Place, D'gannon
- Car Park, Coleraine
- Car Park, Cornmill
- Development Site Ulster Bar Corner
- Footpath Main Street, Clogher
- Forkhill
- Grovenor Military Barracks
- Land At Lakeview Road
- Linenhall St Ballymoney
- Main St, Carrickmore
- Main Street, Belleek
- North St Newry
- Old Customs Post, Tullyhommon
- Plumbridge, Co Tyrone
- Queens Parade
- Roadway, Stewartstown
- Rodgers Quay, Carrickfergus
- The Diamond, Castlederg
- Tullyhommon
- Upper North St, Carrick
- Vennel Car Park, Bangor

**NWDO****Description**

- Canal St / Dock St Strabane
- City Hotel Site
- Clondermot Site
- Clooney L/Derry
- Fort George
- Galliagh Linear Park
- Gateway Site Strabane
- Land At Foyle Embankment Drd-D
- Land At Jacqueline Way
- Newmarket St Londonderry
- Spencer Road Car Park
- Spencer Road/Lower Fountain Hi
- St Augustine's Site
- William Street

**Housing Executive: Vacant Properties**

**Mr F McCann** asked the Minister for Social Development to detail the number of Housing Executive properties in each constituency that are vacant due to new tenant repairs not being carried out.

**(AQW 30766/11-15)**

**Mr McCausland:** The information is not available in the format requested because the Housing Executive does not routinely collate information by Parliamentary constituency. However, the table below details the vacant properties by Housing Executive District Office area that are void because they are awaiting change of tenancy repairs.

<b>Local Office</b>	<b>Change of Tenancy Repairs</b>
North Belfast	16
South & East	20
West Belfast	10
Shankill	19
Bangor	0
Newtownards	7
Castlereagh	12
Lisburn Antrim Street	13
Lisburn Dairy Farm	3
Downpatrick	5
Newry	8
Banbridge	3
Armagh	12
Lurgan	7
Portadown	3
Dungannon	2
Fermanagh	1
Omagh	4
Cookstown	0
Antrim	5
Newtownabbey 1	8
Newtownabbey 2	8
Ballymena	1
Carrickfergus	9
Larne	1
Magherafelt	4
Ballycastle	5
Ballymoney	2
Coleraine	0
Limavady	0
Waterloo Place	0
Waterside	7
Collon Terrace	0
Strabane	9
<b>NI Total</b>	<b>204</b>

The Information provided in this response is governed by the Principles and Protocols of the Code of Practice for Official Statistics. This is enforced by UK Statistics Authority.

## Double Glazing

**Mr Campbell** asked the Minister for Social Development how many Housing Executive dwellings in the East Londonderry constituency does he estimate will have had double glazing work commenced and completed by the end of the 2015 financial year.

**(AQW 30824/11-15)**

**Mr McCausland:** As I indicated in my response to AQW 30044/11-15 the following schemes are in the Housing Executive's double glazing programme for 2014/15:

- Greysteel 110 dwellings
- Kennaught/Roe Mill 159 dwellings
- Coleraine 304 dwellings

It is the Housing Executive's intention to have these completed by the end of March 2015 in line with the commitment in the Programme for Government.

## Double Glazing

**Mr Easton** asked the Minister for Social Development to outline the timescale for the installation of double glazing in Housing Executive properties in (i) Kilcooley; (ii) Bloomfield; and (iii) Rathgill.

**(AQW 30844/11-15)**

**Mr McCausland:** The Housing Executive has advised that double glazing schemes are programmed in the above estates as follows:-

- Kilcooley 140 dwellings
- Bloomfield 1 dwelling \*
- Rathgill 35 dwellings

All of these properties are included in Phase 1 of the Bangor double glazing mop-up schemes which are likely to commence in the autumn.

\* **Note:** Bloomfield estate already has double glazing except for one dwelling which was a previous refusal and the bungalows which are being transferred to Oaklee Housing Association.

## Housing Executive: Insulation

**Mr Easton** asked the Minister for Social Development for an update on the 20 properties that require replacement insulation in Jubilee and Bloomfield estates in Bangor.

**(AQW 30845/11-15)**

**Mr McCausland:** The Housing Executive has advised that this scheme for 18 dwellings is currently going through the necessary approvals process and, if approved, is programmed to start on site in July 2014.

The works will consist of removing the existing blown fibre insulation and installing new bead insulation. Roof space insulation will also be upgraded to current standards. There are also other ancillary works which are house specific. Tenants will be informed of maintaining proper heating and ventilation and a follow up monitoring of the completed scheme is anticipated to gauge the success of the project.

## Freedom of Information Request DSD/2011-0148

**Mr Allister** asked the Minister for Social Development why FOI Request DSD/2011-0148, which was lodged on 15 August 2011, was not answered until 6 February 2014.

**(AQW 30890/11-15)**

**Mr McCausland:** There has been a regrettable delay in replying to FOI request DSD/2011-0148, I would however advise the member that the information has now been provided.

## Insulation: Consultants' Fees

**Mr Easton** asked the Minister for Social Development how much money has been spent on consultants for the 20 houses identified in the Jubilee and Bloomfield areas of Bangor as having defective insulation.

**(AQW 30899/11-15)**

**Mr McCausland:** The Housing Executive has advised that they have spent £3,458 + VAT to date on Consultants fees.

## Warm Homes Scheme

**Mr Campbell** asked the Minister for Social Development, pursuant to AQW 30215/11-15, what was the total estimated cost, in each category of expenditure, of the Warm Home Scheme measures for (i) 01 November 2009 to 31 October 2010; and (ii) 01 November 2010 to 31 October 2011.

**(AQW 30955/11-15)**

**Mr McCausland:** The table below details the Warm Homes Scheme interventions and costs in the Coleraine Borough Council from 1 November 2009 to 31 October 2011.

### Warm Homes Scheme

Intervention	01/11/09 to 31/10/10		01/11/10 to 31/10/11		Totals	
Insulation	318	£182,016	259	£147,600	577	£329,616
Heating	3	£13,923	25	£117,690	28	£131,613
Combined	17	£101,363	22	£103,448	39	£204,811
<b>Totals</b>	<b>338</b>	<b>£297,302</b>	<b>306</b>	<b>£368,738</b>	<b>644</b>	<b>£666,040</b>

The Information provided in this response is governed by the Principles and Protocols of the Code of Practice for Official Statistics. This is enforced by UK Statistics Authority.

## Departmental Bank Accounts

**Mr Allister** asked the Minister for Social Development to detail (i) any departmental bank accounts that have been inactive for twelve months or more; (ii) the reason they are inactive; and (iii) the balance of each account.

**(AQW 30979/11-15)**

**Mr McCausland:** There are six Departmental bank accounts that have been inactive for twelve months or more. These accounts were opened in 2011-12 for the implementation of the new Central Payment System which is the payment and accounting system for social security benefit expenditure. However the accounts were subsequently not required and four of the accounts have been re-used in preparation for new benefits expected to be implemented under Welfare Reform. The NI Welfare Reform Bill is currently making its passage through the NI Assembly.

The other two bank accounts are maintained to accommodate any future banking requirements that may arise within the Department.

The balance on all the current inactive bank accounts is nil.

## Committee for Social Development: Ministerial Appearances

**Mr Nesbitt** asked the Minister for Social Development how many times he has appeared before his Department's Statutory Assembly Committee in each of the last five years.

**(AQW 31000/11-15)**

**Mr McCausland:** I was appointed Minister for Social Development on 16 May 2011.

The table below outlines the number of occasions that I have appeared before the Social Development Committee.

Year	Number of occasions
2011	2
2012	2
2013	6
2014	0

## Housing: People with Mental Health Issues

**Mrs D Kelly** asked the Minister for Social Development how his Department is responding to the housing needs of people with mental health issues.

**(AQW 31010/11-15)**

**Mr McCausland:** My Department responds to the housing needs of people with mental health issues as follows: -

### Supporting People provision: -

The Supporting People programme funds housing support services for over 1,400 people with mental health issues:

- 106 accommodation based services and
- 10 floating support services.

The 2013-14 budget for existing services is £11.7m.

**Supported Living: -**

Supported living (over 1,100 units) is generally provided in shared or self-contained accommodation, either on a single site, in 'clusters' or on a dispersed basis. The supported accommodation schemes also vary in size from small unit size to over 25 units. Over half comprise 10 units or less.

In addition to the varying size of schemes, services also differ in the range and type of support they offer. Some provide a continuum of support from more intensive support for people with more complex mental health needs, to lower level support associated with move-on accommodation provided on site, in preparation for living in their own homes in the community.

**Floating Support: -**

The ten floating support services provide a service to over 300 clients at any one time. Floating support helps people to move on from supported accommodation as well as assisting others living in their own homes to maintain their existing independent living arrangements.

The majority of services for people with mental health issues are delivered by the voluntary and community sector.

**New service developments: -**

In line with addressing future needs as well as the government targets for discharge from long term hospitals, a number of planned service developments are in the pipeline for becoming operational in 2014-15, thus increasing housing support provision for people with mental health issues across Northern Ireland. These include three new accommodation schemes (comprising 30 units) as well as the extension to or remodelling of existing schemes.

**Double Glazing**

**Mr G Robinson** asked the Minister for Social Development when the PVC window replacement scheme for Bonnanaboigh, Limavady will be completed.

**(AQW 31015/11-15)**

**Mr McCausland:** The Housing Executive has advised that Bonnanaboigh is one of three double glazing schemes in the East Londonderry constituency which are programmed for 2014/15. The Housing Executive will be firming up the programme for these schemes with the contractor in the next month. Whilst it is not possible to be definitive about the start date at present, it is intended that the schemes – including Bonnanaboigh - will be started and completed by the end of March 2015 in line with the commitment in the Programme for Government.

**Housing Associations: Newbuilds**

**Mr Campbell** asked the Minister for Social Development how many Housing Associations he estimates will be engaged in the construction of new build accommodation during the 2014-15 financial year.

**(AQW 31159/11-15)**

**Mr McCausland:** Thirteen Housing Associations have committed to participate in the delivery of the Social Housing Development Programme in the 2014/15 financial year.

**Guardian's Allowance**

**Mr P Ramsey** asked the Minister for Social Development how many people are currently in receipt of Guardians Allowance; and whether he plans to direct the Social Security Agency's Benefit Entitlement Unit to undertake a campaign of awareness in relation to this benefit, particularly for kinship carers

**(AQW 31183/11-15)**

**Mr McCausland:** I am unable to confirm the number of people currently in receipt of Guardian's Allowance as it is administered by HM Revenue & Customs.

The Social Security Agency's Improving Benefit Uptake team, formally known as the Benefit Entitlement Unit, offers full and confidential benefit checks to assess entitlement to all social security benefits and also to a range of wider benefits, services and supports. Whilst awareness on HMRC allowances is undertaken nationally by HMRC, the Social Security Agency's Improving Benefit Uptake team will signpost claimants accordingly.

**Review of Public Administration: Independent Advice Services**

**Mrs D Kelly** asked the Minister for Social Development what arrangements are in place to ensure the appropriate level of funding for independent advice services will be available after the establishment of new councils under the Review of Public Administration.

**(AQW 31191/11-15)**

**Mr McCausland:** My Department currently funds independent advice services in a partnership arrangement with local councils, through the Community Support Programme (CSP). Under this arrangement my Department provides funding to each of the 26 local councils which in turn add their own funding and take responsibility for commissioning independent advice services in their local areas.

From April 2015, under arrangements for the Reform of Local Government, the 11 new councils will have a duty to make arrangements for community planning in their areas. From April 2015 my Department's funding under the Community Support Programme funding will transfer to the 11 new councils and it will for each council to determine advice provision needs for their areas, having regard to guidance issued by my Department.

### Boiler Replacement Scheme

**Mr McMullan** asked the Minister for Social Development whether he will include back boilers in the Boiler Replacement Scheme as an alternative for people who live in areas not served by natural gas.

**(AQW 31220/11-15)**

**Mr McCausland:** The Boiler Replacement Scheme was designed to improve the energy efficiency of people's homes. The scheme upgrades existing inefficient boilers in central heating systems (i.e. oil, natural gas, LPG) and not solid fuel systems. The current scheme replaces old boilers that have been operational for over fifteen years with a new 'A' rated condensing boiler which on average improves the energy efficiency of a person's home by up to 30%. Solid Fuel back boilers cannot have their operating efficiency increased and therefore, they were not included in the scheme.

### Housing Repossessions Task Force

**Mr Rogers** asked the Minister for Social Development, given that the Housing Repossessions Taskforce will not report until June 2014, what interim measures his Department is taking to ensure that there is a unified and transparent approach from lenders to provide homeowners with every opportunity to remain in their homes.

**(AQW 31234/11-15)**

**Mr McCausland:** I established the Housing Repossessions Taskforce in February 2014 to investigate the issue of negative equity and repossessions in Northern Ireland. The Taskforce is due to produce an initial research report detailing the extent and nature of the repossessions issue in Northern Ireland by the end of June 2014. Outcomes from this research will then inform the future work of the Taskforce in making evidence-based recommendations for potential mitigating actions by the end of this year.

It is imperative that homeowners facing repossession have every opportunity to remain in their homes. A representative from the Council for Mortgage Lenders sits on the Taskforce, and I have no doubt that there will be opportunity to examine the role lenders have to play in tackling the issue of repossessions.

Anyone who thinks they are in danger of losing their home due to debt secured on it should seek advice immediately. My Department funds the Mortgage Debt Advice Service, operated by Housing Rights Service, to help those experiencing difficulty making mortgage payments; it can be contacted on 0300 323 0310.

### Shared Neighbourhoods

**Mr Lyttle** asked the Minister for Social Development to detail the definition of a shared neighbourhood; and what is the target date for the delivery of the Together: Building a United Community objective of ten shared neighbourhoods.

**(AQW 31236/11-15)**

**Mr McCausland:** As my colleagues the First and Deputy First Minister outlined to the member in their response to AQW 30621/11-15, the definition of a Shared Neighbourhood is one where a multitude of different traditions live peacefully side by side.

My Department are preparing proposals to meet the objective of ten shared neighbourhoods. I expect the development of these major capital investment projects to take several years to bring to delivery.

### Community Support Programme

**Mr B McCrea** asked the Minister for Social Development whether he has made the decision to stop funding provision for advice services under the Community Support Programme; and whether money had been ring-fenced for this service.

**(AQW 31278/11-15)**

**Mr McCausland:** I have not taken a decision to stop funding provision for advice services under the Community Support Programme (CSP). My Department currently funds independent advice services in a partnership arrangement with local councils, through the CSP. Under this arrangement my Department provides ring-fenced funding to each of the 26 local councils, which in turn add their own funding and take responsibility for commissioning independent advice services in their local areas.

From April 2015, under arrangements for the Reform of Local Government, the 11 new councils will be responsible for community planning in their areas and my Department's funding under the CSP will transfer to the 11 new councils. It will be for each council to determine advice provision for their areas, having regard to guidance issued by my Department.

## Universal Credit: Online Service

**Mr Copeland** asked the Minister for Social Development when a final Universal Credit IT solution will be available.  
(AQO 5616/11-15)

**Mr McCausland:** The Department for Work and Pensions is further developing the work started by the Government Digital Services to test and implement an enhanced online digital service, which will be capable of delivering the full scope of Universal Credit and make provision for all claimant types.

The Department for Work and Pensions announced on 5 December 2013 that the current planning assumption is that the Universal Credit service will be fully available in Great Britain during 2016.

## Welfare Reform: Voluntary Sector

**Mr Weir** asked the Minister for Social Development whether he has taken account of the issues identified by the voluntary sector and advice sector when drawing up his package of Welfare Reform flexibilities.  
(AQO 5617/11-15)

**Mr McCausland:** Since coming into office in May 2011, I have been listening to the concerns about welfare reform expressed not only by the voluntary and advice sector but by Executive colleagues and a large number of individuals who have written to me on this issue. The outcome of this is that I have developed a package of measures which potentially deals with many of these concerns and which will not only help simplify the social security system but more importantly it will involve measures which protect the most vulnerable in our society.

I hope this package will be seen as significantly addressing the key concerns around welfare reform and will enable Executive colleagues to agree that the Welfare Reform Bill move to Consideration Stage in the Assembly.

## Shared Housing

**Mr Dickson** asked the Minister for Social Development what discussions he has had with the Office of the First Minister and deputy First Minister regarding the shared housing objectives under Together: Building a United Community.  
(AQO 5618/11-15)

**Mr McCausland:** As a Member of the Ministerial Panel for the Together: Building a United Community Strategy, I attended the inaugural meeting of this group on 16 December 2013. This group will meet on a quarterly basis and will set objectives and actions plans; assign resources and targets; and monitor progress to ensure Departmental policies are achieving the objectives of the Strategy, including the shared housing objectives.

Furthermore, from May to November 2013 my officials participated in a number of planning meetings with OFMdFM and other Departments to develop the proposals/objectives for the Together: Building a United Community Strategy.

In December 2013 the Good Relations Project Board, comprising officials from all Departments advancing Headline Actions under the Strategy, was established. This group will provide advice to the Ministerial Panel on the effective use of resources and questions of policy and report on delivery and performance against the range of actions and commitments within the Strategy.

## Housing Executive: Gas Installation

**Mr G Robinson** asked the Minister for Social Development to outline any plans the Northern Ireland Housing Executive has for gas installation projects in East Londonderry in the 2014/15 financial year.  
(AQO 5619/11-15)

**Mr McCausland:** The Housing executive has advised that there are three gas installation schemes planned for East Londonderry in their 2014/15 heating programme as follows:-

- 146 dwellings in Coleraine Phase 1
- 130 dwellings in Coleraine Phase 2 and
- 125 dwellings in Limavady.

## Welfare Reform: Underoccupancy Penalty

**Mr D Bradley** asked the Minister for Social Development what assurances he can give that the under-occupancy penalty will not be implemented as part of Welfare Reform.  
(AQO 5620/11-15)

**Mr McCausland:** None. Until the Executive gives me clearance to do so, I am unable to give any assurances.

## Universal Credit: Pathfinder

**Mr Cree** asked the Minister for Social Development for his assessment of the findings of Pathfinder Pilot projects in Great Britain.

**(AQO 5621/11-15)**

**Mr McCausland:** The Department for Work and Pensions Universal Credit Pathfinder has been designed to test the ICT, the claimant experience and inform the ongoing development of systems before further expansion.

I am not in a position to provide an assessment of the Pathfinder as any evaluation by the Department for Work and Pensions is based on a very limited sample of potential claimants.

My officials are engaged at a number of levels with the Department for Work and Pensions to ensure that Northern Ireland is aware of progress with the ongoing development of the system and any learning from the operation of the Pathfinder. This is informing decisions as to when the system will go live in Northern Ireland.

## Disabled Facilities Grant

**Mrs McKeivitt** asked the Minister for Social Development for his assessment of the demand for the Disabled Facilities Grant.

**(AQO 5622/11-15)**

**Mr McCausland:** The Member will be aware that this is a mandatory grant which provides help to carry out essential property adaptations to enable disabled people to remain in their own homes. Eligibility is based on a recommendation from the relevant Occupational Therapist that the proposed adaptations are essential to meet the needs of the disabled person.

It is clear that demand for this grant remains high, taking into account that, between January 2011 and December 2013, the Housing Executive issued 6,380 schedules of works for Disabled Facilities Grants and approved almost £34.7m in Disabled Facilities Grant aid.

## Housing: Co-ownership

**Mr Ó hOisín** asked the Minister for Social Development how much funding has been allocated to Co-ownership housing since May 2011.

**(AQO 5623/11-15)**

**Mr McCausland:** The recent economic downturn has generated a number of difficulties for buyers and sellers within the housing market in Northern Ireland and providing assistance to help overcome these difficulties remains a high priority for me.

In conjunction with private finance resources, funding from my Department has allowed Co-Ownership to support the purchase of many affordable homes; helping to meet the aspirations of those seeking to be homeowners but who cannot do so without the assistance the Co-Ownership Scheme brings.

The funding allocated to the Northern Ireland Co-ownership Housing Association since 2011 is as follows:

- 2011/12      £28.25m
- 2012/13      £33m
- 2013/14      £50m

## Housing: Private Rented Sector

**Mr Brady** asked the Minister for Social Development to outline his commitment, as contained in the Facing the Future Housing Strategy Action Plan, to review the regulation of the private rented sector.

**(AQO 5624/11-15)**

**Mr McCausland:** The Housing Strategy contains a commitment to review private rented sector regulation during 2014/15, consult on proposals and to implement any agreed proposals during 2016/17.

I want to focus on improving the regulatory framework in a targeted way which makes the private rented sector a more attractive housing option. The review will be comprehensive and will consider all current regulation contained in the Private Tenancies Order 2006 and 1978 Rent Order. Initiatives introduced and proposals being considered in other jurisdictions will also form part of this review, for example, licensing of private landlords and letting agent practice.

## Alcohol: Voluntary Code for Licensed Premises

**Mrs Cameron** asked the Minister for Social Development, in light of the recent emergency incident at the Odyssey arena, for his assessment of the voluntary code for licensed premises.

**(AQO 5625/11-15)**

**Mr McCausland:** As Social Development Minister, I am concerned about irresponsible drinking and drunken behaviour and the negative impact this has on our society. Under the Licensing (Northern Ireland) Order 1996 it is an offence to sell or supply alcohol to anyone under the age of 18. Enforcement of this law is the responsibility of the PSNI. As I understand

it many of the young people attending the recent incident at the Odyssey arena were intoxicated on arrival and were not permitted to enter the venue. It is unclear at this stage where they obtained the alcohol.

Since coming into effect on the 1 September 2012, the Joint Industry Code for the Responsible Promotion and Retail of Alcohol in Northern Ireland (the Code) has been seeking to ensure that the sale and promotion of alcohol is done in a way that promotes responsible consumption.

Following the publication of the first annual report on the Code in November, I am encouraged by the response towards the Code and am satisfied that the role played by the Independent Complaints Panel provides a valuable mechanism for monitoring performance and ensuring compliance.

My Department will be continuing to monitor how the Code is operating and, if I feel it has not been effective in addressing what it set out to do, I reserve the right to bring in legislation.

The Code can only go so far in tackling alcohol misuse. In particular it does not seek to set standards in fixing the selling price of any alcohol product. To this end, I am continuing to work with my colleague, the Minister for Health, to consider a minimum unit price for alcohol. Research is ongoing and it is anticipated that it will be completed within the next few months. This research will help inform future decisions on how price controls can assist in tackling alcohol harm.

### **Social Housing: Strabane**

**Mr Byrne** asked the Minister for Social Development to outline his plans to address the shortage of social housing in Strabane.

**(AQO 5626/11-15)**

**Mr McCausland:** The Housing Executive has identified a five-year projected need for 29 social housing units across the Strabane District Council area as follows:

- Strabane town: 20 units
- Sion Mills 5 units
- Ballymagorry: 4 units

However, as sites have been difficult to source, there are no social housing units currently programmed for these areas in the Social Housing Development Programme for 2014/15 – 2016/17. To publicise the need for land in these locations, they are all listed on the Unmet Housing Need Prospectus – the Housing Executive's publication which outlines areas of housing need and which encourages Housing Associations to identify suitable sites within these areas to address the identified need.

The Housing Executive is also currently examining the potential for any land which it owns that could be used to meet housing need across the Strabane Council area.

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# Northern Ireland Assembly

Friday 7 March 2014

## Written Answers to Questions

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

#### National Crime Agency

**Mr Elliott** asked the First Minister and deputy First Minister what discussions they have had with (i) the Home Office; and (ii) the Minister of Justice regarding a fully operational National Crime Agency in Northern Ireland.  
(AQW 23199/11-15)

**Mr P Robinson and Mr M McGuinness (The First Minister and deputy First Minister):** Responsibility for the National Crime Agency lies with the Department of Justice.

- (i) We have had no discussions with the Home Office regarding the National Crime Agency.
- (ii) The Minister for Justice has updated the Executive regularly on the issue.

#### Red Sky: Meetings

**Mr Copeland** asked the First Minister and deputy First Minister to detail the meetings which the First Minister has had with Red Sky, including the dates of these meetings.  
(AQW 25114/11-15)

**Mr P Robinson and Mr M McGuinness:** The First Minister acting in a Ministerial capacity has had no meetings with Red Sky.

#### Planning Bill: Amendments

**Mr Agnew** asked the First Minister and deputy First Minister whether their Department provided any help, advice, assistance, research or support in the preparation of the amendments proposed by Cathal Boylan MLA and Peter Weir MLA to the Planning Bill (Bill 17/11-15); and if so, to provide further details.  
(AQW 27705/11-15)

**Mr P Robinson and Mr M McGuinness:** As would be expected, the Department provided advice to the First Minister and deputy First Minister regarding potential amendments to the Planning Bill.

#### Cooperative and Social Enterprise Hub

**Mr Eastwood** asked the First Minister and deputy First Minister, pursuant to AQW 27435/11-15, why the Co-operative and Social Enterprise Hub was not established by September 2012, as detailed in the One Plan.  
(AQW 27804/11-15)

**Mr P Robinson and Mr M McGuinness:** The Cooperative and Social Enterprise Hub was not established at September 2012 as the sponsoring organisations agreed to await the outcome of a Department of Enterprise, Trade and Investment review of delivering social economy projects. Following this, one of the Delivering Social Change Signature Programmes, announced by us on 10 October 2012, will see the Department for Social Development along with the Department of Enterprise, Trade and Investment take forward the development of up to 11 Social Enterprise Incubation Hubs.

It is proposed that the Derry-Londonderry hub will be across 3 locations with the admin base at The Diamond and the retail bases at 27 Ferryquay Street and 19 Carlisle Road.

Leases have been agreed for the premises that will be used for the hubs, and on 15 January 2014 contracts were awarded to local delivery agents to deliver the social enterprise incubation programme across 8 of the 9 Social Investment zones.

#### Childcare

**Mr Agnew** asked the First Minister and deputy First Minister for their assessment of (i) the total number of financially supported childcare places that are required locally; (ii) the number of places that the Government is currently supporting; (iii)

a forecast of the number that will be required locally in each of the next 3 years; and (iv) to detail the number of places that they intend to support in each of the next 3 years.

**(AQW 29505/11-15)**

**Mr P Robinson and Mr M McGuinness:**

(i) The number of financially supported childcare places required locally will vary at any given time as it is affected by a range of factors including employment levels, the availability of registered childcare services, and the affordability of childcare services. We have therefore not estimated the number of financially supported childcare places required. Instead, research to date has focused on identifying the types of childcare services where more provision is required and the barriers to using childcare services.

(ii) At present, Government mainly supports registered childcare places indirectly by (a) financially assisting parents to purchase childcare services, eg through the childcare element of Working Tax Credit or (b) by financially assisting childcare providers to sustain their services.

Health and Social Care Trusts fund a number of childcare places for children in need within their locality. The length of time a Trust may fund such a place can vary from a matter of days up to a year. In the year ending 31 March 2013, 765 places were funded by Health and Social Care Trusts in day care facilities.

(iii) We have not estimated the number of places that might be required locally in each of the next 3 years. However, we have identified rural childcare services and school age childcare as categories where additional provision is required. On account of this, the Bright Start key first actions aim to sustain existing school age childcare places, create new school age childcare provision (including in rural areas) and increase childminding provision in rural areas.

(iv) Over a three and a half year period beginning 2014/15, the key first actions of the first phase of the Bright Start Childcare Strategy aim to sustain or create up to 8,000 registered childcare places, the majority of which (up to 7,000) will be school age childcare places. These key first actions and their performance will be kept under review and adapted or extended based on evidence of need. Additional actions will also be considered.

### **Urban Villages: Definition**

**Mr Lyttle** asked the First Minister and deputy First Minister for their definition of an urban village; and how it will address sectarianism and division.

**(AQW 30619/11-15)**

**Mr P Robinson and Mr M McGuinness:** The definition of an Urban Village was articulated in our announcement of 9 May 2013. It is a concept around increasing social capital within and between communities through tackling dereliction and blight and improving sense of community. The levels of social capital within communities have a direct impact on community confidence, stability and intra and inter community relationships. It is therefore critical in building better community relations.

### **Shared Neighbourhoods: Definition**

**Mr Lyttle** asked the First Minister and deputy First Minister for their definition of a shared neighbourhood; and what is the target date for the delivery of the Together: Building a United Community objective of ten shared neighbourhoods.

**(AQW 30621/11-15)**

**Mr P Robinson and Mr M McGuinness:** The definition of a Shared Neighbourhood is one where a multitude of different traditions live peacefully in the same neighbourhood.

The Department for Social Development is taking the lead on this T:BUC signature project and proposals have been developed. Work is continuing to develop these further and to implement.

### **UN Committee on the Elimination of Racial Discrimination**

**Mr Lyttle** asked the First Minister and deputy First Minister what action they have taken in response to the UN Committee on the Elimination of Racial Discrimination recommendation to take targeted measures to ensure equal access for Roma people to education, employment, healthcare, housing and public utilities.

**(AQW 31213/11-15)**

**Mr P Robinson and Mr M McGuinness:** All policies with regard to minority ethnic people are managed through the overarching Racial Equality Strategy. Currently, due to go to consultation in Spring 2014, the new Racial Equality Strategy reflects our strong commitment to the mainstreaming and promotion of racial equality and good race relations. There is a responsibility on all departments to ensure equal access for Roma people and other ethnic groups to their services.

OFMDFM's Racial Equality Unit will continue to work with relevant departments and the Racial Equality Panel to identify measures that should be taken to achieve the Strategy objectives.

## Departmental Bank Accounts

**Mr Allister** asked the First Minister and deputy First Minister to detail (i) any departmental bank accounts that have been inactive for twelve months or more; (ii) the reason they are inactive; and (iii) the balance of each account.

**(AQW 31242/11-15)**

**Mr P Robinson and Mr M McGuinness:** There are no departmental bank accounts that have been inactive for twelve months or more.

## Older People: Equality Legislation

**Mr McKinney** asked the First Minister and deputy First Minister for an update on equality legislation for older people.

**(AQW 31259/11-15)**

**Mr P Robinson and Mr M McGuinness:** We are currently considering the scope of the legislation and the implications of the various options available to us for taking this forward.

## Racial Equality Strategy: Cancelled Briefing

**Ms Lo** asked the First Minister and deputy First Minister (i) why Departmental officials cancelled a briefing scheduled for 12 February 2014, on the draft Racial Equality Strategy, with the Committee for the Office of the First Minister and deputy First Minister; (ii) when this briefing will be rescheduled; and (iii) when the draft strategy will be open to public consultation.

**(AQW 31273/11-15)**

**Mr P Robinson and Mr M McGuinness:** The briefing by Departmental officials to the Committee was postponed until 26 February as some aspects of the draft consultation document were still under consideration within the Department.

It is anticipated that the 12-week public consultation will commence in Spring 2014.

## St Lucia Barracks Site

**Mr Hussey** asked the First Minister and deputy First Minister whether they are negotiating the release of St Lucia Barracks, Omagh, to the Executive.

**(AQO 5603/11-15)**

**Mr P Robinson and Mr M McGuinness:** Officials in the Department have had ongoing informal contact with the Ministry of Defence on the subject of the historic buildings at St Lucia Barracks. However, it is our understanding that the legal impediments to the transfer of the Barracks to any other organisation have not yet been fully resolved. The Ministry of Defence has not formally advised us of the availability of the historic buildings within the St Lucia site.

We recognise that the historic buildings have a significance for the town of Omagh. However, in the current financial circumstances we need to ensure that any future use of these buildings is affordable and sustainable and that they would not be a drain on the Executive's resources. To that end, officials continue to liaise with the Department for Social Development and with Omagh District Council on potential uses for the site as a whole.

We welcome the commencement of site preparation work at the adjacent Lisanelly property. The plans for, and future needs of, the Lisanelly schools campus will be a consideration when planning for the future of the area as a whole.

## Good Relations Indicators

**Mr McCarthy** asked the First Minister and deputy First Minister for an update on the commitment in Together: Building a United Community to review and consult on revised Good Relations Indicators.

**(AQO 5605/11-15)**

**Mr P Robinson and Mr M McGuinness:** In May last year, we published Together: Building a United Community, the Executive's Strategic Framework for continuing to improve good relations in our community. One of the commitments in the Strategy is to review the good relations indicators.

The review of the indicators began last year following the publication of the Strategy. An Advisory Group was set up in June 2013 with representatives from a wide range of stakeholders. In consultation with this Advisory Group, a draft set of indicators has been developed.

This revised set of Good Relations Indicators is now out for public consultation. The consultation period began on 22 January and will finish on 15 March 2014.

Our officials provided an update on progress on the indicators to the OFMDFM Committee at its meeting on 12 February.

This shows clearly that we are progressing on this commitment in the Strategy and we look forward to reviewing the feedback we receive following consultation.

## January Monitoring: Capital Funds

**Mr Maskey** asked the First Minister and deputy First Minister to outline the additional capital funding allocated to their Department in the January Monitoring Round.

**(AQO 5606/11-15)**

**Mr P Robinson and Mr M McGuinness:** In the January Monitoring Round, the Executive agreed an additional capital allocation of £25 million to the Department. This is a specific category of capital which is available to us as Financial Transactions Capital. It is in addition to, and separate from, the normal Capital budget. This funding is ring-fenced by HM Treasury and can only be used for loan or equity investment.

In this case, the £25 million Financial Transactions Capital will be passed by the Department to the Strategic Investment Board, which will make a loan to the University of Ulster as part of the Board's remit to assist in the carrying out of capital projects. A further loan of £10 million of Financial Transactions Capital will be made in the next financial year to the University of Ulster to make £35 million in total.

The Financial Transactions Capital loan to the University of Ulster is specifically for the Greater Belfast Development scheme. This will help to ensure that this major regeneration scheme takes place. Other funding will come from additional borrowing, the University's own reserves and as grant funding from the Department for Employment and Learning.

The Department for Employment and Learning, which will continue to have responsibility within the Executive for the project as a whole, does not have the statutory authority to make loans of this sort.

This allocation of Financial Transactions Capital through OFMDFM and the Strategic Investment Board is part of the essential funding package for the University's Greater Belfast Development Scheme.

## Northern Ireland Bureau

**Mr Spratt** asked the First Minister and deputy First Minister for an update on the work of the Northern Ireland Bureau in New York and Washington.

**(AQO 5607/11-15)**

**Mr P Robinson and Mr M McGuinness:** The NI Bureau is the official office of the Executive in the United States. It is staffed by 2 civil servants, who have diplomatic status, and a further 4 locally engaged staff. One member of staff is based at the British Consulate General in New York and the others are based at the Bureau's main office in downtown Washington DC.

The Bureau's primary objective is to present Northern Ireland as a confident, capable and outwardly looking region and to develop a relationship with North America that will be mutually beneficial. In fulfilment of this role, the Bureau works closely with Executive departments and agencies, such as InvestNI and Tourism Ireland, in the delivery of its programmes.

This includes working to develop a positive profile among US policy-makers and opinion-formers by ensuring that the policies of the Executive and its associated institutions are known and understood.

It also monitors policy developments in the US, ensuring that Executive Ministers and departments have up-to-date information, and are aware of opportunities for co-operation.

The Bureau pursues areas of collaboration and identifies partnerships through exchanges and encourages their development in ways that maximise mutual benefits. For example, the Bureau currently employs a Business Development Manager who is fully funded by the Agri-Food and Bio-Sciences Institute (AFBI). That post is primarily focused on promoting collaboration and commercial agreements between AFBI and the US and Canadian sector.

In the last Financial Year, for example, the Bureau successfully directed our first official visit to Brazil, which included 14 separate meetings in 3 cities. It also successfully directed a further 6 inward ministerial visits for 25 visitors. In addition to Ministerial visits, the Bureau supported a further 42 promotional events for a total of 2,541 attendees.

The Bureau continues to raise our profile in the US by providing strong advocacy for the Executive in Washington DC and New York. In both these cities the importance of face-to-face relationships with key influencers cannot be over-emphasised.

Looking to the future, the Bureau will be increasing its activities in Canada. It also hopes to expand its outreach activities to include the previously untouched community of young Irish professionals who are settling in greater numbers in New York and Washington DC.

Finally, the Bureau will also take lead responsibility for organising our visit to the West Coast and Washington DC in early March.

## Social Investment Fund: East Belfast

**Mr Douglas** asked the First Minister and deputy First Minister for an update on the projects in east Belfast that are being considered for funding through the Social Investment Fund.

**(AQO 5608/11-15)**

**Mr P Robinson and Mr M McGuinness:** On 10 February we announced that £33 million will be invested in 12 capital projects and 11 revenue projects, across all 9 zones, aimed at tackling poverty and deprivation through improved community-based services and facilities.

Within the Belfast East Zone, a £1 million capital project for the development of the derelict site on Bryson Street to provide a purpose built Community Doctor's Surgery has been approved and was included in that announcement. A letter of offer will issue to the lead partner nominated by the Belfast East Steering Group following satisfactory completion of verification and governance checks which are now taking place.

A further 4 projects prioritised by the Steering Group are being considered as part of a comprehensive appraisal process. These include 2 revenue projects aimed at economic renewal and education and early years' programmes and 2 further capital projects; one of which encompasses a number of smaller capital works aimed at increasing community services.

Funding of all projects is subject to all necessary approvals being made.

### **Emerald Fund/Emerging Europe Fund**

**Mr McGlone** asked the First Minister and deputy First Minister, following the announcement of the Emerald Fund and the Emerging Europe Fund, how many meetings they have had with representatives of these bodies.

**(AQO 5609/11-15)**

**Mr P Robinson and Mr M McGuinness:** One meeting was held with the representatives of the Emerald Fund on 19 November 2009.

### **Social Investment Fund: Northern Zone**

**Mr I McCrea** asked the First Minister and deputy First Minister for an update of the allocation of funding for the Northern Zone through the Social Investment Fund.

**(AQO 5610/11-15)**

**Mr P Robinson and Mr M McGuinness:** On 10 February we announced that £33 million will be invested in 12 capital projects and 11 revenue projects, aimed at tackling poverty and deprivation through improved community-based services and facilities. These first 23 projects have been identified as priorities by Steering Groups in each zone. Letters of offer will issue to the successful projects following completion of verification and governance checks which are now taking place.

Within the Northern Zone, a £400,000 project for the development of a community hub to house a number of community organisations is included in the first tranche of projects announced. A letter of offer will issue to the lead partner nominated by the Northern Zone Steering Group following completion of verification and governance checks which are now taking place.

A further 5 projects within the limits of affordability are being considered as part of a comprehensive appraisal process. These would address health issues, fuel poverty, transportation and education. Funding of all projects is subject to all necessary approvals being made.

### **Victims and Survivors Service**

**Mr Hussey** asked the First Minister and deputy First Minister how the Victims and Survivors Service is meeting the needs of victims and survivors.

**(AQO 5658/11-15)**

**Mr P Robinson and Mr M McGuinness:** The Victims and Survivors Service meets the needs of victims and survivors through the delivery of 2 programmes.

Firstly, the Individual Needs Programme, which delivers assistance directly to individuals. Under the Individual Needs Programme, victims and survivors can access assistance for areas of need such as chronic pain, disability support, care for carers, respite breaks and education and training.

In delivering this assistance directly to individuals, the Victims and Survivors Service also raises awareness and facilitates access to the services provided by groups funded under the second of the two programmes which is the Victims Support Programme.

The Victims Support Programme enables organisations to provide support to victims and survivors. The Victims Support Programme enables the delivery of Health and Wellbeing Services, as well as a range of Social Support services.

Following our request for an independent assessment of the Victims and Survivors Service, the Commissioner for Victims and Survivors, appointed a multi-disciplinary team of independent experts, to progress this work.

The independent assessment focused on the Individual Needs Review process along with the policy framework and any wider issues around service delivery such as communication, including interactions with both clients and groups.

On 14 February, Commissioner Stone presented us with the full assessment reports, along with her advice on the 4 main areas of work of the Victims and Survivors Service.

We have accepted this advice and the 55 recommendations contained within the reports, which will now help shape what we do and how we do it and we remain committed to progressing work on implementing the recommendations over the coming months.

The reports have been published on the OFMDFM website.

## Department of Agriculture and Rural Development

### Agrifood Loan Scheme

**Mr Swann** asked the Minister of Agriculture and Rural Development for an update on the £1m agri-loan scheme announced recently for the poultry industry.

**(AQW 30970/11-15)**

**Mrs O'Neill (The Minister of Agriculture and Rural Development):** The Agri-Food Loan Scheme was launched by the Department of Enterprise, Trade and Investment (DETI) and the Department of Finance and Personnel (DFP). The Scheme will, in first phase, be available to broiler producers with plans to include egg farmers in a later stage.

It is disappointing that the scheme was unable to open in 2013 and I hope that it will open shortly. You may wish to contact DETI directly for an update on the progress made with this scheme.

### Departmental Bank Accounts

**Mr Allister** asked the Minister of Agriculture and Rural Development to detail (i) any departmental bank accounts that have been inactive for twelve months or more; (ii) the reason they are inactive; and (iii) the balance of each account.

**(AQW 30981/11-15)**

**Mrs O'Neill:**

- (i) The Department of Agriculture and Rural Development has one bank account which has been inactive for a period of twelve months or more.
- (ii) The account had been set up as part of the Department's Year 2000 contingency arrangements.
- (iii) This account has a £nil balance.

### EU School Milk Subsidy

**Mrs Dobson** asked the Minister of Agriculture and Rural Development for her assessment of the EU School Milk Subsidy Scheme.

**(AQW 31027/11-15)**

**Mrs O'Neill:** The EU School Milk Subsidy Scheme aims to encourage the consumption of dairy products by making them available to school children at a reduced cost. I welcome this because milk and dairy products are an excellent source of nutrients. I also believe that it is good for children to develop sound eating habits at an early age. That is why, in addition to the mandatory EU subsidy, we also provide a national top-up subsidy from the Executive's budget to help reduce the cost for participating children. In 2012/13 the total EU and national subsidy paid was £319k.

I am pleased that this Scheme is available to all school children in the north of Ireland. Each of our five Education and Library Boards participates in delivery of the Scheme and as a result there is a good level of uptake by nursery, primary and special schools. Also, the delivery arrangements are efficient and economical which helps to keep these costs low. Currently pupils in the north enjoy the provision of milk at a cost of 18.8 pence per one-third pint serving compared to the 25 pence per serving charge in Britain, where Cool Milk provides a delivery service for this Scheme (charge quoted on their website).

Whilst I would like to see every school and every parent of a child at school availing of the benefits of the Scheme, I believe that the information provided above demonstrates that the Scheme is meeting its objectives within the budget available.

Also, in view of the promotional activities of the Dairy Council in the north in recent years I would have hoped that even more children would participate but, as you will appreciate, many families and children are facing challenging times.

### Fishing: Training

**Mr Hazzard** asked the Minister of Agriculture and Rural Development for an update on the future sustainability of Seafish Training.

**(AQW 31029/11-15)**

**Mrs O'Neill:** Sea Fish Industry Training Association (NI) Ltd (SFITA) is an independent training provider approved by the Seafish Industry Authority (Seafish) to deliver its training courses.

It is one of a network of Seafish Approved Training Providers that provide fishermen with access to Seafish training courses, particularly the basic safety training courses that fishermen are required to attend.

In the past Seafish provided core funding from its levy income to SFITA and other such industry-led training associations but this stopped in 2005. Since then, SFITA and other Seafish Approved Training Providers have drawn down funding from Seafish for the delivery of specific training outputs. So the funding model changed from being supply side to demand side funding.

My department has provided grants to SFITA through the European Fisheries Fund (EFF) to support training for local fishermen to participate in the Deck and Engineering Officer Course. The Fisheries Local Action Group which administers Axis 4 of the EFF has received applications recently from SFITA seeking financial support for two projects. Decisions on these applications are pending.

EFF is due to be succeeded by the European Maritime and Fisheries Fund (EMFF) and it is anticipated that further funding, to support training for the fishing industry, will be available through this programme.

### **Fishing: Isle of Man Waters**

**Mr Hazzard** asked the Minister of Agriculture and Rural Development to detail (i) why local fishermen are facing increasing restrictions and reduced days in Isle of Man waters; and (ii) what her Department is doing to resolve this situation.

**(AQW 31031/11-15)**

**Mrs O'Neill:** I am aware that the Isle of Man recently held a consultation on proposals for the management of the Manx Queen Scallop Fishery in 2014. This consultation included proposals for a range of existing and new management measures. The consultation also sought views on the possible introduction of effort based management (days at sea) beyond 2014 as an alternative to the current quota system. The Isle of Man has full responsibility for management of fisheries within its Territorial Sea and it must have a management system for queen scallops to ensure that they are fished sustainably, and that the fishery retains Marine Stewardship Council accreditation.

The Fisheries Management Agreement (FMA) between the Manx Government and the four Fishery Administrations ensures that any regulations being introduced by the Isle of Man must be non discriminatory, based on sound evidence, and, subject to proper consultation with those affected. These principles are in line with the devolved fisheries management responsibilities that apply here and Scotland and Wales.

The role of my Department and the British Fishery Administrations is to ensure that the regulatory process as set out in the FMA is adhered to and to respond as appropriate to any consultations. In the case of the recent Queen Scallop consultation my Department submitted the response attached at Annex A, which is broadly in line with the responses to the consultation provided by our two Producer Organisations. It is for the Manx authorities to consider the responses to consultations and introduce appropriate management measures.

#### **Annex A**

##### **Department of Agriculture and Rural Development (NI)**

Comments on the "Proposals for the Management of the IOM Queen Scallop Fishery 2014"

The Department of Agriculture and Rural Development (NI) (DARD) acknowledges the fact that the Isle of Man Government has worked on the sustainable management of the Queen Scallop Fishery in Manx waters for a number of years.

DARD would offer the following comments on the questions raised in the consultation paper

**Q1. Do you support the retention of the current (2013) regulatory measures in the future management of the fishery?**

DARD would be supportive of the retention of the 2013 regulatory measures for the 2014 fishery.

**Q2 (i) Do you support the proposal to manage the queen scallop fishery by licence condition and variation?**

DARD would be supportive of the proposal as indicated in the consultation document.

**Q2 (ii) Do you agree to the charging of a fee to enable the Department to recover the administrative costs?**

While DARD recognises the right for government to introduce fees and charges to recover the cost of administration, both Northern Ireland's Producers Organisations are opposed to the introduction of such a charge.

**Q3 (i) Do you support an additional restriction to the fishery with a maximum vessel length of 15m LOA used as the qualifying condition?**

While DARD would not oppose the proposal, it would suggest that, with a daily bag limit proposed for 2014, there is no requirement to introduce the additional restriction at this time.

**Q3 (ii) Do you agree with the proposed track record period of 1 November 2008 to 31 May 2010?**

DARD has concerns that a track record period of 1 November 2008 to 31 May 2010 is not the most appropriate period on which to award permits and would support the use of a more recent period of participation (2010-2013) on which to base track record. Increased focus on recent activity may serve to reduce latent capacity and also reflect recent investments made by vessel owners (since 2010) who would be disadvantaged through the use of the more historical data. The use of the proposed period could also lead to issue of displacement and therefore the sustainability of stocks in other areas/fisheries.

**Q4 (i) Would you support the introduction of a finite number of Isle of Man queen scallop licences?**

DARD could not support the introduction of a finite number of Isle of Man Queen Scallop licences. Such a decision would be discriminatory and would place considerable value on the licence.

**Q4 (ii) How would new entrants be accommodated within the fishery?**

It is DARD's view that the issue of annual permits would be the most appropriate means of addressing the accommodation of new entrants within the industry.

**Q4 (iii) How would the issue of transferability of permits be managed without encouraging trade?**

Again, the issue of annual permits would be the most appropriate means of ensuring that trading in licences is not encouraged, with permits being non-transferrable for the period.

**Q5. Would you support an effort based management system for the Isle of Man queen scallop fishery in the future?**

DARD would agree with the QMB that this is not an option for 2014 and would require further discussion/clarification on the appropriateness of an effort-based management system in the future. Both NI producer organisations are opposed to an effort-based management system on the basis that it could impinge on efficiency and profitability, with their opposition based on the experience of other effort regimes in place.

**Q6. Do you support the prohibition of multi-rig trawls to fish for queen scallops in the Isle of Man territorial waters?**

As the consultation documentation indicates, little is known of the ecological impact of twin-rig trawls compared to single-rigs. As a result, DARD believes further evidence is required prior to the introduction of such a prohibition although it would not contest a short-term prohibition, on a precautionary basis, until such time as the evidence is available on the ecological impacts of multi-rig trawls.

**Q7. Do you support a restriction on the size of queen scallop net to no greater than 12 fathoms measured from wing-end to wing-end?**

Without evidence of the impact of such a restriction would have on the fishery, DARD would not be in a position to support this measure, given that consideration would also be required of the impact of efficiency and profitability on the fleet against the ecological benefits.

Ronnie McBride, DARD Fisheries Division

**Fishing: Quad Rigs**

**Mr Hazzard** asked the Minister of Agriculture and Rural Development whether she would give consideration to banning all quad rigs in the Irish Sea.

**(AQW 31032/11-15)**

**Mrs O'Neill:** I am fully supportive of technological advances that will help the fishing fleet to become more economically efficient, especially in the face of rising fuel costs which are unfortunately unavoidable. However I fully recognise this has to be done in a way that ensures that the Irish Sea prawn stocks continue to be fished in a sustainable way.

Trials of quad rigs in the south show that they have the capacity to increase the prawn catch per haul, which means that quota can be caught more efficiently thus saving fuel costs.

I understand that some fishermen are concerned that use of such gear could harm fish stocks through increasing catch rates. However, any increase in catch rate by an individual vessel is mitigated by the quota limits that apply to it. The vessel just catches its quota more quickly.

Even if I were supportive of a ban on quad rigs, it would not be effective unless done on a regional basis so that it applied to all the fishing fleets in the Irish Sea. To ban only our fleet from using quad rigs in a shared fishery, would put it at a disadvantage.

**Common Agricultural Policy: Environmental Schemes**

**Mr Girvan** asked the Minister of Agriculture and Rural Development to detail (i) how much funding has been allocated to Environmental Schemes under the Common Agricultural Policy Pillar II; and (ii) the administration costs of the scheme, in each of the last five years.

**(AQW 31059/11-15)**

**Mrs O'Neill:**

- (i) The budget for the Rural Development Programme 2014-2020 has not yet been finalised, and therefore the allocation to Environmental Schemes cannot yet be confirmed.
- (ii) The Department delivers a number of environmental schemes which were funded from the NI Rural Development Programme 2007 - 2013. The administrative costs for these schemes were met by the Department. A number of different business areas contribute to the administration and delivery of environmental schemes and the cost of administration is not disaggregated from general administrative expenditure.

**Single Farm Payment: Cost of Administration**

**Mr Swann** asked the Minister of Agriculture and Rural Development, pursuant to AQW 30399/11-15, for a breakdown of the costs and a rationale for the increases.

**(AQW 31112/11-15)**

**Mrs O'Neill:** The costs detailed in AQW 30399/11-15 relate to the staffing costs of the Single Farm Payment Branch with the exception of approximately £288,000 in staffing costs for the Area-Based Schemes Development Branch, established in 2012/13.

These costs have increased over the period in question due to the following factors:

- To address the increase in validation issues resulting from enhanced controls.
- The creation of the Area-Based Schemes Development Branch to assist in preparing for CAP Reform and other developments to systems;
- The implementation of annual NICS pay settlements;

These costs do not include costs of integrated controls such as inspections or services such as policy support. These are delivered on an integrated basis across a number of EU Area-Based schemes and not solely for the Single Farm Payment scheme.

### Single Farm Payment: Remote Sensing

**Mrs Dobson** asked the Minister of Agriculture and Rural Development, following her comment to the Committee for Agriculture and Rural Development on 18 February 2013 that she is hoping to pay most remote sensing cases for 2015 in December, why this is not the case for 2014.

**(AQW 31123/11-15)**

**Mrs O'Neill:** The Department has delivered a record payment performance in 2013 with 90% of Single Farm Payment claims finalised in December 2013. In addition to this, at 21 February 2014, up to 65% of inspection cases have now been processed for payment meaning that we have already achieved a majority of inspections to be paid by the end of February. The use of control with remote sensing has contributed to the successes that DARD has achieved with regard to inspection and payment targets for 2013. The plan is to use our experiences from 2013 to improve payment of inspection cases for 2014 Single Farm Payment claims. I will announce exact details of payment timescales later this year. Going forward these payment targets will be reviewed for the 2015 claim year.

### Committee for Agriculture and Rural Development: Cancelled Briefings

**Mr Nesbitt** asked the Minister of Agriculture and Rural Development on how many occasions (i) she; and (ii) departmental officials cancelled briefings, which were part of the forward work programme, to her Department's Statutory Assembly Committee, in each of the last five years.

**(AQW 31130/11-15)**

**Mrs O'Neill:** Since May 2011 I have not cancelled any briefings.

Department officials have cancelled eight briefings.

### Common Agricultural Policy: Administration Costs

**Mr Girvan** asked the Minister of Agriculture and Rural Development to detail how much money has been spent on the administration of Common Agricultural Policy (i) Pillar I; and (ii) Pillar II funding strands; and to express this as a total spend of each Pillar.

**(AQW 31131/11-15)**

**Mrs O'Neill:** Table 1 provides details of administration costs for (i) Pillar I and (ii) for Axes 1 and 3 of the NI Rural Development Programme 2007 – 2013 which are funded from Pillar II.

The Pillar I costs do not include costs of integrated controls such as inspections or services such as policy support. These are delivered on an integrated basis across a number of EU Area-Based schemes and not solely for the Single Farm Payment scheme. These costs are met by DARD and therefore are not expressed as a percentage spend of Pillar I funds.

In regard to Pillar II, Axis 2 of the NIRDP 2007 – 2013, not available. There are a number of different business areas in DARD who contribute to the delivery of these schemes. We do not separately record the costs of administration for these schemes.

**Table 1 – Administration Costs of CAP**

	2010/2011	2011/2012	2012/2013
Pillar I	£2.010m	£2.304m	£2.630m
<b>Pillar II</b>			
Axis 1	Total Spend £6,575,667 Delivery Agent £1,116,354 DA % of Total Spend 17%	Total Spend £9,961,881 Delivery Agent £1,296,141 DA % of Total Spend 13%	Total Spend £5,335,343 Delivery Agent £1,162,902 DA % of Total Spend 22%

	2010/2011	2011/2012	2012/2013
Axis 3	Total Spend £8,776,571 Delivery Agent £2,477,975 DA % of Project Spend 28%	Total Spend £14,385,923 Delivery Agent £2,652,928 DA % of Project Spend 18%	Total Spend £17,073,080 Delivery Agent £2,302,399 DA % of Project Spend 13%

## Farm Safety

**Mr Swann** asked the Minister of Agriculture and Rural Development to detail the amount available in her budget that has been allocated to farm safety programmes and equipment, excluding media and awareness campaigns, in (i) 2013/14; (ii) 2014/15; and (iii) 2015/16.

**(AQW 31212/11-15)**

**Mrs O'Neill:** In response to the deteriorating situation in relation to fatalities on farms, the Farm Safety partnership was established in May 2012. The Partners include the Health and Safety Executive NI (HSENI), DARD, Ulster Farmers Union (UFU), NFU Mutual, Young farmers Clubs of Ulster and NIAPA.

Through its participation in the Farm Safety Partnership my Department has made available funding for farm safety programmes and equipment through the Farm Modernisation Programme and Farm Safe Awareness training.

For 2013/14 my Department has awarded £0.508m of financial support under the third tranche of the Farm Modernisation Programme to farm businesses for the purchase of items that promote safer working practices on farms. The Farm Modernisation Programme, which was funded under the Rural Development Programme (RDP) 2007-13, has now closed for applications and all available funding has been allocated.

In relation to the Farm Safe Awareness training programme, also funded under the 2007-13 RDP, for 2013/14 my Department has provided some £88k to this programme. For 2014/15 my Department has set a provisional budget of £100k for this training programme.

Any funding provided for Farm Safety programmes and equipment in 2014/15 and 2015/16 will come from the 2014 – 2020 Rural Development Programme budget.

The budget for the Rural Development programme 2014 – 2020 has not yet been finalised, and therefore the allocation for specific schemes or measures cannot be confirmed. However, I aim to deliver a balance programme that meets the needs of our agricultural, environmental and rural sectors.

## Pork: Exports to China

**Mr Frew** asked the Minister of Agriculture and Rural Development, pursuant to AQW 26691/11-15, for an update on applications for the export of pork to China.

**(AQW 31221/11-15)**

**Mrs O'Neill:** The Chinese Certification and Accreditation Administration (CNCA) continue to consider our Industry's applications for the export of pork to China. Following my visit last September considerable effort has been made to expedite the approvals process. Most recently an Official Veterinarian from my Veterinary Service has accompanied the Defra lead vet in export to China on two visits to Beijing in January and March 2014 to discuss the applications from the north of Ireland and provide technical assurances of our industry's compliance with the Chinese requirements.

As well as working with the CNCA to progress approval to export from the north my Department is continuing to work with industry to ensure they are fully prepared and capable of meeting the stringent Chinese requirements.

## Rural Poverty

**Mrs D Kelly** asked the Minister of Agriculture and Rural Development to detail the budget allocated to tackle rural poverty in the next financial year.

**(AQW 31360/11-15)**

**Mrs O'Neill:** The departmental budget allocated to the Tackling Rural Poverty and Social Isolation programme in the 2014/15 financial year is £5.5m (£4.7m resource and £0.8m capital).

## Fishing: Haddock

**Mr Hazzard** asked the Minister of Agriculture and Rural Development, pursuant to AQW 30571/11-15, to outline what steps her Department can take to ensure that any value in haddock from the Irish Sea is not underexploited in the years ahead.

**(AQW 31406/11-15)**

**Mrs O'Neill:** There is no selectivity measure that catches haddock without catching other whitefish such as cod or whiting. Since both the cod and whiting stocks are in a poor state, and their quotas are very low, a haddock fishery can only be

permitted if there is enough quota to cover the by-catch. Until these stocks recover it is inevitable that the Irish Sea haddock quota will not be fully taken.

Over time, the highly selective gears now being used by the Nephrops fleet combined with the restricted direct targeting of whitefish should lead to a recovery of the cod and whiting stocks.

### **Rathlin Island: Farmers**

**Mr McKay** asked the Minister of Agriculture and Rural Development for an update on issues raised by farmers on Rathlin Island during her recent visit.

**(AQW 31478/11-15)**

**Mrs O'Neill:** During my visit to Rathlin Island on 2 October 2013, I had the opportunity to discuss a range of issues with farmers and with representatives of the Rathlin Development Community Association (RDCA).

I am pleased that the RDCA submitted a formal response to my Department's consultation, which closed on 21 October 2013, about the proposals for the 2014-2020 Rural Development Programme. It is important that the Islanders have their say in shaping the next Programme and I have considered their comments carefully alongside all the other responses we received to the consultation.

I am committed to delivering a balanced programme of support in the next RDP which delivers the best results for our agricultural, environmental and rural sectors. I believe that the next RDP could help provide Rathlin Islanders with appropriate support to help develop the island economy.

Going forward, my Department will be working to finalise the draft Programme, taking account of all relevant matters, including the views received in the public consultation, advice from the Rural Stakeholder Consultation Group and the funds available.

The Islanders have also availed of support from the current RDP. Last year my Department channelled £184,000 towards funding for new pontoons. DARD has also recently allocated funding towards a project aimed at providing hostel accommodation on the Island and a National Trust project involving orientation and interpretation panels.

The Island has also benefited from DARD's Tackling Rural Poverty and Social Isolation funding through the Maximising Access in Rural Areas project.

My officials are currently engaged with the RDCA on how to move forward community-based actions to help develop the social economy in order to improve sustainability for the island.

### **Clipper Boat Race Festival**

**Mr Ó hOisín** asked the Minister of Agriculture and Rural Development to detail the efforts made by her Department to engage with local authorities in the Lough Foyle area in relation to supporting the Clipper Festival 2014.

**(AQW 31493/11-15)**

**Mrs O'Neill:** I am delighted that this year will see the return of the Round the World Clipper Boat race to the Foyle in a week long programme of events in June 2014.

The Loughs Agency is working in partnership with key stakeholders in the sector, such as Derry City Council, the main sponsor, and the Foyle Port, on a steering group looking after this important event. The plans for the event are well underway, with the Agency concentrating its resources into the development of a series of smaller initiatives which will animate and highlight the Marine Tourism potential of the river Foyle. Again, the award winning Foyle Marina will be the focal point of the race activities. The event showcases the infrastructure developed and delivered by the Loughs Agency and its partners as part of the INTERREG funded Marine Tourism and Angling Development project.

Publicity activities are well underway with Loughs Agency staff working with media interests.

### **Animal Slaughter: Investigation**

**Mr Byrne** asked the Minister of Agriculture and Rural Development to detail her Department's knowledge of, and involvement in, the investigation into the alleged slaughtering of farm animals in South Armagh.

**(AQW 31646/11-15)**

**Mrs O'Neill:** The investigation into the alleged illegal slaughter is being led by Newry & Mourne District Council. My Department, through the participation of the Veterinary Service Central Enforcement Team (CET), was actively involved and briefed by the PSNI on this investigation. The CET was part of the multi-agency group, led by the PSNI, that visited and inspected a number of premises on Monday 03 March, providing assistance to the other agencies and undertaking animal health inspection and enforcement tasks under DARD legislation.

## Department of Culture, Arts and Leisure

### Odyssey Arena: Operational Responsibility

**Mr Allister** asked the Minister of Culture, Arts and Leisure who has responsibility for the operation of the Odyssey Arena, including security; and what role is performed by The Odyssey Trust.

**(AQW 30763/11-15)**

**Ms Ní Chuilín (The Minister of Culture, Arts and Leisure):** The Odyssey Trust Company Limited (OTC) is an independent company limited by guarantee with charitable status. Operational matters associated with event organisation such as promotion, ticketing, security, cleaning etc are the primary responsibility of SMG (NI) Limited through a 15 year management agreement with Odyssey Millennium Limited, a trading subsidiary of OTC. I understand that SMG uses approved sub-contractors for a number of these operational areas.

The Odyssey Trustees and their Senior Management Team have an enforcement and oversight role. They also have ultimate responsibility for the safe and successful operation of all areas of the Odyssey Complex, excluding the Pavilion.

### Performing Arts: People with Disabilities

**Mr McMullan** asked the Minister of Culture, Arts and Leisure when the Arts Council will develop a performing arts framework for people with disabilities or special needs; and whether her Department will discuss this issue with the Department for Employment and Learning.

**(AQW 30816/11-15)**

**Ms Ní Chuilín:** OFMDFM has been in discussions with its Departments and their delivery bodies to identify potential projects under the Signatures Programme that aim to make life better for people by reducing key inequalities such as action on disability.

Consideration is being given to the submission of a joint proposal for funding under the OFMDFM Signatures Programme in relation to disability access to services. The Arts Council has proposed to establish a working group with other DCAL Arm's Length Bodies (ALBs) around the possibility of conducting a mapping exercise to better understand the barriers to access and participation encountered by those with disabilities when accessing a range of services provided by ALBs across the DCAL family.

If the results of this exercise provide a strong enough rationale (through research conducted under the Signatures Programme or under another funding stream), the Arts Council will use this to help inform the development of a disability arts strategy. This would be similar in nature to a performing arts framework for people with disabilities.

My Department will discuss the issue with the Department for Employment and Learning when it is appropriate to do so.

### Golf: Irish Open

**Mrs McKeivitt** asked the Minister of Culture, Arts and Leisure what funding package will be provided to ensure the successful delivery of the Irish Open 2015.

**(AQW 31238/11-15)**

**Ms Ní Chuilín:** To date, the European Tour has yet to provide official confirmation of the decision to host the 2015 Irish Open at Royal County Down.

If this venue is confirmed, responsibility for the funding of the Irish Open 2015 would rest with the Department of Enterprise, Trade and Investment.

## Department of Education

### Consultancy: Expenditure

**Mr Storey** asked the Minister of Education how much was expended by his Department in supporting organisations to consult on behalf of the Department in each of the last three years.

**(AQW 30866/11-15)**

**Mr O'Dowd (The Minister of Education):** The expenditure by the Department in supporting organisations to consult on behalf of the Department in each of the last 3 years is shown in the following table.

Financial year	£'000
2010-11	15
2011-12	6
2012-13	4

### School Attendance

**Mr Beggs** asked the Minister of Education, pursuant to AQW 11004/11-15, (i) to detail the rate per thousand of 15 to 17 year old pupils who had less than 85 percent attendance in 2012/13, broken down by (a) council area; and (b) electoral ward; and (ii) what further action is being taken to reduce the levels of absenteeism. [R]

**(AQW 30987/11-15)**

**Mr O'Dowd:** I have arranged for the information requested to be placed in the Assembly Library

### School Attendance

**Mr Beggs** asked the Minister of Education, pursuant to AQW 11006/11-15, (i) to detail the rate per thousand of primary school pupils who had less than 85 percent attendance in 2012/13, broken down by (a) council area; and (b) electoral ward; and (ii) what further action is being taken to reduce the levels of absenteeism. [R]

**(AQW 30988/11-15)**

**Mr O'Dowd:** I have arranged for the information requested to be placed in the Assembly Library.

### School Attendance

**Mr Beggs** asked the Minister of Education, pursuant to AQW 11006/11-15, (i) to detail the rate per thousand of post-primary school pupils who had less than 85 percent attendance in 2012/13, broken down by (a) council area; and (b) electoral ward; and (ii) what further action is being taken to reduce the levels of absenteeism. [R]

**(AQW 30989/11-15)**

**Mr O'Dowd:** I have arranged for the information requested to be placed in the Assembly Library.

### Counselling: Primary Schools

**Mrs Dobson** asked the Minister of Education what assistance his Department provides to primary schools to help them form constructive partnerships with specialist local counselling services to provide early intervention services to young children who need specialist care services.

**(AQW 31006/11-15)**

**Mr O'Dowd:** The Department does not assist primary schools directly to make counselling provision for their pupils. The Department can provide advice when asked about appropriate contractual arrangements. The Department has advised all primary schools about the Independent Counselling Service for Schools' 'Handbook' which sets out clearly the roles and responsibilities of all parties in a counselling support situation and has urged that it be used as the basis for any contracted service.

The Department's Extended Schools Initiative provides additional funding to targeted schools and some primary schools have chosen to use this to make counselling provision for their pupils.

### Dundonald High School: Support

**Mr Newton** asked the Minister of Education what support he has agreed to provide to Dundonald High School to address academic underachievement and to upgrade the school facilities.

**(AQW 31065/11-15)**

**Mr O'Dowd:** In my statement to the Assembly on 14 January, I confirmed that Dundonald High School will remain open with the assistance of an intensive support package. This will be put in place by the South Eastern Education and Library Board (the Board), supported by the Department.

The Board has advised that work to support the school is mainly being taken forward on three fronts namely, the appointment of a new Principal, the reconstitution and proposed enlargement of the Board of Governors and the development and implementation of a support package for staff and students to improve performance.

The support package for staff and students will be taken forward in two phases. The first phase is now underway and will operate until the new principal takes up the position. The second phase will be after the new principal takes post. It will include a comprehensive continuous professional development programme for senior and middle leaders, and teaching staff designed to improve the quality of teaching and learning, the quality of leadership and management at all levels and the educational experience for pupils.

I would like to reiterate that in addition to the support package, the future success of Dundonald High School is also dependent on the support of its local community because in order for the school to be viable and sustainable, it will need to attract more and more pupils year on year.

As regards updating the school facilities, the Board has advised that discussions on any short term Minor Works and potential future School Enhancement Programme bid(s) will take place during March 2014 when the Board is aware of the priorities that the school has agreed in relation to the development of the school as a result of the initial work on the development plan. This will be informed by the level of Minor Works budget available to the Board.

### Committee for Education: Cancelled Briefings

**Mr Nesbitt** asked the Minister of Education on how many occasions (i) he; and (ii) departmental officials cancelled briefings, which were part of the forward work programme, to his Department's Statutory Assembly Committee, in each of the last five years. **(AQW 31133/11-15)**

**Mr O'Dowd:** Neither myself as Minister or my officials have cancelled any briefings which were part of the forward work programme since May 2011.

### Controlled Sector Primary Schools: East Londonderry

**Mr Campbell** asked the Minister of Education what assistance, in the last twelve months, has been offered to Controlled Sector Primary Schools in East Londonderry to improve numeracy and literacy skills. **(AQW 31163/11-15)**

**Mr O'Dowd:** Four controlled primary schools in East Derry are eligible for additional teaching support provided through the Delivering Social Change (DSC) Project for improving outcomes in literacy and numeracy. The schools are listed below:

Primary School	Number of Full-time Equivalent (FTE) Teachers	Appointed Yes/No
Ballysally Primary School (PS)	1 FTE	Yes
Carhill Integrated PS	0.2 FTE	Yes
Drumachose PS	1 FTE	Yes
Harpur's Hill PS	1 FTE	Yes

A number of the controlled primary schools in East Derry have participated or, are currently participating in, the Continuing Professional Development (CPD) Literacy Project. This Project offers continuing professional development for teachers to further develop their capacity to teach reading, spelling and independent writing skills to children of primary age including those with special educational needs. The following primary schools participated in the first cohort of the CPD Literacy Project which commenced in September 2012:

- Ballytober PS
- Cumber Claudy PS
- Drumrane PS
- Kilrea PS
- Macosquin PS
- Portstewart PS

The second cohort of the project commenced in September 2013 and the following controlled primary schools are registered:-

- Bellarena PS
- Ballykelly PS
- Ballysally PS
- Castleroe PS
- DH Christie Memorial PS
- Drumachose PS
- Gorran PS
- Harpur's Hill PS
- Hezlett PS

A further eight controlled primary schools have registered an interest in taking part in Cohort 3 which is due to commence in September 2014.

In addition, the North Eastern Education and Library Board and the Western Education and Library Board have advised that literacy and numeracy support has been offered through their respective Curriculum Advisory Support Services (CASS) in the following areas and to the following controlled primary schools in East Derry during the period from September 2013 to date.

Type of Support	School(s)
ELB CASS support (i) to schools to implement post-inspection action plans including actions to improve provision for literacy and numeracy and (ii) to schools identified by the ELBs as requiring additional support to effect improvements in outcomes in literacy and numeracy including the development of action plans where appropriate.	Ballykelly PS Ballysally PS Carhill IPS Carnalridge PS Drumachose PS Harpur's Hill PS Kilrea PS Limavady Central PS

Type of Support	School(s)
Support provided by NEELB CASS Curriculum Leader focused on leading on improvement in literacy and numeracy in order to support the school in being self-evaluative.	Ballysally PS, Ballytober PS Carhill IPS, Carnalridge PS, Castleroe PS, Cullycapple PS, Culcrow PS, Damhead PS, DH Christie Memorial PS, Garvagh PS, Gorran PS, Harpur's Hill PS, Hezlett PS, Killowen PS, Kilrea PS, Macosquin PS, Millburn PS, Portrush PS, Portstewart PS, The Irish Society's PS
Support for School Development Planning including literacy and numeracy.	Ballykelly PS Bellarena PS Carhill IPS Cumber Claudy PS Drumrane PS Gaelscoil Neachtain
Training sessions on Reading Partners for Classroom Assistants	Ballysally PS Ballytober PS Harpur's Hill PS Kilrea PS
Phonics programme to support teachers in Foundation and Key Stage 1 and further work with parents to support the successful implementation of phonics.	Ballysally PS Harpur's Hill PS Kilrea PS
Support for new schools including literacy and numeracy support.	Gaelscoil Neachtain
Support for schools with a newly appointed principal as required including literacy/numeracy support. Support provided for the first two years of appointment.	Ballykelly PS Gaelscoil Neachtain
Specialist literacy and numeracy co-ordinator training.	Cumber Claudy PS Drumrane PS Gaelscoil Neachtain Limavady Central PS
Support for key stage transitions, which includes literacy and numeracy, provided through the Achieving Derry-Bright Futures programme.	Cumber Claudy PS
In the WELB area, support for the development of local cluster groups which includes work to develop of literacy and numeracy.	One such cluster includes: Ballykelly PS Cumber Claudy PS Limavady Central PS

### Common Funding Scheme: Consultancy Costs

**Mrs Overend** asked the Minister of Education to detail the cost of the consultation on the Common Funding Formula. (AQW 31235/11-15)

**Mr O'Dowd:** The cost, to date, of the consultation on the proposed changes to the Common Funding Scheme is £112,854 detailed as follows:-

Professional Fees for Managed Service Provider as Part of Consultation Analysis	£88,604
Translation costs	£12,405
Printing Costs	£3,574
Advertisements	£3,400
Consultation with children, young people and parents	£4,462
Room hire for public consultation meetings	£292
Hospitality & stationery	£117

## Radio Aids

**Mr Kinahan** asked the Minister of Education to detail his Department's policy on extending the availability of radio aids provided by Education and Library Boards for use outside of educational settings.

**(AQW 31246/11-15)**

**Mr O'Dowd:** The Education and Library Boards have confirmed that in the majority of cases, children who have been issued with radio aids are allowed, with parental consent, to use their radio aids outside the school environment thus facilitating access to experiences outside educational settings. However, each request is assessed by the relevant board on an individual basis to determine the appropriateness of use outside educational settings.

## Dunseverick Primary School

**Mr Swann** asked the Minister of Education whether he will consider a new build school for Dunseverick Primary School, which is currently having to use three mobile classrooms.

**(AQW 31258/11-15)**

**Mr O'Dowd:** At present, Dunseverick Primary School has not been identified by its managing authority – North Eastern Education & Library Board (NEELB) as one of its priorities for major capital investment and there are no specific plans for a new build project for the School.

While Dunseverick Primary School will be disappointed that it is not included in my capital programme at this time, this in no way implies that it will not be considered for funding at a later stage within the on-going area planning process.

## Departmental Staff: Educators

**Lord Morrow** asked the Minister of Education how many staff employed in his Department are regarded as educators, in that they have direct experience as a principal or a teacher, of an Education and Library Board or have an education background; and to list the role that these staff have in his Department.

**(AQW 31292/11-15)**

**Mr O'Dowd:** In common with other departments, the majority of the staff in my department are employed in general service NICS grades where specific professional education experience is not a requirement. The professional background of those staff is not available in the format requested.

The exception to this relates to staff appointed to inspector grades in the Education and Training Inspectorate (ETI). All 61 staff in this category have substantial senior management, teaching and/or training experience in schools, colleges of further and higher education, youth work, organisations of higher education or in industrial/commercial training.

## St Columbanus College, Bangor

**Mr Easton** asked the Minister of Education when St Columbanus College in Bangor was built.

**(AQW 31309/11-15)**

**Mr O'Dowd:** The building work on St Columbanus College was completed in 1960.

The South Eastern Education and Library Board (SEELB) has provided details in relation to maintenance expenditure at the College in each of the last five financial years as follows:

Financial Year	Amount
2008/09	£17,271.35
2009/10	£51,646.09
2010/11	£58,384.99
2011/12	£40,355.39
2012/13	£86,410.65
<b>Total</b>	<b>£254,068.47</b>

The current enrolment (2013/14) at St Columbanus College is 601.

For the school year 2012/13 there was a headcount of 38 teachers at St Columbanus College; giving a full-time equivalent figure of 36.7.

The estimated capital cost of a new build for St Columbanus College is in the region of £13m to £13.4m. This figure excludes VAT, Professional Fees and Furniture & Equipment.

### St Columbanus College, Bangor

**Mr Easton** asked the Minister of Education how much has been spent on repairs to St Columbanus College, Bangor in each of the last five financial years.

**(AQW 31311/11-15)**

**Mr O'Dowd:** The building work on St Columbanus College was completed in 1960.

The South Eastern Education and Library Board (SEELB) has provided details in relation to maintenance expenditure at the College in each of the last five financial years as follows:

Financial Year	Amount
2008/09	£17,271.35
2009/10	£51,646.09
2010/11	£58,384.99
2011/12	£40,355.39
2012/13	£86,410.65
<b>Total</b>	<b>£254,068.47</b>

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The estimated capital cost of a new build for St Columbanus College is in the region of £13m to £13.4m. This figure excludes VAT, Professional Fees and Furniture & Equipment.

### St Columbanus College, Bangor

**Mr Easton** asked the Minister of Education how many pupils are enrolled in St Columbanus College, Bangor.

**(AQW 31312/11-15)**

**Mr O'Dowd:** The building work on St Columbanus College was completed in 1960.

The South Eastern Education and Library Board (SEELB) has provided details in relation to maintenance expenditure at the College in each of the last five financial years as follows:

Financial Year	Amount
2008/09	£17,271.35
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The estimated capital cost of a new build for St Columbanus College is in the region of £13m to £13.4m. This figure excludes VAT, Professional Fees and Furniture & Equipment.

### St Columbanus College, Bangor

**Mr Easton** asked the Minister of Education how many teachers are employed at St Columbanus College, Bangor.

**(AQW 31313/11-15)**

**Mr O'Dowd:** The building work on St Columbanus College was completed in 1960.

The South Eastern Education and Library Board (SEELB) has provided details in relation to maintenance expenditure at the College in each of the last five financial years as follows:

Financial Year	Amount
2008/09	£17,271.35

Financial Year	Amount
2009/10	£51,646.09
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The estimated capital cost of a new build for St Columbanus College is in the region of £13m to £13.4m. This figure excludes VAT, Professional Fees and Furniture & Equipment.

### St Columbanus College, Bangor

**Mr Easton** asked the Minister of Education what is the estimated cost of a new build for St Columbanus College, Bangor. (AQW 31314/11-15)

**Mr O'Dowd:** The building work on St Columbanus College was completed in 1960.

The South Eastern Education and Library Board (SEELB) has provided details in relation to maintenance expenditure at the College in each of the last five financial years as follows:

Financial Year	Amount
2008/09	£17,271.35
2009/10	£51,646.09
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The estimated capital cost of a new build for St Columbanus College is in the region of £13m to £13.4m. This figure excludes VAT, Professional Fees and Furniture & Equipment.

### Nurture Units: North Down

**Mr Weir** asked the Minister of Education to detail (i) the schools in North Down that have funding for nurture units; (ii) the level of funding at each school; (iii) the number of pupils at each school; and (iv) the schools in the area that are due to receive this funding for the first time.

(AQW 31373/11-15)

**Mr O'Dowd:** Kilcooley primary in Bangor and West Winds primary in Newtownards are the only schools in the North Down area currently funded to provide a nurture room.

Kilcooley primary school nurture unit is currently funded by the Department for Social Development's Neighbourhood Renewal Investment fund, receiving £70k in 2013-2014 and £70k for 2014-2015. The Department of Education will then provide funding of £18k for 2015-2016.

The nurture unit at West Winds Primary school is receiving funding for the first time as one of the 20 new nurture units funded by OFMDFM under the Delivering Social Change (DSC) Signature Project. The school will receive £62k in 2013-2014, £70k for 2014-2015 and £18k for 2015-2016. Nurture Unit funding for both Kilcooley and West Winds will cease in June 2015.

Current Department of Education statistics state there are currently 183 pupils registered to attend West Winds primary school with 6 children in the nurture unit on a full-time basis. There are 165 pupils registered to attend Kilcooley primary school with 9 children attending the nurture unit on a full-time basis and 32 children attending the nurture unit on a part-time basis.

Bloomfield Road Primary School in Bangor was also originally selected to take part in the DSC Signature Project, however the school subsequently decided to withdraw from participation.

## Asthma: Teacher Training

**Mr Weir** asked the Minister of Education what training is available to teachers to help pupils cope with asthma.  
(AQW 31375/11-15)

**Mr O'Dowd:** The guidance jointly published by the Department of Health, Social Services and Public Safety and the Department of Education entitled "Supporting Pupils with Medication Needs" details that "Health and Social Care authorities have a responsibility to provide advice and training for school staff in procedures which deal with a pupil's medication needs, which in turn should support that child's access to education." The details of the training available from these authorities would be a matter for the Department of Health, Social Services and Public Safety.

## School Closures: South Belfast

**Mr McGimpsey** asked the Minister of Education which (i) primary; and (ii) post-primary schools in south Belfast are under consideration for closure.  
(AQW 31380/11-15)

**Mr O'Dowd:** The statutory development proposal process must be followed to effect any significant change to a school, including closure. The relevant Board publishes proposals for schools within its board boundary for consultation and the process ends when I decide whether a proposal should be approved.

There are currently no published development proposals for closure awaiting my consideration for any school in the South Belfast Parliamentary Constituency.

## Schools: Absenteeism

**Mr Craig** asked the Minister of Education how many pupils in each Education and Library Board have greater than 15 per cent absenteeism.  
(AQW 31407/11-15)

**Mr O'Dowd:** The information requested is detailed in the table overleaf. The most recent data available is for the school year 2012/13.

### Number of pupil enrolments with greater than 15 per cent absenteeism by Education and Library Board, 2012/13

ELB	Number of enrolments with greater than 15 per cent absenteeism	Total number of enrolments	Percentage of enrolments with greater than 15 per cent absenteeism
Belfast	4457	47235	9.4
Western	3670	48644	7.5
North Eastern	4264	63862	6.7
South Eastern	4277	56118	7.6
Southern	4689	66601	7.0
<b>Total</b>	<b>21357</b>	<b>282460</b>	<b>7.6</b>

Source: School census

## Schools: Absenteeism

**Mr Craig** asked the Minister of Education how many (i) primary; and (ii) post-primary school pupils in the South Eastern Education and Library Board have greater than 15 per cent absenteeism.  
(AQW 31411/11-15)

**Mr O'Dowd:** The information requested is detailed in the tables overleaf. The most recent data available is for the school year 2012/13.

### (i) Number of primary pupil enrolments with greater than 15 per cent absenteeism in the South Eastern Education and Library Board, 2012/13

ELB	Number of enrolments with greater than 15 per cent absenteeism	Total number of enrolments	Percentage of enrolments with greater than 15 per cent absenteeism
South Eastern	1533	34312	4.5

Source: School census

(ii) **Number of post-primary pupil enrolments with greater than 15 per cent absenteeism in the South Eastern Education and Library Board, 2012/13**

ELB	Number of enrolments with greater than 15 per cent absenteeism	Total number of enrolments	Percentage of enrolments with greater than 15 per cent absenteeism
South Eastern	2514	20606	12.2

Source: School census

**Pupil Records: Access**

**Mr B McCrea** asked the Minister of Education what steps have been taken to enable relevant providers to have access to school records, with the permission of the young person, in order to find them alternative places of education or training; and whether there are any data protection issues to be addressed.

(AQW 31420/11-15)

**Mr O'Dowd:** Pupil records, in hardcopy or in electronic format, belong to the school and inherently contain personal and sensitive information. Any external sharing of this information would therefore raise data protection issues.

Responsibility for Education Otherwise Than At School (EOTAS) lies with the Education and Library Boards (ELBs) and placement decisions are taken by ELBs following an assessment of each pupil's individual needs. This process is already informed by inputs from the pupil's registered school, ELB Education Psychology and Welfare Services and other relevant statutory agencies.

A pupil's registered school is expected to share pupil information with the Board's chosen EOTAS provider once a placement decision has been taken. Currently, this most commonly takes the form of exchanged hardcopy records.

The Department is currently considering the extension of Classroom 2000 (C2k) services to EOTAS centres. This would provide pupils with the same access to C2k services as their peers in mainstream schools and is being explored for the educational benefits this would deliver. It could also, however, provide a mechanism for the future sharing of pupil information.

**Education other than at School**

**Mr B McCrea** asked the Minister of Education, where a young person is registered to a school but no longer present, whether the per capita fund allocated to each pupil can be transferred from the school to an agency which is better equipped to cater for the young person.

(AQW 31421/11-15)

**Mr O'Dowd:** The decision to place a pupil into Education Otherwise than at School (EOTAS) provision should only be taken by the appropriate Education and Library Board (ELB). The ELB will then fund that placement and, depending on the date when a pupil commences in EOTAS, the Board will recoup a pro-rata proportion of the Age Weighted Pupil Unit (AWPU) from the pupil's registered school towards the costs involved.

A percentage of the AWPU will, however, remain with the registered school in recognition of its ongoing responsibilities towards the pupil, who will remain on the school's register.

The Department is currently finalising guidance on EOTAS which is intended to provide greater clarity on the processes, standards, responsibilities and funding arrangements under which EOTAS provision operates.

**School Transport**

**Mr Weir** asked the Minister of Education to detail how much has been spent on home to school transport in the South Eastern Education and Library Board, in each of the last five years.

(AQW 31434/11-15)

**Mr O'Dowd:** The amounts spent by the South Eastern Education and Library Board on school transport in each of the last five years is given in the table below.

Financial Year	Recurrent costs *	Capital costs	Lighting & signage
2008-09	£13,964,295	£1,394,000	Nil
2009-10	£14,368,825	£4,393,000	Nil
2010-11	£14,489,379	£26,000	Nil
2011-12	£13,485,515	£84,000	Nil
2012-13	£13,493,161	£110,000	£168,379

\*Source: The South Eastern Education and Library Boards Actual Outturn Expenditure Home to School Transport.

## STEM: Uptake

**Mr Weir** asked the Minister of Education what action his Department is taking to encourage the uptake of STEM subjects. (AQW 31485/11-15)

**Mr O'Dowd:** The revised curriculum has been designed to provide greater freedom for teachers to explore STEM-related learning with pupils. The Entitlement Framework, which will be fully implemented in September 2015, will guarantee all post-primary pupils at Key Stage 4 and Sixth Form greater choice and flexibility to pursue STEM subjects.

The promotion of STEM subjects is one of my Department's priorities and we have been taking significant action on a number of fronts to ensure that they are seen as exciting, stimulating and fulfilling by our young people. This includes sponsoring annual competitions and exhibitions such as the BT Young Scientist and Technology Exhibition and Stock Market Challenge.

To support the regional delivery of STEM enhancement and enrichment activity my Department also funds Sentinus to work with pupils across the north of Ireland. They deliver a portfolio of 19 STEM core programmes across all Key Stages, engaging approximately 60,000 pupils each year.

My department also allocates additional funding to a number of other delivery partners and initiatives, to enable pupils to gain an enriched world of work experience through practical engagement, to assist in embedding STEM within schools, and to develop STEM teacher continuous professional development.

Extensive use is being made of the STEM truck, a state-of-the-art £1.2 million mobile teaching laboratory and workshop.

My Department and its delivery partners have made good progress to date in delivering on the commitments contained in the STEM Strategy and there has been an upward trend in the number of A-Level STEM examination entries since 2007/08 rising from 38.2% to 40.9% in 2011/12.

My Department will continue to deliver on DE's STEM commitments within available resources.

## Special Education: Capacity Building

**Mr Storey** asked the Minister of Education for an update on the implementation of capacity building pilots, in relation to special education. (AQW 31495/11-15)

**Mr O'Dowd:** Two capacity building pilots are ongoing across the five Education and Library Boards: Special Educational Needs (SEN) Early Years Capacity Building; and a Certificate of Competence in Educational Testing (CCET). The Early Years pilot operates in 165 early years settings and the CCET pilot in 294 schools. Both pilots aim to increase the capacity of staff in the participating settings to identify, assess and make provision for children with SEN. The Early Years pilot also provides multi-disciplinary expertise to support children with SEN and to provide training for staff and parents. The pilots are currently ongoing and their effectiveness will be evaluated fully by the Education and Training Inspectorate (ETI), following completion, later in 2014.

Interim ETI feedback on the Early Years pilot has indicated that good progress is being made and almost all of the pilot settings report that their capacity to identify and support children has increased.

The Department in 2013/14 has committed £2.838m to the Early Years Settings pilot and a total of £773,000 has been made available for the Educational Testing pilot.

## Schools: Full Service Programmes

**Mr Storey** asked the Minister of Education for his assessment of the Full Service Schools Initiatives in Belfast; and whether he plans to extend this approach to other areas. (AQW 31499/11-15)

**Mr O'Dowd:** Independent evaluations carried out to date, which are available in the Assembly library, have revealed a range of positive impacts and benefits of the Full Service approach undertaken by both pilot programmes, operating in North and West Belfast, which have been extended until 31 March 2015.

The Education and Training Inspectorate (ETI) report published in June 2013 recorded that there is a developing evidence base to suggest that the overall impact of both programmes is contributing to the transformation of communities particularly with regard to:

- Raising aspirations for learners and their families;
- Strengthening the sense of community and its contribution to education as a community enterprise; and
- Raising the confidence of parents to engage more effectively with schools in supporting their children's learning.

I believe that there are important strengths in the approach undertaken by both Full Service programmes which contribute to my overall strategic aim of addressing the disparities that exist in our education system for young people who face many barriers to academic achievement. Both Full Service Programmes collaborate with other agencies, schools and organisations to provide a range of integrated tailored services which support a range of academic, social and emotional needs for vulnerable children and young people, their families and the wider community within two of our most disadvantaged communities.

The Full Service programmes represent a significant financial investment within the current budget. Beyond the current budget period, any decision to extend or rollout Full Service provision will have to be considered in the context of competing priorities and available resources within my Department's budget.

### School Leavers: Skills

**Mr Frew** asked the Minister of Education to outline the plans in place to ensure pupils leaving school have the appropriate skill sets to give large local employers and manufacturers the best chance of competing in the global market.  
(AQO 5713/11-15)

**Mr O'Dowd:** I am committed to ensuring that our young people leave school equipped with the necessary skills for life and work for today's economy and society in this fast changing globalised world. Accordingly, I have in place a set of coherent policies designed to improve educational outcomes, make education more relevant to the needs of the economy, and ensure every young person develops the skills and knowledge they need to reach their full potential.

The flexibility offered by the Entitlement Framework and the revised curriculum means that schools can respond fully to meet the needs of the economy by taking account of up-to-date labour market information, skills shortages and priority skills areas as they emerge, in widening and reviewing their curricular offer for pupils. The revised curriculum includes skills, such as, creativity, entrepreneurship, problem-solving and working with others in addition to the fundamentals of literacy, numeracy and ICT, which employers have told us are needed in the workplace.

At post-primary level, under the Learning for Life and Work area of learning, there is a focus on work in the local and global economy, career management and enterprise and entrepreneurship. Young people are given opportunities to reflect on their own skills and areas for self-development, explore enterprise and entrepreneurship, and develop and practise some of the skills and attributes associated with being enterprising.

In addition, I work closely with the Minister for Employment and Learning in implementing our joint careers strategy so that pupils can make informed career choices and access up-to-date labour market information.

### Special Educational Needs: Review

**Mr A Maginness** asked the Minister of Education what plans he has to revise the special educational needs system so that it retains clear and enforceable rights for children and their parents.  
(AQW 31560/11-15)

**Mr O'Dowd:** Proposals for a revised Special Educational Needs (SEN) policy and the drafting of a SEN Bill were agreed by the Executive in July 2012. The revised SEN framework aims to strengthen the system and end delay in intervention and assessment through a comprehensive range of measures. This includes retaining, and building upon, the existing rights afforded to parents and children. The existing rights of a parent include: to request a statutory assessment of their child's needs; and a right of appeal to Special Educational Needs and Disability Tribunal (SENDIST) about matters within the SEN framework.

The revised SEN framework proposes greater rights which include:

- a new statutory duty on Boards of Governors to ensure that Personal Learning Plans (PLPs) are put in place for all SEN children in grant-aided schools and a requirement that PLPs would be reviewed regularly in discussion with the parent against the child's progress and outcomes realised;
- reducing the time frame for statutory assessment from 26 weeks to 20 weeks;
- a new requirement for Boards to set out clearly the range of supports and services they would ordinarily make available to schools, to assist them to support pupils, and to SEN pupils themselves; and
- a revised statutory code emphasising the wider educational rights of the child, including those within the context of the United Nations Convention on the Rights of the Child.

I have also considered a number of associated policy areas including redress for parents, a right of appeal for children and young people to SENDIST and access to mediation. This has been informed by matters raised during the consultation processes within the SEN and Inclusion Review and also by work in other jurisdictions. Once I have finalised my further proposals I intend to present them to my Executive colleagues.

A Summary of Key Policy Areas, published in July 2012, is available on the DE web site:- [http://www.deni.gov.uk/summary\\_of\\_key\\_proposals\\_july\\_2012.pdf](http://www.deni.gov.uk/summary_of_key_proposals_july_2012.pdf)

### Autism: Teacher Training

**Mr A Maginness** asked the Minister of Education what steps his Department has in place to ensure that all teachers and classroom assistants who regularly work with children with autism have the appropriate training.  
(AQW 31561/11-15)

**Mr O'Dowd:** The education and library boards (ELBs) are responsible for providing autism-specific training in schools and all boards deliver a range of autism-specific training for school staff.

ELBs undertake a needs analysis, on an annual basis, of the training required by schools for the forthcoming academic year. School principals are responsible for determining the training needs of their teachers and school staff and they can avail of the wide range of courses on all aspects of special educational needs, including autism, offered by Boards.

In addition, the Middletown Centre for Autism provides a comprehensive range of training opportunities for those supporting children with autistic spectrum disorders (ASDs) across all schools.

The training provided by the Centre is tailored to the needs of educational professionals and school staff. A range of sessions are specifically designed to the needs of staff in mainstream schools. In partnership with the inter-board ASD teams, the Centre also provides tailored whole school training for schools upon request.

### Education Bill: Update

**Mr Hussey** asked the Minister of Education for an update on the progress of the Education Bill.  
(AQO 5686/11-15)

**Mr O'Dowd:** The Education Bill cannot advance to Consideration Stage without the agreement of the Executive. This remains outstanding. In seeking to reach an accommodation I have proposed a number of amendments, in particular measures that will retain and develop school autonomy in employment matters. Without agreement, however, I must soon commit to, and invest in, an alternative future. In particular, local government reform may force the issue as I must have in place by April 2015 new legislation supporting a reconfiguration of Education and Library Board (ELB) territory – simply to align with local government reform.

### Schools: Capital Build Programme

**Mr Ó hOisín** asked the Minister of Education for an update on the schools capital build programme.  
(AQO 5679/11-15)

**Mr O'Dowd:** In my Capital Statement of 25 June 2012, I announced that 18 schools were to receive new facilities as part of a £173m investment in the schools estate.

Of the 18, three projects have started construction work on site with a further five expected to be on site by the end of April 2014. A further four schemes are at an advanced procurement stage and the remaining six projects are at various stages of the planning / design process.

In my capital announcement of 22 January 2013, 22 school projects are to be advanced in planning representing a further investment of £220. The majority of these projects are at an early stage in planning, principally Development Proposal or economic appraisal stage.

### Schools: Area Planning

**Mr Swann** asked the Minister of Education, in relation to the development plans of neighbouring schools under Area Planning, whether he will ensure that no action is taken until all the development plans for schools in that area are completed.  
(AQO 5680/11-15)

**Mr O'Dowd:** Area Planning is about developing a single strategic area plan for each Board area. All the school managing authorities must work together to develop the area plan.

The area plan should clearly articulate what is needed in an area and how this will be delivered. Where it is identified that change is needed then development proposals should be consulted upon and published.

I have already outlined in my statement to the Assembly on the East Belfast Proposals on 14 January that area planning is complex and multifaceted, and requires co-ordination, discussion and pragmatism. I have said that planning authorities need to bring forward inter-related and linked proposals that clearly set out for all concerned the overall proposals for any given area. I will therefore expect to see proposals for an area being brought forward simultaneously.

I have already taken difficult decisions and I am sure there will be others. In each case my focus will be on what is best for the young people of the area. When I am not convinced that proposals will deliver high quality sustainable schools then I will require more work to be done.

### Bunscoil Bheann Mhadagáin

**Ms McCorley** asked the Minister of Education for an update on the new build for Bunscoil Bheann Mhadagáin, Belfast.  
(AQO 5681/11-15)

**Mr O'Dowd:** I announced a new build for Bunscoil Bheann Mhadagáin in June 2012. The project which will provide a five-class school (with the option to extend to seven-class) is being taken forward jointly with Belfast City Council, who will fund the provision of a full size GAA pitch.

An Economic Appraisal covering the entire works, valued at £3.7m, was approved by the Department in March 2013.

The design of the overall project is complete and planning approval was granted in February 2014.

The construction procurement is almost complete and it is expected that work will start on site in April 2014.

### School Attendance

**Mr McGlone** asked the Minister of Education why there has been no significant improvement in pupil attendance since the 2004 Northern Ireland Audit Office report into this issue.

**(AQO 5682/11-15)**

**Mr O'Dowd:** A NI Audit Office report on Pupil Attendance will be published on 25th February with a subsequent Public Accounts Committee hearing on 12th March therefore it is not appropriate for me to comment at this time.

### St Clare's Convent and St Colman's Abbey Primary Schools

**Mr Boylan** asked the Minister of Education for an update on the new builds for St Claire's Convent and St Colman's Abbey Primary School in Newry.

**(AQO 5683/11-15)**

**Mr O'Dowd:** I announced a new build for St Clare's Convent and St Coleman's Abbey PS in June 2012, and an Economic Appraisal for the new build, at a cost of £6.3m, was approved in April 2013.

Planning approvals were granted in January 2014 and enabling works began during February.

The construction procurement is well advanced and the Invitation to Tender will issue within the coming weeks with a view to mobilisation on site in May 2014.

The school is expected to be completed by August 2015.

### Lisanelly Shared Education Campus

**Mr Storey** asked the Minister of Education for an update on the appointments to the Project Board of the Lisanelly Shared Education Campus.

**(AQO 5684/11-15)**

**Mr O'Dowd:** I can confirm that a Programme Delivery Board has been established to support my Department as it moves forward with the delivery of the Lisanelly Shared Education Campus. The Programme Board met for the first time on the 19th February.

The Programme Board is chaired by a Deputy Secretary in the Department, who is the designated Senior Responsible Owner (SRO) for the programme. To support the SRO in delivering this Programme for Government commitment eight members have been appointed to the Board comprising a representative from the Education and Training Inspectorate, the Strategic Investment Board, Central Procurement Directorate, the WELB, the Catholic Education Sector, two independent members and at this time the Chief Executive Designate of ESA.

Full details of the membership and Terms of Reference for the Board, when finalised will be available on the Department's website.

### Schools: Capital Build Programme

**Mr I McCrea** asked the Minister of Education to outline his new build capital programme for the Mid Ulster area.

**(AQO 5685/11-15)**

**Mr O'Dowd:** Since taking up my office in Education, I officially opened a new school building at St Columba's Straw in June 2013 at a cost of £2.7m to accommodate up to 175 pupils.

I have also committed a further £29m within the Mid Ulster area to advance in planning new schools at Holy Trinity, Cookstown; Edendork PS, Dungannon, and Gaelscoil Uí Neil, Coalisland.

Within the constraints of the Capital Budget that is available to Education I am liaising with all school Managing Authorities to identify priorities for future investment.

## Department for Employment and Learning

### STEM: Gender Imbalance

**Mr Lyttle** asked the Minister for Employment and Learning for his assessment of the gender imbalance in STEM subjects taken at tertiary level.

**(AQW 30885/11-15)**

**Dr Farry (The Minister for Employment and Learning):** The proportion of females enrolled on narrow Science Technology, Engineering and Maths (STEM) courses at Northern Ireland Higher Education Institutions in 2012/13 was 37% compared with

57% of all enrolments. In Northern Ireland further education institutions, in 2012/13, females made up 49% of all enrolments but accounted for 29% of STEM professional and technical courses.

The STEM Strategy, 'Success through STEM', recognises the importance of addressing gender bias. The sectors predicted to drive economic growth in Northern Ireland, such as ICT, agri-food and advanced manufacturing, rely heavily on a workforce equipped with skills in STEM that, at the moment, is predominantly male. If we are to grow these key sectors of the economy it will be essential that we encourage more people, especially females, to study relevant STEM subjects.

To help address the gender bias my Department has funded the post of STEM business co-ordinator. One of her key activities has been to work with the Equality Commission to engage with businesses to look at the issue of gender bias. Other areas have been to share best practice and to identify additional steps that businesses can take to make careers in STEM industries more attractive. In September 2013 and February 2014 the co-ordinator also produced 'STEM careers supplements' which appeared in the Belfast Telegraph, Irish News and Newsletter. The supplements were aimed at young people choosing STEM subjects and courses and featured case studies from several prominent local female role models.

Through the Skills Collaboration Fund my Department has also funded SEMTA, the Sector Skills Council, to take forward the 'Upskills to Compete' project in 2014. This project will develop fifty high potential female workers to promote STEM subjects to 1,000 schoolgirls and showcase the opportunities available in a career in manufacturing.

Improving this situation needs to start at primary school. I will also continue to work with employers, including through the working groups I chair in ICT and advanced manufacturing, to help employers make career opportunities attractive to as wide a pool of appropriately skilled people as possible.

### Northern Regional College: Pay Increases

**Mr Swann** asked the Minister for Employment and Learning to detail any pay increases that have been awarded to the (i) staff; and (ii) management of Northern Regional College, in each of the last 3 years.

**(AQW 31024/11-15)**

**Dr Farry:** There are three separate pay negotiating structures for all staff employed in further education colleges. These deal with pay for senior staff, lecturing staff and non-teaching staff, all of which are subject to negotiations and agreement on a sector-wide basis.

The percentage increases of pay for the last three years for which complete figures are available are given below:

	2010/11	2011/12	2012/13
Senior Staff	2.68%	0.42%	0.31%
Lecturing Staff	2.54%	0.99%	0.80%
Non-Teaching Staff	2.04%	2.17%	1.21%

### Northern Regional College: Pay Increases

**Mr Swann** asked the Minister for Employment and Learning to detail any bonuses, performance related payments or pay increases for staff in relation to the closure of the Northern Regional College campus, Antrim.

**(AQW 31026/11-15)**

**Dr Farry:** No member of staff, employed at Northern Regional College (NRC), received a bonus, performance-related pay or a pay increase, in relation to the closure of the campus at Antrim.

### Further Education Colleges: Senior Management

**Mr Swann** asked the Minister for Employment and Learning for the religious breakdown of the senior management in each of the Regional Colleges.

**(AQW 31028/11-15)**

**Dr Farry:** Each further education college is designated as a public authority in its own right, under legislation, for the purposes of Section 75 of the Northern Ireland Act 1998.

As such, each college is responsible for reporting information, relating to the promotion of equality of opportunity and fair employment, directly to the Equality Commission for Northern Ireland. Consequently, my Department does not monitor the religious breakdown of staff working in the further education sector.

### FP7: DEL Funding

**Mr Attwood** asked the Minister for Employment and Learning to detail the funds provided under the European Programme FP7 to (i) his Department; (ii) arm's-length bodies; and (iii) any third party in (a) 2010/11; (b) 2011/12; and (c) 2012/13 financial years.

**(AQW 31045/11-15)**

**Dr Farry:** FP7 was the seventh European Framework Programme for Research and Technological Development running from 2007 to 2013. The Programme was designed to support a wide range of participants with the capacity to undertake industrially and/or socially-relevant research and development (R&D).

As FP7 funding was targeted at organisations capable of undertaking high quality, internationally excellent R&D, the universities were the only organisations associated with this Department which were well placed to secure significant funding, with the universities' figures accounting for around 75% of the total Northern Ireland drawdown under FP7.

The table below sets out the information requested. The universities' drawdown figures are included under the 'any third party' heading. Please note, however, that these figures represent only 50% of the actual amount drawn down by the universities. The other 50% is reported by DETI under the agreed protocol with OFMDFM for Departmental reporting of EU drawdown.

	FY 10/11	FY 11/12	FY 12/13
Department for Employment and Learning	Not applicable.	Not applicable.	Not applicable.
Arm's-Length Bodies	Nil	Nil	Nil
Third Parties	£2,297,847	£4,571,042	£4,496,155

### South West College: Cooperation with HSC Trusts

**Lord Morrow** asked the Minister for Employment and Learning to detail any evidence that Omagh Campus's advanced performance, in respect of learning disability courses provision, is a result of good co-operation with the relevant health and social care trust.

**(AQW 31092/11-15)**

**Dr Farry:** South West College has developed effective working relationships with all Health and Social Care Trusts which operate in the catchment areas served by the four main campuses.

In relation to provision, the College advise that current levels are reflective of local demand and financial viability, and are not symptomatic of the relationship with any Health and Social Care Trust.

## Department of Enterprise, Trade and Investment

### Natural Resources: Profits

**Mr Milne** asked the Minister of Enterprise, Trade and Investment, if approval is granted for extracting natural resources, whether there is a condition that a share of the profits is returned to the Executive to benefit the wider public.

**(AQW 30777/11-15)**

**Mrs Foster (The Minister of Enterprise, Trade and Investment):** There is no such condition.

Profits made by companies involved in the extraction of natural resources are subject to corporation tax payable to HM Treasury.

The Petroleum (Production) Act (Northern Ireland) 1964, with a few exceptions, vests ownership of petroleum resources in what was the Ministry of Commerce; now DETI.

DETI will receive royalties from any producer of oil or gas in Northern Ireland at the rate of 7.5%, as set out in the Petroleum Production (Royalties) Regulations (Northern Ireland) 1965.

DETI may then pay "compensation" to anyone who, before the passing of the 1964 Act, held the mineral rights, including petroleum, for the "appointed area" of the petroleum well.

### Growth Loan Fund: North Down

**Mr Weir** asked the Minister of Enterprise, Trade and Investment to detail (i) the amount of finance provided to small and medium sized enterprises under the Growth Loan Fund in the North Down Borough Council area; and (ii) how many of these small and medium enterprises have been granted loans to date.

**(AQW 30929/11-15)**

**Mrs Foster:** There have been 10 enquiries to the Growth Loan Fund from businesses in the North Down area. 5 of these enquiries have not progressed due to a number of commercial factors, and 2 businesses withdrew their applications. 3 potential loan applications are still under consideration.

### Trade Associations: Complaints

**Mr Campbell** asked the Minister of Enterprise, Trade and Investment what steps are being taken to ensure that businesses are aware of Trade Associations that offer help with queries and complaints made against small firms.

**(AQW 30974/11-15)**

**Mrs Foster:** It is not within my Department's general remit to ensure that businesses are aware of Trade Associations. However, DETI's Consumerline, if necessary, makes complainants and enquirers aware of sector specific trade associations.

DETI's Consumerline website also provides guidance specific to Caravan Holiday Homes which contains sign-posting to specific Trade Associations i.e. the National Caravan Council and the British Holiday and Home Parks Association.

### North/South Interconnector

**Mr McKay** asked the Minister of Enterprise, Trade and Investment for an update on the North-South Interconnector. (AQW 31023/11-15)

**Mrs Foster:** Northern Ireland Electricity's revised planning application and consolidated environmental statement were submitted to the Department of the Environment (DOE) in June 2013. Consultations were issued to statutory consultees and other interested parties in late August/early September 2013. I understand that DOE is now considering the responses to the consultation. It will be a matter for DOE to consider next steps in the planning process which may include, if appropriate, referral to the Planning Appeals Committee.

### FP7: DETI Funding

**Mr Attwood** asked the Minister of Enterprise, Trade and Investment to detail the funds provided under the European Programme FP7 to (i) her Department; (ii) arm's-length bodies; and (iii) any third party in (a) 2010/11; (b) 2011/12; and (c) 2012/13 financial years.

(AQW 31042/11-15)

**Mrs Foster:** My Department and its Arms Length Bodies (ALBs) are not research performers of the type traditionally associated with FP7. My Department does however actively encourage and support other research organisations and companies to apply for EU R&D and Innovation funding.

A breakdown of FP7 funding received is set out in the table below. Details of individual FP7 awards to 'Third Parties' have not been provided as my Department has been advised by the Department of Business, Innovation and Skills (BIS), which receives the data from the European Commission, that data on individual projects is confidential.

	FY 10/11	FY 11/12	FY 12/13
DETI	Nil	Nil	Nil
Arm's-Length Bodies	Nil	Nil	Nil
Third Parties	£4,130,318	£7,385,261	£4,404,427

In the context of reporting Departmental EU competitive drawdown performance, the 'Third Party' category relates to NI based bodies outside of DETI and its ALBs which have been successful in applying for FP7 and which have been influenced and supported by DETI and its ALBs to do so. In the case of FP7 this primarily relates to the business and Higher Education sectors.

### Project Kelvin: Causeway Coast

**Mr Campbell** asked the Minister of Enterprise, Trade and Investment to outline the progress made in attracting inward investment to the Causeway Coast as a result of Project Kelvin offering a competitive communications edge. (AQW 31076/11-15)

**Mrs Foster:** Invest NI continues to promote the benefits of Northern Ireland's digital infrastructure, including Project Kelvin, in overseas markets and on inward investment visits and has developed key sales messages to incorporate into the region's proposition. The sales messages on Project Kelvin focus on resilience, security, speed and cost where the benefits offered by Project Kelvin are available to all Northern Ireland businesses wishing to utilise it.

Invest NI has been working to identify new opportunities for inward investment from companies in sectors that would specifically benefit from the advantages that Project Kelvin provides. For example, in financial services, Invest NI promotes the latency angle to companies that rely on the high speed transfer of data. Another area is film and TV post production, where Invest NI is seeking to build on its recent success in attracting major companies, including HBO, Universal and Playtone Studios.

The recent investment in Coleraine by data centre development and consulting firm 5Nines is further evidence of Project Kelvin providing benefits key to securing investment location decisions where an inward investor considers high-speed connectivity a priority. It is envisaged that this digital hub will help attract further investment and jobs.

While Invest NI considers that the benefits provided by Project Kelvin are significant, they remain only a part of the investment proposition. A potential investor will base its decision on where to locate on a number of factors (other infrastructure factors, availability of skilled workforce, availability of suitable property etc.).

## Haulage: Invest NI

**Mr McMullan** asked the Minister of Enterprise, Trade and Investment why the haulage industry does not qualify for Invest NI funding.

**(AQW 31079/11-15)**

**Mrs Foster:** The haulage sector is an essential service to local businesses, and, as such, it can be considered for financial support on the same basis as other sectors. However, as it is largely a locally focused and cost competitive sector, financial intervention from Invest NI is likely to cause displacement of jobs within competing businesses, and it would be difficult to measure the additional economic benefits of providing such assistance.

In seeking to achieve its overall economic objectives, including increasing Northern Ireland's productivity, Invest NI primarily targets businesses operating within the manufacturing and tradeable service sectors, with high export potential. These sectors have the greatest potential to generate income for the Northern Ireland economy. Ultimately this approach has a positive impact on locally focused services, including the haulage sector, through the increased economic activity generated by globally successful businesses operating in Northern Ireland.

Under recent initiatives such as Boosting Business, Invest NI has expanded its advisory and information services to include a much wider business base. The local haulage sector can access advice and information through Boosting Business which focuses on five key areas; Skills, Technology, R&D, Exports and Jobs. Non financial support is available to all types of business and includes capability development, advisory services and practical seminars and workshops.

## Research and Development: Tax Relief

**Mr Campbell** asked the Minister of Enterprise, Trade and Investment what steps she will take to ensure that newly formed and recently expanded companies are aware of, and in possession of, the recently released information booklet R & D Tax Relief.

**(AQW 31227/11-15)**

**Mrs Foster:** All companies in Northern Ireland who received Invest NI support for R&D at any point in the past 3 years received a mailed copy of Invest NI's recently published Guide to R&D Tax Relief, with cover letter from the Invest NI Chief Executive, Alastair Hamilton week commencing 10 February 2014.

Invest NI is also promoting the booklet through its electronic newsletter which issues to 21,000 businesses.

The booklet is available to download via Invest NI website using the following link: <http://secure.investni.com/static/library/invest-ni/documents/research-and-development-tax-relief-brochure.pdf>

Invest NI works closely with HMRC's Northern Ireland Corporate Tax Office (NlrCTO) on all R&D Relief related activity. NlrCTO will also therefore be making the booklet available to companies it engages with.

Internally Invest NI has promoted the booklet to all staff through information briefs and tailored workshops for those staff who engage at the "coalface" with the full range of businesses – established, newly formed and recently expanded.

The Invest NI R&D team who specifically liaise with companies on R&D support are fully briefed on the tax relief support available and actively promote to new, existing and expanding businesses.

The booklet is also being made available to Association of Chartered Certified Accountants and related professional bodies and business institutes for distribution to their respective members, many of whom provide direct advice and guidance to newly formed and recently expanded businesses.

## KPL Contracts

**Mr Ó hOisín** asked the Minister of Enterprise, Trade and Investment whether she intends to meet with any of those who are proposing a rescue effort for KPL Contracts.

**(AQW 31437/11-15)**

**Mrs Foster:** At present, my Department, through Invest NI, is continuing to liaise with the local Jobs and Benefits Office to follow up on enquiries raised by affected staff at the redundancy clinic which was held on 26th February. Invest NI is also continuing to work with both Limavady Borough Council and the administrators in PWC to examine possible ways forward, with a further roundtable meeting scheduled for 3rd March.

## Economic Pact

**Mr Eastwood** asked the Minister of Enterprise, Trade and Investment what assessment she has made of the effectiveness of the implementation of the economic package announced in June 2013.

**(AQO 5700/11-15)**

**Mrs Foster:** The implementation of the Economic Pact commitments is the responsibility of several Executive Departments and is monitored on a monthly basis by OFMDFM.

I am broadly content with the progress to date on a number of key issues which are the responsibility of my Department. We are making progress in relation to Access to Finance with the establishment of a joint Ministerial taskforce and an Access to Finance implementation panel.

A review of Business Regulation is underway with guidance and support from an independent, expert advisory panel.

The Executive are continuing to advance the case for devolution of Corporation Tax within the timeframe set out in the Pact.

## Economic Growth

**Mr Weir** asked the Minister of Enterprise, Trade and Investment for her assessment of the current rate of economic growth. (AQO 5692/11-15)

**Mrs Foster:** Recent statistics on economic growth have been encouraging. For example, the Northern Ireland Composite Economic Index, for Q3 2013, had growth up 1.6% over the quarter and up by 1.2% over the year.

In particular, the private sector performed well with growth of 2.2% over the quarter and 1.4% over the year. This has been combined with steadily improving labour market data including the number of people claiming unemployment benefits falling in each of the last twelve months, by six thousand two hundred over this period. Recent positive business confidence and sentiment suggests we can be hopeful that the return to positive growth can continue.

## Crumlin Road Gaol: Tourism

**Mr G Kelly** asked the Minister of Enterprise, Trade and Investment for her assessment of the success of the Crumlin Road Gaol project in improving tourism in Belfast. (AQO 5693/11-15)

**Mrs Foster:** The Crumlin Road Gaol opened to the public on 5 December 2012. To date the Visitor Attraction and Conference Centre has received over one hundred and fifty six thousand visitors.

Wing A of The Gaol will soon be converted into "The Belfast Whiskey Distillery". It will run as a commercial operation and export worldwide.

The Cultural Corridor has been identified as an emerging local destination within Belfast City Council's Integrated Strategic Framework for Belfast Tourism 2010–2014 with the development of The Gaol and Courthouse as a key driver for tourism within the area.

## Giro d'Italia: Economic Benefits

**Mr Hilditch** asked the Minister of Enterprise, Trade and Investment for an update on the estimated benefits that the Giro d'Italia 2014 will bring to the economy. (AQO 5694/11-15)

**Mrs Foster:** Attracting the Giro d'Italia to Northern Ireland has the potential to contribute significantly to the economy through attracting additional visitors, including out of state visitors, and generating additional tourism revenue.

The key estimated benefits include:

- Broadcast to a global audience of around eight hundred million;
- £10 million media coverage for Northern Ireland;
- One hundred and forty thousand, forty-two thousand out of state; and
- £2.5 million local economic impact.

Although the race, and in particular the beauty of Northern Ireland, will be viewed in over one hundred and seventy four countries worldwide, the tourism impact and the economic impact that this will bring cannot at this stage be assessed.

The return on the investment for the £3 million will be assessed via an independent economic impact study.

## Creative Industries: Economic Impact

**Mr Humphrey** asked the Minister of Enterprise, Trade and Investment what impact the growing creative industries is having on the wider Northern Ireland economy. (AQO 5695/11-15)

**Mrs Foster:** In line with the Programme for Government and the Northern Ireland Executive Economic Strategy, Invest NI's current Corporate Plan identifies Creative Industries as an important sector, with the potential to make a significant contribution to the development of a sustainable knowledge based economy.

The economic impact of investment in the TV and Film industry, a key element of the creative economy, as measured by GVA and employment is significant when coupled with the wider and regional benefits that have been derived to date. These wider benefits include the attraction of Foreign Direct Investment; increased skills; new business for local supply chain, e.g. hotel sector; international trade missions and increasing the overall reputation of the Northern Ireland Screen Industry on the national and international stage.

Currently, thirty six thousand three hundred people or 4.1% of the Northern Ireland workforce are engaged in employment in the creative industry sector, representing 4.2% of Northern Ireland's GVA. Specifically related to the film, television and digital media sector, recent analysis suggests there are over two hundred active businesses employing approximately three thousand two hundred people with external sales in excess of £156 million.

### **Small and Medium-sized Enterprises: Border Areas**

**Mr McAleer** asked the Minister of Enterprise, Trade and Investment to outline her current proposals to ensure that Small and Medium sized Enterprises in border areas are fully integrated into the local and island economies.

**(AQO 5696/11-15)**

**Mrs Foster:** My Department in conjunction with Invest NI works with key stakeholder organisations such as DARD and the local Councils to provide support for local businesses in many border areas. This enables them to grow and develop their businesses through a focus on exports and innovation. New business starts from border areas are encouraged to participate in the Regional Start Initiative to produce business plans and then to seek support from other relevant sources e.g. local council economic development programmes part funded by Invest NI and ERDF and rural development programmes to contribute to their establishment and growth.

Invest NI also uses European funding for the benefit of border companies. This includes working with Border area Councils on Local Economic Development Measure programmes to help stimulate economic development and access Interreg IVA funding which specifically aims to address the economic and social problems which result from the existence of borders.

My Department also works closely with InterTradelreland to identify and help realise opportunities to improve competitiveness, generate economic growth and create sustainable quality jobs in both jurisdictions on an all island basis and not just within the border region. InterTradelreland programmes support exports and innovation that broaden export and innovative capability to drive jobs and growth in SMEs and micro businesses. More than a quarter, 27%, of the businesses participating in InterTradelreland programmes during 2011 to 2013 came from those counties contiguous to the border.

### **Tourism: Robert the Bruce Anniversary**

**Mr Swann** asked the Minister of Enterprise, Trade and Investment, from a tourism perspective, what support her Department is planning to provide to acknowledge the 700th Anniversary of the Bruce campaign in Ulster.

**(AQO 5697/11-15)**

**Mrs Foster:** Tourism events are supported through NITB's Events Fund which has now closed for events in 2014 and will reopen in autumn 2014 for 2015 events to apply for support.

Scotland is a key tourism market for us and a number of promotions are planned in Scotland this year to promote Northern Ireland as a destination for Scottish visitors. We also proudly promote our Ulster Scots heritage particularly in the North American market.

Neither my Department nor NITB has been approached to provide support to an event to acknowledge the anniversary of the Bruce campaign.

### **Electricity: Pricing**

**Mr McKay** asked the Minister of Enterprise, Trade and Investment for an update on her efforts to reduce the price of electricity for non-domestic customers.

**(AQO 5698/11-15)**

**Mrs Foster:** My Department has appointed consultants to examine the impact and costs of the Executive's commitment to 40% renewables. This work will be completed later in 2014. The Utility Regulator has appointed consultants to examine how network charges are allocated across customer groups. My Department acts as part of the Steering Group arrangement overseeing that work, which is expected to be completed by end March 2014. Both pieces of work will provide the evidence needed to inform policy debate going forward.

### **Gross Value Added**

**Mr Hazzard** asked the Minister of Enterprise, Trade and Investment to outline her strategy to deal with the cumulative fall in real terms Gross Value Added of 11.8% from 2008 to 2012.

**(AQO 5699/11-15)**

**Mrs Foster:** We all recognise that the Northern Ireland economy suffered as a result of the global economic downturn and the most recent regional GVA figures bear this out.

It was within this context that the Executive launched the Economic Strategy in March 2012. The Strategy sets out what the Executive collectively is doing to build a larger more export-driven private sector, to boost competitiveness and to rebalance the Northern Ireland Economy.

The most recent figures from Northern Ireland Statistics Research Agency for the Composite Index show that in Q3 of 2013 the Northern Ireland economy grew by 1.6% on the previous quarter and by 1.2% over the year. We would therefore expect the GVA figures for 2013 to reflect our improving position.

## Department of the Environment

### Taxis: Central Station, Belfast

**Lord Morrow** asked the Minister of the Environment how many public hire taxi operators have been prosecuted for taxi touting at Central Station, Belfast, in each of the last three years.

**(AQW 30547/11-15)**

**Mr Durkan (The Minister of the Environment):** There have been two public hire taxi drivers prosecuted for taxi touting at Central Station, Belfast in the last three years<sup>4</sup>.

### Taxis: Ravenhill Rugby Ground

**Lord Morrow** asked the Minister of the Environment, pursuant to AQW 30315/11-15, why this licence was granted and subsequently removed.

**(AQW 30926/11-15)**

**Mr Durkan:** A Taxi Operator Licence was issued on 19 June 2013 to Fonacab with Ravenhill rugby ground listed as an operating centre.

Following discussions with the operator about the provision of taxi services at Ravenhill it became clear that the operator had not fully established an operating centre at Ravenhill. This operating centre was accordingly removed from the licence.

### Taxi Regulations: Judicial Review

**Lord Morrow** asked the Minister of the Environment to clarify the role of the Departmental Solicitors Office and whether they concur with the assertion of a Driver and Vehicle Agency official at the Committee for the Environment on 12 December 2013, that specific legislation on taxi regulations could, if necessary, be tested by a judge, presumably alluding to a Judicial Review.

**(AQW 30934/11-15)**

**Mr Durkan:** The aim of the Departmental Solicitors Office (DSO) is to advance and protect the interests of the Northern Ireland Departments by the provision of high quality, cost effective legal services. This includes the provision of legal advice and legal representation to all Departments. It provides legal advice across a range of areas to include advice on matters pertaining to a Department's powers and duties and on the exercise of those powers. It advises Departments in areas such as employment law, environmental law, and EU law and in more general legal matters. It represents Departments in litigation and in property conveyancing.

The official at the meeting on 12 December 2013 stated that it was the Department's position, following clarification of the legal advice from DSO, that as long as the conditions in the Public Service Vehicles Regulations (NI) 1985 and the Taxi Operators Licensing Regulations (NI) 2012 were met then the Fonacab operation at Ravenhill was within the law. The official added a general point, that the way to test any law was to put it in front of a judge, such as would be the case when appeals against Departmental decisions are brought before the Courts.

The Taxis Act (Northern Ireland) 2008 provides recourse to the courts for a licensed taxi operator where that operator is aggrieved by a decision of the Department to suspend, revoke or curtail his operating licence. Otherwise if an operator is aggrieved by any decision of the Department affecting his licence that decision may be challenged by way of judicial review.

### Taxis: Breaches of Regulations

**Lord Morrow** asked the Minister of the Environment, given that a Driver and Vehicle Agency official told the Committee for the Environment on 12 December 2013 that it is acknowledged that private hire taxis are picking up fares, which is a regulation breach, why there have been so few prosecutions.

**(AQW 30935/11-15)**

**Mr Durkan:** Private hire vehicle licensees who contravene the Public Service Vehicle Regulations (Northern Ireland) 1985 and the Road Traffic (Northern Ireland) Order 1981 by causing or permitting a vehicle to ply for hire illegally will normally be dealt with by way of a £30 Fixed Penalty Notice (FPN).

Fixed penalties allow for less serious cases to be dealt with in a more efficient and proportionate way and they significantly reduce the burden on the criminal justice system.

In response to representations received from Belfast Public Hire representatives, the Driver and Vehicle Agency has directed more enforcement resources towards addressing the problem of taxis illegally plying for hire within Belfast's City limits. The

<sup>4</sup> These are not validated DOE Official Statistics.

statistics relating to the numbers of FPNs issued for this offence during the last quarter of 2013 will not be available until the next publication of official government statistics in March 2014.

### **Lough Neagh Special Protection Area: Mineral Extraction**

**Mr Kinahan** asked the Minister of the Environment to detail what development consents (i) are required; (ii) have been granted for commercial sand and gravel extraction from Lough Neagh Special Protection Area; and (iii) what assurance he can provide that any consents are being complied with.

**(AQW 30959/11-15)**

**Mr Durkan:**

- (i) Dredging involves the working of minerals and that activity constitutes a mining operation, development as per Art. 11 of The Planning (NI) Order 1991 and requires permission as per Art. 12 of the Order. Planning permission is thus required for the activity of sand dredging.
- (ii) The Department's records indicate that there are no recorded permissions for sand extraction from Lough Neagh SPA.
- (iii) In accordance with the answer to (ii), this question is not applicable.

### **Lough Neagh Special Protection Area: Mineral Extraction**

**Mr Kinahan** asked the Minister of the Environment whether his Department has established, with scientific certainty, that the commercial mineral extraction from Lough Neagh Special Protection Area is not harming the ecology and integrity of this Natura 2000 site.

**(AQW 30960/11-15)**

**Mr Durkan:** There is no evidence to suggest that commercial mineral extraction is harmful to the ecology and integrity of Lough Neagh SPA. It should be noted that it is challenging to reach conclusions about the natural environment with scientific certainty. To reduce uncertainty and provide the best available evidence, the Department has commissioned research into bird populations on the lough. This suggests that the decline in numbers of some key species for which Lough Neagh SPA has been selected is the result of a range of factors, including climate change and prey availability which may in turn, be linked to changes in water quality.

### **Lough Neagh Special Protection Area: Mineral Extraction**

**Mr Kinahan** asked the Minister of the Environment to detail (i) the number of times unauthorised mineral extraction from Lough Neagh Special Protection Area was reported to his Department; (ii) the number of enforcement cases opened; (iii) the number of enforcement cases closed, including the reasons for closure; and (iv) the number of times formal enforcement action was taken, in the last ten years.

**(AQW 30961/11-15)**

**Mr Durkan:**

- (i) The Department's Strategic Planning Division would investigate unauthorised mineral extraction, including that reported within Lough Neagh SPA. The Department's records indicate that four complaints of unauthorised extraction have been reported.
- (ii) In accordance with the reports of unauthorised extraction listed at (i), the Department has opened an enforcement case for each.
- (iii) Two of the cases were closed, one for 'No breach', the other for 'Immune'. The remaining two cases are subject to ongoing investigations.
- (iv) There are no recorded incidents of formal enforcement action being taken in relation to the unauthorised extraction of minerals from the Lough Neagh SPA.

### **Lough Neagh Special Protection Area: Mineral Extraction**

**Mr Kinahan** asked Minister of the Environment for his assessment of the regulation of the commercial mineral extraction for Lough Neagh Special Protection Area.

**(AQW 30962/11-15)**

**Mr Durkan:** There are a relatively small number of commercial dredging operations taking place within a specific area of Lough Neagh. It appears to the Department's Strategic Planning Division that a breach of planning control involving the unauthorised working of sand from Lough Neagh has been ongoing. It appears that the operations do not benefit from planning permission required in that regard.

The Department's SPD Enforcement Team already has a live enforcement investigation in relation to these alleged breaches and enquiries are ongoing at this point.

The Department may use a range of powers to regularise or remedy the breach in accordance with the provisions of Planning policy Statement 9 and the Enforcement Strategy.

### Giro d'Italia: Election Posters

**Mr Weir** asked the Minister of the Environment what plans he has to introduce regulations banning election posters on the route of the Giro d'Italia for the duration of the race.

**(AQW 30967/11-15)**

**Mr Durkan:** The focus of the cycling world will be on Northern Ireland when the prestigious Giro d'Italia takes place over 3 days from 9-11 May 2014 and involves routes in and around Belfast, along the stunning Causeway coast and the cathedral city of Armagh. The Giro d'Italia is considered second only to the tour de France and is viewed around the world by a potential audience of 800 million.

Put simply, the Giro d'Italia is the biggest sporting event ever to take place in the North and it is for this reason that I have suggested that there should be a voluntary agreement between the political parties to refrain from displaying election posters along the route between the 9th and 11th May. This would not require any legislative change and could be implemented immediately with the added benefit of the parties demonstrating co-operation and goodwill on this important matter. You will be aware that I wrote to all parties in Northern Ireland along these lines and to date I am pleased that my proposal has received a positive response from the SDLP, Ulster Unionists, DUP and Alliance parties.

In the absence of such a voluntary agreement there is a possible legislative option which I will consider following receipt of legal advice which would involve a change to the current advertising regulations and would provide the Department with an opportunity, where appropriate, to restrict the type of advertisement to be displayed in a particular area for a specified period or indefinitely. Whilst I will examine legislative options as a last resort I firmly believe that political agreement is the way forward and would much prefer that consensus between the parties can be achieved that would ensure a poster free route for the three days in May when the Giro d'Italia will place Northern Ireland at the forefront of the global stage.

### Driver and Vehicle Agency: Unroadworthy Vehicles

**Lord Morrow** asked the Minister of the Environment to provide details of the four vehicles which were identified as not roadworthy by a Driver and Vehicle Agency official, as disclosed to the Committee for the Environment on 12 December 2013. **(AQW 31011/11-15)**

**Mr Durkan:** The specific information on unroadworthy vehicles provided by an official at the Committee of the Environment briefing on 12 December 2013, related to an enforcement operation that was carried out in Belfast City Centre on 7 December 2013.

Further analysis of the statistics has confirmed that five taxis inspected during this operation were issued with immediate prohibitions relating to roadworthiness issues. A table showing the details of the defects as recorded by enforcement officers is included below for your information.

Vehicle	Class	Defects
1	Private	Defective rear tyre and no spare wheel
2	Public	Excessive movement on steering, hydraulic fluid leak and cracked windscreen
3	Private	2 Tyres worn below the legal limit and a defective headlight
4	Public	Fuel leak at engine, excessive movement in steering, bodywork not to PSV standard
5	Private	Both front tyres defective and no fire extinguisher

### CCTV: Ravenhill Rugby Ground

**Lord Morrow** asked the Minister of the Environment, pursuant to AQW 28201/11-15, AQW 28378/11-15 and AQW 27856/11-15, whether he has viewed all the video footage recorded at Ravenhill Rugby Ground, Mount Merrion Avenue on 23 August 2013; and who else has had sight of this footage.

**(AQW 31012/11-15)**

**Mr Durkan:** I have not viewed the video footage recorded at Ravenhill Rugby Ground on 23 August 2013. The footage has been viewed by the relevant Driver and Vehicle Agency (DVA) enforcement officers to confirm their first hand observations regarding the manner in which taxi services were being provided at that time.

The DVA manages the handling of all photographic evidence collected during the course of investigations in strict accordance with Regulation of Investigatory Powers Act 2000 (RIPA) and the Data Protection Act 1998.

## River Faughan: Environmental Damage

**Mr Agnew** asked the Minister of the Environment whether he will order urgent action to assess the risk, and to prevent environmental damage, to the River Faughan and Tributaries Special Area of Conservation from the peat slide developing at the Baranailt Road wind farm, Claudy.

(AQW 31018/11-15)

**Mr Durkan:** NIEA has already undertaken urgent action to assess the risk and prevent environmental damage. NIEA's Duty Emergency Pollution Officer received a report of a potential pollution incident at 11.00 pm on Sunday 9 February 2014; local NIEA staff were tasked to attend the site the next morning, Monday 10 February. Remedial action has been taken.

## Baranailt Road Wind Farm: Environmental Damage

**Mr Agnew** asked the Minister of the Environment (i) whether the peat slide from the Baranailt Road wind farm, Claudy is a result of development on an active peat bog; (ii) whether any Annex 1 active peat bog habitat has been affected or damaged; (iii) whether there is any threat to the River Faughan and Tributaries Special Areas of Conservation; and (iv) how he intends to address this threat.

(AQW 31019/11-15)

**Mr Durkan:** The location at which the pollution incident occurred has been used for intensive peat extraction, therefore the incident was not the result of development on active peat land and no active peat has been damaged. The recent unusually heavy rainfall was a significant contributory factor. NIEA has investigated the incident and has been liaising with the companies responsible for construction and management at the site. The companies have been tasked to take steps to remedy the current incident and to ensure that no more peat enters the waterway. This remedial action to prevent any further environmental damage including the release of sediments into the Faughan is underway.

## Taximeters: Provision and Installation

**Mr Weir** asked the Minister of the Environment what technical experience his Department has on taximeter provision and installation.

(AQW 31036/11-15)

**Mr Durkan:** The Driver and Vehicle Agency (DVA) do not supply or install taximeters. However, the DVA approve, test and seal taximeters in compliance with Regulation 46 of the Public Service Vehicles (Conditions of Fitness, Equipment and Use) Regulations (Northern Ireland) 1995.

## Taximeters: Suppliers

**Mr Weir** asked the Minister of the Environment for the list of taximeter suppliers held by his Department.

(AQW 31037/11-15)

**Mr Durkan:** The Department currently holds a list of taxi meter manufacturers / suppliers as follows:

- |                                  |   |
|----------------------------------|---|
| ■ HALE electronic GmbH           | ■ Halda                                     |
| ■ Digitax Automotive Electronics | ■ Aquila Electronics Limited                |
| ■ Cygnus Automotive Ltd          | ■ A.T.A. Automatisme et Techniques Avancées |

## Taximeters: Approved Centres

**Mr Weir** asked the Minister of the Environment how many approved taximeter centres are being proposed by his Department.

(AQW 31040/11-15)

**Mr Durkan:** The Department has no plans to restrict the numbers of approved taximeter centres. The final number of centres will be determined by market forces and the necessity to comply with the stipulated requirements of the approval scheme that is currently being developed by the Driver and Vehicle Agency.

## Peat: Unauthorised Extraction

**Mr Agnew** asked the Minister of the Environment for his assessment of the level of unauthorised peat extraction for commercial purposes, in particular the area between the south shore of Lough Neagh and the M1.

(AQW 31070/11-15)

**Mr Durkan:** The Department's Strategic Planning Division are aware of 4 sites where it appears unauthorised commercial peat extraction is taking place. The sites are located in the Dungannon, Cookstown and Omagh district council areas.

The Department has taken formal enforcement action against one site, is processing a planning application for two of the sites and is in discussions with the operator of a fourth site.

Peat extraction is also controlled within Areas of Special Scientific Interest by the Northern Ireland Environment Agency under The Environment (Northern Ireland) Order 2002.

### Peat: Unauthorised Extraction

**Mr Agnew** asked the Minister of the Environment what action he will take to bring the unauthorised extraction of peat under planning control, particularly in areas subject to the Habitats Directive.

**(AQW 31071/11-15)**

**Mr Durkan:** Where the unauthorised extraction of peat constitutes a breach of planning control as per Article 67A of The Planning (NI) Order 1991 the Department can consider enforcement action. The Department's approach to the enforcement of planning control will be in line with the Planning Policy Statement 9 and the Enforcement Strategy.

Consultation with NIEA will normally take place as well as with any other relevant consultees to consider for example, sites subject to the Habitats Directive.

The approaches taken to date range from the receipt of a planning application to the service of a stop and enforcement notice.

### Quarries: Unauthorised Extraction

**Mr Agnew** asked the Minister of the Environment how many active quarries are currently operating outside their consented areas for mineral extraction, broken down by council area.

**(AQW 31072/11-15)**

**Mr Durkan:** The information provided refers to live investigations by the Department on existing quarries (i.e. with approval) where it is alleged that unauthorised extraction is taking place outside the approved area.

Operations may have ceased either voluntarily or on in response to action by the Department. Unauthorised areas may be subject to regularisation or restoration.

The total is 23, by Council area the numbers are

Derry City	2 sites	Cookstown	3 sites
Coleraine	1 site	Strabane	3 sites
Ballymoney	2 sites	Omagh	5 sites
Moyle	1 site	Fermanagh	2 sites
Magherafelt	1 site	Newry and Mourne	3 sites

### Quarries: Compliance

**Mr Agnew** asked the Minister of the Environment what steps, and with what frequency, he will take to monitor each quarrying operation to ensure that quarrying activities take place as per the relevant planning permission and the conditions laid down.

**(AQW 31073/11-15)**

**Mr Durkan:** The Department has implemented a number of procedures and processes to monitor quarrying operations.

The Department has a dedicated resource at Strategic Planning Division to monitor and ensure compliance with quarrying operations.

SPD Compliance Team has established new arrangements for notification of conditions and compliance requirements with the development management team.

The compliance team have undertaken a comprehensive review of minerals permissions issued in the preceding 5 years and will be pursuing any alleged breaches of compliance identified.

A dedicated team has been established to proactively monitor compliance with blasting levels at approved quarry sites. Staff have been appropriately certified and trained.

Specialist software, equipment and training have been procured by SPD to obtain better quality, more accurate and timely survey information.

The Department has agreed targets for inspecting sites and a system for prioritising inspections. These are set out in the Department's Enforcement Strategy document. Additional inspections may be carried out at whatever frequency is dictated by the nature of the breach and the remedy.

### Operation Sycamore

**Mr Agnew** asked the Minister of the Environment whether Operation Sycamore has established whether waste from any of the ARC21 councils has been dumped at the Mabuoy Road illegal landfill site.

**(AQW 31074/11-15)**

**Mr Durkan:** Operation Sycamore remains a live criminal investigation conducted by the Environmental Crime Unit of the Northern Ireland Environment Agency. To avoid the possibility of prejudicing this investigation, any evidence identifying either the origin of the waste or those parties involved in its unauthorised disposal cannot be disclosed at present.

## Planning Applications P/2010/1041/F and ENP/2010/0358/CA/01

**Mr Wells** asked the Minister of the Environment why the applicant in the case of planning applications, P/2010/1041/F and ENP/2010/0358/CA/01 has not been required to serve a P2A form on the owner of the land which is required to obtain the visibility splays for the proposal.

**(AQW 31078/11-15)**

**Mr Durkan:** With regard to all planning applications the applicant is required to serve a P2A notice on any person who, at the beginning of the period of 21 days ending with the date of the application, has a legal interest in all or any part of the land affected by the application.

In addition to service of the P2A notice, the applicant is required, under Article 22 of the Planning (Northern Ireland) Order 1991 to complete the appropriate certificate on the planning application form. This constitutes a statement of ownership.

In relation to planning application P/2010/1041/F the Department, following the receipt of information from an objector regarding the ownership of land within the application site, issued a written request on 11 December 2013 inviting the applicant to amend the certificate attached to the planning application form and to serve a P2A notice on the landowner in question. The Department is currently awaiting the submission of information to satisfactorily address this issue before the application can be further progressed.

## Driver and Vehicle Agency: Staff Vacancies

**Mr McQuillan** asked the Minister of the Environment what assurances he can give that staff vacancies in the Driver and Vehicle Agency in Coleraine will not be filled substantively until the future of DVA Coleraine has been decided.

**(AQW 31095/11-15)**

**Mr Durkan:** There are currently 302 full time equivalent posts in DVA funded by DVLA which would be affected if all vehicle licensing work were to be centralised in Swansea. The majority of these posts are based in Coleraine. You will be aware that I have robustly opposed the centralisation proposal.

As a contingency measure my officials are not currently filling on a permanent basis vacancies arising in the affected areas in DVA Coleraine pending DVLA's decision on the future of Vehicle Registration and Licensing Services in Northern Ireland. These will be filled on a temporary basis as determined by business need.

Consideration will only be given to filling, on a permanent basis, DVA vacant posts in Coleraine which are outside the scope of the centralisation proposals where this is considered to be business critical.

## Taxis: Marshals

**Lord Morrow** asked the Minister of the Environment, pursuant to AQW 30382/11-15, what interim measures he will introduce until the matter is finalised.

**(AQW 31097/11-15)**

**Mr Durkan:** The Department remains focussed on the proposed implementation of new taxi vehicle regulations in September 2014 and has no plans to introduce any interim measures regarding the use of marshals or touting.

The Driver and Vehicle Agency will continue to enforce the existing provisions of the Public Service Vehicles (Northern Ireland) Regulations 1985, which prohibits a person employed as a driver of a vehicle from touting, calling out or importuning any person to be carried for hire in the vehicle.

## Arc21: Appointment Business Case

**Mr Kinahan** asked the Minister of the Environment, pursuant to AQW 26327/11-15, whether he, or his Department, has received a complete Appointment Business Case from Arc21 that has the full support of its Joint Committee; and if not, when he expects to receive this business case.

**(AQW 31127/11-15)**

**Mr Durkan:** The Department is not party to any of the procurements being taken forward by the Waste Management Groups, and is not therefore party to the commercially confidential details of the arc21 project. Management of the project is a matter for arc21 and its constituent councils to determine in line with their governance arrangements.

The Department has not received a complete Appointment Business Case from arc21 and we await a revised proposed submission date.

## Arc21: Update

**Mr Kinahan** asked the Minister of the Environment, given the amount of public money that has been spent to date on the Arc21 waste management group, for an update on its performance, including specific reference to the delivery of its proposed waste treatment facility at Hightown.

**(AQW 31129/11-15)**

**Mr Durkan:** As the Member will understand, much of the detailed information pertaining to the arc21 procurement is subject to restrictions imposed by public procurement law and commercial confidentiality requirements.

Arc21's proposed new waste treatment facilities are to be delivered in partnership with the private sector. It commenced the procurement process in September 2008 with the formal publication of the OJEU Notice, and is still in competitive dialogue with the bidder. It has advised the Department that the need to resolve outstanding commercial issues has impacted on its latest indicative timetable which had forecast contract award in early 2014 with all the permanent facilities operational by late 2018. Planning and Permitting applications are, however, ready for submission, and arc21 continues to work with key stakeholders to progress its procurement.

### Committee for the Environment: Cancelled Briefings

**Mr Nesbitt** asked the Minister of the Environment on how many occasions (i) he; and (ii) departmental officials cancelled briefings, which were part of the forward work programme, to his Department's Statutory Assembly Committee, in each of the last five years.

**(AQW 31134/11-15)**

**Mr Durkan:** I am not aware of any instances in the last five years where I, my predecessors, or departmental officials cancelled briefings to the Environment Committee.

### Arc21: Waste Facility, Newtownabbey

**Mr Dunne** asked the Minister of the Environment to outline any meetings he has had with arc21 waste management group regarding the proposed waste treatment facility at the Boghill Road, Newtownabbey.

**(AQW 31184/11-15)**

**Mr Durkan:** Since taking up office as Minister of the Environment, I have not held any meetings with arc21 specifically relating to its proposed waste treatment facility at the Boghill Road. As Chair of the Waste Programme Board I meet regularly with both political and officer representatives of all three Waste Management Groups. I am also briefed by Departmental officials on project-level issues arising in the context of monthly meetings of the Waste Infrastructure Programme Board.

### Arc21: Local Authorities

**Mr Dunne** asked the Minister of the Environment for an estimate of the amount of Local Authority Collected Municipal Waste expected to be produced over the next five years, broken down by each council in the arc21 council grouping.

**(AQW 31185/11-15)**

**Mr Durkan:** Arc21 has prepared a draft waste management plan (the Plan) to fulfil its councils' obligations under Article 23 of the Waste and Contaminated Land (Northern Ireland) Order 1997. The Plan contains estimates of the total annual amount of waste arisings in the arc21 area up to 2019/20, and a projection for each member council of the amount of Local Authority Collected Municipal Waste arisings in 2019/20. This information is provided in the following tables.

#### Waste Arisings Forecast 2014/15 to 2019/20

Year	Household	Civic Amenity Site	Trade/Non Household	Bring Sites	Total LACMW Arisings	Annual Change
2014/15	337,131	130,781	55,911	4,587	528,409	0.80%
2015/16	340,502	132,089	56,470	4,632	533,693	1.00%
2016/17	344,248	133,542	57,091	4,683	539,564	1.10%
2017/18	348,379	135,144	57,776	4,740	546,039	1.20%
2018/19	352,559	136,766	58,469	4,796	552,591	1.20%
2019/20	357,143	138,544	59,230	4,859	559,775	1.30%

#### LACMW Arisings Projections 2019/20

Council	Total LACMW Arisings(tonnes)
Antrim Borough Council	37,988
Ards Borough Council	45,579
Ballymena Borough Council	33,166
Belfast City Council	160,820
Carrickfergus Borough Council	24,789

Council	Total LACWM Arisings(tonnes)
Castlereagh Borough Council	33,750
Down District Council	37,337
Larne Borough Council	20,849
Lisburn Borough Council	64,800
Newtownabbey Borough Council	50,566
North Down Borough Council	50,128

### Arc21: Local Authorities

**Mr Dunne** asked the Minister of the Environment to detail the Local Authority Collected Municipal Waste figures for each of the arc21 councils over each of the last four years, up to and including 2012-13.

**(AQW 31186/11-15)**

**Mr Durkan:** As the question does not specify precisely what Local Authority Collected Municipal Waste (LACMW) figures are requested, data has been supplied for the following three key performance indicators in the current waste management strategy;

**Kpi (e)** Percentage of Local Authority Collected Municipal Waste arisings sent for recycling and composting

**Kpi (f)** Percentage of Local Authority Collected Municipal Waste arisings landfilled

**Kpi (j)** Total Local Authority Collected Municipal Waste arisings

Other LACMW metrics and / or data for other years are publically reported at [http://www.doeni.gov.uk/niea/waste-home/municipal\\_data\\_reporting.htm](http://www.doeni.gov.uk/niea/waste-home/municipal_data_reporting.htm)

### Local Authority Collected Municipal Waste data 2012 /13

2012 / 13	KPI(j)					KPI (e)		KPI(f)
Area	LAC municipal waste arisings (tonnes)	LAC municipal dry recycling (tonnes)	LAC municipal composting (tonnes)	LAC municipal dry recycling rate	LAC municipal composting rate	LAC municipal waste sent for recycling (inc composting) as a % of LAC municipal waste arisings	LAC municipal waste landfilled (tonnes)	LAC municipal waste landfilled as a % of total LAC municipal waste arisings
<b>arc21</b>								
Antrim	33,091	9,657	8,096	29.2%	24.5%	53.6%	14,596	44.1%
Ards	41,712	6,702	8,140	16.1%	19.5%	35.6%	25,883	62.1%
Ballymena	30,315	6,171	7,291	20.4%	24.1%	44.4%	16,704	55.1%
Belfast	144,497	27,770	15,220	19.2%	10.5%	29.8%	82,998	57.4%
Carrickfergus	21,470	5,307	3,446	24.7%	16.1%	40.8%	12,557	58.5%
Castlereagh	29,463	5,827	6,215	19.8%	21.1%	40.9%	16,946	57.5%
Down	33,607	6,559	4,201	19.5%	12.5%	32.0%	22,066	65.7%
Larne	19,935	6,699	3,828	33.6%	19.2%	52.8%	8,157	40.9%
Lisburn	55,806	10,149	10,963	18.2%	19.6%	37.8%	32,770	58.7%
Newtownabbey	44,323	9,748	9,197	22.0%	20.7%	42.7%	23,133	52.2%
North Down	48,503	12,113	9,242	25.0%	19.1%	44.0%	25,947	53.5%
<b>All arc21</b>	<b>502,722</b>	<b>106,703</b>	<b>85,840</b>	<b>21.2%</b>	<b>17.1%</b>	<b>38.3%</b>	<b>281,758</b>	<b>56.0%</b>

**Source:** excerpts from Table 3 on page 31 of <http://www.doeni.gov.uk/lac-municipal-waste-2012-13.pdf>

**Notes**

- 1 Rates calculated by dividing total tonnage of LAC municipal waste sent for recycling, composting and landfill by total LAC municipal waste arisings.
- 2 The tonnages of recycled (including composted) and landfilled waste may not always equal the waste arisings because the recycling measures were defined to capture outputs from recycling processes which excludes reuse and energy recovery.

**Local Authority Collected Municipal Waste data 2011 / 12**

2011 / 12	KPI(j)					KPI (e)		KPI(f)
Area	LAC municipal waste arisings (tonnes)	LAC municipal dry recycling (tonnes)	LAC municipal composting (tonnes)	LAC municipal dry recycling rate	LAC municipal composting rate	LAC municipal waste sent for recycling (inc composting) as a % of LAC municipal waste arisings	LAC municipal waste landfilled (tonnes)	LAC municipal waste landfilled as a % of total LAC municipal waste arisings
<b>arc21</b>								
Antrim	35,186	10,321	8,406	29.3%	23.9%	53.2%	16,001	45.5%
Ards	42,435	7,665	8,527	18.1%	20.1%	38.2%	26,080	61.5%
Ballymena	31,926	6,108	6,114	19.1%	19.2%	38.3%	19,693	61.7%
Belfast	148,866	23,607	16,445	15.9%	11.0%	26.9%	105,500	70.9%
Carrickfergus	24,272	7,129	4,049	29.4%	16.7%	46.1%	13,093	53.9%
Castlereagh	31,004	6,413	6,707	20.7%	21.6%	42.3%	17,468	56.3%
Down	32,635	6,079	4,026	18.6%	12.3%	31.0%	22,414	68.7%
Larne	20,396	6,776	4,042	33.2%	19.8%	53.0%	8,743	42.9%
Lisburn	58,637	11,576	11,873	19.7%	20.2%	40.0%	34,481	58.8%
Newtownabbey	45,212	8,445	9,931	18.7%	22.0%	40.6%	25,689	56.8%
North Down	47,404	12,242	8,748	25.8%	18.5%	44.3%	26,075	55.0%
<b>All arc21</b>	<b>517,972</b>	<b>106,362</b>	<b>88,869</b>	<b>20.5%</b>	<b>17.2%</b>	<b>37.7%</b>	<b>315,238</b>	<b>60.9%</b>

**Source:** excerpts from Table 3 on page 27 of [http://www.doeni.gov.uk/lac\\_municipal\\_waste\\_2011-12.pdf](http://www.doeni.gov.uk/lac_municipal_waste_2011-12.pdf)

**Notes**

- 1 Rates calculated by dividing total tonnage of LAC municipal waste sent for recycling, composting and landfill by total LAC municipal waste arisings.
- 2 The tonnages of recycled (including composted) and landfilled waste may not always equal the waste arisings because the recycling measures were defined to capture outputs from recycling processes which excludes reuse and energy recovery.

## Local Authority Collected Municipal Waste data 2010 / 11

2010 / 11	31186					KPI (e)		KPI(f)
Area	LAC municipal waste arisings (tonnes)	LAC municipal dry recycling (tonnes)	LAC municipal composting (tonnes)	LAC municipal dry recycling rate	LAC municipal composting rate	LAC municipal waste sent for recycling (inc composting) as a % of LAC municipal waste arisings	LAC municipal waste landfilled (tonnes)	LAC municipal waste landfilled as a % of total LAC municipal waste arisings
<b>arc21</b>								
Antrim	35,282	9,676	7,529	27.4%	21.3%	48.8%	17,727	50.2%
Ards	44,686	8,564	8,366	19.2%	18.7%	37.9%	27,629	61.8%
Ballymena	33,576	6,072	5,068	18.1%	15.1%	33.2%	22,432	66.8%
Belfast	152,113	23,611	14,913	15.5%	9.8%	25.3%	112,798	74.2%
Carrickfergus	23,467	5,584	4,117	23.8%	17.5%	41.3%	13,767	58.7%
Castlereagh	31,880	6,776	6,375	21.3%	20.0%	41.2%	18,401	57.7%
Down	34,973	6,039	4,212	17.3%	12.0%	29.3%	24,626	70.4%
Larne	20,105	4,004	3,673	19.9%	18.3%	38.2%	12,286	61.1%
Lisburn	61,377	12,426	11,760	20.2%	19.2%	39.4%	36,523	59.5%
Newtownabbey	46,660	8,463	9,900	18.1%	21.2%	39.4%	28,023	60.1%
North Down	47,878	11,705	8,821	24.4%	18.4%	42.9%	27,139	56.7%
<b>All arc21</b>	<b>531,996</b>	<b>102,920</b>	<b>84,734</b>	<b>19.3%</b>	<b>15.9%</b>	<b>35.3%</b>	<b>341,350</b>	<b>64.2%</b>

Source: excerpts from Table 3 on page 9 of Appendix of [http://www.doeni.gov.uk/waste\\_2011r.pdf](http://www.doeni.gov.uk/waste_2011r.pdf)

## Notes

- 1 Rates calculated by dividing total tonnage of LAC municipal waste sent for recycling, composting and landfill by total LAC municipal waste arisings.
- 2 The tonnages of recycled (including composted) and landfilled waste may not always equal the waste arisings because the recycling measures were defined to capture outputs from recycling processes which excludes reuse and energy recovery.

## Local Authority Collected Municipal Waste data 2009 / 10

2009 / 10	KPI(j)					KPI (e)		KPI(f)
Area	LAC municipal waste arisings (tonnes)	LAC municipal dry recycling (tonnes)	LAC municipal composting (tonnes)	LAC municipal dry recycling rate	LAC municipal composting rate	LAC municipal waste sent for recycling (inc composting) as a % of LAC municipal waste arisings	LAC municipal waste landfilled (tonnes)	LAC municipal waste landfilled as a % of total LAC municipal waste arisings
<b>arc21</b>								
Antrim	37,378	11,118	8,008	29.7%	21.4%	51.2%	18,024	48.2%

2009 / 10	KPI(j)			KPI (e)			KPI(f)	
Area	LAC municipal waste arisings (tonnes)	LAC municipal dry recycling (tonnes)	LAC municipal composting (tonnes)	LAC municipal dry recycling rate	LAC municipal composting rate	LAC municipal waste sent for recycling (inc composting) as a % of LAC municipal waste arisings	LAC municipal waste landfilled (tonnes)	LAC municipal waste landfilled as a % of total LAC municipal waste arisings
Ards	45,682	8,605	8,383	18.8%	18.4%	37.2%	28,640	62.7%
Ballymena	34,661	6,307	5,532	18.2%	16.0%	34.2%	22,818	65.8%
Belfast	157,321	24,116	10,994	15.3%	7.0%	22.3%	122,079	77.6%
Carrickfergus	22,308	3,937	2,955	17.6%	13.2%	30.9%	15,416	69.1%
Castlereagh	31,226	6,627	5,254	21.2%	16.8%	38.0%	19,201	61.5%
Down	36,968	6,424	4,037	17.4%	10.9%	28.3%	26,460	71.6%
Larne	20,758	4,071	3,260	19.6%	15.7%	35.3%	13,407	64.6%
Lisburn	62,211	12,474	10,209	20.1%	16.4%	36.5%	39,440	63.4%
Newtownabbey	46,620	7,909	8,187	17.0%	17.6%	34.5%	30,371	65.1%
North Down	48,067	8,960	7,577	18.6%	15.8%	34.4%	28,886	60.1%
<b>All arc21</b>	<b>543,200</b>	<b>100,549</b>	<b>74,395</b>	<b>18.5%</b>	<b>13.7%</b>	<b>32.2%</b>	<b>364,742</b>	<b>67.1%</b>

Source: excerpts from Table 3 on page 9 of Appendix of [http://www.doeni.gov.uk/northern\\_ireland\\_municipal\\_waste\\_management\\_statistics\\_\\_annual\\_report\\_2009-10r.pdf](http://www.doeni.gov.uk/northern_ireland_municipal_waste_management_statistics__annual_report_2009-10r.pdf)

#### Notes

- 1 Rates calculated by dividing total tonnage of LAC municipal waste sent for recycling, composting and landfill by total LAC municipal waste arisings.
- 2 The tonnages of recycled (including composted) and landfilled waste may not always equal the waste arisings because the recycling measures were defined to capture outputs from recycling processes which excludes reuse and energy recovery.

### Recycling: Municipal Waste Targets

Mr Dunne asked the Minister of the Environment to detail the Executive's recycling targets for municipal waste over the next five years.

(AQW 31187/11-15)

Mr Durkan: There is no Executive recycling target for municipal waste; however there is a target for household waste.

The Programme for Government Delivery Plan has set a target to achieve a household waste recycling (including composting) rate of 45% by 31 March 2015. The milestones are:

- Recycling rates of 41% for household waste by 2012/13
- Recycling rates of 43% for household waste by 2013/14
- Recycling rates of 45% for household waste by 2014/15

The household recycling waste rate for 2012/13 was 39.7%.

In addition, the revised Waste Framework Directive has an emphasis on recycling with a target of at least 50% of wastes from households to be recycled (including composting) by 2020.

### Bombardier: Gasification Facility

Mr Copeland asked the Minister of the Environment whether it is possible for the recently approved Bombardier energy from waste gasification facility (Z/2012/1387/F) to receive and process treated municipal waste as refuse derived fuel.

(AQW 31188/11-15)

**Mr Durkan:** The proposal is for the construction and operation of a combined heat and power generating station for the treatment of refuse derived fuel (RDF) by gasification. The proposal will accept 120,000 tonnes of RDF comprising non recyclable fractions of commercial and industrial waste per annum. The RDF will be sourced primarily from treatment plants within the Belfast area.

### **Waste: Gasification or Incineration**

**Mr Copeland** asked the Minister of the Environment to detail the required tonnage capacity provision using either gasification or incineration of municipal waste for Northern Ireland in order to meet the EU landfill diversion targets by 2020 and 2030. (AQW 31189/11-15)

**Mr Durkan:** The EU has set a landfill diversion target for 2020 but not for 2030. Until future targets are agreed at EU level, the 2020 target will continue to apply. The Northern Ireland Landfill Allowance Scheme allocates annual landfill allowances for each District Council up to 2019/20 at a level which will enable Northern Ireland to meet its diversion targets.

In 2012 the Department commissioned an update of the 2009 Analysis of 2020 Residual Waste Infrastructure Requirements in Northern Ireland to meet EU Obligations. While the overall infrastructure capacity required to provide assurance of compliance at NI-wide level has reduced substantially in light of subsequent changes in rates of wastes arising, recycling and waste prevention, the 2012 update of the Analysis confirmed an ongoing need for sufficient new public waste infrastructure to process 116,000 to 142,000 tonnes of Municipal Solid Waste and 71,000 to 87,000 tonnes of Biodegradable Municipal Waste. This figure takes into account a planning based analysis of projected merchant capacity which assumes that there will be between 100,000 and 150,000 tonnes of merchant capacity capable of treating municipal waste delivered in Northern Ireland by 2020.

The Department has commissioned a further update of the 2012 Analysis to inform its strategy in respect of compliance with NI-wide obligations.

The Waste Management Groups have kept the scale of their proposed facilities under continual review and modified them in accordance with waste data projections.

### **Waste: Gasification or Incineration**

**Mr Copeland** asked the Minister of the Environment to detail the individual and total tonnage capacity, with planning approval, of gasification and or incineration projects which could treat municipal waste in Northern Ireland; and to explain whether there is a need for any further capacity provision most notably from the proposed arc21 incinerator at in Newtownabbey. (AQW 31190/11-15)

**Mr Durkan:** There are currently no energy from waste plants in Northern Ireland licensed to take in Residual Derived Fuel (RDF – the fuel made from the residue of the Mechanical Biological Treatment (MBT) process under which additional recyclates are extracted from residual municipal waste).

Three proposed energy from waste facilities which could take in RDF have secured planning permission, at Brickkiln in Derry, at Bombardier in the Harbour Estate, Belfast, and Lisburn Energy Recovery Ltd in Lisburn. None of them has as yet begun construction or secured the necessary consents, permits, licences and authorisations to enable them to operate.

Each of these three facilities would comprise a combination of MBT and gasification, with the gasification element of each facility having the capacity to take 70,000 tonnes of RDF per annum.

The 2012 update of the Analysis of 2020 Residual Waste Infrastructure Requirements in Northern Ireland to meet EU Obligations confirmed an ongoing need for sufficient new public waste infrastructure to process 116,000 to 142,000 tonnes of Municipal Solid Waste and 71,000 to 87,000 tonnes of Biodegradable Municipal Waste. One of the key assumptions informing these figures is that there will be between 100,000 and 150,000 tonnes of merchant capacity capable of treating municipal waste delivered in Northern Ireland by 2020.

The energy from waste element of the proposed arc21 project has been scaled down from 370,000 tonnes to 210,000 tonnes.

On the basis of the 2012 Analysis, there is clearly a need for new infrastructure. The Analysis is currently undergoing a further update, and its conclusions will help to inform assessment of the arc21 project by the Department when arc21 submits a complete Appointment Business Case based on the bidder's final tender.

### **Waste Facility: Economic Impact Assessment**

**Mr Agnew** asked the Minister of the Environment whether his Department has carried out an economic impact assessment of the effects of the proposed arc21 waste management facility in Newtownabbey on the existing indigenous waste management companies in Northern Ireland; and if not, to outline the reasons for this. (AQW 31193/11-15)

**Mr Durkan:** There has been no requirement for the Department to conduct a separate economic impact assessment of the Waste Management Groups' proposals to meet their councils' legislative landfill obligations on private sector waste companies.

The Departmental Strategic Business Case for Waste Infrastructure in Northern Ireland concluded that the best value long term solution for councils and their ratepayers to meet their landfill diversion obligations was a local government-led procurement of major waste infrastructure.

Each of the Waste Management Groups' procurement exercises was structured to facilitate the local waste merchant sector participating in bidding consortia, and many operators did participate.

While the overall infrastructure capacity required to provide assurance of compliance with landfill diversion targets at NI-wide level has reduced substantially, an analysis carried out in 2012 of infrastructure requirements to meet EU obligations on residual waste in 2020 confirmed an ongoing need for sufficient new public waste infrastructure to process 116,000 to 142,000 tonnes of Municipal Solid Waste and 71,000 to 87,000 tonnes of Biodegradable Municipal Waste.

One of the key assumptions informing the above conclusion, based on analysis of planning-based capacity estimates, is that there will be between 100,000 and 150,000 tonnes of merchant capacity capable of treating municipal waste delivered in Northern Ireland by 2020.

### **Arc21: Procurement Review**

**Mr Agnew** asked the Minister of the Environment whether he is satisfied that, given the arc21 procurement process for an energy from waste facility is almost eight years old and the nature of waste resources and technology has changed substantially in that period, the process should not be reviewed and re-assessed to measure best value, available treatment capacity and actual need on a strategic basis.

**(AQW 31194/11-15)**

**Mr Durkan:** The Waste Management Groups have kept the scale of their proposed facilities under review since the inception of their procurements and modified them to take account of changes that have taken place on an ongoing basis. In arc21's case, this has led to a reduction in the capacity of its proposed energy from waste plant from up to 370,000 tonnes at Outline Business Case (OBC) stage to 210,000 tonnes now.

The Department is not a party to the arc21 procurement but in the context of the Waste Infrastructure Programme it has monitored progress since the procurements were initiated, primarily to establish the contribution each procurement can make to Northern Ireland's obligation to meet its due share of the overarching UK-wide target for landfill diversion, and also to ensure that the scale of the Waste Management Groups' proposed solutions remained proportionate to the scale of diversion now required in light of updated data. To that end the 2012 update of the 2009 Analysis of 2020 Residual Waste Infrastructure Requirements in Northern Ireland to meet EU Obligations is currently being further refreshed. This will inform the Department's assessment of the degree to which the arc21 project represents value for money when arc21 submits a complete Appointment Business Case based on the bidder's final tender.

### **Arc21: Becon Consortium Project**

**Mr Agnew** asked the Minister of the Environment whether departmental officials have written to arc21 expressing concerns regarding the economic viability of the proposed Becon project at the Hightown Quarry, Newtownabbey; and if so, to detail those concerns.

**(AQW 31195/11-15)**

**Mr Durkan:** The Department is awaiting receipt of a complete final Appointment Business Case based on a final tender from the arc21 Bidder. The arc21 Residual Waste Treatment Project remains subject to procurement rules governing commercial confidentiality and the Department cannot therefore offer any public comment on its economic viability until it has had an opportunity to consider the final Appointment Business Case.

### **Taxis: Ravenhill Rugby Ground**

**Lord Morrow** asked the Minister of the Environment how many examinations have been carried out by Driver and Vehicle Agency staff of booking records for private hire taxi operators at Ravenhill Rugby Grounds; and of these, how many breaches have been discovered.

**(AQW 31206/11-15)**

**Mr Durkan:** There have been two examinations of booking records carried out in respect of the provision of private hire taxi services at Ravenhill Rugby Ground.

The first followed observations conducted by the Driver and Vehicle Agency (DVA) at Ravenhill on 23 August 2013, during which a number of booking records were inspected to clarify how the taxi arrangements were being conducted at Ravenhill Rugby Ground.

The second, and most recent full operating centre compliance inspection conducted by DVA, examined a random sample of records. As a consequence of this inspection, no breaches were identified, and the Operator was considered to be fully compliant with the record keeping requirements prescribed under the Taxi Operator Licensing Regulations.

## Local Government: Naming of Councils

**Mr Campbell** asked the Minister of the Environment whether he will offer advice to new Councils following election in finding consensus in the naming of their respective Council areas.

**(AQW 31226/11-15)**

**Mr Durkan:** Each of the eleven new councils will be able to make decisions on their names immediately after the next local government election in 2014, during the shadow period.

Decisions on the name of the new councils will be taken in due course by the councillors elected at the next local government election on 22 May 2014. Should a new council resolve to change its name, the decision would be taken in accordance with the decision-making procedures specified in the Local Government Bill.

I do not intend to issue any additional guidance to new councils in relation to finding consensus on the name of their district.

## Local Government: Training and Capacity-building

**Mr Weir** asked the Minister of the Environment what the budget will be for training and capacity building under the Review of Public Administration for (i) councillors; and (ii) council staff in (a) 2014/15; and (b) 2015/16

**(AQW 31270/11-15)**

**Mr Durkan:** The total budget allocated by the Executive to my Department for capacity building, including training, and induction for 2014/15 is £2.8m. This funding is part of the package of financial support agreed by the Executive for local government reform. The budget will deliver a range of training and induction support targeted at councillors, council officers and staff in central government, including those that will transfer to local government in April 2015.

A specific budget allocation to each group has not been made. However, I have put in place a process that will allow for a range of training, induction and other capacity building measures to meet identified needs of all those affected. This includes funding allocated to each new council cluster, allowing them to address training needs tailored at a local level.

In addition, my Department has commissioned a range of training interventions designed for elected members and council staff to be delivered by the Local Government Training Group. Further specialised training in areas such as planning, community planning and regeneration will also be delivered centrally.

There is no budget allocated by central government for 2015/16, and it will be for each of the 11 new councils to provide adequate training budgets to ensure the continued development of both councillors and council staff.

## KPL Contracts

**Mr Ó hOisín** asked the Minister of the Environment whether he intends to meet with any of those who are proposing a rescue effort for KPL Contracts.

**(AQW 31534/11-15)**

**Mr Durkan:** I sympathise with companies who experience financial difficulties and the consequential negative impact upon their workforce and wider community.

I am happy to meet with anyone to discuss ways of offsetting the negative impact of KPL contracts going into administration.

## Giro d'Italia: Election Posters

**Mr Irwin** asked the Minister of the Environment what steps he is taking to engage with independent candidates for the European and council elections with regards to his proposal to keep the Giro d'Italia 2014 race route free of election posters.

**(AQO 5711/11-15)**

**Mr Durkan:** As a first step, I wrote to all political parties currently registered in Northern Ireland seeking a voluntary agreement on a poster free route for the Giro d'Italia. Since then I have made my views known through various media events and press statements that a voluntary agreement not to display election posters along the route of the Giro is my preferred way forward.

Engagement with independent candidates in the forthcoming elections would not be possible until the name of each candidate is known following the submission of nomination papers for the forthcoming elections on 22 May 2014. I would add that I am confident that prospective candidates are likely to be fully aware from media coverage of my call to keep the route of the Giro d'Italia free from election posters.

## Heavy Goods Vehicle Levy

**Mr Flanagan** asked the Minister of the Environment to outline his Department's efforts to remove obstacles to cross border mobility, including the proposed Heavy Goods Vehicle Road User Levy.

**(AQO 5706/11-15)**

**Mr Durkan:** The HGV Road User Levy is being introduced by the UK Government to address the imbalance that is experienced by UK hauliers in other Member States. It brings no obstacles to cross border mobility but rather creates an economic level playing field across Europe in compliance with EU law.

For many years, UK hauliers have been paying tolls across Europe with no similar charges being levied on their competitors for similar journeys within the UK. The introduction of the levy is part of the UK Coalition Government's legislative programme and, as a UK-wide taxation, is an excepted matter under the Northern Ireland Act 1998.

EU law prohibits discrimination between Member States which means that all EU hauliers will be required to pay the same amount for the use of UK roads.

Minister Attwood and I have joined with the Irish Minister for Transport in making representations to the Department for Transport in Britain (DfT) regarding the application of the levy to Irish hauliers. EU law means that the UK cannot distinguish between the nationality of HGV road users; neither can NI be exempted. Attempting either of these approaches would risk legal proceedings and infraction fines.

I understand that Irish hauliers are content to pay the levy where they are coming to Northern Ireland or Britain. However, I am mindful of the position of some hauliers, particularly those in Donegal, who use Northern Irish roads to access the south of Ireland. I am aware that further discussions between the Transport Minister Stephen Hammond and the Irish Minister for Transport Leo Varadkar took place on 20 February which focused on the exclusion of the A5 where it is used for transit rather than for access to Northern Ireland. I will continue to support this engagement and I wrote again on 17 February 2014 to the DfT Minister on the matter.

The Levy has received the support of the Freight Transport Association (FTA) and the Road Haulage Association (RHA) who represent the majority of road freight operators in Northern Ireland. This support has extended to the proposals for secondary legislation which are needed to allow the effective operation of the levy in NI to the benefit of enforcement authorities and hauliers, and to ensure that NI hauliers are not financially disadvantaged compared to British hauliers through some adjustments to vehicle weight bands.

### **Playground Name: Equality Commission**

**Mr Allister** asked the Minister of the Environment to outline the steps he has taken following the Equality Commission's finding that Newry and Mourne District Council breached its equality commitments when they named a children's playground after an IRA terrorist.

**(AQO 5707/11-15)**

**Mr Durkan:** I should explain that in this matter district councils are independent of central government and are accountable to their local electorate and ratepayers. They are also directly answerable to the Equality Commission in respect of their Section 75 Duties.

Under Section 75 of the NI Act 1998, all designated public authorities, including district councils, when carrying out their functions in Northern Ireland, must have due regard to the need to promote equality of opportunity between certain specified individuals and groups, and should encourage and promote good relations within these sectors, regardless of their religious or political persuasion.

The Equality Commission has advised that presently its consideration of the matter referred to is not yet complete. A draft report has been sent to Newry and Mourne District Council for its comments. The Commission will then consider those points before finalising its investigation.

If, following the conclusion of this investigation, the Commission's report outlines a failure by Newry and Mourne District Council to comply with the commitments in its approved Equality Scheme, the Commission can make recommendations to the Council for actions to address the matter.

If these recommended actions are not taken within a reasonable time, the Commission may refer the matter to the Secretary of State who may give directions to the Council concerned. When taking this step, the Commission shall also notify the Assembly in writing. The relevant law is contained in paragraph 11 of Schedule 9 of the Northern Ireland Act 1998.

Since there is an existing legislative process for the handling of such matters, it would be inappropriate for me, as Minister of the Environment, to intervene.

### **Waste Dumping**

**Mr P Ramsey** asked the Minister of the Environment, following the recent BBC Spotlight programme on the illegal waste dump at Mobuoy Road and the independent review by Chris Mills, what steps he has taken to ensure his Department pursues people involved in waste crime.

**(AQO 5708/11-15)**

**Mr Durkan:** I released the Mills Report in December last year, a few days after I received it in order to facilitate public debate on its important findings. I directed my officials to prepare plans for implementing the Report's recommendations. I will outline these actions in my Response to the Report which I will issue during March.

As the Report's findings have been assessed, I have also increased efforts to tackle waste crime. These include increasing the number of specialist waste crime experts working in NIEA and increasing the number of waste crime investigations.

## Waste Dumping

**Mr McCartney** asked the Minister of the Environment whether he intends to carry out an independent review following the revelations of illegal dumping at the Mobuoy Road landfill site.

**(AQO 5709/11-15)**

**Mr Durkan:** On 5 June 2013, my predecessor commissioned Chris Mills to conduct an independent review into illegal dumping at the Mobuoy Road landfill site. I released the Mills Report on 18 December last year and will soon be issuing my response to the Report's recommendations. This response will set out comprehensive actions to tackle waste crime and strengthen waste regulation in Northern Ireland.

## Landfill Allowance

**Mr Clarke** asked the Minister of the Environment how councils are performing in relation to their Northern Ireland Landfill Allowance Scheme targets.

**(AQO 5710/11-15)**

**Mr Durkan:** All 26 District Councils in Northern Ireland achieved their 2012/13 landfill allowance obligations by diverting their excess Biodegradable Local Authority Collected Municipal Waste from landfill or by transferring surplus allowances from one Council to another as permitted under the Northern Ireland Landfill Allowance scheme rules.

In 2012/13, the maximum amount of Biodegradable Local Authority Collected Municipal Waste allowed to be sent to landfill by District Councils was 320,000 tonnes. In fact only circa 86% of this allowance was needed since the Councils only landfilled 276,702 tonnes of such waste.

## Giro d'Italia: Election Posters

**Mrs D Kelly** asked the Minister of the Environment for an update on his engagement with political parties in relation to his proposed agreement between parties to ban election posters along the route of the Giro d'Italia 2014.

**(AQO 5712/11-15)**

**Mr Durkan:** The Member will be aware that I have written to the political parties seeking a voluntary agreement to refrain from displaying election posters along the route between 9th and 11th May and I have also advised that I would be happy to facilitate a meeting to explore this important matter if the political parties feel that would be helpful. This would not require any legislative change and could be implemented immediately with the added benefit of the parties demonstrating co-operation and good will on this issue. I am pleased to have received positive responses to date from the Ulster Unionists, Democratic Unionist Party, Alliance and the Social Democratic and Labour Party. In addition, the feedback from the public to my proposal has been overwhelmingly positive.

I firmly believe that political agreement is the way forward rather than legislation and I would much prefer that consensus between the parties can be achieved. I want to do all that I can to make the Giro d'Italia a success and for Northern Ireland to benefit from the positive impact of this prestigious global event.

## Department of Finance and Personnel

### Procurement: Centralisation

**Mr McKay** asked the Minister of Finance and Personnel for his assessment of the proposal for a new centralised procurement and delivery agency.

**(AQW 30915/11-15)**

**Mr Hamilton (The Minister of Finance and Personnel):** The Procurement Board, which I chair, has set up a sub group to consider the recommendations of a recent strategic review of the commissioning and delivery system for major infrastructure projects and will discuss this issue at its next meeting in June.

### FP7: DFP Funding

**Mr Attwood** asked the Minister of Finance and Personnel to detail the funds provided under the European Programme FP7 to (i) his Department; (ii) arm's-length bodies; and (iii) any third party in (a) 2010/11; (b) 2011/12; and (c) 2012/13 financial years.

**(AQW 31047/11-15)**

**Mr Hamilton:** No funds have been provided to (i) this Department nor (ii) to arm's-length bodies under the European Programme FP7 for the years stated. DFP is not responsible for providing funds to third parties under this Programme.

## Corporation Tax

**Mr McCallister** asked the Minister of Finance and Personnel whether he had any discussions with HMRC regarding the setting up a system which can accurately assess how much corporation tax is collected.

**(AQW 31090/11-15)**

**Mr Hamilton:** The Joint Ministerial Working Group (JMWG) on Rebalancing the Northern Ireland economy considered the changes that would need to be made to the existing UK-wide HMRC systems, in order to accurately assess the tax liabilities of companies in respect of a devolved rate of corporation tax.

In the event that the Government did decide to devolve responsibility for corporation tax, further work will be undertaken to agree the technical details of an approach which provides sufficient data for compliance management, as well as allowing for the implementation of a devolved rate within an acceptable timeframe and cost.

## Corporation Tax

**Mr McCallister** asked the Minister of Finance and Personnel given the Executive's unanimous support for devolving the power to vary Corporation Tax, what preparations his Department has made to facilitate enhanced scrutiny by the Assembly, if devolution is successful.

**(AQW 31091/11-15)**

**Mr Hamilton:** It is for the Northern Ireland Assembly to decide on the appropriate level and form of scrutiny, should the Government agree to the devolution of responsibility for corporation tax to the Northern Ireland Executive.

The Department of Finance and Personnel will provide the information requested by the Assembly as part of its scrutiny, to the fullest extent possible, within legislative and practical constraints.

## Narrow Water Bridge

**Mr Rogers** asked the Minister of Finance and Personnel to detail the secured or committed funding from the (i) EU (SEUPB); (ii) Irish Government; (iii) NI Executive; (iv) Newry and Mourne District Council; and (v) Down District Council, in relation to the Narrow Water Bridge project.

**(AQW 31171/11-15)**

**Mr Hamilton:** I am not aware of any secured or committed funding to the project at this present time.

## Narrow Water Bridge

**Mr Rogers** asked the Minister of Finance and Personnel whether he has any plans to meet with authorities from the Republic of Ireland to discuss the failure and any possible way forward regarding the Narrow Water Bridge.

**(AQW 31174/11-15)**

**Mr Hamilton:** I do not have any plans to meet with officials from the Republic of Ireland to discuss the Narrow Water Bridge project.

## Rates: Lisburn

**Mr Craig** asked the Minister of Finance and Personnel to detail the number of traders in Lisburn that have benefited, or will benefit, from a (i) rates rebate; and (ii) property de-rating, for each of the fiscal years (a) 2011/12; (b) 2012/13; and (c) 2013/14.

**(AQW 31196/11-15)**

**Mr Hamilton:** The table below details the number of non-domestic properties in the Lisburn City Council area which have benefited from (i) a rates rebate (Small Business Rate Relief or Empty Property Relief); and (ii) property derating for 2011/12, 2012/13 and 2013/14 (up to 31st January 2014).

	(i) Small Business Rate Relief or Empty Property Relief	(ii) Derating
2011/12	753	836
2012/13	1,339	835
2013/14 (up to 31 January 2014)	1,403	823

## Committee for Finance and Personnel: Cancelled Briefings

**Mr Nesbitt** asked the Minister of Finance and Personnel on how many occasions (i) he; and (ii) departmental officials cancelled briefings, which were part of the forward work programme, to his Department's Statutory Assembly Committee, in each of the last five years.

**(AQW 31197/11-15)**

**Mr Hamilton:** The information requested is not held.

## Fiscal Powers: Executive Review

**Mr Hazzard** asked the Minister of Finance and Personnel to detail (i) when the Executive Review of fiscal powers will be completed; (ii) who will be consulted as part of the review; (iii) when the review will be published; and (iv) how actions identified in the review will be progressed.

**(AQW 31251/11-15)**

**Mr Hamilton:** The June 2013 Building a Prosperous and United Community document indicates the Government and the Northern Ireland Executive will examine the potential for devolving specific additional fiscal powers. Recommendations should be put to Northern Ireland Executive and Government ministers by autumn 2014. Decisions on consultation, publication and how to progress will be taken by the Government and the Executive after that.

The initial work is being progressed by my officials with input from other departments and external stakeholders as required.

## Net Fiscal Balance Report

**Mr Flanagan** asked the Minister of Finance and Personnel to outline the comparisons and distinctions between the data sources, sample sizes, and overall data quality used within the Northern Ireland Net Fiscal Balance Report and the Scottish GERS report.

**(AQW 31300/11-15)**

**Mr Hamilton:** In developing the Net Fiscal Balance report, DFP has sought to broadly apply the same approach, using where available the same sources of information as used to produce the "Government Expenditure and Revenue in Scotland" (GERS) publication.

As described in the Net Fiscal Balance report, it draws on a wide range of statistical sources. Details of these, and the methodology used, are outlined in the Annexes of the report. The statistical releases and publications associated with each of these individual sources will provide further information on the data and samples used. Similarly, a revenue methodology paper for GERS is available on the Scottish Government website.

## Net Fiscal Balance Report

**Mr Flanagan** asked the Minister of Finance and Personnel to detail the amount of resources required in order to achieve the Office for National Statistics certification of the Northern Ireland Net Fiscal Balance Report.

**(AQW 31302/11-15)**

**Mr Hamilton:** The decision to seek National Statistics certification for any official statistic is a decision for the Minister involved. Should such a decision be taken, the amount of resources required to ensure the Net Fiscal Balance Report met the requirements of the Code of Practice for Official Statistics would be calculated at that time.

## Consultation: 'Building a Responsible Payment Culture'

**Mr Allister** asked the Minister of Finance and Personnel to detail (i) what actions his Department took to maximise the input from the Public Sector and Business Community to the Department of Business Innovation and Skills recent consultation "Building a Responsible Payment Culture"; and (ii) whether his Department submitted a response.

**(AQW 31389/11-15)**

**Mr Hamilton:** The Department of Business Innovation and Skills (BIS) has not brought this consultation to my Department's attention, nor have we made a formal response. As a Devolved Administration we are not bound to follow policy set by Whitehall departments. However, public sector organisations in Northern Ireland follow prompt payment regulations and ministerial commitments, and the statistics show that public sector organisations here continue to meet these commitments. Indeed, the latest statistics show that Northern Ireland government departments, its agencies and some arm's length bodies are paying 97% of invoices within 30 days and 89% of invoices within 10 days of receipt. My department will continue to monitor the work undertaken by BIS in this area. If then necessary, recommendations will be put forward to the Executive for further consideration and future action where necessary.

It is worth noting however, that a number of good payment practices suggested in the BIS consultation have already been implemented here. Examples include mandating prompt payment terms all the way down public procurement supply chains to ensure small firms are treated fairly, and introducing Project Bank Accounts in public sector construction contracts to help safeguard subcontractors.

## Firefighters' Pension Scheme: Departmental Expenditure Limits

**Mr Flanagan** asked the Minister of Finance and Personnel to quantify the adjustment to the Departmental Expenditure Limits in 2012 as result of changes in the firefighters pension scheme in England.

**(AQW 31465/11-15)**

**Mr Hamilton:** Changes to the Firefighters' Pension Scheme in England resulted in negative Resource DEL Barnett consequential for the Northern Ireland Executive of £191,000 in 2012-13 and 2013-14.

## Free School Meals: Barnett Consequentials

**Mr Flanagan** asked the Minister of Finance and Personnel how much in total revenue and capital funding will the Northern Executive receive over the next two years, 2014-2016, as a result of Barnett Consequentials from the British Government's policy on free school meals for all infants.

**(AQW 31466/11-15)**

**Mr Hamilton:** As a result of the Free School Meals policy announcement in Whitehall, Northern Ireland received a Barnett share amounting to £36.0 million Resource DEL and £2.3 million Capital DEL over the period 2014-2016. This allocation is unhypothecated, which means it is for the Executive to decide how this funding should be allocated in line with local needs and priorities.

## Ulster Bank: RBS Review

**Mrs Dobson** asked the Minister of Finance and Personnel what input he has had into the review of Ulster Bank being carried out by Royal Bank of Scotland; and for his assessment of the mounting concern regarding possible job losses as a result of the review.

**(AQW 31481/11-15)**

**Mr Hamilton:** RBS was entirely responsible for undertaking the review of Ulster Bank and its findings. As it is a critical issue for Northern Ireland I met and discussed the possible implications of the review with the Financial Secretary to the Treasury in December 2013. I then, together with the First and deputy First Ministers, met with the RBS Chief Executive Ross McEwan in early February 2014.

While I am pleased that RBS are committed to Ulster Bank's operations here, it is clear that significant restructuring lies ahead including some job losses. RBS has not given any indication of the extent of these or any detail on how the restructuring will be implemented in the Ulster Bank.

I will be monitoring this situation very closely as the bank develops its plans, and will continue to liaise with senior management and Government Ministers on this.

## KPL Contracts

**Mr Ó hOisín** asked the Minister of Finance and Personnel whether he intends to meet with any of those who are proposing a rescue effort for KPL Contracts.

**(AQW 31492/11-15)**

**Mr Hamilton:** This is a matter for the Minister for Enterprise, Trade and Investment.

# Department of Health, Social Services and Public Safety

## Mental Health: Inpatient Treatment of Children

**Mr Beggs** asked the Minister of Health, Social Services and Public Safety to detail the number of admission requests for inpatient mental health services for children under the age of 13 years, in each of the last four years.

**(AQW 30359/11-15)**

**Mr Poots (The Minister of Health, Social Services and Public Safety):** Information on the number of admission requests for inpatient mental health services for children aged 12 years and under is not collected centrally and was requested from each Health and Social Care (HSC) Trust.

The information provided by HSC Trusts on the number of admission requests for inpatient mental health services involving children aged 12 years and under is detailed in the table below for each of the last four years.

### Number of Admission Requests for Inpatient Mental Health Services Involving Children Aged 12 Years and Under (2010/11 – 2013/14)

Year	Number
2010/11	26
2011/12	21
2012/13	13
2013/14*	4
<b>Total</b>	<b>64</b>

\* Covers period 1 April 2013 - 31 December 2013

Over the last four years, there have been 64 admission requests from 56 different patients for inpatient mental health services involving children aged 12 years and under, all of which were for Beechcroft (Regional Child and Adolescent Inpatient Mental Health Unit).

### **Northern Health and Social Care Trust: Procurement Review**

**Mr Frew** asked the Minister of Health, Social Services and Public Safety whether his Department's, or the Business Services Organisation's, internal audit can implement procurement procedures in the Northern Health and Social Care Trust based on the 72 recommendations contained in the report on the Estate Services' Special Investigation.

**(AQW 30985/11-15)**

**Mr Poots:** A total of 72 recommendations were made following the special investigation into potential mismanagement by the Northern Health and Social Care Trust Estates Services. All recommendations were accepted by Trust management. It is the responsibility of Trust management to ensure all recommendations are implemented.

The Business Services Organisation, as internal auditors for the NHST, will follow up on all recommendations and monitor the progress of implementation. In addition, the Trust's management will report to the Department on implementation of recommendations at mid-year and end-year accountability meetings.

### **Multiple Sclerosis: Review Appointments**

**Mr Rogers** asked the Minister of Health, Social Services and Public Safety how many people diagnosed with multiple sclerosis are waiting longer than six months to see a consultant or specialist nurse.

**(AQW 30996/11-15)**

**Mr Poots:** Information on the length of time patients diagnosed with multiple sclerosis (MS) are waiting for a review appointment with a consultant or specialist nurse is not collected centrally and was requested by the five Health and Social Care (HSC) Trusts. The responses from each HSC Trust are listed below, and relate to the number waiting at the week commencing 17th February 2014:

#### **Belfast HSC Trust:**

The Belfast HSC Trust has stated that they offer specific consultant-led clinics for patients with MS every Wednesday in Belfast City Hospital. Of the patients waiting for an appointment in these clinics, three had waited longer than 6 months beyond their clinically intended review appointment date.

However, patients with MS will also often attend general clinics within Belfast HSC Trust for their review appointment. It is not possible to identify these patients from the total waiting.

#### **Northern HSC Trust:**

Patients diagnosed with MS within the Northern HSC Trust access the services of the Clinical Consultant and specialist nurse at the Royal Victoria Hospital, with the waiting list for these services reported by the Belfast HSC Trust.

There are currently no patients on the waiting list for the Community Specialist Nurse in the Northern HSC Trust.

#### **South Eastern HSC Trust:**

Patients diagnosed with MS are seen by a consultant or clinical nurse and then given a review appointment as appropriate depending on clinical need. At 17th February 2014, no patients were waiting longer than six months beyond their clinically intended appointment time for a review appointment.

#### **Southern HSC Trust:**

At 17th February 2014, no patients with MS were waiting over six months to see a Consultant in the Southern HSC Trust. In addition no patients were waiting beyond their clinically intended review dates in nurse-led clinics at Craigavon, Armagh and Banbridge Hospitals.

There is currently a backlog of eight patients in the nurse-led clinic in Daisy Hill Hospital. The MS nurses are addressing this by scheduling two additional clinics on the 5th and 6th March 2014, where these eight patients will be seen.

The Southern HSC Trust have advised that they operate a telephone service where patients can contact them in between their appointments times.

#### **Western HSC Trust:**

The Western HSC Trust has indicated that patients on Disease Modifying Therapy and Progressive treatments are reviewed routinely depending on clinical need. For some progressive patients, they may only be reviewed at 12 month intervals.

Waiting times for a review appointment with a consultant, for patients with a specific clinical diagnosis, such as MS, is not routinely collected and can only be provided at disproportionate cost.

Of the patients waiting for an appointment with a Specialist Nurse, none had waited longer than 6 months beyond their clinically intended review appointment date.

### **Northern Health and Social Care Trust: Procurement Review**

**Mr Frew** asked the Minister of Health, Social Services and Public Safety who is controlling the independent review of the Northern Health and Social Care Trust procurement issues; and what is his Department's role in the review.

**(AQW 31083/11-15)**

**Mr Poots:** The independent review into governance and management arrangements within the estates function of the Northern Health and Social Care Trust has been commissioned by the Trust. Ministerial approval was obtained for the review as it is classified as external consultancy. It is anticipated that the independent review will report to the Accounting Officer of the Northern Trust within 4-6 weeks.

The Department will have an oversight role in relation to this review. This will involve monitoring progress and dealing with any emerging issues.

### **Cardiac Surgery: Children**

**Mrs Dobson** asked the Minister of Health, Social Services and Public Safety whether a child who has previously received elective cardiac procedures in Belfast, and is then sent for treatment to a hospital in England, must then treat the hospital in England as their primary centre of care.

**(AQW 31084/11-15)**

**Mr Poots:** A child who has previously received elective cardiac procedures in Belfast and later requires to be transferred to England for paediatric cardiac surgery will, following their surgical recovery, be transferred to Belfast under the care of the Paediatric Cardiologist in the Royal Belfast Hospital for Sick Children (RBHSC). The child's ongoing cardiology care will be provided by the paediatric cardiology service based at RBHSC; this would be the child's primary centre of care.

Some children who may require further cardiac surgery will return to the hospital in England where their previous surgery took place, as is clinically appropriate or necessary.

### **Cardiac Surgery: Children**

**Mrs Dobson** asked the Minister of Health, Social Services and Public Safety to detail any service level agreements which exist between his Department and health departments in other jurisdictions on children's paediatric cardiac surgery.

**(AQW 31087/11-15)**

**Mr Poots:** The Health and Social Care Board and Belfast Health and Social Care Trust have been working with health service management and clinicians in the Republic of Ireland and England to ensure that appropriate arrangements are in place to provide support to children's cardiac services in Northern Ireland. Significant progress has been made with regard to the development of Service Level Agreement (SLA) documentation to support the interim arrangements during the period when the expert assessment announced by me on 9 December 2013 is underway. The current position in regard to the three SLAs is as follows:

- An SLA between Belfast Health and Social Care Trust and Our Lady's Children's Hospital, Crumlin, for supporting elective services in Belfast, has been signed off by all parties.
- An SLA between the Health and Social Care Board and Our Lady's Children's Hospital, Crumlin for emergency cases to be undertaken in Dublin, has been agreed by all parties and forwarded to colleagues in Dublin for signature.
- An SLA between the Health and Social Care Board and Evelina Children's Hospital London, for elective and relevant urgent cases, has been signed off by all parties.

A separate SLA is in place with Birmingham Children's Hospital for a range of paediatric services for children from Northern Ireland (including paediatric cardiac surgery). This SLA covers the period to the end of March 2014. The Health and Social Care Board has had separate discussions with Birmingham Children's Hospital regarding a specific SLA for paediatric cardiac surgery and interventional cardiology services provided for children from Northern Ireland. The Board expects this SLA to be finalised over the coming weeks.

### **Ambulance Service: Community Education Programme**

**Mr Campbell** asked the Minister of Health, Social Services and Public Safety what benefits have been delivered by the Northern Ireland Ambulance Service Community Education Programme.

**(AQW 31094/11-15)**

**Mr Poots:** The Northern Ireland Ambulance Service (NIAS) Community Education Programme was initiated to address the issue of violence directed against ambulance crews. The strategy facilitates schools and community engagement programmes aimed at reducing the incidence of attacks.

NIAS has advised that the community education programme has been effective in educating the communities it serves in the changing delivery of service. The programme has also provided a platform for engaging with target groups on the themes of hoax calls and inappropriate use of the service.

### FP7: DHSSPS Funding

**Mr Attwood** asked the Minister of Health, Social Services and Public Safety to detail the funds provided under the European Programme FP7 to (i) his Department; (ii) arm's-length bodies; and (iii) any third party in (a) 2010/11; (b) 2011/12; and (c) 2012/13 financial years.

**(AQW 31119/11-15)**

**Mr Poots:** The drawdown of funding under the European Programme FP7 for DHSSPS can be summarised as follows

	2010/11 £	2011/12 £	2012/13 £
DHSSPS	-	-	-
ALBs	-	-	54,213
Third parties	-	-	-

### Children: Healthcare in Another Jurisdiction

**Mr Brady** asked the Minister of Health, Social Services and Public Safety to detail the number of local children receiving Health Service funded specialist care for (i) mental health issues; (ii) a learning disability; and (iii) brain injury, in another jurisdiction in 2012/13 in a (a) hospital; (b) community; and (c) residential setting.

**(AQW 31136/11-15)**

**Mr Poots:** Table 1 below contains the number of local children receiving Health Service funded specialist care for mental health issues, learning disability and brain injury in another jurisdiction during 2012/13 in either a hospital, community or residential setting.

Table 1: Local Children Receiving Health Service Funded Specialist Care for Mental Health, Learning Disability or Brain Injury in another jurisdiction during 2012/13 in either a hospital, community or residential setting

	Hospital	Community	Residential
Mental Health Issues/Learning Disability	5	0	8
Brain Injury	0	0	0
<b>Total</b>	<b>5</b>	<b>0</b>	<b>8</b>

**Source:** These figures have been provided by the Health and Social Care Board and have not been verified by DHSSPS

**Note:** Residential setting includes both Specialist Residential Placements and Specialist Residential School Placements

**Note:** Figures include some patients that had been admitted prior to 2012/13 and who had remained within their placement during 2012/13. It also includes admissions during the financial year.

**Note:** Figures also include placements for patients who were admitted during 2012/13 and had funding retrospectively approved during 2013/14.

**Note:** Due to small numbers and issues of personal disclosure the Mental Health and Learning Disabilities categories have been merged.

### STORM Assessments

**Lord Morrow** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 30581/11-15, whether he will liaise with the Minister of Justice to introduce STORM assessments in prisons for prison officers and medical staff.

**(AQW 31146/11-15)**

**Mr Poots:** STORM training is offered to staff in all five Health and Social Care Trusts, including staff in the South Eastern Trust who are responsible for delivering prison healthcare. A number of members of the South Eastern Trust's Prison Healthcare Team are to be trained as STORM "facilitators" enabling them to deliver the training to the remaining team members. Newly recruited prison staff members receive learning disability and personality disorders training which includes some of the principles of STORM.

DHSSPS is working with DoJ on the development of a Joint Healthcare and Criminal Justice Strategy. This will cover both physical and mental health, including training for prison staff (and other members of justice agencies) on mental health and suicide awareness, intervention, and signposting. A range of suicide intervention training is available. The type of training to

be delivered is an operational matter for those involved in delivering the Protect Life Suicide Prevention Strategy and will also be an operational matter in the delivery of the new Joint Healthcare and Criminal Justice Strategy.

## Organ Donation

**Mr Ross** asked the Minister of Health, Social Services and Public Safety how many people have signed up to the organ donor register in the days since the launch of the public awareness campaign by his Department and the Public Health Agency.  
(AQW 31157/11-15)

**Mr Poots:** NHS Blood and Transplant (NHSBT), which is the organ donation and transplantation organisation for the whole of the UK, has advised that since the launch of the campaign on 12 February until 20 February 2014, the number of Northern Ireland residents on the Organ Donor Register (ODR) has increased by 1,893, which represents a 0.3% increase. In addition, there may also be some ODR registrations that have not yet been fully processed, such as those through campaign leaflets, which take time to process.

It is also interesting to note that between 12 and 20 February 2014, the campaign website [organdonationni.info](http://organdonationni.info) has had 2,307 visitors, which signals a positive response to the campaign, as do the You Tube viewing figures which, as of 24 February 2014, were over 14,000 for the two TV advertisements.

## Cancer Drugs

**Mrs Dobson** asked the Minister of Health, Social Services and Public Safety when life-enhancing drugs to treat cancer available locally will be on a par with drug provision to patients in England.  
(AQW 31158/11-15)

**Mr Poots:** The Health and Social Care Board (HSCB) has responsibility for commissioning all cancer drugs available in Northern Ireland. Both the HSCB and the NHS commissioning bodies in England are guided by the National Institute for Health and Care Excellence (NICE) in determining what cancer drugs should be routinely available. All NICE approved cancer drugs that are routinely available in England are either recurrently funded or available via a cost per case mechanism in Northern Ireland. The HSCB has a clear process by which unapproved cancer drugs can be made available to patients by means of an individual funding request setting out the clinical circumstances which support the request.

## Hospitals: Major Incidents

**Mr Campbell** asked the Minister of Health, Social Services and Public Safety how many potential major incidents were dealt with, broken down by hospital, in each of the last four years.  
(AQW 31162/11-15)

**Mr Poots:** It is assumed this question relates to major incidents declared by the Health and Social Care Trusts rather than major incidents notified/declared by the Northern Ireland Ambulance Service. Details of major incidents declared by the Trusts in each of the last four years are provided in the table below:

Year	Date(s)	Hospital / incident
2010/11		None
2011/12		None
2012/13	23 November 2012	Altnagelvin Area Hospital – fire and water damage to the Tower Block.
	11 March 2013	Causeway Hospital – difficulty maintaining emergency department services (on review, business continuity plan subsequently instigated instead).
2013/14 (to Jan 2014)	26 July -19 August 2013	Western Trust acute hospitals – providing support to Republic of Ireland's Health Service Executive following a flooding incident at Letterkenny Hospital.
	1 November 2013	South West Acute Hospital – major road traffic accident with multiple casualties admitted to the hospital.
	18 November 2013	Altnagelvin Area Hospital - overheating of a water tank and associated insulation activated a fire alarm.
	8 January 2014	Altnagelvin Area Hospital - Multiple car crash with multiple casualties admitted to the hospital.
	8 January 2014	Royal Victoria Hospital - called in extra staff to deal with the increased volume of patients presenting to the emergency department.

**Source:** HSC Trusts

### Day-care Provision: Bangor

**Mr Weir** asked the Minister of Health, Social Services and Public Safety for an update on plans for Balloo Training and Resource Centre, Bangor, including whether it will be upgraded.

**(AQW 31169/11-15)**

**Mr Poots:** The Department is currently working with the South Eastern Trust to finalise a business case to reform and modernise statutory day-care provision in North Down and Ards. The Trust's preferred option is to retain and refurbish the existing Balloo Day Centre and build a new Day centre in Newtownards, thus moving from three sites to two.

The capital cost of this project is some £6m and it will ensure that the physical environment is suitable to meet the needs of an increasingly complex learning disability population. Timing will be dependent on business case approval and availability of funding.

The HSC Board has recently consulted on a Regional Learning Disability Day Opportunities Model and the South Eastern Trust proposals are in line with the Department's policy on Day Services for people with a learning disability.

### Day-care Provision: Bangor

**Mr Weir** asked the Minister of Health, Social Services and Public Safety for an update on plans for Ravara Training and Resource Centre, Bangor.

**(AQW 31170/11-15)**

**Mr Poots:** The Department is currently working with the South Eastern Trust to finalise a business case to reform and modernise statutory day-care provision in North Down and Ards. The Trust's preferred option is to retain and refurbish the existing Balloo Day Centre and build a new Day centre in Newtownards, thus moving from three sites to two.

The capital cost of this project is some £6m and it will ensure that the physical environment is suitable to meet the needs of an increasingly complex learning disability population. Timing will be dependent on business case approval and availability of funding.

The HSC Board has recently consulted on a Regional Learning Disability Day Opportunities Model and the South Eastern Trust proposals are in line with the Department's policy on Day Services for people with a learning disability.

### Alcohol and Drug Addicts: Holding Centres

**Mr McNarry** asked the Minister of Health, Social Services and Public Safety whether he has considered the possibility of medical holding centres for alcohol and drug addicts to help remove pressure from Emergency Departments; and if he has identified premises already within the health system to establish such centres.

**(AQW 31176/11-15)**

**Mr Poots:** I have no plans to establish holding centres for this specific purpose. I have set a target for 2014/15 that by March 2015 services should be commissioned and in place that provide seven day integrated and substance misuse liaison services within all appropriate HSC acute hospital settings undertaking regionally agreed Structured Brief Advice or Intervention programmes. This service would work in hospital emergency departments and acute medical wards to identify individuals where alcohol has played a role in their attendance/admittance, provide screening and brief interventions, and signpost those who need additional support to appropriate services.

### Coroners Act (Northern Ireland) 1959: Obligations

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety what measures have been taken by Health and Social Care Trusts to ensure that clinicians and administrators are fully conversant with their statutory obligations under the Coroners Act (Northern Ireland) 1959.

**(AQW 31178/11-15)**

**Mr Poots:** The duty to report deaths to the Coroner is set out in Section 7 of The Coroners Act (Northern Ireland) 1959. This puts a statutory requirement on every medical practitioner, registrar of deaths or funeral director and every occupier of a house or mobile dwelling and every person in charge of an institution or premises in which a deceased person died, to report a death to the Coroner if it resulted, directly or indirectly, as a result of violence or misadventure by unfair means, or as a result of negligence or malpractice on the part of others, or from any cause other than natural illness or disease for which the deceased had been seen and treated within 28 days of death, or in such circumstances as may require investigation.

Health and Social Care Trusts have confirmed that they have a range of measures in place for ensuring that clinicians and administrators are fully conversant with their statutory obligations. These include the following:

- The dissemination of Departmental Guidance on Death, Stillbirth and Cremation Certification;
- Training for mortuary and laboratory staff;
- The dissemination of amended guidance to doctors and midwives following the appeal court decision on reporting of stillbirths to the Coroner;
- The dissemination of a Memorandum of Understanding between the Department, PSNI, Health and Safety Executive for Northern Ireland and the Coroners Service for investigating patient or client safety incidents where an unexpected death has occurred;
- The junior doctor handbook providing guidance on reporting deaths to the Coroner;

- Specific training provided by the Coroner/Coroner's Medical Officer; and
- Mandatory e-learning training programmes for relevant staff.

### Royal Victoria Hospital: Triage

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety how the Belfast Health and Social Care Trust has ensured that only suitably trained nurses will undertake the triage process in the Emergency Department of the Royal Victoria Hospital.

**(AQW 31180/11-15)**

**Mr Poots:** I am advised by the Belfast Health and Social Care Trust that all nursing staff undertake an induction programme on starting in the Royal Victoria Hospital Emergency Department. Part of this induction includes clinical assessment of patients at initial presentation to the department and throughout the time they spend in the department. Staff are allocated a mentor who will oversee the development of competencies in the various clinical settings in the emergency department which includes triage. Staff who are unfamiliar with the Manchester Triage System undertake specific training. Staff then undertake a period of supervised practice until they are deemed competent to triage patients independently. Other staff working in the Emergency Department receive update training as required, dependent on changes to the Manchester Triage System. There is always a Nurse in Charge available on duty in the department for any member of the nursing team to seek advice from if they need to do so.

You will know that recent reports have raised concern about some aspects of emergency departments. To this end, I have commissioned the Regulation and Quality Improvement Authority (RQIA) to do two things to help ensure that the Belfast Health and Social Care Trust and the wider Health and Social Care system can act as effectively as possible on the issues arising from recent events and to ensure that there is a full and open process of review. Firstly, I instructed the RQIA to carry out inspections at the Royal Victoria Hospital site. Over the weekend of 31 January the RQIA assessed the quality of care and dignity that was afforded to patients in the emergency department and the acute medical unit. The preliminary findings identified a range of issues which cause me concern about whether the Belfast Trust is consistently performing to the high standards that I require in executing its responsibilities to patients and staff, and I am resolved that this will be fully and comprehensively addressed as a matter of priority. I expect to receive the RQIA's final report of its inspection within the next few weeks.

Secondly, the RQIA will facilitate a separate, external review of emergency services in the Royal Victoria Hospital. This second review will, among other things, identify learning points and make recommendations for improvement in the management of unscheduled and emergency care in Northern Ireland. I expect the report of the review to be submitted to me in June.

### Royal Victoria Hospital: Triage

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety to detail the skills level that must be achieved by a nurse before they are permitted to participate in the triage process in the Emergency Department of the Royal Victoria Hospital.

**(AQW 31181/11-15)**

**Mr Poots:** I am advised by the Belfast Health and Social Care Trust that only staff who have undertaken a programme of training in the use of the Manchester Triage System are permitted to undertake the triage of patients in the Emergency Department. Staff undertake national standardised training comprising a one day programme, then return to practice where they are required to complete a competency booklet supervised by their preceptor or another competent nurse. Nursing staff develop competencies triaging patients with the support of other clinicians. When nursing staff are deemed competent and feel confident they move onto triaging patients and making higher level decisions about those patients who would be waiting to see a clinician in the waiting area. Every nurse's competency level is assessed on an individual basis with additional training and support given as required. Documentation audits of Emergency Department nurses' record keeping includes review of the appropriateness of triage category allocated. If any issues are identified through these audits, they are addressed with the individual staff members involved and an appropriate training programme devised if necessary.

You will know that recent reports have raised concern about some aspects of emergency departments. To this end, I have commissioned the Regulation and Quality Improvement Authority (RQIA) to do two things to help ensure that the Belfast Health and Social Care Trust and the wider Health and Social Care system can act as effectively as possible on the issues arising from recent events and to ensure that there is a full and open process of review. Firstly, I instructed the RQIA to carry out inspections at the Royal Victoria Hospital site. Over the weekend of 31 January the RQIA assessed the quality of care and dignity that was afforded to patients in the emergency department and the acute medical unit. The preliminary findings identified a range of issues which cause me concern about whether the Belfast Trust is consistently performing to the high standards that I require in executing its responsibilities to patients and staff, and I am resolved that this will be fully and comprehensively addressed as a matter of priority. I expect to receive the RQIA's final report of its inspection within the next few weeks.

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### Serious Adverse Incidents: Triage

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety, following the recorded failure of the triage process to access and correctly use the NI Electronic Record in some of the recent Serious Adverse Incidents, to detail the (i) frequency of such failures; and (ii) the resultant consequences.

**(AQW 31182/11-15)**

**Mr Poots:** It is assumed this question refers to a case described in a Safety and Quality Learning Letter on 'Head Injury in Patients on Warfarin – Treat as a Medical Emergency' issued on 8 January 2014. The Health and Social Care Board has advised that failure to use the Northern Ireland Electronic Care Record at triage has not been identified as a contributory factor in any of the Serious Adverse Incidents which have been notified to the Board, apart from the SAI described in the Learning Letter. The Northern Ireland Electronic Care Record was launched on 28 June 2013 and has been rolling out across the HSC Trusts and GP Practices.

### GP Appointments: Waiting Time Targets

**Mr Agnew** asked the Minister of Health, Social Services and Public Safety whether he has considered setting maximum waiting time targets for GP appointments.

**(AQW 31192/11-15)**

**Mr Poots:** There are no plans to set maximum waiting time targets for GP appointments. As independent contractors, GPs are responsible for the day to day management of their Practice, including patient appointment arrangements.

Most GP Practices operate an appointment system as it is generally regarded as an efficient method of managing patient consultations compared to the previous system of patients having to queue to see a GP. Patients may from time to time experience difficulty getting an appointment with a particular GP; however in these types of cases the Practice will normally offer an appointment with an alternative doctor. Patients who believe that they require an urgent appointment will normally be fitted in at the end of surgery or will receive a telephone call from the GP.

Ultimately, it is responsibility of GP Practices to ensure they can manage the needs of their patients and the HSCB has been working closely with GPs via a Local Enhanced Service to allow GP Practices to review their current demand and working practices and in turn identify and implement changes which should improve management of workload and ultimately improve the service to patients.

### Committee for Health, Social Services and Public Safety: Cancelled Briefings

**Mr Nesbitt** asked the Minister of Health, Social Services and Public Safety on how many occasions (i) he; and (ii) departmental officials cancelled briefings, which were part of the forward work programme, to his Department's Statutory Assembly Committee, in each of the last five years.

**(AQW 31198/11-15)**

**Mr Poots:** My Department does not hold any record of briefings to its Statutory Assembly Committee being cancelled, either by myself or Departmental officials.

### Drugs: Young People

**Mr Craig** asked the Minister of Health, Social Services and Public Safety how many young people of post-primary school age have been admitted to hospitals with illnesses caused by the consumption of drugs, in each of the last three years.

**(AQW 31202/11-15)**

**Mr Poots:** Information is provided below on the number of young people of post-primary school age who have been admitted to HSC Hospitals in Northern Ireland with a primary diagnosis of a drug-related condition. Young people of post-primary school age have been defined as those aged 11 to 18 years, inclusive.

Financial Year	Individuals admitted
2010/11	38
2011/12	19
2012/13	19

**Source:** Hospital Inpatient System

### Accident and Emergency: Abusive Drunk Patients

**Mr McNarry** asked the Minister of Health, Social Services and Public Safety what security measures have been taken to deal with abusive drunk patients in Emergency Departments; and how much staff time is taken up managing these patients.

**(AQW 31203/11-15)**

**Mr Poots:** My Department takes the issue of staff and patient safety very seriously. Each HSC Trust operates a robust zero tolerance policy, overseen by a senior director. The policy requires provision of a working environment where employees can undertake their duties without fear of abuse or violence from persons who are under the influence of alcohol.

Patients under the influence of alcohol who attend Emergency Departments, who are violent or abusive towards staff, are removed from the premises by security staff or the PSNI provided there is no medical reason not to do so. Such persons may be subject to prosecution under the Offences Against the Person Act 1861.

Information in relation to the amount of time staff spend managing patients under the influence of alcohol is not readily available and can only be made available at a disproportionate cost. The current monitoring process records the number of incidents relating to physical and verbal attacks against HSC staff by staff groups and attack location. These figures indicate that 4% of all recorded verbal and physical attacks on HSC staff occur in Emergency Departments.

## Fracture Units

**Mrs McKeivitt** asked the Minister of Health, Social Services and Public Safety to detail the number of people that attended each fracture unit, in each of the last five years.

**(AQW 31210/11-15)**

**Mr Poots:** Information on attendances at each fracture unit is not routinely collected by my Department, and was requested from each Health and Social Care (HSC) Trust.

Figures provided by each HSC Trust are detailed in the table overleaf, by hospital for each of the last five years.

### Total attendances at Outpatient Fracture Clinics by Hospital/HSC Trust: 2009/10-2013/14<sup>1</sup>

Hospital/HSC Trust	Financial Year				
	2009/10	2010/11	2011/12	2012/13	2013/14
Mater	2,000	2,292	2,380	2,173	1,680
RBHSC	5,700	5,597	6,451	5,838	5,497
Royal Victoria	30,083	32,530	32,628	31,444	28,608
Belfast HSCT	37,783	40,419	41,459	39,455	35,785
Antrim <sup>2,3</sup>	4,833	5,401	6,313	4,898	-
Mid-Ulster <sup>2</sup>	1,540	1,711	1,641	1,635	1,426
Whiteabbey <sup>2,3</sup>	-	-	-	1,623	6,720
Causeway Hospital <sup>2</sup>	3,003	2,880	2,954	2,539	2,140
Northern HSCT <sup>2</sup>	9,376	9,992	10,908	10,695	10,286
Downe	3,114	3,248	2,803	3,021	2,754
Lagan Valley	3,121	3,237	3,232	3,199	2,568
Ulster	16,742	17,437	15,548	16,341	14,186
South Eastern HSCT	22,977	23,922	21,583	22,561	19,508
Craigavon	9,284	11,081	11,706	12,870	11,769
Daisy Hill <sup>4</sup>	3,012	3,582	3,757	3,703	3,776
Southern HSCT <sup>4</sup>	12,296	14,663	15,463	16,573	15,545
Altnagelvin	16,747	16,178	15,862	16,070	13,176
South West Acute	3,303	2,766	3,071	3,227	2,651
Tyrone County	1,720	1,806	1,645	1,449	1,079
Western HSCT	21,770	20,750	20,578	20,746	16,906

**Source:** Health and Social Care Trusts

- Figures for the financial year 2013/14 relates to activity during the period April 2013 to the end of January 2014.
- Fracture services in the Northern HSC Trust are provided by visiting consultants from the Belfast and Western HC Trusts. This activity is attributed to the Trust which the visiting consultant is contracted to. Attendances at Antrim, Mid-Ulster and Whiteabbey hospital sites are attributed to the Belfast HSC Trust and attendances at the Causeway hospital site are attributed to the Western HSC Trust.

- 3 The fracture outreach service based at Antrim Hospital in the Northern HSC Trust has now moved to Whiteabbey Hospital.
- 4 The fracture service at Daisy Hill Hospital in the Southern HSC Trust is provided by the Belfast HSC Trust. This activity is attributed to the Trust which the visiting consultant is contracted to.

### **Daisy Hill Hospital: Fracture Unit**

**Mrs McKeivitt** asked the Minister of Health, Social Services and Public Safety how many people are employed in the fracture unit at Daisy Hill Hospital.

**(AQW 31211/11-15)**

**Mr Poots:** There are 3-4 fracture clinics per week in Daisy Hill Hospital, which are currently facilitated by visiting medical staff from the Belfast Trust. Nursing input is provided by staff from Daisy Hill Hospital's Emergency Department. As such, no Southern Trust staff are employed directly in the fracture unit.

### **Bangor Community Hospital: Services**

**Mr Weir** asked the Minister of Health, Social Services and Public Safety what plans he has to increase services at Bangor Community Hospital in order to ease pressure on services in Belfast Emergency Departments.

**(AQW 31217/11-15)**

**Mr Poots:** This is a matter for the South Eastern Health and Social Care Trust. I understand that the Trust is progressing a maintenance programme to facilitate service continuity at Bangor Community Hospital. The minor injuries service at Bangor Community Hospital currently treats patients for a range of minor conditions, reducing pressure on emergency departments in Belfast. The hospital also acts as a medical step down facility for patients deemed suitable to be discharged from medical beds within the Ulster Hospital.

### **Bangor Minor Injuries Unit**

**Mr Weir** asked the Minister of Health, Social Services and Public Safety what plans he has to reopen the Minor Injuries Unit at Bangor Hospital.

**(AQW 31218/11-15)**

**Mr Poots:** The Minor Injuries Unit at Bangor Community Hospital operates from 9am to 5pm Monday to Friday. It is temporarily closed at weekends because of staffing issues. The South Eastern Health and Social Care Trust is working to address the matter but is unable to confirm a date for resuming weekend opening at this time.

### **Healthcare Services: Public Awareness**

**Mr Weir** asked the Minister of Health, Social Services and Public Safety what plans are in place to increase public awareness of the medical services available as an alternative to visiting Emergency Departments.

**(AQW 31219/11-15)**

**Mr Poots:** The Health and Social Care Board in partnership with the five Health and Social Trusts, Northern Ireland Ambulance Service and my Department has been working to promote public awareness of the range of healthcare services available to the general public through the Choose Well Public Awareness Campaign.

The public awareness campaign was launched in November 2013 and will continue until the end of March 2014 being publicised via a wide range of media such as TV, advertising posters, distribution of leaflets across various public bodies and facilities, adverts in the press and supported with the use of NI Direct website and social media.

The Choose Well campaign aims to create a better understanding among the general public of what medical care services are available to them, how and when to access these services appropriately. If people pick the service most appropriate to their symptoms, it means they get the right treatment and this also helps to manage finite health and social care services resources.

### **Accident and Emergency: Agency Nurses**

**Mr McKay** asked the Minister of Health, Social Services and Public Safety to detail (i) how many agency nurses have been contracted by each hospital Emergency Department, in each month since September 2013; and (ii) the hourly rate paid to each recruitment agency.

**(AQW 31222/11-15)**

**Mr Poots:** Agency nurses are not actually contracted to the Health and Social Care Trusts rather HSC Trusts have a regional contract with the nursing agencies that provide nursing cover. The table below details information provided by each HSC Trust in relation to the number of whole time equivalent (WTE) agency nurses providing nursing cover in each Emergency Department since September 2013.

HSC Trust name	Number of Agency Nurses contracted by each Emergency Department
BHSCT	RVH – 2.44 WTE, MIH – 0.24 WTE
SEHSCT	Ulster – 2.01 WTE, Lagan Valley – 0, Downe - 0
NHSCT	Causeway – 0, Antrim – 39.76 WTE
WHSCCT	Altnagelvin – 1.37 WTE SWAH – 1.95 WTE
SHSCT	Daisy Hill – 0.1 WTE Craigavon – 6.3 WTE

**Source:** HSC Trusts

The information in the tables below relates to the regional standard hourly rates for the agencies used by HSC Trusts.

#### Old Contract (up to Feb 2nd 2014)

Nursing Agencies	Hourly Rates
Premier	£14.80-£23.52
Kennedy	£14.96-£27.14
Trackars	£18.07-£28.12
Balmoral	£20.50-£34.85

#### Off Framework (specialist nurses)

Nursing Agencies	Hourly Rates
Scottish Nurses Guild	£44.45- £63.45

#### New Framework Agreement (from 3rd Feb 2014)

Nursing Agencies	Hourly Rates
Premier	£14.55-£23.57
Kennedy	£14.99-£24.00
MPA	£15.73- £24.77
Lydiancare	£16.80- £25.84
Balmoral	£25.11-£34.15
Rutledge	£16.35-£25.39

**Source:** HSC Trusts

**NB:** Range of charges is dependent on when shift is worked, i.e Day, Night, weekend

#### Accident and Emergency: Agency Nurses

**Mr McKay** asked the Minister of Health, Social Services and Public Safety to detail the highest rate per hour paid to an agency nurse since September 2013, broken down by hospital Emergency Department.

**(AQW 31223/11-15)**

**Mr Poots:** Costs incurred by Health and Social Care Trusts in respect of Agency nurses are the rates that the agency charges the HSC Trusts and not what the Nurse is paid. The table below includes details of the Highest hourly rate charged to HSC Trusts in respect agency nurses employed in each HSC Trust Emergency Department from September 2013 to date

HSC Trust name	Highest hourly rate charged to HSC Trusts in respect agency nurse employed in each HSC Trust Emergency Department from September 2013 to date
BHSCT	RVH – £63.45, MIH – £34.85
SEHSCT	Ulster – £34.85 , Lagan Valley – 0, Downe - 0
NHSCT	Causeway – 0, Antrim – £60.95
WHSCCT	South West Acute Hospital - £17.95 Altnagelvin - £36.50

HSC Trust name	Highest hourly rate charged to HSC Trusts in respect agency nurse employed in each HSC Trust Emergency Department from September 2013 to date
SHSCT	Daisy Hill – £49.53 Craigavon - £86.81 (NB.this was a public holiday rate)

Source: HSC Trusts

### Accident and Emergency: Agency Nurses

**Mr McKay** asked the Minister of Health, Social Services and Public Safety whether his Department is achieving value for money for agency nurses that have been employed in Emergency Departments in the last twelve months.

(AQW 31224/11-15)

**Mr Poots:** I fully recognise that the use of temporary staff covering staff absence and temporary vacancies is a vital resource to ensure the delivery of safe and effective care and to ensure the continuity of care. I recognise that Agency spend will never be zero, however I also recognise that Agency spend must be scrutinised and I expect Trusts to examine Agency spend carefully and explore all measures to address the need to use agencies.

My Department is currently reviewing the Nursing and Midwifery workforce and will produce a Workforce Plan for nurses and midwives to ensure that these professionals are best placed to support the delivery of safe and effective care over the next 5 years. As part of this review the use of Agency staff will be examined to ensure appropriate use within the planning process and in the ongoing delivery of safe and effective care.

My Department monitors the Health and Social Care Trusts' expenditure on agency staff on a bi-annual basis and the reports are published on the Departmental internet site.

### Pain Management: Day Admissions

**Mr Campbell** asked the Minister of Health, Social Services and Public Safety to detail the numbers of in-patient day case hospital admissions dealing with pain management, in each of the last ten years.

(AQW 31228/11-15)

**Mr Poots:** The numbers of day case admissions to HSC Hospitals in Northern Ireland under the Pain Management Specialty, in each of the last ten years are given in the table below.

Year	Number of Day Case Admissions
2003/04	2,332
2004/05	2,335
2005/06	2,579
2006/07	2,771
2007/08	3,541
2008/09	3,628
2009/10	3,413
2010/11	3,583
2011/12	4,307
2012/13	4,646

Source: Hospital Inpatient System

**Note:** The figures above relate to the specialty assigned to the treating consultant. It is not possible to say definitively that all these admissions are for the treatment of pain management.

### Departmental Bank Accounts

**Mr Allister** asked the Minister of Health, Social Services and Public Safety to detail (i) any departmental bank accounts that have been inactive for twelve months or more; (ii) the reason they are inactive; and (iii) the balance of each account.

(AQW 31244/11-15)

**Mr Poots:** DHSSPS does not have any departmental bank accounts that have been inactive for twelve months or more.

## Social Security: Medical Reports

**Mr Copeland** asked the Minister of Health, Social Services and Public Safety for his assessment of the practice of medical professionals charging social security support claimants for medical reports.

**(AQW 31247/11-15)**

**Mr Poots:** GPs are Independent Contractors who are remunerated for the provision of health service work. There is no requirement under their General Medical Services (GMS) Contract for GPs to provide their patients with medical reports to support benefit claims as the completion of such reports does not fall within the remit of their health service responsibilities. The GMS Contract only requires GPs to provide medical certificates that can be used for making a benefit claim.

The provision of medical reports for the purpose of supporting benefit claims rests with individual GPs and they are entitled to decide what fee, if any, they wish to charge for providing such reports.

## Personal Independence Payment: Medical Reports

**Mr Copeland** asked the Minister of Health, Social Services and Public Safety for his assessment of the proposal to include more medical evidence reports in the decision-making process for Personal Independence Payments.

**(AQW 31248/11-15)**

**Mr Poots:** As a member of the Executive and the Executive Sub-Committee on Welfare Reform I am aware of the package of measures which are designed to tailor welfare reform to meet the needs of people in Northern Ireland and to protect the most vulnerable in our society. I am not aware of any proposal to include more medical evidence reports in the decision making process for Personal Independence Payments.

## Cancer Drugs

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety for his assessment of a cancer drugs fund model.

**(AQW 31260/11-15)**

**Mr Poots:** I would refer to my answer to the House during Question Time on 11 February when I indicated I would consider a cancer drugs fund if I had the support of the Executive and Assembly.

## Roddens Residential Care Home

**Mr Swann** asked the Minister of Health, Social Services and Public Safety on what date was the last (i) permanent; and (ii) respite patient admitted to Roddens Residential Home.

**(AQW 31262/11-15)**

**Mr Poots:** I have been advised by the Northern Health and Social Care Trust that the last resident to be admitted permanently to the Roddens statutory residential home was admitted on December 13th 2011, while the last admission for respite was February 23rd 2014.

## Podiatry: Limavady Health Centre

**Mr G Robinson** asked the Minister of Health, Social Services and Public Safety whether the podiatry service at Scroggy Road Health Centre, Limavady could be extended to five day opening.

**(AQW 31277/11-15)**

**Mr Poots:** I understand that the Western Trust's Podiatry Service currently operates 5 days per week in Limavady Health Centre. Routine community services operate 4 days per week and 1 day per week for clients with diabetes (morning) and clients with a learning disability (afternoon).

Two additional sessions are in place each week on Monday and Thursday afternoons for basic foot care for clients aged over 65 years.

## Social Workers

**Mrs D Kelly** asked the Minister of Health, Social Services and Public Safety to detail the number of (i) permanent; and (ii) temporary social work posts, in each Health and Social Care Trust.

**(AQW 31299/11-15)**

**Mr Poots:** The number (headcount and whole-time equivalent [WTE]) of qualified social workers with permanent and temporary contract types, in each Health and Social Care Trust, is shown in the table below.

	Permanent		Temporary	
	Staff in Post Headcount	WTE	Staff in Post Headcount	WTE
Belfast HSC Trust	839	787.1	11	10.2

	Permanent		Temporary	
	Staff in Post Headcount	WTE	Staff in Post Headcount	WTE
Northern HSC Trust	766	711.8	72	67.8
Southern HSC Trust	594	546.9	29	26.1
Western HSC Trust	549	520.7	67	64.9
South Eastern HSC Trust	576	529.5	19	16.7

**Source:** Human Resources, Payroll, Travel & Subsistence System

**Notes:**

1. Figures are as at February 2014.
2. These figures exclude 'as and when required / bank' staff but include a number of staff working under a 'Block Booking' temporary contract. Figures do not include new social work graduates in the 'Assessed Year in Employment'.

### Residential Care: Safeguarding for Vulnerable People

**Lord Morrow** asked the Minister of Health, Social Services and Public Safety, in relation to working with vulnerable people in care and residential homes, (i) what safeguarding clearance checks are carried out on care staff who do not hold an accreditation or qualification for the specific environment; (ii) whether this check requires a declaration from applicants to state any previous convictions or court issues; (iii) when was the current safeguarding policy first put in place; (iv) when it was last reviewed; and (v) whether this policy is universally adopted by the Health and Social Care Trusts, or is each Trust responsible for its own policy.

**(AQW 31325/11-15)**

**Mr Poots:**

- (i) Legislation requires those employing staff in a residential home or nursing home to carry out a number of checks, irrespective of what qualifications they hold, to ensure, as far as possible, that they are suitable to work with vulnerable adults. These include, an enhanced criminal record check, proof of identity, written references, verification of why any previous employment with vulnerable adults or children ended, details and evidence of relevant qualifications or accredited training, a full employment history and evidence that the person is physically and mentally fit for the work they will be engaged in.

In addition, under the Safeguarding Vulnerable Groups (Northern Ireland) Order 2007 it is an offence for an employer to knowingly engage a barred person to work in regulated activity with vulnerable adults.

- (ii) The Minimum Standards for Residential Care Homes and the Minimum Standards for Nursing Homes require care homes and nursing homes to comply with my Department's guidance in relation to the recruitment of staff. My Department also commissioned and supported the development of standards and guidance in relation to safeguarding vulnerable adults ('Safeguarding Vulnerable Adults – A Shared Responsibility') for use by organisations across the voluntary, community and independent sectors. Standard 2 is specifically relevant to the recruitment of staff and volunteers. The criteria for meeting the standard includes that all applicants should be asked to sign a declaration and consent form and declare any past (including 'spent') criminal convictions, cautions and bind-over orders and cases pending against them.
- (iii) Current residential care homes regulations and nursing home regulations were made in 2005. The Safeguarding Vulnerable Groups (Northern Ireland) Order was made in 2007. The Minimum Standards for Residential Care Homes were published in February 2008, the Minimum Standards for Nursing Homes in January 2008 and Safeguarding Vulnerable Adults – A Shared Responsibility was published in 2010.
- (iv) The Minimum Standards for Residential Care Homes were updated in August 2011. The vetting and barring scheme under the Safeguarding Vulnerable Groups (Northern Ireland) Order 2007 was reviewed in 2010 and replaced by new disclosure and barring arrangements introduced by changes to the Safeguarding Vulnerable Groups (Northern Ireland) Order 2007 by the Protection of Freedoms Act 2012. Safeguarding Vulnerable Adults – A Shared Responsibility was updated in August 2013.
- (v) The legislation and minimum standards apply to all nursing homes and residential care homes, including those run by Health and Social Care Trusts. Provisions under the Safeguarding Vulnerable Groups (Northern Ireland) Order 2007 apply to the Trusts where they are engaging individuals to work in regulated activity and the Order also makes provisions that apply to Trusts as Health and Social Care Bodies, including a power to refer to the Disclosure and Barring Service information where it thinks that a person has committed an offence, engaged in conduct or may engage in conduct likely to harm a child or vulnerable adult.

'Safeguarding Vulnerable Adults – A Shared Responsibility' was developed in consultation with the Trusts.

## Mental Health: Students

**Mr P Ramsey** asked the Minister of Health, Social Services and Public Safety, in light of the evidence suggesting the mental health and wellbeing needs of students requires investment from a joined-up and co-ordinated perspective, to advise on any proposed developments or plans in this area.

**(AQW 31335/11-15)**

**Mr Poots:** The Ministerial Co-ordination Group on Suicide Prevention helps to ensure a joined-up, cross-Departmental approach to the promotion of positive mental health and wellbeing in Northern Ireland. In addition, the Public Health Agency's thematic action plan for the implementation of mental health promotion and suicide prevention policy ensures a cross-sectoral approach to these issues.

Current activity to promote the mental health and wellbeing of students includes: the "iMatter" programme, developed jointly by health and education; the Public Health Agency (PHA) funded "Roots of Empathy" classroom programme to foster the development of emotional resilience among school children; PHA and Irish Football Association collaboration to use the medium of sport to deliver mental health awareness; and the National Union of Students – Union of Students in Ireland "Please Talk" support programme.

PHA is also considering the establishment of a strategic liaison group to foster and support joint working between the Agency and Education sector organisations. Furthermore, my Department is leading the development of a new suicide prevention strategy which will include an early intervention section covering the promotion of mental health for students in all educational settings.

## Ovarian Cancer: Fermanagh and South Tyrone

**Ms McGahan** asked the Minister of Health, Social Services and Public Safety how many women in Fermanagh and South Tyrone are diagnosed with ovarian cancer.

**(AQW 31362/11-15)**

**Mr Poots:** Latest information provided by the Northern Ireland Cancer Registry indicates that during the five year period from 2008 to 2012, 43 women were diagnosed with ovarian cancer in the Fermanagh and South Tyrone constituency.

## Serious Adverse Incidents: Deaths

**Mr Allister** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 30943/11-15, and in relation to the five deaths reported in the media, how much time had elapsed between each death and it being reported to the coroner.

**(AQW 31390/11-15)**

**Mr Poots:** The arrangements for reporting deaths to the Coroner cover reporting during normal working hours and also out of hours.

In the five cases highlighted in the media, the statutory requirement to report the death to the Coroner was complied with promptly.

## Child Mortality

**Mr Copeland** asked the Minister of Health, Social Services and Public Safety for his assessment of child mortality rates compared with (i) the Republic of Ireland; (ii) England; (iii) Scotland; (iv) Wales; and (v) Europe.

**(AQW 31396/11-15)**

**Mr Poots:** Comparison of child mortality rates across Europe based on the World Health Organisation data shows that for children from birth to 15th birthday mortality rates range from England with 23 deaths/100,000 population aged 0-14 to Ukraine with 101 deaths/100,000 population aged 0-14. Northern Ireland has a child mortality rate from birth to 15th birthday of 36.7 per 100,000. This is similar to Scotland at 36.3 and The Republic of Ireland at 38.5 but higher than England at 23 and Wales at 22.2.

The recent overview of child deaths in the four UK countries showed that overall child deaths had reduced by between 50% and 70% from 1980 to 2010. While deaths in Northern Ireland have decreased during this time the rate of deaths including injury related deaths here is higher than in England. My Department continues to work to reduce child death including the development of the current consultation on paediatric services and strategies to reduce suicides and home accidents including cord blind related deaths in young children.

## Vaccines: Availability

**Mr Copeland** asked the Minister of Health, Social Services and Public Safety whether the (i) pneumococcal; (ii) meningitis C; (iii) meningitis ACWY; and (iv) meningitis B vaccines are available from the Health Service.

**(AQW 31397/11-15)**

**Mr Poots:** The pneumococcal and meningitis C vaccines are available as part of the national vaccination programmes. Meningitis ACWY is available as a travel vaccine although an individual is likely to be charged a fee to receive this. I am currently awaiting the outcome of the deliberations of the Joint Committee on Vaccination and Immunisation regarding the possible inclusion of meningitis B vaccine into the routine childhood vaccination programme. The Men B vaccine can currently

be ordered directly from Novartis, the vaccine manufacturer, by community pharmacies or hospitals including independent hospitals and clinics.

### **Meningitis: Links to Smoking and Income**

**Mr Copeland** asked the Minister of Health, Social Services and Public Safety for his assessment of the links between variants of meningitis and (i) smoking, including passive smoking; and (ii) household income.

**(AQW 31398/11-15)**

**Mr Poots:** The main public health approach to meningitis is prevention through immunisation. Meningitis vaccines currently in use as part of the childhood immunisation schedule include meningitis C, pneumococcal, and haemophilus influenzae b (Hib). In Northern Ireland a vaccination uptake rate of around 97% is consistently achieved.

Smoking and exposure to cigarette smoke are known to increase the risk of different types of meningitis along with many other more common risks to health. As smoking is known to be more prevalent among people on low incomes, meningitis and household income may be linked indirectly.

My Department currently provides funding to the Meningitis Research Foundation, a national registered charity which, as well as funding research to prevent meningitis and septicaemia, promotes education and awareness, and provides support to people affected.

### **Arthritis: Phospholipid Gel**

**Mr Campbell** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 30655/11-15, and given the favourable safety profile, how many people currently suffering from arthritic conditions will be able to benefit from these over-the-counter products.

**(AQW 31403/11-15)**

**Mr Poots:** It is not possible to determine how many people may be able to benefit from this product as its claimed effectiveness in relieving some symptoms of osteoarthritis would depend on a number of factors related to the clinical condition of the particular individual and any other treatments being prescribed as part of individual care plans.

### **Southern Health and Social Care Trust: Late Payments**

**Mrs D Kelly** asked the Minister of Health, Social Services and Public Safety, given that the Southern Health and Social Care Trust has failed to pay some staff overtime and reimburse travel expenses in their February pay packets, whether he will press the Trust to issue direct payments to all staff concerned as a matter of urgency.

**(AQW 31423/11-15)**

**Mr Poots:** Payments to staff affected by late payment of overtime and travel expenses is an operational matter for consideration by HSC Trust management.

I understand that the Trust has advised that staff who did not receive payment for their mileage claims due to a systems error will receive a late payment for their mileage claims on the 7th March. Those staff who have not received overtime payments in their February pay due to late submission or incomplete forms will receive this at a later payment date.

### **Ex-military Personnel**

**Mr Copeland** asked the Minister of Health, Social Services and Public Safety to detail (i) any communication he has had with his counterpart in Scotland regarding the alleged imposition of a 60 percent quota in favour of treating Scottish ex-service personnel at Hollybush House (Combat Stress); (ii) what steps he is taking to ensure that local ex-service personnel will receive fair treatment; and (iii) what plans he has to ensure that those suffering as a result of their military service will find their needs accommodated locally, thereby avoiding additional cost and disruption occasioned by the current arrangements.

**(AQW 31441/11-15)**

**Mr Poots:** I have had no communication with my Scottish counterpart regarding the alleged imposition of a 60 percent quota in favour of treating Scottish ex-service personnel at Hollybush House.

My Department, along with the Departments of Health in England, Scotland, and Wales, have signed a Strategic Relationship Document with Combat Stress (CS) and the Ministry of Defence (MOD).

The Strategic Relationship Document provides a framework to improve the quality and appropriateness of the work between the Departments of Health, CS, and the MOD in order to ensure that military veterans receive the best possible mental healthcare.

Combat Stress provides Community Outreach support for Veterans living in Northern Ireland, as well as access to residential clinical treatment (delivered at Hollybush House) and a dedicated 24hour helpline. They also work very closely with the UDR/RIR Aftercare Service.

## Departmental Water Bills

**Mr Agnew** asked the Minister of Health, Social Services and Public Safety to detail (i) who audits his Department's water bills; (ii) when his Department's water bill was last audited; (iii) when the Department's water bill will next be audited; (iv) how much money has been saved in the last five years as a result of auditing; and (v) the process for contracting out the auditing of water bills. **(AQW 31462/11-15)**

**Mr Poots:** All bills relating to water usage by my Department are managed by the Department of Finance and Personnel who own the Estate.

## Community Meals Service: Fermanagh

**Mr Flanagan** asked the Minister of Health, Social Services and Public Safety to detail the strategic service review of the model of delivery for community meal services; and for his assessment of the impact this will have on service users in County Fermanagh.

**(AQW 31477/11-15)**

**Mr Poots:** The Western Health & Social Care Trust have advised that a strategic review of the community meals service is currently ongoing with a number of engagement events, at which service users will have the opportunity to share their views and opinions on how a community meals service should be delivered in the future, to take place throughout March

The aim of the service review is to secure a future model that addresses the assessed needs of those who meet the criteria for access to community meals across all the Trust's localities. Any future model must deliver meals to the nutritional standard required, over a seven day week and provide value for money, in line with Departmental guidance on charging for community meals services. Pending decisions on any change it is not possible at this stage to identify the impact of change.

## Department of Justice

### Prisoners: Prescribed Medicine Storage

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 30419/11-15, to detail (i) the cost of installing the existing lockable cabinets; (ii) when they were installed; (iii) on what recommendation this action was taken; and (iv) the staff that are responsible in respect of the cabinets in prison cells.

**(AQW 30933/11-15)**

**Mr Ford (The Minister of Justice):**

- (i) Initially lockable cabinets were produced by Prison Industries in NIPS and cost £15.30 each. Later versions, which were produced by the national Offender Service in England, cost £41 each.
- (ii) The decision to install the cabinets was taken in 2005.
- (iii) Following a discussion at a Drug and Therapeutics Committee meeting in May 2005 all Governing Governors took the decision to provide lockable cabinets.
- (iv) Landing staff are responsible for examining the cabinets as part of their daily fabric checks.

### Supporting Prisoners at Risk: Foreign Nationals

**Lord Morrow** asked the Minister of Justice to clarify the caveat on the Supporting Prisoners at Risk process for foreign nationals in respect of prison reform recommendations.

**(AQW 30972/11-15)**

**Mr Ford:** I can clarify the Minutes of the December meeting of the Prison Service Management Board, to which the member's question refers.

The caveat refers to the fact that despite being submitted for approval in December 2013, CJINI would not inspect separate Prison Reform Team recommendations relating to Supporting Prisoners at Risk and foreign national prisoners until early 2014. There are no caveats on the Supporting Prisoner at Risk procedures for foreign national prisoners.

### National Crime Agency

**Mrs Dobson** asked the Minister of Justice for an update on progress towards the National Crime Agency becoming fully operational in Northern Ireland.

**(AQW 30990/11-15)**

**Mr Ford:** The position remains as that set out in my response to Assembly Question AQW/30319/11-15. I am seeking to make headway on this important issue as I am acutely aware that, as ACC Harris said to the Justice Committee on 20 February 2014, "five months into the NCA we can start to really see where cracks are opening up".

### Inquest: Presumed Death

**Lord Morrow** asked the Minister of Justice why Robert Howard requires legal representation to attend the inquest into the death of Arlene Arkinson given that Coroner's Courts are related to fact finding, and as such, are not trials and have no powers of indictment.

**(AQW 31025/11-15)**

**Mr Ford:** I am aware of the Press coverage of the very sad case of the disappearance of Arlene Arkinson in 1994, and the arrangements that are being made to facilitate the inquest into her presumed death.

It is now a matter of public record that a witness is being represented by solicitor and counsel at the inquest, funded by way of legal aid.

However, Article 24 of the Legal Aid, Advice and Assistance (Northern Ireland) Order 1981 precludes me from providing any information on the award of legal aid for coroner's proceedings.

### Prisoners: Remanded/Sentenced

**Lord Morrow** asked the Minister of Justice to outline the differences between a remand prisoner and a sentenced prisoner.

**(AQW 31049/11-15)**

**Mr Ford:** A sentenced prisoner is any person who has been committed to a prison or young offenders centre by the courts. Once committed all sentenced prisoners work to a sentence plan.

Prisoners remanded into custody pending trial are deemed to be innocent.

Under prison rules remand prisoners must be kept out of contact with sentenced prisoners as far as practicable.

They must be facilitated as much as possible to maintain family and business links.

They are allowed more letters and visits and are not required to work.

### Family Proceedings: Domestic and Sexual Violence

**Mr Weir** asked the Minister of Justice to detail why issues of domestic and sexual violence are not investigated and resolved at the start of a family proceedings case involving the placement of children.

**(AQW 31093/11-15)**

**Mr Ford:** The conduct of a family proceedings case is a matter for the presiding Judge and it would not be appropriate for me to comment. However, I understand that the application process under the Children (Northern Ireland) Order provides the opportunity for either party or their legal representatives to raise any such issues at the earliest possible stage.

### Judiciary: Training in Issues of Domestic and Sexual Violence

**Mr Weir** asked the Minister of Justice what training is provided to the judiciary on issues of domestic and sexual violence.

**(AQW 31096/11-15)**

**Mr Ford:** A list of the training and information sessions completed by the judiciary, including those hearing family proceedings cases, on issues of domestic and sexual violence since 2009 is detailed in the following table.

Date	Title of Event	Judicial tiers in attendance
October 2009	Judicial Studies Board (JSB) Seminar – Sexual Offences	Court of Judicature, County Court, District Judge (Magistrates' Court) (DJ(MC)) and Deputy DJ(MC)
November 2009	Judicial College Serious Sexual Offences Induction Course	1 x new County Court appointment
February 2010	Judicial College Serious Sexual Offences Induction Course	1 x new County Court appointment
March 2010	JSB Seminar - PBNI Domestic Violence presentation	Court of Judicature, County Court, DJ(MC) and Deputy DJ(MC)
June 2010	JSB Workshop – Domestic Violence	Court of Judicature, County Court, DJ(MC) and Deputy DJ(MC)
October 2010	JSB Seminar – Remote Monitoring of Sex Offenders	Court of Judicature, County Court, DJ(MC) and Deputy DJ(MC)
June 2011	JSB Seminar – Sentencing and Ancillary Orders in Violent and Sexual Offences	Court of Judicature, County Court, DJ(MC) and Deputy DJ(MC)

Date	Title of Event	Judicial tiers in attendance
July 2011	Judicial College Serious Sexual Offences Induction Course	2 x new County Court appointments
September 2011	Visit to Special Domestic Violence court in Glasgow	1 x District Judge (MC)
April 2012	JSB Induction – Serious Sexual Offences	1 x new County Court appointment and 2 x new High Court appointments
November 2012	Judicial College Serious Sexual Offences Induction Course	1 x new County Court appointment
November 2012	Domestic Violence Conference in Dublin	1 x District Judge (MC)
December 2012	JSB Seminar – Witness Intermediaries	Crown Court
June 2013	JSB Seminar – Directing the Jury in Historic Sex Cases	Crown Court
September 2013	Judicial College – Vulnerable Witnesses Seminar	1 x County Court
November 2013	JSB Workshop – Serious Sexual Offences Prosecutions	Crown Court
November 2013	Judicial College Serious Sexual Offences Induction Course	1 x new County Court appointment

In March 2014 the Judicial Studies Board is running a training event for the Judiciary, members of the Bar, Law Society and Public Prosecution Service on Serious Sexual Offences Prosecutions.

Guidance on child contact and residence cases involving domestic violence is included in best practice guidelines prepared by the Children Order Advisory Committee.

### Children (Northern Ireland) Order 1995

**Mr Weir** asked the Minister of Justice how the recommendations made by the Family Justice Council (2007), in relation to the Children (Northern Ireland) Order 1995, influence judicial decisions in family proceedings.

**(AQW 31098/11-15)**

**Mr Ford:** I cannot comment on how judges arrive at their decisions. The Children Order Advisory Committee (COAC) provides a similar role to the Family Justice Council in England and Wales. Guidance on child contact and residence cases involving domestic violence is included in COAC's best practice guidance. The Children (Northern Ireland) Order 1995 requires family courts to ensure that the welfare of the child is the paramount consideration.

### Judiciary: Guidance on Domestic and Sexual Violence

**Mr Weir** asked the Minister of Justice to outline the guidance provided to judges in relation to domestic and sexual violence, in family proceedings cases involving child placement issues.

**(AQW 31099/11-15)**

**Mr Ford:** A list of the training and information sessions completed by the judiciary, including those hearing family proceedings cases, on issues of domestic and sexual violence since 2009 is detailed in the table below.

Date	Title of Event	Judicial tiers in attendance
October 2009	Judicial Studies Board (JSB) Seminar – Sexual Offences	Court of Judicature, County Court, District Judge (Magistrates' Court) (DJ(MC)) and Deputy DJ(MC)
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June 2010	JSB Workshop – Domestic Violence	Court of Judicature, County Court, DJ(MC) and Deputy DJ(MC)

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In March 2014 the Judicial Studies Board is running a training event for the Judiciary, members of the Bar, Law Society and Public Prosecution Service on Serious Sexual Offences Prosecutions.

Guidance on child contact and residence cases involving domestic violence is included in best practice guidelines prepared by the Children Order Advisory Committee.

### Public Prosecution Service: Consultation on Governance and Accountability

**Mr Givan** asked the Minister of Justice to detail how often he has engaged with Executive colleagues on the Governance and Accountability of the Public Prosecution Service Consultation Paper launched in February 2012.

**(AQW 31104/11-15)**

**Mr Ford:** Publication of the consultation paper was approved by the Executive as a cross-cutting matter. Following further discussion with the First Minister and deputy First Minister to agree a proposed way forward, and consultation with the Justice Committee, the matter will be brought back to the Executive for decision.

### Public Prosecution Service: Consultation on Governance and Accountability

**Mr Givan** asked the Minister of Justice when proposals will be brought forward to the Committee for Justice on options contained within the Governance and Accountability of the Public Prosecution Service Consultation Paper that was launched in February 2012.

**(AQW 31106/11-15)**

**Mr Ford:** This exercise was carried out by my Department on behalf of the First Minister and deputy First Minister. We intend to publish a summary of responses and way forward document following further discussion with their Office to agree joint proposals, which my officials will bring to the Justice Committee at that stage.

### Public Prosecution Service: Consultation on Governance and Accountability

**Mr Givan** asked the Minister of Justice to detail the organisations and individuals that responded to the Governance and Accountability of the Public Prosecution Service Consultation Paper launched in February 2012.

**(AQW 31113/11-15)**

**Mr Ford:** Responses were received from the following:

- Bar Council
- Committee on the Administration of Justice
- Disability Action
- Housing Executive\*
- Law Society of Northern Ireland
- Northern Ireland Human Rights Commission

- Northern Ireland Judicial Appointments Commission\*
- Northern Ireland Tourist Board\*
- NIACRO
- Police Superintendents' Association of Northern Ireland
- Prisoner Ombudsman\*
- PSNI
- Public Health Agency\*
- Public Prosecution Service
- South Eastern Health and Social Care Trust\*
- Southern Health and Social Care Trust
- and from 2 individuals

The responses marked with an asterisk were simple acknowledgements without comment, or "nil returns"

### Public Prosecution Service: Consultation on Governance and Accountability

**Mr Givan** asked the Minister of Justice for a summary of the responses made to the Governance and Accountability of the Public Prosecution Service Consultation Paper launched in February 2012.

(AQW 31114/11-15)

**Mr Ford:** This exercise was carried out by my Department on behalf of the First Minister and deputy First Minister. We intend to publish a summary of responses and way forward document following further discussion with their Office to agree joint proposals, which my officials will bring to the Justice Committee at that stage.

### Public Prosecution Service: Consultation on Governance and Accountability

**Mr Givan** asked the Minister of Justice to detail (i) how; and (ii) with whom he and his Department has engaged within criminal justice agencies on the options within the Governance and Accountability of the Public Prosecution Service Consultation Paper launched in February 2012.

(AQW 31115/11-15)

**Mr Ford:** Following the consultation exercise, the responses to which are listed in AQW/31113/11-15, I have had discussions with the Attorney General and Director of Public Prosecutions on the options. My department has had discussion with their respective offices.

### Prostitution: Research

**Ms McCorley** asked the Minister of Justice for an update on the recently commissioned research into prostitution, including the terms of reference and the expected timeline for completion.

(AQW 31117/11-15)

**Mr Ford:** The Department's specified aims and objectives for the research into prostitution in Northern Ireland were shared with the Justice Committee in January 2014. An invitation to tender for the research was published, in line with civil service procurement procedures, on the public sector procurement website, eSourcing NI, on 24 January 2014, with a closing date for the submission of tenders of 14 February.

Tenders have been received for evaluation. Our objective is to award the contract by the end of March, with expected completion of the research by the autumn of 2014.

### FP7: DOJ Funding

**Mr Attwood** asked the Minister of Justice to detail the funds provided under the European Programme FP7 to (i) his Department; (ii) arm's-length bodies; and (iii) any third party in (a) 2010/11; (b) 2011/12; and (c) 2012/13 financial years.

(AQW 31120/11-15)

**Mr Ford:** The table below sets out funding provided under the European Programme FP7 to the Department, its arm's length bodies (ALB) and any relevant third party.

	2010/11	2011/12	2012/13
DOJ	£0	£0	£0
ALB	£261,348	£972,462	£260,775
Third Parties	£0	£0	£28,050

### Prisons: Drug Tests

**Lord Morrow** asked the Minister of Justice to detail the number of drugs tests that have been carried out in each Prison Service facility in each in (i) 2012; and (ii) 2013, specifically in respect of prescription drugs; and of these, how many results showed prisoners had taken prescription medicine which had not been prescribed to them.

(AQW 31122/11-15)

**Mr Ford:** Tests are not conducted solely for prescription drugs but these, along with other drugs of abuse, are indicated via the testing procedure.

The total figures for drug tests carried out and the positive results for prescription drugs taken illegally are set out in the table below:

	No. of tests	Prescribed Drugs Taken Illegally
Hydebank 2012	1255	35
Hydebank 2013	833	26
Magilligan 2012	1217	32
Magilligan 2013	1024	57
Maghaberry 2012	1284	137
Maghaberry 2013	2184	302

### Prisons: Drug Tests

**Lord Morrow** asked the Minister of Justice how many intelligence-led drugs tests were carried out on prisoners in (i) 2012; and (ii) 2013 in each Prison Service facility; and of these, how many returned positive results for (a) legal drugs which had not been prescribed for the tested prisoner; and/or (b) controlled drugs.

**(AQW 31144/11-15)**

**Mr Ford:** Table A below shows the number of intelligence led drug tests carried out and the positive results for prescription drugs taken illegally and controlled drugs.

**Table A**

	No. of tests	Positive	Prescribed Drugs Taken Illegally	Controlled Drugs
Hydebank 2012	281	12	8	4
Hydebank 2013	116	13	11	2
Magilligan 2012	122	11	5	6
Magilligan 2013	160	32	24	8
Maghaberry 2012	166	47	42	5
Maghaberry 2013	604	142	128	14

### Magistrates' Courts: Names of Defendants

**Lord Morrow** asked the Minister of Justice why certain defendants are permitted to be referred to on a Magistrates Court list by surname only or first name, as is in case number 13/103523, or in some cases surname and initials, as in case number 14/006694.

**(AQW 31148/11-15)**

**Mr Ford:** Court lists generally reflect the details provided by the prosecutor or complainant on the summons or charge sheet. Where it is unclear or incomplete it may be clarified and amended in court.

### Prison Service: Suicide Prevention Strategies

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 30676/11-15, given the relevance of this review to the Northern Ireland Prison Service, what actions he will take to ensure inclusion, and for his assessment of whether this would be beneficial for future suicide prevention strategies in local facilities.

**(AQW 31149/11-15)**

**Mr Ford:** The Northern Ireland Prison Service has committed to a review of its Suicide and Self Harm Prevention Policy. It will be informed by the recommendations from the Prison Review Team report and by external independent local scrutiny from the Prisoner Ombudsman and Criminal Justice Inspection Northern Ireland. If there is shared learning from other jurisdictions that will also be considered in any future policy review.

I will not be requesting that the Minister of State for Justice extends his review beyond his responsibility for these matters in England and Wales.

## Children Order Advisory Committee

**Mr Weir** asked the Minister of Justice what status the guidelines from the Children Order Advisory Committee have in family proceedings decisions.

**(AQW 31168/11-15)**

**Mr Ford:** The Judiciary have access to the Children Order Advisory Committee Best Practice Guidance and may take account of it. However, it is not legally binding.

## Coroners Act (Northern Ireland) 1959: Obligations

**Mr McKinney** asked the Minister of Justice what measures have been taken by the Northern Ireland Courts and Tribunal Service to ensure that general medical practitioners and hospital clinicians are fully conversant with their statutory obligations under the Coroners Act (Northern Ireland) 1959 to report appropriate deaths to the Coroner.

**(AQW 31179/11-15)**

**Mr Ford:** The duty to report deaths to the Coroner is set out in Section 7 of The Coroners Act (Northern Ireland) 1959. This puts a statutory requirement on every medical practitioner, registrar of deaths or funeral director and every occupier of a house or mobile dwelling and every person in charge of an institution or premises in which a deceased person died, to report a death to the Coroner if it resulted, directly or indirectly, as a result of violence or misadventure by unfair means, or as a result of negligence or malpractice on the part of others, or from any cause other than natural illness or disease for which the deceased had been seen and treated within 28 days of death, or in such circumstances as may require investigation.

The Coroners Service for Northern Ireland, which is part of the Northern Ireland Courts and Tribunals Service, liaised closely with the Department of Health, Social Services and Public Safety and the General Register Office Northern Ireland in the development of guidance to assist medical practitioners to discharge their statutory obligations under The Coroners Act (NI) 1959. The guidance was disseminated to the health service in Northern Ireland in September 2008.

The Coroners Services has published a booklet entitled "Working with the Coroners Service for Northern Ireland" which includes information and useful links for medical practitioners and other persons coming into contact with the Coroners Service.

The Medical Advisor to the Coroners participates in information sharing events attended by medical students, junior doctors, allied healthcare professionals and general practitioners.

## Committee for Justice: Cancelled Briefings

**Mr Nesbitt** asked the Minister of Justice on how many occasions (i) he; and (ii) departmental officials cancelled briefings, which were part of the forward work programme, to his Department's Statutory Assembly Committee, in each of the last five years.

**(AQW 31199/11-15)**

**Mr Ford:** Neither my officials nor I have ever cancelled a briefing or appearance before the Department's Statutory Assembly Committee.

There are instances when, for genuine business reasons or to facilitate the Committee, it has been necessary to defer a briefing that has been scheduled for a particular meeting.

In such circumstances the matter is always discussed and agreed with the Clerk to the Committee and any postponed briefing is re-scheduled at the earliest opportunity.

## Prisons: Temazepam

**Lord Morrow** asked the Minister of Justice to detail how many times Temazepam, or any other name by which it is known, has been detected during (i) drugs testing; or (ii) as a result of searches, broken down per prison facility in (a) 2012; and (b) 2013.

**(AQW 31207/11-15)**

**Mr Ford:** Tamezepam which is a drug of the Benzodiazepine group is not known by any other name in the United Kingdom. The table below shows the number of positive drug tests for Tamezepam.

	No of positive tests for Tamezepam
Hydebank 2012	4
Hydebank 2013	5
Magilligan 2012	9
Magilligan 2013	17
Maghaberry 2012	54
Maghaberry 2013	125

Prescription drugs found during searches are not listed for specific type.

## Prisons: Drug Tests

**Lord Morrow** asked the Minister of Justice how many random drugs tests and were carried out on prisoners, broken down per prison facility in (i) 2012; and (ii) 2013; and of these, how many returned positive results for (a) legal drugs which had not been prescribed for the tested prisoner; and/or (b) controlled drugs.

**(AQW 31208/11-15)**

**Mr Ford:** Table A below shows the number of random tests carried out and the number of positive results.

**Table A**

	No. of tests	Positive	Prescribed drugs taken illegally	Controlled drugs
Hydebank 2012	189	8	7	1
Hydebank 2013	80	3	3	0
Magilligan 2012	182	0	0	0
Magilligan 2013	170	4	3	1
Maghaberry 2012	369	81	72	9
Maghaberry 2013	578	139	132	7

## Hearing Loss: Claims

**Mr Weir** asked the Minister of Justice to outline the strategies being pursued by his Department to address future hearing loss claims from police officers.

**(AQW 31231/11-15)**

**Mr Ford:** The administration of the hearing loss cases is an operational matter for the Chief Constable, for which he is accountable to the Northern Ireland Policing Board.

## Hearing Loss: Claims

**Mr Weir** asked the Minister of Justice to detail the estimated spend on hearing loss claims from police officers in (i) 2014/15; (ii) 2015/16; and (iii) 2016 onwards.

**(AQW 31232/11-15)**

**Mr Ford:** The estimated spend on hearing loss claims from police officers, provided by PSNI, is as follows:

2014/15	£27,139,680
2015/16	£27,139,680
2016/17	£20,258,520
2017/18	£14,436,000
2018/19	£14,436,000

## Data Protection Breach: Funding

**Mr Allister** asked the Minister of Justice to detail the funding stream from which the £185,000 fine, imposed by ICO for a serious data protection breach, will be met and with what consequences for other funding needs.

**(AQW 31241/11-15)**

**Mr Ford:** The final monetary penalty notice issued by the ICO included a discount which reduced the fine from £185,000 to £148,000 if the fine was accepted and paid before the 13 February 2014. DOJ accepted the discount and paid the £148,000 fine.

Compensation Services were able to meet this liability from within their existing baseline budget for the year 2013/14. However the surplus that Compensation Services contributed to the Departmental pressures throughout the financial year 2013/14 is £148,000 lower than it would have been if this fine had not paid.

## Departmental Bank Accounts

**Mr Allister** asked the Minister of Justice to detail (i) any departmental bank accounts that have been inactive for twelve months or more; (ii) the reason they are inactive; and (iii) the balance of each account.

**(AQW 31243/11-15)**

**Mr Ford:** The Department of Justice, including its Agencies but not its arm's length bodies, does not have any departmental bank accounts that have been inactive for twelve months or more.

### Prisoners: Failed Drug Tests

**Lord Morrow** asked the Minister of Justice to detail (i) the date that the Northern Ireland Prison Service policy to notify health-care of the results of failed drugs tests of prisoners came into effect; and (ii) what action is taken once this referral has been made. (AQW 31308/11-15)

**Mr Ford:**

- (i) The process whereby healthcare is consulted in relation to drug tests was implemented in 2004. (ii) If a test shows a positive result for prescription medication then the type of medication prescribed to the prisoner over the previous 30 days will be taken into account.

### National Crime Agency

**Mr Newton** asked the Minister of Justice what progress has been made to ensure that the PSNI is able to play a full part and avail of full participation within the National Crime Agency. (AQW 31324/11-15)

**Mr Ford:** The current statutory framework enables cooperation and assistance by the National Crime Agency to the PSNI and to other law enforcement agencies here, but not in the devolved sphere. I have been working to extend the NCA's role, subject to arrangements which reflect our law enforcement architecture. In the interim the impacts of the current restrictions on its powers are becoming apparent.

I have been writing to the SDLP and Sinn Féin to seek to progress matters. I am becoming concerned by the delay in that process and have now requested meetings to seek to move matters forward.

### Prison Service: Memorial Garden

**Mr Givan** asked the Minister of Justice for an update on the plans by the Northern Ireland Prison Service to establish a permanent memorial garden to commemorate murdered staff. (AQW 31374/11-15)

**Mr Ford:** NIPS is currently developing a business case to identify the options for development of a Northern Ireland Prison Service Memorial Garden. The business case will then identify a preferred option. Subject to business case approval and capital funding being available the final decision to progress with the construction of a memorial garden will be referred to the Prison Service Management Board.

### Hydebank Wood: Former Governor

**Lord Morrow** asked the Minister of Justice whether the former Governor of Hydebank Wood is to return from his secondment in England to resume employment with the Northern Ireland Prison Service at senior level in Maghaberry Prison; and if so, to detail (i) when this was agreed; (ii) when he is due to commence; and (iii) in what role. (AQW 31405/11-15)

**Mr Ford:** The former Governor of Hydebank Wood will return from his secondment to become the Deputy Governor of Maghaberry Prison. The date when he will commence this role has not yet been agreed.

This is consistent with succession planning within the Northern Ireland Prison Service and the ongoing investment in development for senior governors over the last 12 months.

### R v Downey: Administrative Scheme

**Mr Nesbitt** asked the Minister of Justice whether his Department is now operating the administrative scheme, in relation to R.v.Downey, as introduced by the Northern Ireland Office; and if so, to provide detail of the scheme. (AQW 31428/11-15)

**Mr Ford:** My Department is not operating any such scheme.

### R v Downey: Impact on Historical Enquiries Team

**Mr Elliott** asked the Minister of Justice for his assessment of the impact of the judgement in the case of R.v.Downey on the operation of the Historical Enquiries Team. (AQW 31429/11-15)

**Mr Ford:** The role of the Historical Enquiries Team (HET) is to re-examine the deaths of those who died in the civil unrest in Northern Ireland between 1968 and the signing of the Belfast Good Friday Agreement in April 1998. Its primary objective is to give each family a report on the death of their loved one, and to ensure that each case is examined to current professional standards, including satisfaction that all evidential opportunities have been explored.

I can see no reason why this judgment will have any impact on the work of the HET.

### **On-the-runs: Knowledge of Letters**

**Mr Givan** asked the Minister of Justice what knowledge he and his Department had of the 'administrative scheme' conducted by the PSNI and Northern Ireland Office resulting in letters advising of 'no prosecution' being sent to on-the-run republicans following the devolution of policing and justice powers.

**(AQW 31467/11-15)**

**Mr Ford:** Neither I, as Minister of Justice, nor my Department has had any involvement in the 'administrative scheme'.

The first I became aware of this scheme and the associated letters issued was after the Downey court decision and shortly before it became public.

### **Judiciary: Declarations of Interest**

**Mr D McIlveen** asked the Minister of Justice what procedures are in place for any member of the judiciary to declare interests in cases where one or more parties involved may be known to them either personally or professionally.

**(AQW 31476/11-15)**

**Mr Ford:** The Lord Chief Justice is responsible for the conduct of judicial office holders. A member of the Judiciary with an interest in a specific case should refer to the Lord Chief Justice's Statement of Ethics for the Judiciary in Northern Ireland which is available on the Northern Ireland Courts and Tribunals Service website.

### **Police Ombudsman: Investigation**

**Mrs Dobson** asked the Minister of Justice when he first became aware that the Police Ombudsman for Northern Ireland was conducting an investigation in relation to the murder of Andrew Lorimer in Lurgan in 2012.

**(AQW 31535/11-15)**

**Mr Ford:** In accordance with the relevant legislation, the incident was referred to the Police Ombudsman by the Chief Constable on 2 March 2012. The Ombudsman carried out his independent investigation and published his report on 27 February. It was among a number of reports sent by the Ombudsman that were submitted to me in early February. Although I was aware of the incident to which the report related – the inadequacy of the recording of the information relayed in the 999 call – I was not immediately made aware of the connection to Mr Lorimer's death.

### **On-the-runs: Court Cases**

**Mr Swann** asked the Minister of Justice to detail on-the-run letters currently being used in, or being part of, any court cases.

**(AQW 31571/11-15)**

**Mr Ford:** My Department has had no involvement in the issuing of letters to on-the-runs and therefore does not hold the information requested.

### **On-the-runs: Payments or Support**

**Mr Nesbitt** asked the Minister of Justice whether his Department has made any payments or offered any other support or resource to on-the-runs; and if he is aware of such support coming from elsewhere in Her Majesty's Government.

**(AQW 31682/11-15)**

**Mr Ford:** My Department has not made any payments or offered any other support or resource to on-the-runs. I am not aware of such support coming from elsewhere in Government.

## **Department for Regional Development**

### **Seagahan Reservoir: Fishing Rights**

**Mr Irwin** asked the Minister for Regional Development for an update on the progress made by NI Water in relation to leasing Seagahan Reservoir fishing rights.

**(AQW 30132/11-15)**

**Mr Kennedy (The Minister for Regional Development):** I have been advised by Northern Ireland Water (NIW) that the lease for Seagahan Reservoir, previously held by Armagh Fisheries Ltd, expired on 31 December 2013. The new lease was advertised in the local press and submissions were received on 13 December 2013. The successful applicant for the Seagahan Reservoir fishing rights, NI Fly Fishing Association, was notified by letter dated 16 December 2013.

Armagh Fisheries Ltd has sought leave for a Judicial Review. NIW is currently taking legal advice in relation to this matter.

### Traffic Wardens: Increased Powers

**Mr Moutray** asked the Minister for Regional Development to detail any plans he has to increase the powers of Traffic Wardens to direct traffic, particularly at funerals.

**(AQW 30850/11-15)**

**Mr Kennedy:** The powers to carry out traffic directing duties were revoked after the decriminalisation of parking enforcement. This brought about the introduction of Traffic Attendants (TAs) through the Traffic Management (NI) Order 2005. Parking Enforcement is managed through a contract between my Department and an external service provider. At present, the power to direct traffic lies solely with the PSNI.

### Park and Ride: Dungannon

**Lord Morrow** asked the Minister for Regional Development for an update on the proposed Park and Ride scheme at Dungannon, including whether the location of the facility has been identified.

**(AQW 31100/11-15)**

**Mr Kennedy:** The proposal for Park & Ride facilities at Stangmore and Tamnamore were included in the draft Local Transport & Safety Measures Programme (LTSMP) 2014-2016, which was presented to Dungannon & South Tyrone Borough Council in December 2013.

The preferred location for a new Park & Ride at Stangmore has been identified as just off the Moy Road approach to Stangmore Roundabout, close to Junction 15 of the M1 motorway. This facility will also cater for park and share customers. At this stage my Department is continuing to develop proposals for the delivery of the facility at Stangmore.

Construction work has started at Tamnamore and the facility should be operational by autumn 2014.

### Ballyclare Bypass

**Mr Allister** asked the Minister for Regional Development for an update on the planned Ballyclare bypass, including the land set aside for this project.

**(AQW 31108/11-15)**

**Mr Kennedy:** The Ballyclare Relief Road is a non-strategic road scheme connecting Templepatrick Road, Doagh Road and the Rashee Road. The scheme is developer led, as it is primarily required to provide access to housing development lands to the west of Ballyclare. Planning approval issued in January 2011.

Under current residential planning approvals, a restricted number of housing units was permitted prior to the provision of the new road. Construction of these housing units had commenced at the Rashee Road end of the development zoning, however, ongoing works appear to have slowed/ceased on the site.

In April 2011, two further full residential planning applications were submitted and included the lower part of the Ballyclare Relief Road, between Templepatrick Road and Doagh Road. However, no progress in advancing these development applications has been noted within the last twelve months.

### FP7: DRD Funding

**Mr Attwood** asked the Minister for Regional Development to detail the funds provided under the European Programme FP7 to (i) his Department; (ii) arm's-length bodies; and (iii) any third party in (a) 2010/11; (b) 2011/12; and (c) 2012/13 financial years.

**(AQW 31121/11-15)**

**Mr Kennedy:** The Department for Regional Development was neither awarded, nor distributed FP7 funds during the periods in question.

My Department has, however, been successful in securing funding on a number of occasions from the European Regional Development Fund, INTERREG IVa and TEN-T Programmes and it will continue to monitor any opportunities that may arise from the FP7 successor programme, Horizon 2020.

### Railways: Passing Loop

**Mr Dallat** asked the Minister for Regional Development to detail when (i) the passing loop will be in place; and (ii) hourly services will commence on the Derry to Belfast railway line.

**(AQW 31137/11-15)**

**Mr Kennedy:** In relation to point (i), the passing loop at Bellarena, Translink will begin the civil engineering works later this year and will have a new 6-car platform in operation by summer 2015. However, the full loop cannot be completed until the signaling works are completed by the end of 2016.

With regards to point (ii), NI Railways currently operates 9 services daily each way between Londonderry and Belfast, resulting in a 2-hour frequency service. An hourly frequency operates all day between Coleraine and Belfast.

The introduction of an hourly rail service between Belfast and Londonderry cannot be achieved until Phase 2 of the Coleraine to Londonderry renewal project is complete. At this time the predicted completion date of the work is late 2016.

The bus services between Belfast and Londonderry currently operate on a 10-minute basis during peak hours, and every 30 minutes in the off-peak.

### Translink: Electric Trains and Hybrid Buses

**Mr Dallat** asked the Minister for Regional Development what plans Translink have to introduce (i) electric trains; and (ii) hybrid buses.

**(AQW 31138/11-15)**

**Mr Kennedy:** I have liaised with Translink officials who have advised that in relation to point (i), at this time NI Railways have no firm plans to introduce electric trains, however, they recognise that planning railway strategies is a long term process and involves planning periods in excess of 25 years.

NI Railways currently enjoy the benefits of a modern fleet of diesel trains (Class 3000 from 2005, Class 4000 from 2012) and these units have a life expectancy of up to 30 years.

Electrification is likely to be a serious option for a next generation Enterprise train service where benefits of improved performance, reduced environmental impact and lower operating costs could be expected to outweigh the higher capital costs involved. The Enterprise trains could be life expired by the end of the next decade.

NI Railways will work closely with my Department and its operating partners, Iarnród Éireann, to establish the time lines for development of future options, economic assessment and implementation schedules for such long term developments.

With regard to point (ii), Translink's vehicle procurement plan for Metro in the next Comprehensive Spending Review period does contain hybrid buses, however, this is subject to the necessary funding being secured.

### Prosecutions: Non-payment of Fares

**Mr Dallat** asked the Minister for Regional Development to detail the number of people prosecuted for not paying a fare on (i) buses; and (ii) trains in the last five years.

**(AQW 31139/11-15)**

**Mr Kennedy:** I refer to my answer to AQW 30829/11-15.

### Vandalism: Bus and Rail Stations

**Mr Dallat** asked the Minister for Regional Development to detail (i) the cost; and (ii) location of vandalism at bus and rail stations, in the last five years.

**(AQW 31141/11-15)**

**Mr Kennedy:** Translink has advised me that the information requested is not available at this time at station level.

Translink has been able to provide overall figures, shown below, for the last five years which relate to labour and material costs against vandalism to bus and rail infrastructure.

2008/09	2009/10	2010/11	2011/12	2012/13
£30,973	£3,407	£30,659	£35,017	£10,874

Given the materiality of these figures further disaggregation would incur excessive cost.

### NI Water: Pension Contributions

**Mr Allister** asked the Minister for Regional Development why the opportunity was not taken upon recruiting a new Chief Executive of NI Water to increase the required employee pension contribution above 3.5 percent and reduce the employer contribution of 26.9 percent of salary, in order to align same more closely with the modern governmental approach.

**(AQW 31156/11-15)**

**Mr Kennedy:** The NI Water Pension Scheme is outside of the remit of the current public sector pension reform process [being led by DFP]. However, as the company's Shareholder the Department for Regional Development has requested that NI Water reviews its pension scheme arrangements in light of the wider public sector reforms.

The company's proposals will be subject to consultation with NI Water Limited Pensions Trustees, employees, pension scheme members and trade unions. It is anticipated that, subject to consultation and due process, NI Water is on course to reform its pension scheme in line with the thrust and timescale of the public service pension reforms.

## Narrow Water Bridge

**Mr Rogers** asked the Minister for Regional Development whether he made an agreement with the Minister for Transport, Tourism and Sport, Leo Varadkar TD, to rule out any further action on the Narrow Water Bridge project; and to detail the date of his last meeting with Minister Varadkar on the issue.

**(AQW 31177/11-15)**

**Mr Kennedy:** I made no agreement with the Minister for Transport, Tourism and Sport regarding the Narrow Water Bridge and, as I have publicly made clear on several occasions, my Department's involvement relating to the project was limited to the granting of licences and Bridge Orders; any actions beyond this were the responsibility of others, including the Managing Authority, Sponsoring Departments/organisations and project applicants.

The Narrow Water Bridge project was the subject of general discussion at the North South Ministerial Council Transport Sectoral Meeting of 17 April 2013 – attended by both Minister Varadkar and myself – and this was reflected in the subsequent Joint Communiqué, which stated: “Ministers discussed the importance of the Narrow Water Bridge and noted the timeline for drawdown of European Funding. Ministers further noted that the project had obtained planning permission and Marine Licence and looked forward to its assessment process being completed as soon as practicable.”

## Committee for Regional Development: Cancelled Briefings

**Mr Nesbitt** asked the Minister for Regional Development on how many occasions (i) he; and (ii) departmental officials cancelled briefings, which were part of the forward work programme, to his Department's Statutory Assembly Committee, in each of the last five years.

**(AQW 31200/11-15)**

**Mr Kennedy:** My Department's officials, my predecessor, nor I have cancelled briefings, which were part of the forward work programme of my Department's Statutory Assembly Committee, at any time during the last five years.

## Gritting: Mount Michael Park

**Dr McDonnell** asked the Minister for Regional Development why Mount Michael Park was removed as a link road for winter gritting, given it has been on the gritting route for 30 years.

**(AQW 31214/11-15)**

**Mr Kennedy:** Mount Michael Park was removed from the salting schedule in 2003, following a comprehensive review of winter service as it did not meet the criteria previously endorsed by the Northern Ireland Assembly in 2001.

I appreciate that any road can present safety risks during spells of severe wintry weather irrespective of the volume of traffic using it, but it is not practicable to provide a gritting service for all roads on the network. The Winter Service criteria have been set to ensure a consistent and equitable level of service throughout Northern Ireland given the finite resources available to my Department.

However, I can confirm that secondary salting of Mount Michael Park will take place, if required, once the scheduled network has been treated.

## Gritting: Criteria

**Dr McDonnell** asked the Minister for Regional Development to outline the criteria for a street to be added to the winter gritting programme when they do not satisfy the criteria with regards to traffic volumes.

**(AQW 31215/11-15)**

**Mr Kennedy:** My Department's policy is to salt main through routes carrying more than 1,500 vehicles per day and in exceptional circumstances, roads with difficult topography, carrying more than 1,000 vehicles per day. In applying the criteria, buses get a high weighting, so for example, a 30-seater bus is counted as 30 vehicles.

Efforts are also made to ensure that small settlements of more than 100 dwellings have a salted link, via the shortest route to the salted network, and consideration is given to placing salt boxes in urban areas or grit piles in rural areas, at hills, bends or junctions on roads that are not salted, for use by the public on a self-help basis. The application of this policy ensures that 28% of the total road network, which carries around 80% of traffic, is salted, at an annual cost of approximately £5m

An extension of the salting schedule to cover 90% or 100% of traffic volumes would increase the cost to approximately £10m or £20m per annum respectively.

## Traffic Surveys

**Dr McDonnell** asked the Minister for Regional Development to detail (i) the criteria used in relation to traffic surveys, carried out by Roads Service in order to get a true reflection, including the location of traffic counters; and (b) whether the traffic counters are located at both ends of the street in order to get an accurate reflection of the traffic movements.

**(AQW 31216/11-15)**

**Mr Kennedy:** My Department carries out traffic surveys and places counters in locations, considered by officials, to be the most appropriate for provision of meaningful data for use in subsequent assessments.

For example, surveys to establish the need for new controlled pedestrian crossing facilities will be carried out at the locations in question, at the times of day when it is estimated that conditions are most challenging for pedestrians to cross. This will usually be during the morning and evening peak traffic times.

Similarly, traffic counters used for traffic calming purposes will be sited in order to determine the combination of greatest traffic flows and speeds, as these have a direct influence on the subsequent assessment and prioritisation processes. On occasions, where officials believe conditions change significantly along a street, counters may be placed at more than one location.

When determining traffic volumes for general use, in the assessment for winter service provision for example, it would be normal practice to place one traffic counter on a road in a location which provides the best representation of traffic flows for that road.

### **Disability Action Transport Scheme: North Antrim**

**Mr Frew** asked the Minister for Regional Development to detail the areas currently covered by the Disability Action Transport Scheme in North Antrim.

**(AQW 31343/11-15)**

**Mr Kennedy:** The Disability Action Transport Scheme is available in a number of urban areas across Northern Ireland and operational maps are available at <http://www.disabilityaction.org/services-and-projects/transport-services/operational-areas/>. In regard to North Antrim (constituency) the areas where the scheme operates are Ballymena and Ballymoney.

### **NI Water: Works at Newry Street, Kilkeel**

**Mrs McKeivitt** asked the Minister for Regional Development for an update on the work being carried out by NI Water on Newry Street, Kilkeel, including the expected completion date of the work.

**(AQW 31513/11-15)**

**Mr Kennedy:** Northern Ireland Water is not presently undertaking any work in Newry Street, Kilkeel.

## **Department for Social Development**

### **Housing Executive: Unauthorised Businesses**

**Mr Allister** asked the Minister for Social Development how many instances of unauthorised businesses operating from (i) Northern Ireland Housing Executive; and (ii) housing association properties have been identified in each of the last three years; and what action was taken as a result.

**(AQW 31053/11-15)**

**Mr McCausland (The Minister for Social Development):** In relation to (i) the Housing Executive has advised that whilst they have knowledge of their local offices taking action against unauthorised businesses, no register is kept of cases involving such businesses operating from Housing Executive properties and they therefore cannot provide the information requested.

In relation to (ii) the Northern Ireland Federation of Housing Associations, as the trade body, holds a significant amount of information relating to the properties owned and managed by their members for reporting and benchmarking purposes. However, they do not routinely request information about unauthorised businesses as part of their data collection exercises and as such there is no centralised and systematic register of this type of activity across all housing associations.

Section 3 (A) of the general conditions of tenancy relate to business activity within housing association property. This states that: "The Tenant shall use the dwelling for residential purposes only as the tenant's only or principal home and not operate a business at the dwelling without the written consent of the Association."

There are certain circumstances in which a housing association would provide written consent (for example for a childminding business) providing all necessary insurances etc were in place. If, however, it was discovered that a tenant was running an unauthorised business it would be dealt with by the housing association as a breach of tenancy.

### **Housing Executive: Unauthorised Businesses**

**Mr Allister** asked the Minister for Social Development what is Northern Ireland Housing Executive policy when an unauthorised business is discovered to be operating from its property.

**(AQW 31054/11-15)**

**Mr McCausland:**

Housing Executive has advised that when a tenancy is granted the applicant has to sign a Tenancy Agreement and they are issued with a copy of the "General Conditions of Tenancy" document which explains the terms of the tenancy agreement and details the rights and duties which must be observed. This includes Under Part 1 Tenant Obligations:

*"To use the dwelling only as a private dwelling House" and "Not to do or permit or suffer to be done in the dwelling or within the curtilage or neighbourhood of the dwelling any act or thing which is or may be an annoyance or nuisance to the occupiers of any neighbouring or adjoining premises".*

In addition, a new tenant also receives a leaflet 'Your Rights and Responsibilities' which further outlines their rights and responsibilities and details the following

*"You must use your home only as a private dwelling. You must not run a business in your home or facilitate a mobile shop in the vicinity of your home".*

If a tenant has an unauthorised business operating from their dwelling they will be in breach of their "General Conditions of Tenancy". The Housing Executive does not tolerate a breach of tenancy conditions. When staff in a local Housing Executive office establish that a tenant has an unauthorised business operating from their home they contact the tenant and advise them that they are in breach of their tenancy conditions. The tenant will also be advised that unless they resolve the breach, the matter will be referred to a solicitor to issue legal proceedings. If the breach continues the Housing Executive will refer the matter to a solicitor to commence legal proceedings.

**Benefits: People with Learning Disabilities**

**Lord Morrow** asked the Minister for Social Development what assurances he can give that no person with a learning disability, particularly those who are classed as moderate or severe, who has been in receipt of benefits, will (i) lose their entitlement if they are given a work or social placement; and (ii) be classed as capable for work under current reviews.

**(AQW 31058/11-15)**

**Mr McCausland:** Continued receipt of benefit for claimants who are taking part in a work or social placement, including those with a learning disability, is dependent on the entitlement conditions of the benefit they are claiming. This response covers entitlement to Disability Living Allowance and Employment and Support Allowance.

Under current legislation, entitlement to Disability Living Allowance is not determined by a claimant's capability for work. Work or training in itself does not affect entitlement to Disability Living Allowance. Disability Living Allowance can therefore be paid to claimants who work full or part-time or who are in training including special placements.

Claimants who are in receipt of Employment and Support Allowance cannot normally work and retain their entitlement to benefit. There are, however, exceptions for claimants who are in permitted work and people who are volunteering.

The Permitted Work scheme allows claimants to work up to 16 hours per week and earn small amounts in order to help them to maintain contact with the labour market. Specifically, the current Permitted Work rules allow claimants to:

- work for less than 16 hours per week, on average, and earn no more than £101 per week for up to 52 weeks, or
- work for less than 16 hours per week, on average, and earn up to £101 per week as long as their illness is considered sufficiently severe that they meet the threshold of incapacity without undergoing a medical assessment, or
- work and earn no more than £20 per week at any time for as long as they are on benefit, or
- do supported Permitted Work and earn no more than £101 per week as long as they are on benefit.

Work done under the Permitted Work scheme does not affect the claimant's entitlement to benefit or National Insurance credits. However, claimants must provide details of any work they are doing or wish to commence immediately to Employment and Support Allowance. On receipt of this information an Employment and Support Allowance Decision Maker will determine their eligibility for permitted work.

The entitlement to Employment and Support Allowance is determined by a claimant's capability for work which is established by their participation in a Work Capability Assessment. All Employment and Support Allowance claimants are subject to the Work Capability Assessment process which is periodically reviewed to ensure that they are receiving the right amount of benefit and support.

**Double Glazing**

**Mr Campbell** asked the Minister for Social Development, pursuant to AQW 30044/11-15, what settlements within the Coleraine Housing District are programmed for the Double Glazing scheme up to July 2014.

**(AQW 31088/11-15)**

**Mr McCausland:** The information is not available in the format requested as the Housing Executive does not collate information by settlements. However, the following estates have been identified where a double glazing scheme is programmed to commence in the 2014/15 financial year:-

- |                        |                        |
|------------------------|------------------------|
| ■ Portstewart          | ■ Glenmanus (Portrush) |
| ■ Millburn (Coleraine) | ■ Castlerock           |
| ■ Heights (Coleraine)  | ■ Macosquin            |

## Alcohol: Pregnant Women

**Mr Beggs** asked the Minister for Social Development what protection publicans have under alcohol licensing laws to refuse to serve alcohol to pregnant women; and whether he is proposing any changes to the regulations to prevent publicans being sued.[R]

**(AQW 31118/11-15)**

**Mr McCausland:** The Licensing (NI) Order 1996 (the Order) sets out requirements to ensure that alcohol is sold and consumed responsibly in licensed premises. For example, under the Order it is an offence to sell alcohol to a drunken person or for any person to be found drunk in licensed premises. The law is silent on the sale of alcohol to, and the consumption of alcohol by, pregnant women in licensed premises. I have no plans to make any changes to the Order in relation to pregnant women.

A licence holder has a common law right of discretion to request any person to leave their premises. Similarly, there is no obligation at common law to sell liquor to any person. However should a licence holder refuse to serve alcohol, they may become liable to proceedings under anti-discrimination legislation.

## Healthy Buildings (Ireland) Ltd v Northern Ireland Housing Executive

**Mr Allister** asked the Minister for Social Development to detail the legal costs incurred by the public purse in the case of Healthy Buildings (Ireland) Ltd -v- NIHE.

**(AQW 31155/11-15)**

**Mr McCausland:** The Housing Executive has advised that their legal costs incurred to date on this matter are £99,967.53 + VAT.

## Committee for Social Development: Cancelled Briefings

**Mr Nesbitt** asked the Minister for Social Development on how many occasions (i) he; and (ii) departmental officials cancelled briefings, which were part of the forward work programme, to his Department's Statutory Assembly Committee, in each of the last five years.

**(AQW 31201/11-15)**

**Mr McCausland:** I have not cancelled any briefings which were part of the forward work programme for the Social Development Committee.

Departmental officials have not cancelled any briefings. There are however occasions when they have had to defer planned briefings, which have been rescheduled with the agreement and cooperation of the Social Development Committee.

## Housing Repossessions Task Force

**Mr Rogers** asked the Minister for Social Development, pursuant to AQW 29759/11-15, to detail the members of the Housing Repossessions Taskforce.

**(AQW 31233/11-15)**

**Mr McCausland:** The members of the Housing Repossessions Taskforce are as follows:

Stephen Martin (Chairperson) Department for Social Development

Frances Rushe Department for Social Development

Greg Campbell Department for Social Development

Trevor Long Department for Justice

Mark McGuicken Department for Justice

Brian McCormick Council of Mortgage Lenders

Janet Hunter Housing Rights Service

Declan Boyle Landlords Association Northern Ireland

Jenny Muir Queens University Belfast

Chris Kenton Royal Institute of Chartered Surveyors

Brian Walker The Law Society

## Social Housing: East Antrim

**Mr Dickson** asked the Minister for Social Development to outline his plans for the construction of new social housing in East Antrim.  
**(AQW 31239/11-15)**

**Mr McCausland:** The Housing Executive has advised that in the current programme year, 2013/14, one scheme for seven units has gone on site in the East Antrim Parliamentary constituency. They have also advised that there is potential for a further scheme for 12 units to go on site before the 31 March 2014.

The Housing Executive has further advised that there are six schemes totalling 101 units programmed in the Social Housing Development Programme (SHDP) to go on site in East Antrim in 2014/15, and three schemes totalling 51 units are programmed in the SHDP for East Antrim to go on site in 2015/16. There are currently no schemes programmed in the SHDP to go on site in East Antrim in 2016/17.

### Benefits: Appeals Tribunals

**Mrs Dobson** asked the Minister for Social Development what training is provided to panel members of Benefits Appeal Tribunals, broken down by (i) legally qualified members; (ii) medically qualified members; and (iii) disability aware members; and to detail the cost incurred from any training provided in each of the last three years.

**(AQW 31257/11-15)**

**Mr McCausland:** The Appeals Tribunal is an independent judicial body. Responsibility for the training of Tribunal members is a statutory function of the President of Appeal Tribunals. Details of the training provided to tribunal members can be obtained by writing directly to The President at Office of the President of Appeal Tribunals, 6th Floor Cleaver House, 3 Donegall Square North, Belfast, BT1 5GA.

### Double Glazing

**Mr Weir** asked the Minister for Social Development to detail the timescale for the completion of each double glazing scheme in North Down.

**(AQW 31269/11-15)**

**Mr McCausland:** The Housing Executive has advised that they have two phases of double glazing programmed for North Down as follows:-

- Phase 1 – 256 dwellings, programmed to start around September 2014. This phase will focus mainly on Kilcooley, Rathgill/Willowbrook and Groomsport.
- Phase 2 – 196 dwellings, programmed to start in October 2014 mainly in Holywood.

The Housing Executive has further advised that both these schemes are due to be completed by the end of March 2015 in line with the Programme for Government commitment.

### Housing: People with Serious Mental Illness

**Mr P Ramsey** asked the Minister for Social Development what discussions he has had with the Minister of Health, Social Services and Public Safety on providing safe sheltered housing for people with a serious mental illness who will be treated in the community under Transforming your Care.

**(AQW 31275/11-15)**

**Mr McCausland:** I met the Minister of Health, Social Services and Public Safety on 13 January 2014 to discuss the challenges of delivering supported housing across the range of client groups, including those with mental health issues. I am meeting him again on 10 March to examine work carried out by our officials since the January meeting and agree ways to improve the delivery of new supported housing units.

Additional housing support services are available for people with mental illness across a broad spectrum of housing accommodation through the Supporting People Programme.

The Information provided in this Code of Practice for Official Statistics. This is enforced by UK Statistics Authority. response is governed by the Principles and Protocols of the

### Public Meetings: Upper Bann

**Mrs Dobson** asked the Minister for Social Development to detail the number of public representative meetings which have been organised by agencies and arm's-length bodies of his Department in the Upper Bann constituency, in each of the last three years.

**(AQW 31280/11-15)**

**Mr McCausland:** My Department does not hold this information.

### Environmental Improvement Work: Lower Oldpark, Belfast

**Mr A Maginness** asked the Minister for Social Development for an update on proposed major environmental improvement work for the six key nodes along the Lower Oldpark Road, Belfast.

**(AQW 31334/11-15)**

**Mr McCausland:** My Department commenced the design of a major Public Realm Environmental Improvement Scheme from the junction of Agnes Street/Crumlin Road to Cliftonville Circus. Due to the estimated monetary value of the scheme a tender competition was required to appoint a new designer to carry out the design and consultation. The competition is complete and the design process for the scheme has recently commenced.

## Social Housing: Clough, Ballymena

**Mr Frew** asked the Minister for Social Development to outline any planned social housing schemes for Clough, Ballymena. (AQW 31336/11-15)

**Mr McCausland:** The Housing Executive has advised that there are currently no social housing schemes programmed for Clough, Ballymena in the Social Housing Development Programme 2014/15 – 2016/17. A latent demand test was carried out in 2013 and this did not reveal any latent need in the area. Consequently the Housing Executive's Regional Planning function has not identified any projected housing need over the period 2013 – 2018. The Housing Executive's Regional Planning will continue to monitor the waiting list and review the housing need projections on an annual basis.

## Housing Executive: Boiler Inspections

**Mr Frew** asked the Minister for Social Development to outline the inspection and service process, including the percentage inspected and serviced on an annual basis, of boilers in Housing Executive properties carried out by the Heating Servicing Unit. (AQW 31337/11-15)

**Mr McCausland:** The Housing Executive has advised that their policy for maintaining heating systems is to carry out an annual planned service for all dwellings heated by gas, oil and solid fuel room heaters. Under the Gas Safety (Installation and Use) Regulations 1998 there is a mandatory duty for landlords to carry out an annual safety check to all gas systems. There is no such requirement for oil and solid fuel systems. However, as a responsible landlord, the Housing Executive services these appliances annually. This equates to 79,588 services annually with 10% of these post inspected by the Housing Executive's Heating Services Unit.

## Housing Executive: Open Fires

**Mr I McCrea** asked the Minister for Social Development how many open fires in the (i) Cookstown; and (ii) Magherafelt District Areas, that were originally decommissioned in Housing Executive properties, have been returned to working use over the last twelve months. (AQW 31346/11-15)

**Mr McCausland:** The Housing Executive has advised that there were no open fires in their (i) Cookstown and (ii) Magherafelt district office areas returned to working order in the last twelve months. This is because the Housing Executive does not have a policy to retrofit open fires. However, the Housing Executive has further advised that they have commissioned an evaluation of possible secondary heat sources across their properties and they will be reviewing their policy within the next twelve months.

## Housing Executive: Oil Leaks

**Mr Clarke** asked the Minister for Social Development how many Housing Executive properties within (i) Antrim; and (ii) Newtownabbey have had oil leaks in the last three years; and what was the cost of fixing these leaks. (AQW 31347/11-15)

**Mr McCausland:** The Housing Executive has advised in relation to its properties where oil had leaked over the last three years there were as follows: -

- (i) Antrim: four properties
- (ii) Newtownabbey: three properties

The remedial work on these properties cost £29,179.87.

In two properties oil had seeped deep into the ground which resulted in further testing and excavation work being necessary.

## Boiler Replacement Scheme

**Mrs D Kelly** asked the Minister for Social Development how many properties in each constituency will benefit from the Boiler Replacement Scheme in the 2014/15 financial year. (AQW 31350/11-15)

**Mr McCausland:** The Northern Ireland Executive allocated a total of £12m to the scheme, £4m for each of the three years 2012/13, 2013/14 and 2014/15 years. The aim of the scheme over the three years is to assist 16,000 householders replace their boilers. This equates to assisting almost 5,500 households across Northern Ireland to replace their boilers for each of the three years. The scheme is designed for householders to apply to the scheme directly for assistance, therefore it is not possible to predict how many households from each constituency will apply in the 2014/15 year. I have also secured an additional £3m from the European Regional Development Fund for the 2014/15 year which will help an additional 4,000 households replace their boiler.

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## Neighbourhood Renewal Partnerships: Upper Bann

**Mrs D Kelly** asked the Minister for Social Development to outline the budget for each Neighbourhood Renewal Partnership in the Upper Bann constituency in the 2014/15 financial year.

**(AQW 31354/11-15)**

**Mr McCausland:** The information is as follows:

<b>NRA</b>	<b>Contractually Committed</b>	<b>Not Contractually Committed</b>	<b>Total</b>
Brownlow	£383,451.61	£875,375.00	£1,258,826.61
Lurgan	£924,038.53	£732,945.00	£1,656,983.53
Portadown	£583,041.18	£606,550.00	£1,189,591.18

## Employment and Support Allowance: Central Survey Unit

**Mr Cree** asked the Minister for Social Development for an update on the findings of the Central Survey Unit in relation to the impact on customers who are disallowed from Employment Support Allowance.

**(AQW 31386/11-15)**

**Mr McCausland:** The Social Security Agency commissioned the Central Survey Unit to survey Employment and Support Allowance claimants who had recently applied for benefit. Two separate groups of claimants were surveyed; those who had been allowed benefit and had been placed in either the Support Group or the Work Related Activity Group, and those who had been disallowed benefit either because they had been found fit for work or because they had not completed the process.

The report has been completed and will be published during March.

## Child Maintenance: Fees

**Mr Cree** asked the Minister for Social Development to outline the current position on child maintenance charging; and whether any changes are planned.

**(AQW 31387/11-15)**

**Mr McCausland:** Child Maintenance fees are designed to act as an incentive for parents to consider their options and, where possible, work together to make a family based arrangement. It is however fair and in line with the principles of parental responsibility to ask parents to contribute to the cost of processing/administering ongoing maintenance payments where they choose to use the collect and pay service. There is no fee to pay if parents make a family based arrangement or use Direct Pay.

On the 20th of September 2013, as part of the ongoing reform of child maintenance, I announced the introduction of collection fees as a way of encouraging separated families to consider making their own arrangements from the outset. The level of collection fees I have set will minimise the impact on the amount of money flowing to children, while providing an incentive to ensure parents seriously consider their responsibilities and the options available to them before opting into the Child Maintenance Collect and Pay service.

In addition, I have decided that unlike in Great Britain there will be no £20 application fee for Northern Ireland residents. This should ensure that the child maintenance statutory service remains accessible to those who need it.

I must emphasise that there is no fee to pay if parents make their own family based arrangements or use the Child Maintenance Direct Pay Service.

No further changes are planned to this policy and these reforms are likely to be introduced from the summer of this year, when the new scheme has been fully phased in and is working well.

## Help to Buy Scheme

**Mr D McIlveen** asked the Minister for Social Development for an update on the uptake of the Help to Buy Scheme.

**(AQW 31401/11-15)**

**Mr McCausland:** The Help to Buy Mortgage Guarantee Scheme was launched in October 2013 as part of a number of government measures aimed at stimulating the housing market.

During the first month of the scheme, more than 2,000 people had applied for a Help to Buy mortgage across the UK. By the end of December 2013, that figure had trebled to more than 6,000. Three-quarters of these applications are from outside London and the south-east, and more than 80% are from first-time buyers.

Barclays and Santander introduced Help to Buy products in January 2014, joining Lloyds Banking Group, RBS (including Ulster Bank), HSBC, Virgin Money, Aldermore and Bank of Ireland who have all introduced products since the scheme was launched in October.

Figures detailing the uptake of the scheme are collated and provided by HM Treasury. There is currently no Northern Ireland specific data available, although the scheme is still in its early days and further information will be reported by HM Treasury in due course.

### Neighbourhood Renewal: Omagh

**Mr McAleer** asked the Minister for Social Development for an update on the future of the Neighbourhood Renewal scheme for Omagh.

(AQW 31417/11-15)

**Mr McCausland:** My Department, through the Regional Development Office has contributed just over £5 million in funding towards a wide range of projects in the Omagh Neighbourhood Renewal area. For the 2014/15 financial year, my Department has committed further funding of over £468,000 to the Omagh Neighbourhood Renewal area. Work is progressing on the development of further projects that have been prioritised by the Neighbourhood Renewal Partnership in its Action Plan.

As part of the Reform of Local Government, the Neighbourhood Renewal programme will not transfer to the new Councils in terms of a formal transfer of function. However, I would expect that many of the new Councils will wish to continue to tackle area-based deprivation, at least in the short to medium term, using the approaches that my Department has developed and managed over the last decade.

I believe that a significant challenge lies ahead in ensuring that the transfer to the new arrangements is as smooth as possible. In order to assist the new councils in discharging their new responsibilities I have tasked my officials to work closely with the Statutory Transition Committees, and later the Shadow Councils, to assist them in putting in place effective arrangements to meet the needs of their communities.

### Window Scrapage Scheme

**Mrs Cochrane** asked the Minister for Social Development whether a window scrapage scheme is in operation; and if not, whether he is considering implementing one.

(AQW 31507/11-15)

**Mr McCausland:** The Housing Executive has advised that there is no window scrapage scheme currently in operation. There are currently no plans to introduce a window scrapage scheme.

### Boiler Replacement Scheme

**Mrs D Kelly** asked the Minister for Social Development whether the Boiler Replacement Scheme provides the applicant with the option to change from an oil-fired boiler to gas.

(AQW 31519/11-15)

**Mr McCausland:** The Boiler Replacement Scheme allows applicants the option of changing from an oil fired boiler to natural gas assuming that natural gas is available in their area. However, the scheme does not allow applicants to change from oil to LPG gas as LPG gas continues to be much more expensive as a domestic fuel than either natural gas or oil.

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## Northern Ireland Assembly Commission

### Royal British Legion: Poppy Seed Campaign

**Mr Moutray** asked the Assembly Commission what plans it has to scatter poppy seeds in the grounds of Parliament Buildings to commemorate the The Great War 1914 - 1918 following the launch of the Royal British Legion 2014 Commemorative Poppy Seed Campaign.

(AQW 31349/11-15)

**Mrs Cochrane (The Representative of the Assembly Commission):** The Assembly Commission has no plans to scatter poppy seeds in the grounds of Parliament Buildings to commemorate The Great War 1914-1918. In April 2012, the Assembly Commission agreed a policy on how anniversaries during the decade of centenaries would be handled by the Assembly Commission including a set of principles and a process for agreeing events and initiatives. The list of agreed anniversaries within the "Perspectives On..." series includes the outbreak of the First World War.

The Assembly Commission agreed earlier this year that an event on the First World War will be held in the Senate Chamber in September 2014 in a similar format to the "Perspectives On..." events held to commemorate the centenaries of the Ulster Covenant, the women's suffrage movement and the Dublin Lockout. Under the terms of the policy, any further proposals for official Assembly events or initiatives to commemorate the First World War within Parliament Buildings and its precincts would have to be considered by the Assembly Commission and agreed by consensus.

# Revised Written Answers

This section contains the revised written answers to questions tabled by Members.

The content of the responses is as received at the time from the relevant Minister or representative of the Assembly Commission, and it has not been subject to the official reporting (Hansard) process or changed.



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# Northern Ireland Assembly

## Revised Written Answers

### Department for Social Development

*In Bound Volume 90, page WA 287, please replace AQW 28577/11-15 with:*

#### Homelessness: Figures

**Mr D McIlveen** asked the Minister for Social Development how many people are registered as homeless in each constituency. (AQW 28577/11-15)

**Mr McCausland (The Minister for Social Development):** Homelessness is not the same as rooflessness which means that you are without shelter of any kind and sleeping rough. You don't have to be living on the streets to be homeless and even if you have a roof over your head you can still be homeless. This may be because your home is unsuitable or you don't have any rights to stay where you live. The figures below show the number of households registered on the waiting list as statutory homeless (Full Duty Applicants) by housing district at the 1st November. It is not possible to produce figures by constituency.

District	Registered as Homeless (Full Duty Applicants)
Antrim Housing	319
Armagh Housing	85
Ballycastle Housing	114
Ballymena Housing	665
Ballymoney Housing	99
Banbridge Housing	92
Bangor Housing	472
Carrickfergus Housing	280
Castlereagh Housing	302
Coleraine Housing	377
Collon Terrace Housing (Derry/Londonderry)	670
Cookstown Housing	56
Craigavon Lurgan Housing	129
Craigavon Portadown Housing	56
Downpatrick Housing	440
Dungannon Housing	357
East Belfast Housing	331
Fermanagh Housing	104
Larne Housing	80
Limavady Housing	103
Lisburn Antrim Street Housing	534
Lisburn Dairy Farm Housing	325
Magherafelt Housing	92
Newry Housing	652

District	Registered as Homeless (Full Duty Applicants)
Newtownabbey 1 Housing (Rathcoole)	216
Newtownabbey 2 Housing (New Mossley)	316
Newtownards Housing	395
North Belfast Housing	921
Omagh District Housing	42
Shankill Housing	217
South Belfast Housing	917
Strabane Housing	92
Waterloo PI Housing (Derry/ Londonderry)	606
Waterside Housing (Derry / Londonderry)	380
West Belfast Housing	1434
<b>Grand Total</b>	<b>12270</b>

The Information provided in this response is governed by the Principles and Protocols of the Code of Practice for Official Statistics. This is enforced by UK Statistics Authority.

## Department of Education

*In Bound Volume 91, page WA 15, please replace AQW 29579/11-15 with:*

### Kirkinriola Primary School

**Mr Allister** asked the Minister of Education why there has been a delay in the appointment of a leadership mentor in Kirkinriola Primary School.

**(AQW 29579/11-15)**

**Mr O'Dowd (The Minister of Education):** Kirkinriola Primary School had a follow-up inspection in November 2012 and the current post-inspection action plan on strategic leadership includes a specific action to provide a leadership mentor. However, this action plan could not be agreed ahead of the school principal's return to work in August 2013 following a long-term absence.

From 10 September 2013 a number of meetings took place between the principal and the North Education and Library Board's Curriculum Advisory Support Service (CASS) link officer to address issues within the action plan including the mentoring programme. The final action plan was agreed by the school's board of governors and forwarded to the Department on 22 November 2013. The Department has since written to the school to acknowledge the response that the school has made, and plans to make, regarding the key areas for improvement in strategic leadership.

The NEELB has advised that the mentoring programme has commenced and the first meeting took place on 18 December 2013.

## Department of Enterprise, Trade and Investment

*In this Bound Volume, page WA 32, please replace AQW 30400/11-15 with:*

### Broadband Improvement Project

**Mr Frew** asked the Minister of Enterprise, Trade and Investment for an update on the implementation of the Northern Ireland Broadband Improvement Project.

**(AQW 30400/11-15)**

**Mrs Foster (The Minister of Enterprise, Trade and Investment):** The contract for the Northern Ireland Broadband Improvement Project was signed with BT on 4th February. This £23.5million project will bring more choice and improved broadband speeds to over 45,000 premises across Northern Ireland by the end of 2015. BT has commenced implementation by embarking on an extensive survey and design process which will take a number of months to complete. Until such times as that process is complete, it will not be possible to be precise as to which premises are likely to benefit. Further details on the roll-out will be published as they become available.

## Department of Health, Social Services and Public Safety

*In this Bound Volume, page WA 247, please replace AQW 30878/11-15 with:*

### Skeagh House, Dromore

**Mrs Dobson** asked the Minister of Health, Social Services and Public Safety to detail all costs associated with Skeagh House, Dromore, including all legal fees, since it was evacuated on 27 March 2013 as a result of a landslip.

**(AQW 30878/11-15)**

**Mr Poots (The Minister of Health, Social Services and Public Safety):** The Southern Health and Social Care Trust has advised that the following costs have been incurred since the evacuation of Skeagh House on 27 March 2013:

#### Estates costs - to December 2013.

Professional/Legal Fee (approx)	£16,000
Security Measures & hoarding for protection from debris	£6,000
<b>Total</b>	<b>£16,000</b>

#### Staff & Goods & Service costs

Payroll Costs	£379,741.31
Goods & Services	£ 33,567.91
<b>Total</b>	<b>£413,309.22</b>

Payroll costs quoted are for displaced Skeagh House staff only.

## Department of the Environment

*In this Bound Volume, page WA 130, please replace AQW 30747/11-15 with:*

### Taxis: Ravenhill Rugby Ground

**Lord Morrow** asked the Minister of the Environment, pursuant to AQW 28378/11-15 and AQW 27856/11-15, whether the report that his officials made reference to at the Committee for the Environment on 6 February 2014 has been supplied to the Committee and confirmed as received by the Chairperson; and whether this report is the final determination of the legal position on the provision of private hire taxis at Ravenhill Rugby Grounds.

**(AQW 30747/11-15)**

**Mr Durkan (The Minister of the Environment):** The document that was referred to by officials at the Committee for the Environment on 6 February was provided to you in response to AQW 27856/11-15. This outlined the Department's final interpretation of the legal position as regards the provision of taxis at Ravenhill Rugby grounds, Mount Merrion Avenue, Belfast. This document has not been supplied directly to the Committee or the Committee Chairperson.



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# Journal of Proceedings



# Minutes of Proceedings



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# Northern Ireland Assembly

**Monday 17 February 2014**

*The Assembly met at noon, the Speaker in the Chair.*

## 1. Personal Prayer or Meditation

Members observed two minutes' silence.

## 2. Executive Committee Business

### 2.1 Consideration Stage – Budget Bill (NIA 32/11-15)

The Minister of Finance and Personnel, Mr Simon Hamilton, moved the Consideration Stage of the Budget Bill (NIA 32/11-15).

No amendments were tabled to the Bill.

#### **Clauses**

The question being put, it was **agreed** without division that Clauses 1 to 7 stand part of the Bill.

#### **Schedules**

The question being put, it was **agreed** without division that Schedules 1 to 4 stand part of the Bill.

#### **Long Title**

The question being put, the Long Title was **agreed** without division.

The Budget Bill (NIA 32/11-15) stood referred to the Speaker.

## 3. Committee Business

### 3.1 Motion – Report on Delivering Social Change Signature Programmes (NIA 150/11-15)

#### **Proposed:**

That this Assembly notes the Report of the Committee for the Office of the First Minister and deputy First Minister on its event on the Delivering Social Change Signature Programmes (NIA 150/11-15); and calls on the First Minister and deputy First Minister to ensure that meaningful and comprehensive engagement with practitioners and stakeholders is central to the development of any future Signature Programmes.

*Chairperson, Committee for the Office of the First and deputy First Minister*

*Debate ensued.*

*The Principal Deputy Speaker (Mr McLaughlin) took the Chair.*

The Question being put, the Motion was **carried** without division.

## 4. Private Members' Business

### 4.1 Motion – Shared Education

**Proposed:**

That this Assembly notes with approval the concept of shared education; believes sharing between all types of school could lead to better educational and community relations outcomes; further notes with disappointment the failure of the current Minister of Education to effectively facilitate sharing across the sectors; believes that the current Area Planning process has not been conducive to sharing between schools and that the Ministerial Advisory Group report on advancing shared education was a missed opportunity; expresses disappointment at the continuing failure to introduce a shared education premium; and calls on the Minister of Education to take practical steps to promote and facilitate sharing, so that a single education system can become a realistic policy goal.

*Mr D Kinahan  
Mrs J Dobson*

### 4.2 Amendment 1

**Proposed:**

Leave out all after 'outcomes;' and insert:

'welcomes the initiative by the Office of the First Minister and deputy First Minister in progressing this work through the signature projects; and calls on the Minister of Education to actively assist in this work through the development of shared campuses so that a single education system can become a realistic policy goal.'

*Mr M Storey  
Mr J Craig  
Mr R Newton  
Mr S Moutray*

### 4.3 Amendment 2

**Proposed:**

Leave out all after 'outcomes;' and insert:

'believes that the current Area Planning process must be conducive to sharing between schools and that the Ministerial Advisory Group report on advancing shared education provides an opportunity to advance these aims; calls on the Minister of Education to introduce a shared education premium and to take practical steps to promote and facilitate sharing across the sectors and the entire education system.'

*Mr C Hazzard  
Mr P Sheehan  
Ms M McLaughlin*

*Debate ensued.*

*The debate was suspended at 1.57pm for Question Time.*

*The sitting resumed at 2.00pm, with the Speaker in the Chair.*

## 5. Question Time

### 5.1 Finance and Personnel

Questions were put to, and answered by, the Minister of Finance and Personnel, Mr Simon Hamilton.

### 5.2 Enterprise, Trade and Investment

Questions were put to, and answered by, the Minister of Enterprise, Trade and Investment, Mrs Arlene Foster.

## 6. Private Members' Business (Cont'd)

### 6.1 Motion – Shared Education

*Debate resumed on the motion.*

*The Deputy Speaker (Mr Dallat) took the Chair.*

*The Deputy Speaker (Beggs) took the Chair.*

The Question being put, Amendment No. 1 was **made** (Division 1).

As Amendment No. 1 was made, the Question on Amendment No. 2 was not put.

The Question being put, the Motion, as amended, was **carried** (Division 2).

### 6.2 Motion – Remote Sensing Inspections

#### **Proposed:**

That this Assembly expresses dissatisfaction with the Department of Agriculture and Rural Development for its failure to effectively inform the 1,139 farm businesses that received a Remote Sensing Inspection in 2013; notes that the farmers only received notification days before they were expecting their Single Farm Payment and recognises that this will place many farm businesses under incredible pressure in the coming months; and calls on the Minister of Agriculture and Rural Development to explain how this happened and give assurances that she has put in place measures that will prevent it happening again.

*Mr P Frew*

*Mr W Irwin*

*Mr T Buchanan*

*Miss M McIlveen*

The Question being put, the Motion was **carried** without division.

## 7. Adjournment

#### **Proposed:**

That the Assembly do now adjourn.

*The Speaker*

*The Assembly adjourned at 6.44pm.*

**Mr William Hay**

**The Speaker**

17 February 2014

# Northern Ireland Assembly

17 February 2014  
Division 1

## Motion – Shared Education – Amendment 1

### Proposed:

Leave out all after 'outcomes;' and insert:

'welcomes the initiative by the Office of the First Minister and deputy First Minister in progressing this work through the signature projects; and calls on the Minister of Education to actively assist in this work through the development of shared campuses so that a single education system can become a realistic policy goal.'

*Mr M Storey*  
*Mr J Craig*  
*Mr R Newton*  
*Mr S Moutray*

The Question was put and the Assembly divided.

**Ayes:** 35

**Noes:** 20

### AYES

*Mr Anderson, Mr Bell, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Campbell, Mr Clarke, Mr Craig, Mr Douglas, Mr Dunne, Mr Easton, Mrs Foster, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr McCausland, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Lord Morrow, Mr Moutray, Mr Newton, Mr Poots, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Weir, Mr Wilson.*

*Tellers for the Ayes: Mr Clarke and Mr G Robinson.*

### NOES

*Mr Agnew, Mr Allister, Mrs Cochrane, Mr Copeland, Mr Cree, Mr Dickson, Mrs Dobson, Mr Elliott, Mr Ford, Mr Gardiner, Mr Kennedy, Mr Kinahan, Ms Lo, Mr Lunn, Mr McCallister, Mr McCarthy, Mr B McCrea, Mr Nesbitt, Mrs Overend, Mr Swann.*

*Tellers for the Noes: Mrs Dobson and Mr Kinahan.*

*The following Members voted in both Lobbies and are therefore not counted in the result:*

*Mr Attwood, Mr Byrne, Mr Durkan, Mrs D Kelly, Dr McDonnell, Mr McGlone, Mrs McKeivitt, Mr A Maginness, Mr Rogers.*

The Amendment was **made**.

# Northern Ireland Assembly

17 February 2014  
Division 2

## Motion – Shared Education

### Proposed:

That this Assembly notes with approval the concept of shared education; believes sharing between all types of school could lead to better educational and community relations outcomes; welcomes the initiative by the Office of the First Minister and deputy First Minister in progressing this work through the signature projects; and calls on the Minister of Education to actively assist in this work through the development of shared campuses so that a single education system can become a realistic policy goal.

The Question was put and the Assembly divided.

**Ayes:** 34

**Noes:** 15

### AYES

*Mr Anderson, Mr Bell, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Campbell, Mr Clarke, Mr Craig, Mr Douglas, Mr Dunne, Mr Easton, Mrs Foster, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr McCausland, Mr I McCreagh, Mr D McIlveen, Miss M McIlveen, Lord Morrow, Mr Moutray, Mr Newton, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Weir, Mr Wilson.*

*Tellers for the Ayes: Mr Clarke and Mr G Robinson.*

### NOES

*Mr Agnew, Mr Allister, Mr Copeland, Mr Cree, Mrs Dobson, Mr Elliott, Mr Gardiner, Mr Kennedy, Mr Kinahan, Mr McCallister, Mr B McCreagh, Mr Nesbitt, Mr Ó hOisín, Mrs Overend, Mr Swann.*

*Tellers for the Noes: Mrs Dobson and Mr Kinahan.*

*The following Members voted in both Lobbies and are therefore not counted in the result:*

*Mr Attwood, Mr Boylan, Ms Boyle, Mr Brady, Mr Byrne, Mrs Cochrane, Mr Dickson, Mr Durkan, Ms Fearon, Mr Flanagan, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Ms Lo, 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, Mrs McKeivitt, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Milne, Ms Ní Chuilín, Mr O'Dowd, Mrs O'Neill, Mr Rogers, Ms Ruane, Mr Sheehan.*

The Motion as amended was **carried**.

# Northern Ireland Assembly

## **Papers Presented to the Assembly on 12 - 17 February 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
  - Forensic Science Northern Ireland February 2014 (DOJ)
  - Disposal of Records Schedule for the Commissioner for Public Appointments for Northern Ireland (DCAL)
  - Construction Industry Training Board - Construction Skills Northern Ireland Annual Report 2012/2013 (DEL)
5. Assembly Reports
6. Statutory Rules
  - 2014/31 The Planning (General Development) (Amendment) Order (Northern Ireland) 2014 (DOE)
  - 2013/32 The Former Glenshane Road at Ranaghan Bridge, Magherafelt (Abandonment) Order (Northern Ireland) 2014 (DRD)
  - 2014/37 The Teachers' Superannuation (Amendment) Regulations (Northern Ireland) 2014 (DE)
  - For Information Only:**
    - 2014/34 The Control of Traffic (Bridge Street, Lisburn) Order (Northern Ireland) 2014 (DRD)
    - 2014/35 The Parking Places on Roads (Bridge Street, Lisburn) Order (Northern Ireland) 2014 (DRD)
    - 2014/38 The Waiting Restrictions (Markethill) (Revocation) Order (Northern Ireland) 2014 (DRD)
    - 2014/39 The Employment Rights (Increase of Limits) Order (Northern Ireland) 2014 (DEL)
7. Written Ministerial Statements
8. Consultation Documents
9. Departmental Publications
10. Agency Publications
11. Westminster Publications
12. Miscellaneous Publications

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# Northern Ireland Assembly

**Tuesday 18 February 2014**

*The Assembly met at 10.30am, Speaker in the Chair.*

## 1. Personal Prayer or Meditation

Members observed two minutes' silence.

## 2. Executive Committee Business

### 2.1 Statement – North South Ministerial Council meeting Trade and Business Development Sectoral format

The Minister of Enterprise Trade and Investment, Mrs Arlene Foster, made a statement regarding the North South Ministerial Council meeting in Trade and Business Development Sectoral format, following which she replied to questions.

### 2.2 Statement – North South Ministerial Council meeting Tourism Sectoral format

The Minister of Enterprise Trade and Investment, Mrs Arlene Foster, made a statement regarding the North South Ministerial Council meeting in Tourism Sectoral format, following which she replied to questions.

### 2.3 Further Consideration Stage: Budget Bill (NIA 32/11-15)

The Minister of Finance and Personnel, Mr Simon Hamilton, moved the Further Consideration Stage of the Budget Bill (NIA 32/11-15).

No amendments were tabled to the Bill.

The Budget Bill NIA 32/11-15 stood referred to the Speaker for consideration in accordance with section 10 of the Northern Ireland Act 1998.

### 2.4 Final Stage – Tobacco Retailers Bill (NIA 19/11-15)

The Minister of Health, Social Services and Public Safety, Mr Edwin Poots, moved that the Final Stage of the Tobacco Retailers Bill (NIA 19/11-15) do now pass.

*Debate ensued.*

The Tobacco Retailers Bill (NIA 19/11-15) passed Final Stage without division.

## 3. Private Members' Business

### 3.1 Motion – Nourishment in Schools

#### **Proposed:**

That this Assembly recognises that research clearly shows that proper nourishment benefits a child's ability to learn; and calls upon the Minister of Education to explore, via a Pilot Programme if necessary, what steps can be taken to ensure that children coming into schools in the mornings are adequately prepared to benefit from the lessons they will receive.

*Mr C Hazzard*

*Ms M Boyle*

*Mr P Sheehan*

### 3.2 Amendment

**Proposed:**

Leave out all after 'learn;' and insert:

'welcomes the initiatives taken to date on the issue through the introduction of Breakfast Clubs and the work of the Education Catering Services of the Education and Library Boards; and calls upon the Minister of Education to explore what further action can be taken to ensure that children come to school ready to benefit from the lessons they receive.'

*Mr M Storey*

*Mr J Craig*

*Mr R Newton*

*Mr S Moutray*

The sitting was suspended at 12.32pm.

The sitting resumed at 2.00pm, with the Principal Deputy Speaker (Mr McLaughlin) in the Chair.

## 4. Question Time

### 4.1 Justice

Questions were put to, and answered by, the Minister of Justice, Mr David Ford.

### 4.2 Regional Development

Questions were put to, and answered by, the Minister for Regional Development, Mr Danny Kennedy.

*The Deputy Speaker (Mr Beggs) took the Chair.*

## 5. Private Members' Business (Cont'd)

### 5.1 Motion – Nourishment in Schools

*Debate resumed on the Motion.*

The Question being put, the Amendment was **made** without division.

The Question being put, the Motion, as amended, was **carried** without division.

## 6. Adjournment

Mr Daithí McKay spoke to his topic regarding leisure facilities in Moyle.

**Proposed:**

That the Assembly do now adjourn.

*The Speaker*

*The Assembly adjourned at 5.05pm.*

**Mr William Hay**

**The Speaker**

18 February 2014

# Northern Ireland Assembly

## **Papers Presented to the Assembly on 18 February 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

2014/33 The Social Security (Crediting and Treatment of Contributions, and National Insurance Numbers) (Amendment) Regulations (Northern Ireland) 2014 (DSD)

2014/23 The Gangmasters Licensing (Exclusions) Regulations (Northern Ireland) 2014 (DARD)

### **For Information Only:**

7. Written Ministerial Statements
8. Consultation Documents
9. Departmental Publications
  - Bladder cancer in hairdressers, barbers and textile workers (DSD)
  - Work as a dry cleaner and cancers of the oesophagus and cervix (DSD)
10. Agency Publications
11. Westminster Publications
12. Miscellaneous Publications

# Northern Ireland Assembly Legislation:

## Stages in Consideration of Public Bills

**First Stage:** Introduction of Bill.

**Second Stage:** General debate of the Bill with an opportunity for Members to vote on its general principles.

**Committee Stage (Comm. Stage):** Detailed investigation by a Committee which concludes with the publication of a report for consideration by the Assembly.

**Consideration Stage (CS):** Consideration by the Assembly of, and an opportunity for Members to vote on, the details of the Bill including amendments proposed to the Bill.

**Further Consideration Stage (FCS):** Consideration by the Assembly of, and an opportunity for Members to vote on, further amendments to the Bill.

**Final Stage:** Passing or rejecting of Bill by the Assembly, without further amendment.

**Royal Assent.**

## Proceedings as at 19 February 2014

### 2011-2015 Mandate

#### Executive Bills

Title & NIA Bill Number	First Stage	Second Stage	Comm. Stage to Conclude	Report Ordered to be Printed	CS	FCS	Final Stage	Royal Assent
Marine Bill 5/11-15	21.02.12	05.03.12	06.07.12	05.07.12	30.04.13	13.05.13	21.05.13	17.09.13
Welfare Reform Bill 13/11-15	01.10.12	09.10.12	19.02.13	14.02.13				
Education Bill 14/11-15	02.10.12	15.10.12	08.04.13	08.04.13				
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	
Carrier Bags Bill 20/11-15	03.06.13	11.06.13	30.11.13	26.11.13	28.01.14			
Financial Provisions Bill 22/11-15	17.06.13	01.07.13	13.12.13	11.12.13	11.02.14			
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	
Licensing of Pavement Cafés Bill 24/11-15	17.06.13	25.06.13	13.12.13	05.12.13				

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	
Local Government Bill 28/11-15	23.09.13	01.10.13	20.02.14					
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

**2011-2015 Mandate****Non-Executive Bills**

Title & Bill Number	First Stage	Second Stage	Comm. Stage to Conclude	Report Ordered to be Printed	CS	FCS	Final Stage	Royal Assent
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					
Road Traffic (Speed Limits) Bill 30/11-15		09.12.13						

/ Bill progressing by accelerated passage

\*\* Please note that any bills that received Royal Assent in the previous session have been removed from the table.



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# Northern Ireland Assembly

**Monday 24 February 2014**

*The Assembly met at noon, the Speaker in the Chair.*

## 1. Personal Prayer or Meditation

Members observed two minutes' silence.

## 2. Executive Committee Business

### 2.1 Further Consideration Stage: Financial Provisions Bill (NIA 22/11-15)

The Minister of Finance and Personnel, Mr Simon Hamilton, moved the Further Consideration Stage of the Financial Provisions Bill (NIA 22/11-15).

One amendment inserting a new clause was tabled to the Bill.

#### **Clauses**

After debate, Amendment 1 inserting new Clause 7A was **negatived** (Division 1).

*The Deputy Speaker (Mr Dallat) took the Chair.*

The Financial Provisions Bill (NIA 22/11-15) stood referred to the Speaker for consideration in accordance with section 10 of the Northern Ireland Act 1998.

### 2.2 Final Stage – Budget Bill (NIA 32/11-15)

The Minister of Finance and Personnel, Mr Simon Hamilton, moved that the Final Stage of the Budget Bill (NIA 32/11-15) do now pass.

*Debate ensued.*

*The debate was suspended for Question Time.*

*The Speaker took the Chair.*

## 3. Question Time

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

Questions were put to, and answered by, the deputy First Minister, Mr Martin McGuinness. The junior Minister, Ms Jennifer McCann, also answered a number of questions.

### 3.2 Social Development

Questions were put to, and answered by, the Minister for Social Development, Mr Nelson McCausland.

*The Principal Deputy Speaker (Mr McLaughlin) took the Chair.*

## 4. Question for Urgent Oral Answer

### 4.1 KPL Contracts

The Minister of Enterprise, Trade and Investment, Mrs Arlene Foster, responded to a Question for Urgent Oral Answer tabled by Mr Cathal Ó hOisín.

## 5. Executive Committee Business (Cont'd)

### 5.1 Final Stage – Budget Bill (NIA 32/11-15)

*Debate resumed on the Bill.*

The Budget Bill (NIA 32/11-15) passed Final Stage with cross-community support *nemine contradicente*.

## 6. Committee Business

### 6.1 Motion – Extension of Committee Stage: Reservoirs Bill (NIA 31/11-15)

**Proposed:**

That, in accordance with Standing Order 33(4), the period referred to in Standing Order 33(2) be extended to 4 July 2014, in relation to the Committee Stage of the Reservoirs Bill (NIA Bill 31/11-15).

*Chairperson, Committee for Agriculture and Rural Development*

*Debate ensued.*

The Question being put, the Motion was **carried** without division.

## 7. Assembly Business

### 7.1 Motion - Extension of sitting on Monday 24 February 2014 under Standing Order 10(3A)

**Proposed:**

That, in accordance with Standing Order 10(3A), the sitting on Monday 24 February 2014 be extended to no later than 9.00pm.

*Mr S Dickson*

The Question being put, the Motion was **carried** without division.

## 8. Private Members' Business

### 8.1 Motion – Key Services for Rural Communities

**Proposed:**

That this Assembly recognises the ongoing work on the Rural White Paper; calls on the Minister of Agriculture and Rural Development to incorporate key services that are important to rural communities, including rural schools, rural Post Offices, rural broadband facilities, rural transport services and home help social care services; and calls on other Executive Departments to contribute meaningful rural proofing to ensure that rural communities can be sustained into the future.

*Mr J Byrne*

*Mr A Attwood*

*Mr S Rogers*

*Debate ensued.*

*The Deputy Speaker (Mr Beggs) took the Chair.*

The Question being put, the Motion was **carried** without division.

## 8.2 Motion – Climate Change and its Impact on Flooding

### Proposed:

That this Assembly notes the recent incidents of serious flooding; expresses its gratitude to the emergency services, public workers and volunteers who worked hard to minimise the impact of the flooding; believes that the seriousness of future flooding is likely to increase as a direct result of climate change; calls on the Executive to reduce Northern Ireland's environmental footprint and, consequently, its contribution to climate change; and further calls on the First Minister and deputy First Minister to initiate a holistic overhaul of flood mitigation policies, including a cross-departmental approach to emergency planning, placing a single agency in charge of co-ordinating relief, an audit of the effectiveness of current flood defences so that investment can be targeted effectively, improvement of the flood warning system and a single funding stream for flood defences and coastal erosion.

*Ms A Lo*

*Mr K McCarthy*

## 8.3 Amendment

### Proposed:

Insert after the second 'climate change':

' , including the introduction of, and support for, a Northern Ireland climate change bill'

*Mr S Agnew*

*Debate ensued.*

*The Speaker took the Chair.*

The Question being put, the Amendment was **made** (Division 2).

The Question being put, the Motion, as amended, was **carried** without division.

## 9. Adjournment

### Proposed:

That the Assembly do now adjourn.

*The Speaker*

*The Assembly adjourned at 8.19pm.*

**Mr William Hay**

**The Speaker**

24 February 2014

# Northern Ireland Assembly

24 February 2014  
Division 1

**Further Consideration Stage: Financial Provisions Bill (NIA 22/11-15)**

**Proposed:**

**New Clause**

After clause 7 insert -

'Review of regulations under Article 31C of the Rates (Northern Ireland) Order 1977

7A. The Department shall by the 31st October 2014 review and lay a report before the Assembly on the application of regulations under Article 31C of the Rates (Northern Ireland) Order 1977.'

*Mr D McKay*

*Mr M Brady*

The Question was put and the Assembly divided.

**Ayes:** 38

**Noes:** 54

**AYES**

*Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mr Durkan, 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, Mrs McKeivitt, Mr McKinney, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr A Maginness, Mr Maskey, Mr Milne, Ms Ni Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr P Ramsey, Mr Rogers, Mr Sheehan.*

*Tellers for the Ayes: Mr Brady and Mr McKay.*

**NOES**

*Mr Agnew, Mr Allister, Mr Anderson, Mr Beggs, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Campbell, Mr Clarke, Mrs Cochrane, Mr Craig, Mr Cree, Mr Dickson, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Dr Farry, Mr Ford, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr Kennedy, Mr Kinahan, Mr Lunn, Mr Lyttle, Mr McCallister, Mr McCarthy, Mr McCausland, Mr I McCrea, Mr D McIlveen, Mr McNarry, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Spratt, Mr Swann, Mr Weir, Mr Wells, Mr Wilson.*

*Tellers for the Noes: Mr McQuillan and Mr G Robinson.*

The Amendment **fell**.

# Northern Ireland Assembly

24 February 2014  
Division 2

## Motion – Climate Change and its Impact on Flooding - Amendment

### Proposed:

Insert after the second 'climate change':

' , including the introduction of, and support for, a Northern Ireland climate change bill'

*Mr S Agnew*

The Question was put and the Assembly divided.

**Ayes:** 45

**Noes:** 33

### AYES

*Mr Agnew, Mr Boylan, Ms Boyle, Mr Brady, Mr Byrne, Mrs Cochrane, Mr Dallat, Mr Dickson, Mr Durkan, Dr Farry, Ms Fearon, Mr Flanagan, Mr Ford, Mr Hazzard, Mr G Kelly, Ms Lo, Mr Lunn, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCarthy, Mr McCartney, Ms McCorley, Dr McDonnell, Mr McElduff, Ms McGahan, Mr McGlone, Mr M McGuinness, Mr McKay, Mrs McKeivitt, Mr McKinney, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Milne, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr P Ramsey, Mr Rogers, Mr Sheehan.*

*Tellers for the Ayes: Mr Agnew and Mr A Maginness.*

### NOES

*Mr Allister, Mr Anderson, Mr Bell, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Clarke, Mr Craig, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr Kinahan, Mr I McCrea, Mr D McIlveen, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr G Robinson, Mr Spratt, Mr Storey, Mr Swann, Mr Weir.*

*Tellers for the Noes: Mr McQuillan and Mr G Robinson.*

The Amendment was **made**.

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# Financial Provisions Bill

## Annotated Marshalled List of Amendments

### Further Consideration Stage

### Monday 24 February 2014

Amendments tabled up to 9.30am Thursday, 20 February 2014 and selected for debate

The Bill will be considered in the following order-

Clauses, Schedule and Long Title

**Amendment 1**     *[Negatived on division]*

**New Clause**

After clause 7 insert -

**‘Review of regulations under Article 31C of the Rates (Northern Ireland) Order 1977**

7A. The Department shall by the 31st October 2014 review and lay a report before the Assembly on the application of regulations under Article 31C of the Rates (Northern Ireland) Order 1977.’

*Mr Daithí McKay*

*Mr Mickey Brady*

# Northern Ireland Assembly

## Papers Presented to the Assembly on 19 – 24 February 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

Northern Ireland Audit Office Improving Pupil Attendance: Follow-Up Report (DFP)

Northern Ireland Audit Office Members' Contributory Pension (Northern Ireland) Fund Accounts for the year ended 31 March 2013 (DFP)

Northern Ireland Audit Office Assembly Contributory Pension Fund Accounts for the year ended 31 March 2013 (DFP)

### 5. Assembly Reports

Report on the Committee's Review into Electricity Policy Part 2: Electricity Pricing (NIA 147/11-15) Committee for Enterprise, Trade and Investment

Report on the Local Government Bill NIA 28/11-15 (NIA 139/11-15) Committee for the Environment

### 6. Statutory Rules

2014/27 The Rehabilitation of Offenders (Exceptions) (Amendment) Order (Northern Ireland) 2014 (DOJ)

2014/28 The Police Act 1997 (Criminal Records) (Amendment) Regulations (Northern Ireland) 2014 (DOJ)

2014/36 The M1/Trunk Road T3 and M1-M2 Link (Amendment) Order (Northern Ireland) 2014 (DRD)

2014/40 The Building Society Special Administration Rules (Northern Ireland) 2014 (DOJ)

2014/41 The Building Society Insolvency Rules (Northern Ireland) 2014 (DOJ)

2014/43 The Energy Performance of Buildings (Certificates and inspections) (Amendment) Regulations (Northern Ireland) 2014 (DFP)

2014/44 The Building (Amendment) Regulations (Northern Ireland) 2014 (DFP)

2014/Draft The Police Act 1997 (Criminal Record Certificates: Relevant Matters) (Amendment) Order (Northern Ireland) 2014 (DOJ)

#### For Information Only:

2014/42 The Parking Places on Roads (Electric Vehicles) (Amendment No.2) Order (Northern Ireland) 2014 (DRD)

### 7. Written Ministerial Statements

Paediatric Congenial Cardiac Services (DHSSPS)

### 8. Consultation Documents

Active Ageing Strategy 2014-20 Consultation Questionnaire February 2014 (OFMDFM)

## 9. Departmental Publications

Police Rehabilitation and Retraining Trust Group Annual Report for the year ended 31 March 2013 (DOJ)

Futures (NI) Limited Annual Report for the year ended 31 March 2013 (DOJ)

## 10. Agency Publications

## 11. Westminster Publications

## 12. Miscellaneous Publications

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# Northern Ireland Assembly

**Tuesday 25 February 2014**

*The Assembly met at 10.30am, Speaker in the Chair.*

## 1. Personal Prayer or Meditation

Members observed two minutes' silence.

## 2. Executive Committee Business

### 2.1 Further Consideration Stage: Carrier Bags Bill (NIA 20/11-15)

The Minister of the Environment, Mr Mark H Durkan, moved the Further Consideration Stage of the Carrier Bags Bill (NIA 20/11-15).

Five amendments were tabled to the Bill.

*Debate ensued.*

The sitting was suspended at 12.30pm.

The sitting resumed at 2.00pm, with the Deputy Speaker (Mr Beggs) 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 of Culture, Arts and Leisure, Ms Carál Ní Chuilín.

*The sitting was suspended at 3.29pm.*

The sitting resumed at 3.30pm with the Speaker in the Chair.

## 4. Executive Committee Business (Cont'd)

### 4.1 Further Consideration Stage: Carrier Bags Bill (NIA 20/11-15)

*Debate resumed on the Bill.*

#### **Clauses**

After debate, Amendment 1 to Clause 9 was **negatived** on division.

After debate, Amendment 2 to Clause 9 was **negatived** on division.

As neither Amendment 1 nor 2 was made, Amendments 3 and 4 were not called.

After debate, Amendment 5 inserting a new Clause 9A after Clause 9 was **made** on division and it was agreed that the new clause stand part of the Bill.

The Carrier Bags Bill (NIA 20/11-15) stood referred to the Speaker for consideration in accordance with section 10 of the Northern Ireland Act 1998.

*The Principal Deputy Speaker (Mr McLaughlin) took the Chair.*

## 5. Private Members' Business

### 5.1 Motion – Reclassification of Guide Dogs

**Proposed:**

That this Assembly commends the Guide Dogs for the Blind Association's Campaign 'Guide Dogs are Working Dogs too!'; and calls on Her Majesty's Government to reclassify guide dogs and other assistance dogs as working dogs to afford them the same entitlements as other working dogs.

*Lord Morrow  
Mr P Weir  
Mr J Wells*

*Debate ensued.*

The Question being put, the Motion was **carried** without division.

## 6. Committee Business

### 6.1 Motion – Financial Support to Expand Credit Union Services

**Proposed:**

That this Assembly acknowledges the valuable contribution of the credit union movement to providing affordable credit; and calls on the Minister of Enterprise, Trade and Investment to work with her Executive colleagues to provide appropriate financial assistance to Northern Ireland credit unions to cover start-up costs to enable those credit unions that want to expand their range of services to include current accounts, in order to enable more people to avail of banking services, to fill the gap left by widespread bank closures and to make a greater difference to communities across Northern Ireland, especially the most vulnerable and those in rural areas.

*Chairperson, Committee for Enterprise, Trade and Investment*

*Debate ensued.*

*The Speaker took the Chair.*

The Question being put, the Motion was **carried** without division.

## 7. Adjournment

The Adjournment debate regarding Creavery Primary School stood on the Order Paper in the name of Mr Trevor Clarke.

The Adjournment debate was **not moved**.

**Proposed:**

That the Assembly do now adjourn.

*The Speaker*

*The Assembly adjourned at 7.19pm.*

**Mr William Hay  
The Speaker**

25 February 2014

# Northern Ireland Assembly

25 February 2014  
Division 1

**Further Consideration Stage: Carrier Bags Bill (NIA 20/11-15) – Amendment 1**

**Proposed:**

Clause 9, Page 3, Line 25

After 'any material' insert ', except bags made wholly or mainly of paper.'

*Mr J Allister*

The Question was put and the Assembly divided.

**Ayes:** 33

**Noes:** 53

**AYES**

*Mr Allister, Mr Anderson, Mr Bell, Ms P Bradley, Mrs Cameron, Mr Clarke, Mr Craig, Mr Douglas, Mr Dunne, Mr Easton, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr McCallister, Mr McCausland, Mr B McCrea, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Mr McNarry, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Newton, Mr G Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Weir.*

*Tellers for the Ayes: Mr Allister and Mr McNarry.*

**NOES**

*Mr Agnew, Mr Beggs, Mr Boylan, Mr D Bradley, Mr Brady, Mr Byrne, Mrs Cochrane, Mr Cree, Mr Dallat, Mr Dickson, Mrs Dobson, Mr Durkan, Mr Elliott, Mr Flanagan, Mr Ford, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Mr Kennedy, Mr Kinahan, Ms Lo, Mr Lunn, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCarthy, Mr McCartney, Ms McCorley, Dr McDonnell, Mr McElduff, Ms McGahan, Mr McGimpsey, Mr McGlone, Mr M McGuinness, Mr McKay, Mrs McKeivitt, Mr McKinney, Mr Mitchel McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Milne, Mr Nesbitt, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mrs Overend, Mr P Ramsey, Mr Rogers, Ms Ruane, Mr Swann.*

*Tellers for the Noes: Mr D Bradley and Mr McGlone.*

The Amendment **fell**.

# Northern Ireland Assembly

25 February 2014  
Division 2

**Further Consideration Stage: Carrier Bags Bill (NIA 20/11-15) – Amendment 2**

**Proposed:**

Clause 9, Page 3, Line 25

After 'any material' insert ', except a bag made wholly or mainly of paper, hessian material, cotton, cloth or jute.'

*Mr P Weir*  
*Mrs P Cameron*  
*Mr I McCrea*  
*Lord Morrow*

The Question was put and the Assembly divided.

**Ayes:** 31

**Noes:** 51

**AYES**

*Mr Allister, Mr Anderson, Ms P Bradley, Mrs Cameron, Mr Clarke, Mr Craig, Mr Douglas, Mr Dunne, Mr Easton, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr McCallister, Mr B McCrea, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Mr McNarry, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Newton, Mr G Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Weir.*

*Tellers for the Ayes: Mr McQuillan and Mr G Robinson.*

**NOES**

*Mr Agnew, Mr Beggs, Mr Boylan, Mr D Bradley, Mr Brady, Mr Byrne, Mr Cree, Mr Dallat, Mr Dickson, Mrs Dobson, Mr Durkan, Mr Elliott, Mr Flanagan, Mr Ford, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Mr Kennedy, Mr Kinahan, Ms Lo, Mr Lunn, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCarthy, Mr McCartney, Ms McCorley, Dr McDonnell, Mr McElduff, Ms McGahan, Mr McGlone, Mr M McGuinness, Mr McKay, Mrs McKeivitt, Mr McKinney, Mr Mitchel McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Milne, Mr Nesbitt, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mrs Overend, Mr P Ramsey, Mr Rogers, Ms Ruane, Mr Swann.*

*Tellers for the Noes: Mr D Bradley and Mr McGlone.*

The Amendment **fell**.

# Northern Ireland Assembly

25 February 2014  
Division 3

**Further Consideration Stage: Carrier Bags Bill (NIA 20/11-15) – Amendment 5**

**Proposed:**

New Clause

After clause 9 insert -

‘Report on biodegradable carrier bags

9A.—(1) The Department must, within 18 months of Royal Assent, prepare a report on biodegradable carrier bags.

(2) A report under this section must consider—

(a) the desirability of any exemptions on the grounds of biodegradability from the requirement to charge for carrier bags;

(b) the criteria under which any such exemptions should apply; and

(c) how any exemptions on the grounds of biodegradability proposed in the report would be implemented.

(3) The Department must—

(a) lay a report under this section before the Assembly; and

(b) publish a report under this section in such a manner as it thinks appropriate.’

*Mr P Weir*

*Mrs P Cameron*

*Mr I McCrea*

*Lord Morrow*

The Question was put and the Assembly divided.

**Ayes:** 45

**Noes:** 42

**AYES**

*Mr Allister, Mr Anderson, Mr Beggs, Mr Bell, Ms P Bradley, Mrs Cameron, Mr Clarke, Mrs Cochrane, Mr Craig, Mr Cree, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Mrs Foster, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr Kennedy, Mr McCallister, Mr McCausland, Mr B McCrea, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Mr McNarry, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir.*

*Tellers for the Ayes: Mr McQuillan and Mr G Robinson.*

**NOES**

*Mr Agnew, Mr Boylan, Mr D Bradley, Mr Brady, Mr Byrne, Mr Dallat, Mr Dickson, Mr Durkan, Mr Flanagan, Mr Ford, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Ms Lo, Mr Lunn, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCarthy, Mr McCartney, Ms McCorley, Dr McDonnell, Mr McElduff, Ms McGahan, Mr McGlone, Mr M McGuinness, Mr McKay, Mrs McKeivitt, Mr McKinney, Mr Mitchel McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Milne, Ms Ní Chuilín, Mr Ó hOisín, Mr O’Dowd, Mrs O’Neill, Mr P Ramsey, Mr Rogers, Ms Ruane.*

*Tellers for the Noes: Mr D Bradley and Mr McGlone.*

The Amendment was **made**.

# Carrier Bags Bill

## Annotated Marshalled List of Amendments

### Further Consideration Stage

### Tuesday 25 February 2014

Amendments tabled up to 9.30am Thursday, 20 February 2014 and selected for debate

The Bill will be considered in the following order-

Clauses, Schedule and Long Title

**Amendment 1** *[Negatived on division]*

**Clause 9**, Page 3, Line 25

After 'any material' insert ' , except bags made wholly or mainly of paper,'

*Mr Jim Allister*

**Amendment 2** *[Negatived on division]*

**Clause 9**, Page 3, Line 25

After 'any material' insert ' , except a bag made wholly or mainly of paper, hessian material, cotton, cloth or jute,'

*Mr Peter Weir*

*Mrs Pam Cameron*

*Mr Ian McCrea*

*Lord Morrow of Clogher Valley*

**Amendment 3** *[Not called]*

**Clause 9**, Page 3, Line 35

At end insert -

'() omit head (g);'

*Mr Jim Allister*

**Amendment 4** *[Not called]*

**Clause 9**, Page 3, Line 35

At end insert -

'() omit head (i);'

*Mr Jim Allister*

**Amendment 5** *[Made on division]*

**New Clause**

After clause 9 insert -

**'Report on biodegradable carrier bags**

**9A.**—(1) The Department must, within 18 months of Royal Assent, prepare a report on biodegradable carrier bags.

(2) A report under this section must consider—

- (a) the desirability of any exemptions on the grounds of biodegradability from the requirement to charge for carrier bags;
- (b) the criteria under which any such exemptions should apply; and
- (c) how any exemptions on the grounds of biodegradability proposed in the report would be implemented.

(3) The Department must—

- (a) lay a report under this section before the Assembly; and
- (b) publish a report under this section in such a manner as it thinks appropriate.'

*Mr Peter Weir*

*Mrs Pam Cameron*

*Mr Ian McCrea*

*Lord Morrow of Clogher Valley*

# Northern Ireland Assembly

## **Papers Presented to the Assembly on 25 February 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  
Land Property Services Trust Statement - Rate Levy Accruals Account 2012-13 (DFP)
5. Assembly Reports
6. Statutory Rules  
**For Information Only:**
7. Written Ministerial Statements
8. Consultation Documents  
Consultation on Implementation of EC Regulation 181/2011 on Bus and Coach Passenger Rights (DOE)
9. Departmental Publications
10. Agency Publications
11. Westminster Publications
12. Miscellaneous Publications

# Northern Ireland Assembly Legislation:

## Stages in Consideration of Public Bills

**First Stage:** Introduction of Bill.

**Second Stage:** General debate of the Bill with an opportunity for Members to vote on its general principles.

**Committee Stage (Comm. Stage):** Detailed investigation by a Committee which concludes with the publication of a report for consideration by the Assembly.

**Consideration Stage (CS):** Consideration by the Assembly of, and an opportunity for Members to vote on, the details of the Bill including amendments proposed to the Bill.

**Further Consideration Stage (FCS):** Consideration by the Assembly of, and an opportunity for Members to vote on, further amendments to the Bill.

**Final Stage:** Passing or rejecting of Bill by the Assembly, without further amendment.

**Royal Assent.**

## Proceedings as at 26 February 2014

### 2011-2015 Mandate

#### Executive Bills

Title & NIA Bill Number	First Stage	Second Stage	Comm. Stage to Conclude	Report Ordered to be Printed	CS	FCS	Final Stage	Royal Assent
Marine Bill 5/11-15	21.02.12	05.03.12	06.07.12	05.07.12	30.04.13	13.05.13	21.05.13	17.09.13
Welfare Reform Bill 13/11-15	01.10.12	09.10.12	19.02.13	14.02.13				
Education Bill 14/11-15	02.10.12	15.10.12	08.04.13	08.04.13				
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	
Carrier Bags Bill 20/11-15	03.06.13	11.06.13	30.11.13	26.11.13	28.01.14	25.02.14		
Financial Provisions Bill 22/11-15	17.06.13	01.07.13	13.12.13	11.12.13	11.02.14	24.02.14		
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	
Licensing of Pavement Cafés Bill 24/11-15	17.06.13	25.06.13	13.12.13	05.12.13				

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	
Local Government Bill 28/11-15	23.09.13	01.10.13	20.02.14					
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

**2011-2015 Mandate****Non-Executive Bills**

Title & Bill Number	First Stage	Second Stage	Comm. Stage to Conclude	Report Ordered to be Printed	CS	FCS	Final Stage	Royal Assent
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					
Road Traffic (Speed Limits) Bill 30/11-15		09.12.13						

/ Bill progressing by accelerated passage

\*\* Please note that any bills that received Royal Assent in the previous session have been removed from the table.



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# Northern Ireland Assembly

Friday 28 February 2014

*The Assembly met at noon, the Speaker in the Chair.*

## 1. Personal Prayer or Meditation

Members observed two minutes' silence.

## 2. Speaker's Business

The Speaker confirmed that the sitting had been convened following receipt of a valid notice, signed by not less than 30 Members, in accordance with Standing Order 11, for the purpose of debating a motion on the "Judgement In The Case Of R.v.Downey" (Appendix 1).

## 3. Private Members' Business

### 3.1 Motion – Judgement In The Case Of R.v.Downey

#### **Proposed:**

That this Assembly notes with grave concern the detail contained within the judgement of Mr Justice Sweeney in the case of R.v.Downey; expresses disgust at the heretofore deliberately hidden actions of the British Government and Sinn Fein revealed in the judgement of issuing these letters to those described as "on-the -runs" and the detrimental consequence of those acts to justice; further notes the undermining impact such disclosures will have on recent discussions on dealing with the past; and calls on the British Government to urgently and effectively address the gross injustice to the many victims who will suffer further because of these shameful actions and wider damage to the rule of law, and to take swift action to rebuild confidence and trust by conducting a judge-led inquiry.

*Mr P Robinson  
Mrs A Foster  
Mr S Wilson  
Mr G Campbell*

*Debate ensued.*

The Question being put, the Motion was **carried** (Division).

## 4. Adjournment

#### **Proposed:**

That the Assembly do now adjourn.

*The Speaker*

*The Assembly adjourned at 2.19pm.*

**Mr William Hay  
The Speaker**

28 February 2014

## Appendix 1

# Northern Ireland Assembly

**The undersigned Members of the Northern Ireland Assembly support the call for an earlier sitting on Friday 28 February 2014, under Standing Order 11, to debate the following Motion:**

## **Judgement In The Case Of R.v.Downey**

That this Assembly notes with grave concern the detail contained within the judgement of Mr Justice Sweeney in the case of R.v.Downey; expresses disgust at the heretofore deliberately hidden actions of the British Government and Sinn Fein revealed in the judgement of issuing these letters to those described as “on-the -runs” and the detrimental consequence of those acts to justice; further notes the undermining impact such disclosures will have on recent discussions on dealing with the past; and calls on the British Government to urgently and effectively address the gross injustice to the many victims who will suffer further because of these shameful actions and wider damage to the rule of law, and to take swift action to rebuild confidence and trust by conducting a judge-led inquiry.

- Mr Sydney Anderson
- Mr Jonathan Bell
- 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
- Mrs Arlene Foster
- Mr Paul Frew
- Mr Paul Girvan
- Mr Paul Givan
- Mrs Brenda Hale
- Mr Simon Hamilton
- Mr David Hilditch
- Mr William Humphrey
- Mr William Irwin
- Mr Nelson McCausland
- Mr Ian McCrea
- Mr David McIlveen
- Miss Michelle McIlveen
- Mr Adrian McQuillan
- The Lord Morrow
- Mr Stephen Moutray
- Mr Robin Newton
- Mr Edwin Poots
- Mr George Robinson
- Mr Peter Robinson
- Mr Alastair Ross
- Mr Jimmy Spratt
- Mr Mervyn Storey
- Mr Peter Weir
- Mr Jim Wells
- Mr Sammy Wilson

# Northern Ireland Assembly

28 February 2014  
Division

## Motion – Judgement In The Case Of R.v.Downey

### Proposed:

That this Assembly notes with grave concern the detail contained within the judgement of Mr Justice Sweeney in the case of R.v.Downey; expresses disgust at the heretofore deliberately hidden actions of the British Government and Sinn Fein revealed in the judgement of issuing these letters to those described as “on-the -runs” and the detrimental consequence of those acts to justice; further notes the undermining impact such disclosures will have on recent discussions on dealing with the past; and calls on the British Government to urgently and effectively address the gross injustice to the many victims who will suffer further because of these shameful actions and wider damage to the rule of law, and to take swift action to rebuild confidence and trust by conducting a judge-led inquiry.

*Mr P Robinson  
Mrs A Foster  
Mr S Wilson  
Mr G Campbell*

The Question was put and the Assembly divided.

**Ayes:** 58

**Noes:** 27

### AYES

*Mr Allister, Mr Anderson, Mr Beggs, Mr Bell, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Campbell, Mr Clarke, Mrs Cochrane, Mr Copeland, Mr Craig, Mr Cree, Mr Dickson, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Dr Farry, Mr Ford, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kennedy, Mr Kinahan, Ms Lo, Mr Lyttle, Mr McCarthy, Mr McCausland, Mr I McCrea, Mr McGimpsey, Mr D McIlveen, Miss M McIlveen, Mr McNarry, Mr McQuillan, 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 Ayes: Mr McQuillan and Mr G Robinson.*

### NOES

*Mr Boylan, Mr Brady, Ms Fearon, Mr Flanagan, Mr Hazzard, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Mr McElduff, Ms McGahan, Mr M McGuinness, Mr McKay, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr McMullan, Mr Maskey, Mr Milne, Ms Ni Chuilin, Mr Ó hOisín, Mr O’Dowd, Mrs O’Neill, Ms Ruane, Mr Sheehan.*

*Tellers for the Noes: Mr McCartney and Ms Ruane.*

*The following Members voted in both Lobbies and are therefore not counted in the result:*

*Mr Attwood, Mr D Bradley, Mr Dallat, Mr Durkan, Mrs D Kelly, Mr McCallister, Mr B McCrea, Dr McDonnell, Mr McGlone, Mrs McKeivitt, Mr McKinney, Mr P Ramsey, Mr Rogers.*

The Motion was **carried**.

# Northern Ireland Assembly

## **Papers Presented to the Assembly on 26 – 28 February 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
    - Registry of Credit Unions and Industrial and Provident Societies Annual Report 2012/13 (DETI)
    - The General Teaching Council for Northern Ireland Annual Report and Accounts for the year ended 31 March 2013 (DE)
  5. Assembly Reports
  6. Statutory Rules
    - S. R. 2014/47 The Explosives (Hazard Information and Packaging for Supply) (Amendment No.2) Regulations (Northern Ireland) 2014 (DOJ)
- For Information Only:**
7. Written Ministerial Statements
    - Ralphs Close Residential Care Home (DHSSPS)
    - Salmon Conservation Regulations (DCAL)
  8. Consultation Documents
  9. Departmental Publications
  10. Agency Publications
  11. Westminster Publications
  12. Miscellaneous Publications

# Northern Ireland Assembly

**Monday 3 March 2014**

*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 – Ovarian Cancer Awareness Campaign

Mr Chris Lyttle was granted leave, in accordance with Standing Order 22, to present a Public Petition regarding an Ovarian Cancer Awareness Campaign.

## 3. Executive Committee Business

### 3.1 Assembly Consent Motion – Draft Public Bodies (Abolition of the National Consumer Council and Transfer of the Office of Fair Trading's Functions in relation to Estate Agents etc) Order 2014

**Proposed:**

That this Assembly consents to the Public Bodies (Abolition of the National Consumer Council and Transfer of the Office of Fair Trading's Functions in relation to Estate Agents etc) Order 2014 in the form of the draft laid before the UK Parliament on 5 December 2013.

*Minister of Enterprise, Trade and Investment*

*Debate ensued.*

The Question being put, the Motion was **carried** without division.

### 3.2 Motion – Rates (Regional Rates) Order (Northern Ireland) 2014

**Proposed:**

That the Rates (Regional Rates) Order (Northern Ireland) 2014 be affirmed.

*Minister of Finance and Personnel*

*Debate ensued.*

*The Deputy Speaker (Mr Beggs) took the Chair.*

The Question being put, the Motion was **carried** with cross-community support *nemine contradicente*.

## 4. Committee Business

### 4.1 Motion – Report on the Review into Electricity Policy, Part 2: Electricity Pricing

#### Proposed:

That this Assembly approves the second report of the Committee for Enterprise, Trade and Investment on its Review into Electricity Policy: Part II - Electricity Pricing (NIA 14/11-15); and calls on the Minister of Enterprise, Trade and Investment, in conjunction with her Executive colleagues, the Northern Ireland Authority for Utility Regulation, the System Operator for Northern Ireland, the Single Electricity Market Operator and the Consumer Council to implement, as applicable, the recommendations contained therein.

*Chairperson, Committee for Enterprise, Trade and Investment*

*Debate ensued.*

*The debate was suspended at 1.54pm for Question Time.*

*The sitting resumed at 2.00pm, with the Speaker in the Chair.*

## 5. Question Time

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

Questions were put to, and answered by, the First Minister, the Rt Hon Peter Robinson. The junior Minister, Mr Jonathan Bell, also answered a number of questions.

### 5.2 Education

Questions were put to, and answered by, the Minister of Education, Mr John O'Dowd.

## 6. Question for Urgent Oral Answer

### 6.1 Legal Status of Administrative Scheme regarding on-the-runs

The Minister of Justice, Mr David Ford, responded to a Question for Urgent Oral Answer tabled by Mr Paul Givan.

## 7. Committee Business (Cont'd)

### 7.1 Motion – Report on the Review into Electricity Policy, Part 2: Electricity Pricing

*Debate resumed on the Motion.*

*The Principal Deputy Speaker (Mr McLaughlin) took the Chair.*

The Question being put, the Motion was **carried** without division.

## 8. Private Members' Business

### 8.1 Motion – Pulse Oximetry

#### Proposed:

That this Assembly recognises that pulse oximetry offers a straightforward, cost effective and non-invasive screening test to detect levels of oxygen saturation in newborns; notes that recording oxygen saturation levels can be an early indicator for a range of medical problems, such as heart and respiratory defects; and calls on the Minister of Health, Social Services and Public Safety to introduce pulse oximetry to screen all newborns for early detection of life threatening congenital heart defects.

*Mr R Swann*

*Mr F McKinney*

*Mr J Wells*

*Mr K McCarthy*

*Ms C Ruane*

*Debate ensued.*

The Question being put, the Motion was **carried** without division.

## 8.2 Motion – Fiscal Powers

### Proposed:

That this Assembly notes the ongoing debate concerning the nature of devolution in the United Kingdom; and calls upon the Northern Ireland Executive to approach the UK Government to request a joint commission to review the case for the devolution of fiscal powers to the Northern Ireland Assembly and also for this commission to make recommendations that would improve the financial accountability of the Northern Ireland Assembly and the performance of the local economy.

*Mr J McCallister*

*Mr B McCrea*

## 8.3 Amendment

### Proposed:

Leave out all after 'notes' and insert:

'the recent devolution of air passenger duty for direct long haul flights, the recent derogation from the Carbon Price Floor, and the Executive's continued pursuit of the devolution of corporation tax powers; further notes the commitment in the 'Building a Prosperous and United Community' document agreed between HM Government and the Executive to 'examine the potential for devolving specific additional fiscal powers'; and welcomes the commitment of the Minister of Finance and Personnel to report back to the Executive on this issue by Autumn 2014.'

*Mr P Girvan*

*Mr P Weir*

*Mr A McQuillan*

*Mr I McCrea*

*Debate ensued.*

*The Speaker took the Chair.*

The Question being put, the Amendment was **made** (Division).

The Question being put, the Motion, as amended, was **carried** without division.

## 9. Adjournment

### Proposed:

That the Assembly do now adjourn.

*The Speaker*

*The Assembly adjourned at 6.22pm.*

**Mr William Hay**

**The Speaker**

3 March 2014

# Northern Ireland Assembly

3 March 2014

Division

**Motion – Fiscal Powers - Amendment**

**Proposed:**

Leave out all after 'notes' and insert:

'the recent devolution of air passenger duty for direct long haul flights, the recent derogation from the Carbon Price Floor, and the Executive's continued pursuit of the devolution of corporation tax powers; further notes the commitment in the 'Building a Prosperous and United Community' document agreed between HM Government and the Executive to 'examine the potential for devolving specific additional fiscal powers'; and welcomes the commitment of the Minister of Finance and Personnel to report back to the Executive on this issue by Autumn 2014.'

*Mr P Girvan*

*Mr P Weir*

*Mr A McQuillan*

*Mr I McCrea*

The Question was put and the Assembly divided.

**Ayes:** 45

**Noes:** 41

**AYES**

*Mr Anderson, Mr Beggs, Mrs P Bradley, Mr Buchanan, Mrs Cameron, Mr Campbell, Mr Clarke, Mrs Cochrane, Mr Craig, Mr Cree, Mr Dickson, Mrs Dodson, Mr Douglas, Mr Dunne, Mr Elliott, Mr Ford, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mr Hamilton, Mr Hilditch, Mr Humprey, Mr Kennedy, Ms Lo, Mr Lyttle, Mr McCaulsand, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Mr McQuillan, 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 Ayes: Mr McQuillan and Mr G Robinson.*

**NOES**

*Mr Agnew, Mr Allister, Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mr Dallat, Mr Durkan, Ms Fearon, Mr Flanagan, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Mr Lynch, Mr McAleer, Mr McCallister, Mr McCartney, Ms McCorley, Mr B McCrea, Dr McDonnell, Mr McElduff, Ms McGahan, Mr McGlone, Mr McKay, Mrs McKeivitt, Mr McKinney, Ms Maeve McLaughlin, Mr Mitchell McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Milne, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr Rogers, Ms Ruane, Mr Sheehan.*

*Tellers for the Noes: Mr McCallister and Mr B McCrea.*

The Amendment was **made**.

# Northern Ireland Assembly

## **Papers Presented to the Assembly on 3 March 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

S. R. 2014/60 The Gas (Individual Standards of Performance) Regulations (Northern Ireland) 2014 (DETI)

### **For Information Only:**

S. R. 2014/62 The Pneumoconiosis, etc., (Workers' Compensation) (Payment of Claims) (Amendment) Regulations (Northern Ireland) 2014 (DSD)

S. R. 2014/63 The Mesothelioma Lump Sum Payments (Conditions and Amounts) (Amendments) Regulations (Northern Ireland) 2014 (DSD)

7. Written Ministerial Statements
8. Consultation Documents  
From Fuel Poverty to Achieving Affordable Warmth Public Consultation February 2014 (DSD)
9. Departmental Publications
10. Agency Publications
11. Westminster Publications
12. Miscellaneous Publications



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# Northern Ireland Assembly

**Tuesday 4 March 2014**

*The Assembly met at 10.30am, Speaker in the Chair.*

## 1. Personal Prayer or Meditation

Members observed two minutes' silence.

## 2. Executive Committee Business

### 2.1 Consideration Stage – Licensing of Pavement Cafés Bill (NIA 24/11-15)

The Minister for Social Development, Mr Nelson McCausland, moved the Consideration Stage of the Licensing of Pavement Cafés Bill (NIA 24/11-15).

Thirteen amendments were tabled to the Bill, twelve by the Minister for Social Development and one by Mr Stewart Dickson MLA.

#### **Clauses**

After debate, Amendment 1 to Clause 1 was **made** without division.

The question being put, it was **agreed** without division that Clause 1 as amended stand part of the Bill.

The question being put, it was **agreed** without division that Clauses 2 to 5 stand part of the Bill.

After debate, Amendment 2 to Clause 6 was **negatived** (Division 1).

The question being put, it was **agreed** without division that Clause 6 stand part of the Bill.

The question being put, it was **agreed** without division that Clauses 7 to 13 stand part of the Bill.

After debate, Amendment 3 to Clause 14 was **made** without division.

The question being put, it was **agreed** without division that Clause 14 as amended stand part of the Bill.

The question being put, it was **agreed** without division that Clauses 15 to 18 stand part of the Bill.

After debate, Amendments 4 to 9 to Clause 19 were all **made** without division.

The question being put, it was **agreed** without division that Clause 19 as amended stand part of the Bill.

The question being put, it was **agreed** without division that Clause 20 stand part of the Bill.

After debate, Amendment 10 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.

The question being put, it was **agreed** without division that Clauses 22 to 29 stand part of the Bill.

After debate, Amendment 11 to Clause 30 was **made** without division.

The question being put, it was **agreed** without division that Clause 30 as amended stand part of the Bill.

The question being put, it was **agreed** without division that Clauses 31 and 32 stand part of the Bill.

After debate, Amendments 12 and 13 to the Schedule were **made** without division.

The question being put, it was **agreed** without division that the Schedule, as amended, stand part of the Bill.

The question being put, the Long Title was **agreed** without division.

The Licensing of Pavement Cafés Bill (NIA 24/11-15) stood referred to the Speaker.

## 2.2 Final Stage – Financial Provisions Bill (NIA 22/11-15)

The Minister of Finance and Personnel, Mr Simon Hamilton, moved that the Final Stage of the Financial Provisions Bill (NIA 22/11-15) do now pass.

*Debate ensued.*

The Financial Provisions Bill (NIA 22/11-15) passed Final Stage.

*The sitting was suspended at 12.32pm.*

*The sitting resumed at 2.00pm, with the Principal Deputy Speaker (Mr McLaughlin) in the Chair.*

## 3. Question Time

### 3.1 Enterprise, Trade and Investment

Questions were put to, and answered by, the Minister of Enterprise, Trade and Investment, Mrs Arlene Foster.

### 3.2 Environment

Questions were put to, and answered by, the Minister of the Environment, Mr Mark H Durkan.

## 4. Question for Urgent Oral Answer

### 4.1 Suspected illegal slaughter house and meat cutting operation at Forkhill

The Minister of Health, Social Services and Public Safety, Mr Edwin Poots, responded to a Question for Urgent Oral Answer tabled by Mr Roy Beggs.

*The Speaker took the Chair.*

## 5. Executive Committee Business (cont'd)

### 5.1 Motion – The Draft General Register Office (Fees) Order (Northern Ireland) 2014

#### **Proposed:**

That the draft General Register Office (Fees) Order (Northern Ireland) 2014 be approved.

*Minister of Finance and Personnel*

The Question being put, the Motion was **carried** without division.

## 6. Adjournment

Mr Pat Ramsey spoke to his topic regarding the Woodlands Speech and Language Unit in the Derry City Council Area.

#### **Proposed:**

That the Assembly do now adjourn.

*The Speaker*

*The Assembly adjourned at 4.36pm.*

**Mr William Hay**

**The Speaker**

4 March 2014

# Northern Ireland Assembly

4 March 2014

Division

**Consideration Stage – Licensing of Pavement Cafés Bill (NIA 24/11-15) - Amendment 2**

**Proposed:**

Clause 6, Page 4, Line 41

At end insert -

‘(1A) A pavement café licence must include a condition requiring the licence holder, so far as is reasonably practicable, not to display in the area covered by the licence anything that would be detrimental to good relations between persons of different religious belief, political opinion or racial group.’

*Mr S Dickson*

*Mr K McCarthy*

The Question was put and the Assembly divided.

**Ayes:** 16

**Noes:** 68

## **AYES**

*Mr Agnew, Mr D Bradley, Mr Byrne, Mr Dallat, Mr Dickson, Mr Durkan, Mrs D Kelly, Ms Lo, Mr Lyttle, Mr McCarthy, Dr McDonnell, Mr McGlone, Mr McKinney, Mr A Maginness, Mr P Ramsey, Mr Rogers.*

*Tellers for the Ayes: Mr Dickson and Mr McCarthy.*

## **NOES**

*Mr Allister, Mr Anderson, Mr Bell, Mr Boylan, Ms Boyle, Ms P Brabley, Mr Brady, Mrs Cameron, Mr Campbell, Mr Clarke, Mr Copeland, Mr Craig, Mr Cree, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Ms Fearon, Mr Flanagan, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr G Kelly, Mr Kennedy, Mr McAleer, Mr McCallister, Mr F McCann, Ms J McCann, Mr McCartney, Mr McCausland, Ms McCorley, Mr B McCreá, Mr I McCreá, Mr McElduff, Ms McGahan, Mr M McGuinness, Mr D McIlveen, Miss M McIlveen, Mr McKay, Ms Maeve McLaughlin, Mr Mitichel McLaughlin, Mr McMullan, Mr McNarry, Mr McQuillan, Mr Maskey, Mr Milne, Mr Moutray, Mr Nesbitt, Mr Newton, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr Poots, Mr G Robinson, Mr P Robinson, Mr Ross, Ms Ruane, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wells.*

*Tellers for the Noes: Mr Clarke and Mr G Robinson.*

The Amendment **fell**.

# Licensing of Pavement Cafés Bill

## Annotated Marshalled List of Amendments

### Consideration Stage

### Tuesday 4 March 2014

Amendments tabled up to 9.30am Thursday, 27 February 2014 and selected for debate

The Bill will be considered in the following order-  
Clauses, Schedule and Long Title

**Amendment 1** *[Made without division]*

**Clause 1**, Page 1, Line 10

After 'market' insert 'area'

*Minister for Social Development*

**Amendment 2** *[Negatived on division]*

**Clause 6**, Page 4, Line 41

At end insert -

'(1A) A pavement café licence must include a condition requiring the licence holder, so far as is reasonably practicable, not to display in the area covered by the licence anything that would be detrimental to good relations between persons of different religious belief, political opinion or racial group.'

*Mr Stewart Dickson  
Mr Kieran McCarthy*

**Amendment 3** *[Made without division]*

**Clause 14**, Page 11, Line 26

Leave out from 'any' to 'with' and insert 'the licence holder has persistently failed to comply with any condition of the licence'

*Minister for Social Development*

**Amendment 4** *[Made without division]*

**Clause 19**, Page 13, Line 23

Leave out subsection (1) and insert -

'(1) Before deciding to revoke, suspend or make a compulsory variation of a pavement café licence, a council must (subject to subsection (1D)) notify the licence holder in writing of its proposal to revoke, suspend or vary the licence.

(1A) A notification under subsection (1) must state<sup>3/4</sup>

(a) the grounds for the proposed revocation, suspension or variation; and

(b) that representations in writing relating to the proposal may be made by the licence holder to the council until the end of a period specified in the notification.

(1B) Any period specified under subsection (1A)(b) must be at least 21 days beginning with the date when the notification is sent unless the council considers that there are particular circumstances which make a shorter period necessary in the public interest.

(1C) In deciding whether to revoke, suspend or make the proposed variation of the licence the council must take into account any representations made by the licence holder within the period specified under subsection (1A)(b).

(1D) If it considers that there are particular circumstances which make it necessary to do so in the public interest, a council may decide whether to revoke, suspend or make a compulsory variation of a pavement café licence even though no notification has been given under subsection (1).

(1E) Where a council decides to revoke, suspend or make a compulsory variation of a pavement café licence, the council must give notice in writing to the licence holder of the revocation, suspension or variation.'

*Minister for Social Development*

**Amendment 5** *[Made without division]*

**Clause 19**, Page 13, Line 25

Leave out 'this section' and insert 'subsection (1E)'

*Minister for Social Development*

**Amendment 6** *[Made without division]*

**Clause 19**, Page 13, Line 30

Leave out from 'this section' to 'the notice' in line 31 and insert 'subsection (1E) may provide for the revocation, suspension or variation to take effect on the date when that notice'

*Minister for Social Development*

**Amendment 7** *[Made without division]*

**Clause 19**, Page 13, Line 36

At end insert -

'(4A) A notice under subsection (1E) may be withdrawn at any time before the revocation, suspension or variation takes effect.'

*Minister for Social Development*

**Amendment 8** [Made without division]**Clause 19**, Page 13, Line 37

Leave out 'a council has suspended a pavement café licence, it' and insert 'a suspension of a pavement café licence has taken effect, the council'

*Minister for Social Development*

**Amendment 9** [Made without division]**Clause 19**, Page 13, Line 41

Leave out '(4)' and insert '(4A)'

*Minister for Social Development*

**Amendment 10** [Made without division]**Clause 21**, Page 14, Line 37

At end insert -

'(2A) Where a pavement café licence is granted or renewed and a period is specified under section 5(5)(a) in the licence, the licence holder may appeal against the council's decision to specify that period.'

*Minister for Social Development*

**Amendment 11** [Made without division]**Clause 30**, Page 18

Leave out lines 30 to 32 and insert -

“‘market area’ means a place where a person has a right (exercisable at particular times) to hold a market or fair; and in this definition ‘right’ means a right acquired by virtue of a grant (including a presumed grant) or acquired or established by virtue of a statutory provision;”

*Minister for Social Development*

**Amendment 12** [Made without division]**Schedule**, Page 22, Line 9

Leave out line 9 and insert 'in Article 69J(2), the reference to the premises'

*Minister for Social Development*

**Amendment 13** [Made without division]**Schedule**, Page 23

Leave out lines 32 to 39 and insert -

“(f) where a pavement café licence is in force, trading carried out in the area covered by the licence, if the trading<sup>3/4</sup>

- (i) takes place at a time when that area has temporary furniture on it that under the terms of the licence is permitted to be there at that time;
- (ii) is done in the course of a business which is carried on by the licence holder at the premises specified in the licence;
- (iii) relates to the supply of food or drink in or from those premises for consumption on that area; and
- (iv) does not involve a contravention of the conditions of the licence.”.

*Minister for Social Development*

# Northern Ireland Assembly

## **Papers Presented to the Assembly on 4 February 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  
Northern Ireland Central Investment Fund for Charities Annual Report to 30 September 2013 (DSD)
  5. Assembly Reports
  6. Statutory Rules  
S. R. 2014/48 The Public Interest Disclosure (Prescribed Persons) (Amendment) Order (Northern Ireland) 2014 (DEL)
- For Information Only:**
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.**

## Proceedings as at 5 March 2014

### 2011-2015 Mandate

#### Executive Bills

Title & NIA Bill Number	First Stage	Second Stage	Comm. Stage to Conclude	Report Ordered to be Printed	CS	FCS	Final Stage	Royal Assent
Marine Bill 5/11-15	21.02.12	05.03.12	06.07.12	05.07.12	30.04.13	13.05.13	21.05.13	17.09.13
Welfare Reform Bill 13/11-15	01.10.12	09.10.12	19.02.13	14.02.13				
Education Bill 14/11-15	02.10.12	15.10.12	08.04.13	08.04.13				
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	
Carrier Bags Bill 20/11-15	03.06.13	11.06.13	30.11.13	26.11.13	28.01.14	25.02.14		
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	
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	
Licensing of Pavement Cafés Bill 24/11-15	17.06.13	25.06.13	13.12.13	05.12.13	04.03.14			

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	
Local Government Bill 28/11-15	23.09.13	01.10.13	20.02.14					
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

**2011-2015 Mandate****Non-Executive Bills**

Title & Bill Number	First Stage	Second Stage	Comm. Stage to Conclude	Report Ordered to be Printed	CS	FCS	Final Stage	Royal Assent
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					
Road Traffic (Speed Limits) Bill 30/11-15		09.12.13						

/ Bill progressing by accelerated passage

\*\* Please note that any bills that received Royal Assent in the previous session have been removed from the table.