

# Written Answers to Questions

Official Report (Hansard)

**Friday 23 May 2014**

**Volume 95, No WA4**



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to arrive not later than two weeks after publication of this report.

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Wells, Jim (South Down)  
Wilson, Sammy (East Antrim)

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# Northern Ireland Assembly

Friday 23 May 2014

## Written Answers to Questions

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

#### **Racial Equality Strategy**

**Mr D McIlveen** asked the First Minister and deputy First Minister for an update on the Racial Equality Strategy.

**(AQO 6000/11-15)**

**Mr P Robinson and Mr M McGuinness (The First Minister and deputy First Minister):** The mainstreaming and promotion of racial equality remains a strong commitment of our Department through both the Minority Ethnic Development Fund and the Racial Equality Strategy.

Our officials continue to liaise with the Racial Equality Panel and wider representatives of the sector to fashion a strategy that is meaningful and relevant to its target audience.

Following the most recent meeting of the Racial Equality Panel on 1 April, the draft consultation document is in the final stages of completion and the consultation exercise will commence as soon as possible.

Consultation will be for a period of at least 12 weeks and a number of events will be held in the areas of highest population for minority ethnic people. In addition, events will be facilitated in different languages when relevant.

We also intend to use social media to gather views from the maximum number of interested parties.

At the end of this exercise we intend to have a reinvigorated, contemporary and focused strategy that shall help improve the lives of our minority ethnic people for the next decade.

#### **Sustainable Development Implementation Plan**

**Mr Lyttle** asked the First Minister and deputy First Minister for an update on the Sustainable Development Implementation Plan.

**(AQW 33315/11-15)**

**Mr P Robinson and Mr M McGuinness:** The Sustainable Development Strategy and Implementation Plan articulate the Executive's strategic approach to promoting the achievement of sustainable development.

Initiatives to support the delivery of progress against the priority areas for action are mainstreamed into the Corporate and Business Plans of Executive departments, and reflected in the cross-cutting Programme for Government principle of sustainability.

The period of the current Implementation Plan runs to the end of this year, at which time we will review the progress we have made in mainstreaming sustainability into the business of departments, with a view to identifying the most effective means of achieving this aim going forward.

## Pre-Election Period Guidance

**Mr Clarke** asked the First Minister and deputy First Minister to outline the pre-election period guidance issued to Departments.

**(AQW 33444/11-15)**

**Mr P Robinson and Mr M McGuinness:** Guidance on their role and conduct during the pre-election period was issued to all civil servants on 19 March 2014. The guidance is available on the Executive website at:

<http://www.northernireland.gov.uk/elections-guidance-on-conduct-for-civil-servants-and-special-advisers>

## Together: Building a United Community

**Mr Ross** asked the First Minister and deputy First Minister for an update on Together: Building a United Community.

**(AQO 6076/11-15)**

**Mr P Robinson and Mr M McGuinness:** Work is progressing across all 7 headline actions that were announced alongside the publication of Together: Building a United Community.

The Minister of Education announced on 10 April that 15 expressions of interest have been lodged with his Department under the Shared Education Campuses Programme. The proposals submitted will be assessed with a view to successful projects being announced before the summer break.

In respect of the United Youth Programme, significant stakeholder engagement has taken place culminating with the United Youth Programme Design Day in January of this year, which involved over 250 stakeholders. A Project Board has been established and work is progressing across a broad range of issues. A pilot programme has already been established to test elements of the design.

With regard to summer schools, we have agreed a pilot year Interventions Programme which will be run in Belfast City Council area from summer 2014 with other Council areas following as soon as possible.

The locations of the first 2 Urban Villages were announced on 20 March 2014 as Colin and Lower Newtownards Road. Each area will be recognised as a zone for development, and the Department for Social Development will convene Project Boards to co-ordinate and oversee the planning, design and delivery of all aspects of the urban villages.

The 10 Shared Neighbourhood Developments will be delivered through the Social Housing Development Programme. The projected project plan has been developed which outlines key milestones and targets for the 3 strands of this programme.

In relation to the Cross Community Sports Programme, the Department of Culture, Arts and Leisure is taking the lead in respect of this headline action and has developed proposals on a Programme.

With regard to the removal of Interface Barriers, a model has been developed to create an Interface Action Team to support project delivery and a list of pilot proposals and plans has been identified with anticipated delivery over the next 12-18 months.

Phase one of the Review of Good Relations Funding was completed in April and phase two is now underway.

Work is also continuing with departments to take forward responsibilities in relation to the commitments that fall outside the 7 headline actions.

## Victims and Survivors Service

**Mr P Ramsey** asked the First Minister and deputy First Minister whether they have met with any victims and survivors groups following the publication of the independent assessment of the Victims and Survivors Service.

**(AQO 6078/11-15)**

**Mr P Robinson and Mr M McGuinness:** It is important at the outset to continue to reiterate our commitment to implementing in full the 70 recommendations, presented to us following the Independent Assessment, which also includes the accompanying Victims' Commissioner advice.

Widespread engagement took place throughout the assessment process with a variety of key stakeholders, including victims and survivors groups, in order to ensure their experiences informed the final reports

We recognise how important it was for the recommendations to be based on input received from these key stakeholders. However, we do not intend to create undue delay by repeating or duplicating engagement which has already taken place, but rather our focus is on progressing the work required to ensure that further improvements can be made and the recommendations implemented in full.

We appreciate the value of the input that both groups and individual victims and survivors make and we will continue to ensure that the Victims and Survivors Service engage with them and other key stakeholders, during the implementation process, in order to deliver the best possible service to victims and survivors and to ensure that any changes being made are the right ones.

The Victims' Forum is also formally engaged in the monitoring and implementation of the recommendations and advice.

In addition, Departmental officials have met with a number of key stakeholders, including representatives from victims and survivors groups, since the publication of the Independent Assessment Report. We intend that this engagement will continue.

### **Social Investment Fund**

**Mr Hilditch** asked the First Minister and deputy First Minister what assurances they can give that the £80 million for the Social Investment Fund remains ring fenced and will be fully spent.

**(AQO 6081/11-15)**

**Mr P Robinson and Mr M McGuinness:** £80million remains ringfenced for the Social Investment Fund and will be fully spent. Details of all projects within the affordability limits are available at [http://www.ofmdfmi.gov.uk/social\\_investment\\_fund\\_\\_projects.pdf](http://www.ofmdfmi.gov.uk/social_investment_fund__projects.pdf)

### **Together: Building a United Community**

**Mr McCarthy** asked the First Minister and deputy First Minister for an update on the implementation of Together: Building a United Community.

**(AQO 6084/11-15)**

**Mr P Robinson and Mr M McGuinness:** Work is progressing across all 7 headline actions that were announced alongside the publication of Together: Building a United Community.

The Minister of Education announced on 10 April that 15 expressions of interest have been lodged with his Department under the Shared Education Campuses Programme. The proposals submitted will be assessed with a view to successful projects being announced before the summer break. It is forecasted that contracts will be issued by September 2015 and project delivery commenced by January 2016.

In respect of the United Youth Programme, significant stakeholder engagement has taken place culminating with the United Youth Programme Design Day in January of this year, which involved over 250 stakeholders. A Project Board has been established and work is progressing across a broad range of issues including stipend, engagement and communications, procurement strategy and programme design approach. A pilot programme has already been established to test elements of the design.

With regard to summer schools, we have agreed a pilot year Interventions Programme which will be run in Belfast City Council area from summer 2014 with other Council areas following as soon as possible.

The locations of the first 2 Urban Villages were announced on 20 March 2014 as Colin and Lower Newtownards Road. Each area will be recognised as a zone for development, and the Department for Social Development will convene Project Boards to co-ordinate and oversee the planning, design and delivery of all aspects of the urban villages. The Department for Social Development and other departments and statutory agencies will use the completed master plans for the areas to develop resourcing plans for each urban village.

The 10 Shared Neighbourhood Developments will be delivered through the Social Housing Development Programme. The projected project plan has been developed which outlines key milestones and targets for the 3 strands of this programme.

In relation to the Cross Community Sports Programme, the Department of Culture, Arts and Leisure is taking the lead in respect of this headline action and has developed proposals on a Programme.

With regard to the removal of Interface Barriers, a model has been developed to create an Interface Action Team to support project delivery, subject to the receipt of set-up costs. A list of pilot proposals and plans has been identified with anticipated delivery over the next 12-18 months.

Work is also progressing with the establishment of the Equality and Good Relations Commission and the associated underpinning legislative changes required. It is intended that a Bill to establish the Equality and Good Relations Commission will be introduced during the 2014/15 financial year and that a public consultation will commence shortly.

The Review of Good Relations Funding is a central commitment given within the strategy and its key findings will inform and shape a future funding delivery model aligned to the priorities of the Strategy. Phase one of the Review was completed in April and phase two is now underway. The second phase will consist of extensive and focused stakeholder engagement to seek views on funding delivery to date and to help inform options on a future funding delivery model.

Work is also continuing with departments to take forward responsibilities in relation to the commitments that fall outside the 7 headline actions.

A strategy of this depth and scale requires collective commitment and leadership across all departments and sections of our society. The Ministerial Panel and thematic sub-groups will be central to achieving this and work on establishing the range of sub-groups is at an advanced stage with a view to meetings taking place before the summer.

## Department of Agriculture and Rural Development

### **Rivers Agency: Braid River**

**Mr Frew** asked the Minister of Agriculture and Rural Development whether the Rivers Agency or her Department consulted with the Department of Culture, Arts and Leisure (DCAL) prior to work commencing on the Braid River to remove gravel shoal and reinforce the banks; and if so, to detail (i) the information passed on; and (ii) the powers DCAL have in matters related to the work and maintenance of rivers.

**(AQW 33154/11-15)**

**Mrs O'Neill (The Minister of Agriculture and Rural Development):** Rivers Agency staff consulted with the DCAL Fisheries officer responsible for the area regarding the proposed works. It was agreed that works would not commence on the river bed until after 1 April, to give as many juvenile fish as possible time to emerge from the gravel. Guidelines for gravel shoal work have been agreed with DCAL Inland Fisheries, and form part of the package for maintenance works. In this instance a pre-works meeting was held on site on 10 March 2014, between a representative from DCAL Inland Fisheries and Rivers Agency Officials. Planned works were agreed to maintain the gravel shoal and, in order to protect a short reach of public footpath, it was agreed that timber piles and existing rock armour would be used. Work commenced on 8 April 2014 and was completed by 14 April 2014. Rivers Agency Environmental



Manager and District Foreman met on site on 14 April 2014 to carry out a post work inspection. The Environmental Manager confirmed the work adhered to criteria previously agreed with DCAL Inland Fisheries. The powers available to DCAL relating to in river works and maintenance of rivers are detailed in Section 48 of the Fisheries Act (NI) 1966.

## **Moorland**

**Mr Swann** asked the Minister of Agriculture and Rural Development whether her Department currently has a record of moor land.

**(AQW 33228/11-15)**

**Mrs O'Neill:** The Department carried out an exercise over twenty years ago to map the distribution of moorland in the Less Favoured Areas (LFA). The maps were at a scale of 1:10,000 and 1:5,000 and showed areas of moorland that are more than 5 hectares in extent. Moorland was defined in terms of the vegetation present, as predominantly semi-natural rough grazing consisting mainly of plant species characteristic of grassy plant heaths and moors. The exercise was carried out mainly using a combination of ground checking and aerial photographs that were in existence at that time. Hard copy maps were produced, with a total mapped area of 215,000ha. These maps were not digitised, as the underlying base digitised data for the north of Ireland was still under development at that time. They were used for the administration of a moorland scheme in the 1990s. The data has not been refreshed since initial publication.

## **Moorland**

**Mr Swann** asked the Minister of Agriculture and Rural Development to detail her Department's definition of moor land.

**(AQW 33229/11-15)**

**Mrs O'Neill:** In developing the recent consultation on 'Policy Options Arising from the Reform of the Common Agricultural Policy (Pillar I Direct Payments)' the definition of moorland used for analysis purposes was derived from the Land Cover Map 2007 and comprised land cover classed as acid grassland, fen, marsh and swamp, heather, heather grassland, bog, and montane habitats.

An area was classified as moorland if more than 50% of the agricultural land area within a field parcel had this land cover (i.e. the cumulative total of the classes). The DARD land parcel dataset (LPIS) at June 2013 was used to map this agricultural area and reflected the land eligible for Single Farm Payment (SFP) at June 2013. Approximately 141,500ha of this agricultural land was classified as moorland. However, only land falling within the SDA region was defined as moorland for the purposes of the consultation analysis; this amounted to 127,000ha, of which 97,500ha was used to activate SFP entitlements in 2013 (i.e. about 10% of the north of Ireland eligible total).

It should be noted that the area of moorland identified by this mechanism is widely dispersed and while this is sufficient for policy analysis purposes, a major 'ground truthing' exercise would be required before a robust moorland area could be defined for the purposes of administering Pillar 1 direct support payments.

## **MARA Access to Benefits Scheme**

**Mr Beggs** asked the Minister of Agriculture and Rural Development why parts of the rural Woodburn ward are not included in the door-to-door MARA access to benefits scheme.

**(AQW 33238/11-15)**

**Mrs O'Neill:** I refer the member to the response issued to him on 29 April 2014 which is referenced as AQW 32991/11-15.

## Animal Cruelty Offences

**Mr Allister** asked the Minister of Agriculture and Rural Development why there is no central register of those convicted of animal cruelty offences; and what plans exist to address this deficiency.

**(AQW 33243/11-15)**

**Mrs O'Neill:** The Welfare of Animals Act 2011 provides for offences and penalties in relation to animal welfare. There is no provision in the 2011 Act requiring my Department to maintain a central register for those persons convicted of animal welfare offences. However, my Department maintains a register of persons banned from keeping animals based primarily on prosecution cases taken by DARD. I understand that conviction information is available from court records, which feeds into the Department of Justice (DOJ) Criminal Record History database.

Since there are a number of enforcement Agencies responsible for enforcing the Welfare of Animals Act, I believe it is important that each Agency has ready access to up-to-date information in order to check if a person has been disqualified from keeping animals or has any previous animal welfare related convictions.

My officials are working with DOJ officials to establish what information is available from the DOJ criminal history database to facilitate access to animal welfare conviction data. DARD and DOJ officials are currently working together to progress this matter.

## Rural Development Programme: Agri-Environment Schemes

**Mr Agnew** asked the Minister of Agriculture and Rural Development for her assessment of the effect the decision not to transfer funds to the Rural Development Programme will have on agri-environment schemes; and what actions she can take to mitigate against the impact of the loss of funding.

**(AQW 33261/11-15)**

**Mrs O'Neill:** The amount of funding available to the next Rural Development Programme, including agri-environment schemes and its other constituent measures, is not yet confirmed.

While the lack of any transferred funds from Pillar 1 has the potential to reduce the scope and flexibility of the Programme, I am continuing to discuss with my officials how the next Programme can be financed.

My main objective in putting together a balanced package of funding for the next Rural Development Programme is to try to ensure that we improve the competitiveness of our farm and agri food businesses, protect and enhance our environment and countryside, and improve the quality of life in our rural communities.

To help mitigate against a lower Pillar 2 budget than was envisaged, the new agri-environment scheme will continue to be targeted to achieve greatest impact.

Existing agri-environment agreements will be honoured, therefore helping to ensure that environmental benefits associated with ongoing agri-environment schemes can continue to be delivered.

## Rural White Paper: Action Plan

**Mr Swann** asked the Minister of Agriculture and Rural Development whether she will include support for credit unions in the next draft of the Rural White Paper - Action Plan.

**(AQW 33297/11-15)**

**Mrs O'Neill:** I am aware of the wide range of services that credit unions provide to their members. You will appreciate that their work cuts across both rural and urban communities and I have asked my officials to engage with other government Departments, including the Department for Social Development (DSD), to identify what support, if any, can be provided.

In relation to the Rural White Paper Action Plan I can advise that I intend to ask my Executive colleagues to identify within their Departments new and challenging actions for inclusion in a refreshed Action Plan

that will help deliver meaningful outcomes to rural dwellers. Any decision to include support for credit unions in a refreshed Rural White Paper Action Plan will ultimately be a matter for the lead Department.

### **Rural Development Programme**

**Mr Swann** asked the Minister of Agriculture and Rural Development whether she will ensure that the next Rural Development Program will include a mechanism which would allow support for credit unions.  
**(AQW 33298/11-15)**

**Mrs O'Neill:** I consulted on my proposals for the 2014-2020 Rural Development programme during 2013. The consultation set out the proposed support for rural business under the next Rural Development Programme. This support would include Credit Unions that meet the eligibility requirements of the programme.

I recognise the important role that Credit Unions play in strengthening rural communities and my officials will continue to engage with other government Departments, including the Department for Social Development (DSD), to identify what further support, if any, can be provided for Credit Unions.

### **Service Delivery at the Forest Service**

**Mrs Dobson** asked the Minister of Agriculture and Rural Development for her assessment of the impact on service delivery at the Forest Service in relation to the proposed relocation of her departmental headquarters.

**(AQW 33309/11-15)**

**Mrs O'Neill:** There are inevitably some risks that the Forest Service may lose knowledge and experience in the course of its relocation to Fermanagh. For that reason, the Chief Executive of Forest Service is preparing an appropriate staff transition plan that reflects the preferences of existing staff and considers the most effective use of flexible working arrangements so that key services will be protected within a revised business operating model.

Accordingly, I remain firmly of the view that service delivery shall be best served when senior managers and their support staff are better informed about the issues that concern forest users, the timber industry and the Assembly when their headquarters is close to the place where most of the forests are.

### **College of Agriculture, Food and Rural Enterprise, Glenwherry Hill Farm**

**Mr Dunne** asked the Minister of Agriculture and Rural Development how much did the College of Agriculture, Food and Rural Enterprise Glenwherry Hill Farm receive in Single Farm Payments in 2013.  
**(AQW 33413/11-15)**

**Mrs O'Neill:** The College of Agriculture, Food and Rural Enterprise received £186,659.41 for the 2013 Single Farm Payment.

Single Farm Payment is calculated for a whole farm business. Therefore, it is not possible to detail the amount paid on land at Glenwherry Hill Farm separately. This is included in the above amount.

### **Financial Remuneration**

**Mr Buchanan** asked the Minister of Agriculture and Rural Development how many times her Department has provided financial remuneration under the (i) beef; (ii) slaughter; (iii) sheep; and (iv) suckler premium schemes, without a claim being lodged; and to detail the amount paid in each case.  
**(AQW 33498/11-15)**

**Mrs O'Neill:** I am unaware of any financial remuneration, in respect of the above named schemes, without an associated claim having first been received by the Department.

## Common Agricultural Policy

**Mr Swann** asked the Minister of Agriculture and Rural Development, in relation to support for young farmers via the next round of the Common Agricultural Policy, whether a partnership agreement will meet the requirement as defined as 'head of holding'.

**(AQW 33520/11-15)**

**Mrs O'Neill:** To benefit from the Young Farmers' Scheme, EU Regulations require that a young farmer must be head of holding and exercising effective and long-term control over the business in terms of decisions related to management, benefits and financial risks. For multi-member businesses, the EU Regulations state that the young farmer must be capable of exercising this effective and long term control either solely or jointly with other farmers. Partnership arrangements will need to comply with this requirement if the young farmer is to be eligible for support under the Scheme.

The Department is seeking additional clarification from the EU Commission on the detailed practical application of these conditions and will issue further guidance in due course.

## Single Farm Payment: Cattle

**Mr Buchanan** asked the Minister of Agriculture and Rural Development to detail the number of cattle included for a Single Farm Payment, that did not receive a payment in the beef or slaughter special premium schemes.

**(AQW 33525/11-15)**

**Mrs O'Neill:** When Single Farm Payment (SFP) was introduced in 2005, it broke the link between production and support. No cattle are therefore included in the calculation of Single Farm Payment. To receive SFP, a farmer must hold payment entitlements and have eligible agricultural land.

Payment entitlements, which were established in 2005, are made up of two elements, namely a fixed area rate of €78.33 per hectare of eligible land and an individual historic reference amount.

The historic reference amount was, in most cases, based on the farming pattern for each farm business during the reference period, 2000 to 2002 and only included determined animals. In line with the EU legislation governing the calculation of reference amounts, determined animals were those that satisfied the eligibility conditions for the relevant aid scheme after the application of reductions (for example, for ceilings and other quantitative limitations), but before the application of any penalties and sanctions (for example because of discrepancies between the number of animals claimed and number determined). This rule applied to both the Beef Special Premium and Slaughter Premium Schemes. Other schemes that contributed to the calculation of the historic amount were the Suckler Cow Premium Scheme and the Extensification Premium Scheme.

As the reference amount was based on the average number of animals eligible for payment under the livestock schemes during these 3 years, cattle that were considered to be ineligible were not included in this calculation.

## Beef Cattle: Pricing

**Mrs D Kelly** asked the Minister of Agriculture and Rural Development to outline the action her Department is taking in relation to the pricing structures administered by meat processors for beef cattle.

**(AQO 6173/11-15)**

**Mrs O'Neill:** I want to see a strong, profitable red meat sector and that can only be achieved if farmers see a fair return for their quality and traceable produce.

I am aware that some local meat plants have begun introducing significant changes to the pricing structures for cattle. Commercial decisions taken by individual abattoirs are outside my Department's remit. However, given the level of concern, and my own reservations that farmers were being penalised unfairly, I met with representatives of the local processing industry in February and informed them that they needed to re-think these changes.

Clearly robust traceability is the cornerstone of our beef industry. However, it is not fair that farmers who bought animals in good faith should be penalised by these changes in this difficult trading environment.

I also asked the industry to strive for timely and transparent communication with both farming representatives and the wider beef industry. I hope that all elements of the supply chain can work together to get a mutually agreeable resolution on pricing that will ensure a sustainable local beef farming industry, focused on export led growth.

My Department is also offering practical support to help address some of the issues facing this sector. As part of our customer service we can provide herd keepers with a report on the movement history of all cattle in their herd. This information can help farmers to decide if their cattle meet the processors' specifications. DARD can also help facilitate more co-operation and collaboration in beef supply chains, and provide training and advice to improve efficiency in the chain.

I am continuing to monitor this situation and discussed a range of issues affecting the beef sector with Minister Coveney at our recent NSMC meeting. We agreed to continue to work together in this area.

### **Farm Animals: Illegal Dumping**

**Mr P Ramsey** asked the Minister of Agriculture and Rural Development what action she is taking regarding the illegal dumping of dead farm animals.

**(AQO 6177/11-15)**

**Mrs O'Neill:** The disposal of animal carcasses, is required under the Animal By-Products (Enforcement) Regulations (NI) 2011 (ABPER). DARD is the Competent Authority for the implementation of these regulations. 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 the premises.

Animal carcasses pose risks to both animal and public health. The vast majority of farmers in the north dispose of their animal carcasses properly. However there are cases where irresponsible farmers fail to dispose of carcasses on their premises or even dump the carcasses on land or in rivers. When such cases are reported to DARD, local Veterinary staff will establish responsibility and require the proper disposal, if necessary by serving a Statutory Notice and taking enforcement action.

### **CAP: Reform Update**

**Mr Girvan** asked the Minister of Agriculture and Rural Development for an update on the current Common Agricultural Policy reforms, including when they will be finalised.

**(AQO 6180/11-15)**

**Mrs O'Neill:** In the case of Pillar 1 (producer support), I undertook a comprehensive consultation on the policy options arising from the CAP Reform agreement which closed earlier this year. Having considered the responses received, I announced a number of decisions.

On 14 March 2014 I announced my decisions relating to the allocation of entitlements from 2015. On 9 April 2014 I made further announcements which included those relating to eligible land, the minimum holding size for the purpose of both establishing and claiming support, the allocation of new entitlements to farmers who have never held SFP entitlements but who were involved in agricultural production on 15 May 2013, the use of the regional reserve and greening. I also announced that I would not implement the Small Farmers' Scheme nor the Redistributive Payment Scheme.

Last week at Balmoral Show, I announced my decisions regarding the setting of the payment rate and eligibility criteria under the Young Farmers' Scheme, as well as eligibility criteria for awards from the regional reserve for young farmers and new entrants and the capping of payments under the Basic Payment Scheme.

A small number of key decisions about CAP Pillar I still have to be taken, including those that will largely determine the allocation of support to individual farmers from 2015 onwards. Given the importance of

these remaining decisions, it is right that they be agreed by the Executive and so it is my intention to bring my final proposals on these issues to the Executive in the coming weeks. I am, of course, mindful of the 1 August 2014 deadline to notify the EU Commission of our implementation plans and it is most certainly my intention that we will have an agreed CAP Pillar I structure before that date.

### **Cattle: Nomadic Animals**

**Mr Boylan** asked the Minister of Agriculture and Rural Development to outline the measures she has taken to address the issue of nomadic cattle.

**(AQO 6181/11-15)**

**Mrs O'Neill:** I want to see a strong, profitable red meat sector and that can only be achieved if farmers see a fair return for their quality and traceable produce. I also want to see free movement of cattle between the north and south of Ireland.

I am aware of reports that some meat plants in the north are beginning to make significant changes to the pricing structures of cattle. Amongst other things, animals born in the south and subsequently fattened and/or slaughtered in the north, or so-called "nomads", may be considered out of spec and subject to penalty by the processing industry.

Commercial decisions taken by individual abattoirs are outside DARD's remit. However, given the significant concerns in the farming industry, and my own reservations that farmers were being penalised unfairly on this and other issues, I have already met with representatives of the local processing industry and informed them that they needed to re-think these changes. I have also asked the industry to strive for timely and transparent communication with both farming representatives and the wider beef industry, when changes in specification are being proposed.

In addition, my officials are working with counterparts in the south on a project to develop a north-south data exchange for cattle. That will allow full movement histories for cattle traded between the north and south to be available electronically in both jurisdictions providing the information essential to the effective marketing of all our animals.

I am continuing to monitor the position on "nomad" cattle and discussed this and a range of other issues affecting the beef sector with Minister Coveney at our recent NSMC meeting. We agreed to continue to work together in this area.

### **EU School Milk Subsidy Scheme**

**Mr Dunne** asked the Minister of Agriculture and Rural Development for her assessment of the EU School Milk Subsidy Scheme.

**(AQO 6182/11-15)**

**Mrs O'Neill:** I fully support the EU School Milk Subsidy Scheme as it provides positive health benefits for children who drink milk at an early age. Milk and dairy products are an excellent source of nutrients and it is good for children to develop sound eating habits at this early stage of life. That is why, in addition to the EU subsidy, we also provide a national "top-up" subsidy from the Executive's budget to help reduce the cost for participating children.

I am pleased that this Scheme is available to all school children in the north and that all of our Education and Library Boards participate in delivery of the Scheme. As a result delivery arrangements are efficient and economical and costs are kept to a minimum. Whilst overall there is a good level of uptake by nursery, primary and special schools I consider that there is room for improvement. I would therefore encourage every school and every parent of a child at school to avail of the benefits of the Scheme.

Taking account of the fact that the benefits of the Scheme are available to all school children in the north and that there are excellent cost effective delivery arrangements in place, I believe that the Scheme is meeting its objectives within the modest budget available.



## Rural Areas: Maximising Access

**Mr Brady** asked the Minister of Agriculture and Rural Development for an update on the delivery of the Maximising Access in Rural Areas project.

**(AQO 6183/11-15)**

**Mrs O'Neill:** As you will know the MARA project is funded, in the main, by my Department with the Public Health Agency in the lead on delivery. A key aspect to the success of the Project is the involvement of the Community and Voluntary Sector and the project is delivered by 13 Lead Community Organisations. Their role in establishing local project teams in the 286 rural super output areas is essential in both identifying vulnerable households and recruiting the local enablers to carry out the visits.

The target of 12,024 household visits to be completed by November 2014 is on course to be achieved with 11,105 visits already completed and each Lead Organisations on target to meet their specific delivery targets. While 11,105 households have been visited some 12,626 individuals within these households have had an assessment of their needs in respect of grants, benefits and services. This has resulted in 29,587 referrals to various departments and agencies many of which are now coming to fruition and making a very significant impact to the lives of rural dwellers. I look forward to being able to share with you a full assessment of the outcome in due course.

## CAP: Reform Concerns

**Mr Wilson** asked the Minister of Agriculture and Rural Development for her assessment of the level of concern which exists in the farming community over her Department's handling of Common Agricultural Policy reform.

**(AQO 6184/11-15)**

**Mrs O'Neill:** The Common Agricultural Policy and its reforms over the years have been complicated, challenging and in many cases daunting for farmers. CAP is vital to the sustainability of our agricultural industry, yet the complexities associated with the adoption and implementation of the related legislation are immense.

I fully appreciate the concerns that exist within the farming community on the latest reform of the CAP. A central and inescapable element of this reform is that this will require a redistribution of support as we move towards a flat rate payment regime. It will also be a more complex support regime. Therefore, the concerns about the out workings of CAP Reform are understandable. However, the support framework within which we must work is considerably better than that first proposed by the EU Commission. During the CAP Reform negotiations, significant gains were made, for example, more flexibility on moving towards flat rate payments, simplification of the greening requirements, securing the ability to take decisions at regional level and legislative clarity on the conacre issue.

During the entire CAP Reform process, my Department has engaged extensively with the industry. This included consultations, attendance at many stakeholder meetings and the provision of guidance on the DARD website especially in relation to the trading of entitlements on which my decision to extend the deadline to 2 May 2014 was widely supported.

I have already made a substantial number of CAP Reform decisions and these have found broad support from stakeholders. On the outstanding issues which will largely determine the allocation of payments to individual farmers from 2015 onwards, it is my aim to achieve an agreed way forward by 1 August 2014 deadline for notification of these decisions to the EU Commission.

## Rural Development Programme

**Ms McGahan** asked the Minister of Agriculture and Rural Development for an update on the current spend of the Rural Development Programme.

**(AQO 6185/11-15)**

**Mrs O'Neill:** Total expenditure declared to the European Commission under the Rural Development Programme 2007 – 2013 at the end of March 2014 was £439.5m. All areas of the programme are performing well and it is my intention to maximise the drawdown of funds from Europe.

## Department of Culture, Arts and Leisure

### Coarse Fishing: Trophy Fish

**Lord Morrow** asked the Minister of Culture, Arts and Leisure, in relation to coarse fishing in Department maintained waters, to detail (i) the definition of a trophy fish; and (ii) the powers bailiffs have to confiscate any fish taken by an angler which is considered not to be a trophy fish.

**(AQW 33192/11-15)**

**Ms Ní Chuilín (The Minister of Culture, Arts and Leisure):**

- (i) My Department considers that fish with a weight the same as or greater than the specimen weight as designated by the Irish Specimen Fish Committee to be a trophy fish.
- (ii) Fisheries (Conservation of Coarse Fish) Byelaws (NI) 2008 prohibits the retention of more than 4 coarse fish per day and retention of any coarse fish over 25cm. All pike weighing 4kg or more must be returned alive unharmed to the water and no more than one pike per day be retained. Bailiffs have powers to seize any fish found in the possession of a person found or suspected to have committed an offence under fisheries legislation.

### Regulations on Coarse Fishing

**Lord Morrow** asked the Minister of Culture, Arts and Leisure, pursuant to AQW 33014/11-15, since the introduction of the regulation in 2008, how many prosecutions for breaches have taken place per year.

**(AQW 33268/11-15)**

**Ms Ní Chuilín:** The table below indicates the numbers of prosecutions taken by my Department for breaches of the Fisheries (Conservation of Coarse Fish) Byelaws (Northern Ireland) 2008:

Year	Number of Prosecutions
2008	Nil
2009	Nil
2010	Nil
2011	2 (2 convictions)
2012	Nil
2013	3 (3 convictions)
2014	1 case awaiting hearing

### Libraries NI: Workplace Bullying and Levels of Stress

**Mr McGlone** asked the Minister of Culture, Arts and Leisure, in relation to workplace bullying and the levels of stress in Libraries NI, to detail the conclusion of the February 2014 Health and Safety Executive for Northern Ireland 'Report on the Implementation of Management Standards for Work Related Stress'.

**(AQW 33405/11-15)**

**Ms Ní Chuilín:** The management of staff is a matter, in the first instance, for the Board of Libraries NI. Libraries NI has advised that it is conscious of the impact on staff of the scope and pace of change



which has taken place in the organisation since its establishment in 2009. It therefore commissioned a report from the Health and Safety Executive NI (HSE) that identified the issues that contributed to work-related stress and provided proposals for addressing these. The HSE identified six key aspects of work which can contribute to work-related stress, i.e. Demands, Control, Support, Relationships, Role and Change.

Libraries NI has informed me that the conclusions of the report, when comparing Libraries NI's scores with organisational averages resulting from surveys carried out in 136 organisations, showed that the organisation is performing very well in relation to Demands (i.e. in the top 20%). The results further indicate that Libraries NI's performance in relation to Manager and Peer Support and Relationships is good (i.e. in the 51% - 80% range). Below average scores were obtained in the area of Role (21% - 50% range) and Control and Change (in the lower 20% range).

As result of the survey and discussion at focus groups the following priority areas for action were identified:

- Letters of permanent contract.
- Sickness absence procedure.
- Inter-departmental relations.
- Staff appraisal system.
- Communication, management and implementation of change.

Libraries NI has already commenced work to address these issues. For example, the letters of permanent contract have already been issued. Other matters are of a longer term nature. A draft Action Plan has been produced, based on the potential solutions identified by staff during the focus groups. This Action Plan is currently subject to consultation with the trade unions.

## Department of Education

### Language Support Arrangements in Primary Schools

**Mr McNarry** asked the Minister of Education what language support arrangements are in place across primary schools to teach children who do not speak English or Irish as their first language; and to detail the costs of these services in each of the last two years.

**(AQW 33216/11-15)**

**Mr O'Dowd (The Minister of Education):** My Department funds the regional Inclusion and Diversity Service (IDS), which is based in the North Eastern Education and Library Board, to provide advice and support to schools for their newcomer pupils. Further information on the work of IDS support available can be accessed at <http://www.education-support.org.uk/teachers/ids/> Funding provided to IDS cannot be disaggregated by school sector; in the 2012/13 financial year IDS received funding of £816k from my Department and, in 2013/14 the funding was £735k.

Schools also receive an additional element of funding for each Newcomer pupil on their register through the Common Funding Scheme (CFS). As outlined in paragraphs 3.60 to 3.65 of the 2013/14 Common Funding Scheme; newcomer pupils often require extra support, particularly in their first few years of education. For the purposes of designation and subsequent qualification for additional funding under the newcomer factor, schools should use the 'Newcomer, Guidelines for schools' which sets out the criteria for designation and the procedures and best practice to be used. Funding provided to primary schools in each of the last two financial years is outlined below:

**Primary Newcomer pupils and funding CFF 2012/13 and 2013/14**

	CFF 2012/13		CFF 2013/14	
	Newcomer Pupils	Funding	Newcomer Pupils	Funding
Primary schools	5,624.5	£5,695,704	6,384.0	£6,402,989

Figures include nursery class pupils where applicable

**Collegiate School in Enniskillen**

**Mr Allister** asked the Minister of Education why, given its underutilised capacity and over-subscription, is the Collegiate School in Enniskillen continuing to be capped at 500 pupils.

**(AQW 33245/11-15)**

**Mr O'Dowd:** Enniskillen Collegiate has an enrolment number (capacity) of 500 and an associated admissions number of 70. Any significant change in the character or size of a school requires an approved Development Proposal. This would be a matter in the first instance for the school Board of Governors to take forward with the Western Education and Library Board.

**Integrated Education**

**Mr McKay** asked the Minister of Education how he plans to develop integrated education over the next two years.

**(AQW 33276/11-15)**

**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 will continue to provide 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 2014/15 is £191k.

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 £665k has been allocated for 2014/15.

I have met with officials from NICIE twice recently, 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.

**Post-Primary Integrated Schools**

**Mr McKay** asked the Minister of Education to list the post-primary integrated schools that are oversubscribed; and the (i) number; and (ii) percentage by which they are oversubscribed.

**(AQW 33277/11-15)**

**Mr O'Dowd:** Details of the integrated post-primary schools which are oversubscribed with first-preference applications for admission to year 8 in September 2014 are set out in the following table:

Name of School	Admissions Number	1st Pref Apps Received	Number Over	% by which Over-subscribed
Lagan College	200	356	156	78%
New-Bridge Integrated College	100	113	13	13%
Slemish College	120	180	60	50%
Strangford Integrated College	80	122	42	53%
Ulidia Integrated College	80	105	25	31%

### A-Level Politics Students

**Mr McKay** asked the Minister of Education to outline the benefits to A-Level politics students of participation in the democratic process and voting at the age of sixteen.

**(AQW 33278/11-15)**

**Mr O'Dowd:** The Department of Education has not carried out any research into this, however participation in the democratic process and voting at the age of sixteen could be beneficial to those involved in the study of Government and Politics through enhancing students' knowledge and understanding of the operation and political effects of different electoral systems. At present, those studying Government and Politics are required to be aware of the effects of the three different electoral systems that are in operation here: Simple Majority for Westminster elections; Single Transferable vote for Assembly and Local Government elections; and a variation of the distinctive method by which MEPs are elected.

### Funded Pre-School Places

**Mrs Dobson** asked the Minister of Education, in relation to meeting the Programme for Government 2011/15 target to provide a funded pre-school place for all children, whether he intends to build over-capacity into the pre-school system; and if so, how this can be achieved.

**(AQW 33387/11-15)**

**Mr O'Dowd:** The Pre-School Education Advisory Group (PEAG) of each Education and Library Board is responsible for ensuring there is sufficient pre-school provision in their local area. Sufficient funding has been provided by the Department to meet the projected need for pre-school places for the 2014/15 academic year and this will be kept under review as the admissions process progresses.

In 2012/13 and 2013/14, 99.8% of children whose parents remained with the pre-school application process to the end received the offer of a funded pre-school place.

At the end of stage one of the process this year, 95% of children had received the offer of a funded place; 1064 children were unplaced at that stage but there were still more than 1900 places available to meet demand at stage two.

During stage two the PEAGs have secured further places where this was necessary to meet demand. The Department has also approved temporary flexibility for 86 additional places in statutory pre-school settings, where the setting requested it and the PEAG recommended it to meet demand.

### Pre-School Places

**Mr Kinahan** asked the Minister of Education how many children in (i) South Antrim; and (ii) Newtownabbey, were not offered a pre-school place in the last round of applications.

**(AQW 33432/11-15)**

**Mr O'Dowd:** The Chief Executive of the North Eastern Education and Library Board (NEELB) has advised that:

- (i) of the 639 children whose parents applied to pre-school settings in the Antrim Council area 11 children were unplaced at the end of stage one of the admissions process; and
- (ii) of the 1017 children whose parents applied to pre-school settings in the Newtownabbey Council area 28 children were unplaced at the end of stage one of the admissions process.

### **Commissioners at the South Eastern Education and Library Board**

**Mr Storey** asked the Minister of Education, pursuant to AQW 32836/11-15, whether he will request that the Commissioners review their current practice of not meeting in public.

**(AQW 33441/11-15)**

**Mr O'Dowd:** The conduct of business of the South Eastern Education and Library Board (SEELB) Commissioners is set out in their Standing Orders. Provision 4.1 in the Standing Orders advises that the Commissioners can decide to hold some or all of their meetings in public and in accordance with paragraph 12 (2) of Schedule 2 Part II to the Education and Libraries NI Order 1986, these have been approved by the Department.

The Commissioners provide the opportunity for delegations to have input into their meetings and all disclosable papers from their meetings are published on the SEELB website. I have no plans to ask the Board to amend its procedure.

### **Schools: Funding Allocations**

**Mr Storey** asked the Minister of Education, pursuant to AQW 32295/11-15, to list the schools and their funding allocations by (i) sector; and (ii) Education and Library Board.

**(AQW 33442/11-15)**

**Mr O'Dowd:** I have arranged for this information to be placed in the Assembly Library.

### **Careers Education Staff: Boards of Governors**

**Mr Storey** asked the Minister of Education, pursuant to AQW 32585/11-15 what advice his Department currently gives to Boards of Governors on this issue.

**(AQW 33443/11-15)**

**Mr O'Dowd:** It is important that governors are clear about their roles and responsibilities and are in a position to discharge those responsibilities fully and effectively.

The Department's website provides comprehensive guidance on the roles and responsibilities of school governors including their roles and responsibilities in relation to finances, staff, and the curriculum.

### **Boards of Governors**

**Mr Storey** asked the Minister of Education, pursuant AQW 32589/11-15, what advice his Department gives to Boards of Governors on this issue.

**(AQW 33453/11-15)**

**Mr O'Dowd:** It is important that governors are clear about their roles and responsibilities and are in a position to discharge those responsibilities fully and effectively.

The Department's website provides comprehensive guidance on the roles and responsibilities of school governors including their roles and responsibilities in relation to finances, staff, and the curriculum.

## Continuing Professional Development Module

**Mr Storey** asked the Minister of Education, pursuant AQW 32586/11-15, what is the timescale for taking a decision on this issue.

**(AQW 33454/11-15)**

**Mr O'Dowd:** No timescale has been specified for the accreditation of the four training modules but it will be as soon as possible.

## Teacher into Industry Scheme

**Mr Storey** asked the Minister of Education, pursuant to AQW 32587/11-15 what mechanisms are in place to disseminate the learning associated with the Teachers into Industry scheme within the sector.

**(AQW 33455/11-15)**

**Mr O'Dowd:** Dissemination of learning is a key component of the Teachers into Industry Scheme. As part of the application process teachers are required to demonstrate how they intend to disseminate their learning to other teachers, pupils, parents and Governors. Each teacher must answer this question fully having considered a number of ways that dissemination can occur. This can range from full training events, through to meetings, information sessions and school publications.

On completion of the placement they are required to complete an evaluation form which follows up on this and which provides dates and details of the dissemination of their learning to other teachers, pupils, parents and Governors.

## Regional Training Unit

**Mr Storey** asked the Minister of Education, pursuant to AQW 32588/11-15, what role the Regional Training Unit plays in this area.

**(AQW 33456/11-15)**

**Mr O'Dowd:** The Belfast Education and Library Board (BELB) has advised that there has been a discussion recently between the Confederation of British Industry (CBI), the Regional Training Unit (RTU) and the BELB to explore the possibility of a mentoring programme involving Head teachers and Senior Business leaders primarily aimed at improving leadership efficacy but contributing also to wider education and employer links.

## Staffing: Council for Catholic Maintained Schools

**Mr Storey** asked the Minister of Education, pursuant to AQW 32837/11-15, what is the timescale for his decision; and whether TUPE will apply in the event of redundancies.

**(AQW 33457/11-15)**

**Mr O'Dowd:** It is anticipated that the expansion of the capital programme in FY14/15 will necessitate an increase in the technical capability of CCMS. A decision has been made to allocate additional funding of £200k to CCMS for additional staff to accelerate the delivery of the expanded capital programme.

No redundancies are anticipated in relation to this decision.

## Home Education

**Mr Kinahan** asked the Minister of Education what laws are extant to regulate home education.

**(AQW 33473/11-15)**

**Mr O'Dowd:** The legislation which applies to the education of pupils of compulsory school age, including pupils who are receiving elective home education, confers specific powers on both the Education and Library Boards (the Boards) and on parents.

Article 44 of the Education and Libraries (NI) Order 1986 requires that the Boards have regard to the general principle that, so far as is compatible with the provision of efficient instruction and training and the avoidance of unreasonable public expenditure, pupils shall be educated in accordance with the wishes of their parents.

Article 45 (1) of the Education and Libraries (NI) Order 1986 places a duty on parents of children of compulsory school age to ensure that the education provided to their child, whether by regular attendance at school or otherwise – which can include elective home education - is suited to the child's age, ability, aptitude and to any special educational needs the child may have.

Schedule 13 of the Education and Libraries (NI) Order 1986, which makes provision for the enforcement of Article 45 (1), places a duty on the Boards to ensure that children in their area are receiving a suitable education and that parents fulfil their duty in this regard.

Where it appears to a Board that a parent of a child of compulsory school age in its area is failing to perform the duty imposed by Article 45(1), the Board can serve on the parent a notice requiring him/her, within a set period, to satisfy the Board that the child is, by regular attendance at school or otherwise, receiving efficient and appropriate full-time education.

In cases where a parent fails to demonstrate that the education provided meets the child's specific needs the Board may, in accordance with Schedule 13 of the Education and Libraries (NI) Order 1986, serve a School Attendance Order (SAO) on the parent to require that the child becomes a registered pupil at the school named in the order. Where a parent applies for the order to be revoked the Board may do so if the parent has demonstrated that suitable arrangements have been made for the education of the child. If considered necessary, a Board may make application for an Education Supervision Order (ESO) to the Family Proceedings Court. Legal provisions for ESOs and Care Orders are contained in the Children (NI) Order 1995. The effect of an ESO is that the responsibility for securing the child's education is removed from the parents and transferred to the Board named in the order.

The Boards may also provide support to parents who chose to home educate including advice and guidance on suitable learning materials, on training or examination options. The level of training and advisory support will relate to the age and developmental profile of the child.

## Home Education

**Mr Kinahan** asked the Minister of Education to detail the role and responsibilities of Education and Library Boards regarding parents who elect to home educate their children.  
**(AQW 33474/11-15)**

**Mr O'Dowd:** The legislation which applies to the education of pupils of compulsory school age, including pupils who are receiving elective home education, confers specific powers on both the Education and Library Boards (the Boards) and on parents.

Article 44 of the Education and Libraries (NI) Order 1986 requires that the Boards have regard to the general principle that, so far as is compatible with the provision of efficient instruction and training and the avoidance of unreasonable public expenditure, pupils shall be educated in accordance with the wishes of their parents.

Article 45 (1) of the Education and Libraries (NI) Order 1986 places a duty on parents of children of compulsory school age to ensure that the education provided to their child, whether by regular attendance at school or otherwise – which can include elective home education - is suited to the child's age, ability, aptitude and to any special educational needs the child may have.

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him/her, within a set period, to satisfy the Board that the child is, by regular attendance at school or otherwise, receiving efficient and appropriate full-time education.

In cases where a parent fails to demonstrate that the education provided meets the child's specific needs the Board may, in accordance with Schedule 13 of the Education and Libraries (NI) Order 1986, serve a School Attendance Order (SAO) on the parent to require that the child becomes a registered pupil at the school named in the order. Where a parent applies for the order to be revoked the Board may do so if the parent has demonstrated that suitable arrangements have been made for the education of the child. If considered necessary, a Board may make application for an Education Supervision Order (ESO) to the Family Proceedings Court. Legal provisions for ESOs and Care Orders are contained in the Children (NI) Order 1995. The effect of an ESO is that the responsibility for securing the child's education is removed from the parents and transferred to the Board named in the order.

The Boards may also provide support to parents who chose to home educate including advice and guidance on suitable learning materials, on training or examination options. The level of training and advisory support will relate to the age and developmental profile of the child.

## Home Education

**Mr Kinahan** asked the Minister of Education whether primary legislation will result from the current public consultation process being carried out by Education and Library Boards on home education. **(AQW 33475/11-15)**

**Mr O'Dowd:** The Education and Library Boards are seeking to engage in consultation with key stakeholders who have an interest in elective home education for children and young people.

The Boards commenced an open consultation process on the draft elective home education policy on 27th April 2014 which will end on 27th June 2014.

The response to the consultation process will be given due and careful consideration and will help inform future consideration as to the adequacy and appropriateness of existing legislation as it applies to elective home education.

It is too early in the process at the present time to determine if legislative changes may be required.

## Regulation of Home Education

**Mr Kinahan** asked the Minister of Education whether the Assembly and the Education Committee will be given the opportunity to engage in the debate about future regulation of home education, currently subject of a consultation process carried out by the Education and Library Boards. **(AQW 33476/11-15)**

**Mr O'Dowd:** It is important that all of us have an opportunity to engage in this debate, and to do so from the perspective of ensuring that children and their educational needs are at the forefront of our approach to facilitating home education.

I am aware that the Education and Library Boards have begun a consultation on draft guidance to inform how they give effect to the responsibilities that legislation places upon them in this area.

That consultation process provides an opportunity for views and ideas to be provided to the Boards on how they best strike the balance between facilitating parental preference for home education and ensuring that the rights and needs of children themselves are appropriately protected.

I consider the views of the Education Committee to be particularly important in that regard and will be asking the Boards to ensure that they make themselves available to provide briefings to, and answer questions from, the Committee during this process. Assembly Members are of course also free to propose this issue as a topic for debate in the Chamber should they wish to do so.

The Boards will clearly have to refine their guidance informed by this consultation process and I have also made clear that they must submit their revised guidance to the Department for approval before it is finalised.

### Per Capita Allowance for Pupils

**Mr Storey** asked the Minister of Education what is the per capita allowance for pupils by (i) sector; and (ii) Education and Library Board, under the revised Common Funding Formula.

**(AQW 33484/11-15)**

**Mr O'Dowd:** Figures provided below represent average budget per pupil (per capita), distributed in the current 2014/15 year under the revised funding formula arrangements.

All figures represent the formula budget allocations and exclude Transitional funding in 2014/15.

(i) Per Capita funding by sector 2014-15

Controlled Nursery & Primary <sup>(1)</sup>	£2,985
Maintained Nursery & Primary <sup>(2)</sup>	£3,110
Grant-maintained Integrated Primary	£3,057
Controlled Post-primary <sup>(3)</sup>	£4,138
Maintained Post-primary <sup>(4)</sup>	£4,379
Grant-maintained Integrated Secondary	£4,495
Voluntary Grammar <sup>(5)</sup>	£4,188

**Notes:**

- (1) includes controlled integrated primary schools; includes nursery classes within primaries; excludes Irish-medium controlled schools
- (2) includes controlled Irish medium and other maintained schools; includes nursery classes within primaries
- (3) includes controlled Integrated secondary schools; includes Preparatory Departments in controlled grammar schools
- (4) includes one Irish medium secondary school
- (5) includes Preparatory Departments in grammar schools

(ii) Per Capita funding by Education and Library Board

Belfast Education & Library Board	£3,600
North Eastern Education & Library Board	£3,397
South Eastern Education & Library Board	£3,281
Southern Education & Library Board	£3,480
Western Education & Library Board	£3,601

**Notes:**

- a) Above figures exclude Grant-maintained Integrated and Voluntary Grammar schools;
- b) Figures include funding at all phases for ELB controlled and maintained schools



## Free School Transport

**Lord Morrow** asked the Minister of Education for an update on the review into the eligibility criteria for free school transport, including when the review commenced.

**(AQW 33491/11-15)**

**Mr O'Dowd:** I launched the Review of Home to School Transport on 2nd December 2013. The Review is being taken forward by an Independent Panel which, to date, has gathered views and opinions from interested individuals and groups, and collected evidence through a Call for Evidence questionnaire that was available between 13th February and 4th April 2014. The Independent panel is now considering the evidence it has collected and will report its recommendations to me at the end of August 2014.

## Schools: Defibrillator Machines

**Mrs McKeivitt** asked the Minister of Education whether the recently announced deal by the UK Government, to allow schools to buy defibrillator machines at a reduced price, will be extended to local primary and post-primary schools.

**(AQW 33494/11-15)**

**Mr O'Dowd:** The Education and Library Boards and CCMS established an Inter-Board/CCMS working group to consider how to support local schools on the purchase of automatic external defibrillators (AEDs) and with the associated training and guidance required.

I am pleased to advise that a public procurement competition (led by the Western Education and Library Board (WELB) on behalf of all of the Boards) for the supply, delivery and initial commissioning of the AEDs is currently underway. This is a framework tender which will primarily be used by schools, but also Board locations when purchasing AEDs. The closing date for tender submissions is 23 May 2014 and these will be evaluated and a contract awarded as expediently as possible thereafter.

In addition, as training in the safe use of AEDs will be required, the WELB, on behalf of all of the Boards, is also taking forward a tender competition for the provision of training in cardiopulmonary resuscitation (CPR) and in the use of AEDs. It is anticipated that finalised tender documents will be uploaded to eSourcing NI within the coming weeks.

The InterBoard working group has also developed detailed guidance for schools concerning procurement, management and use of a defibrillator within a school environment. The latter guidance will be available to schools following the completion of the defibrillator and training tendering process.

There are no plans to extend the arrangement announced in England to schools here. However, the current public procurement competition for the supply of AEDs will ensure that schools here will be able to purchase AEDs requirements at a competitive price. In addition, the holistic approach adopted by the Inter Board/CCMS group will ensure that training is available to schools to equip them with the skills necessary for the safe use of AEDs and the application of CPR techniques.

## Staff: Return to Work

**Mrs Dobson** asked the Minister of Education for his assessment of the provisions in place to enable teaching and non-teaching staff to engage in a phased return to work following a period of absence.

**(AQW 33501/11-15)**

**Mr O'Dowd:** The Teacher Attendance Procedure (TNC 2008/2) provides that in circumstances where a recommendation is made by the Occupational Health Physician that a phased return to work would assist a teacher, this should where possible, be facilitated by the Principal, in line with the needs of the school. Such arrangements shall normally not last for more than four weeks and normal salary will be paid during a phased return to school.

Phased returns to work are also available to non-teaching staff following a period of long term absence as a means of rehabilitation, in line with agreed Education Library Board's (ELB) Attendance Management Procedures for non-teaching staff in schools. In the event, where an Occupational Health

Physician recommends a phased return to work for a non-teaching member of staff, the ELB will work in partnership with the staff member and school Principal to seek to facilitate such arrangements.

The ELBs and the Council for Catholic Maintained Schools confirm that phased returns for school are managed in line with these agreed procedures.

### **Schools: Contracts with Retail Outlets**

**Mr Kinahan** asked the Minister of Education to list the schools that have exclusive contracts with specific retail outlets for school uniforms and sports gear.

**(AQW 33528/11-15)**

**Mr O'Dowd:** The Department's guidance on school uniforms, which was issued to schools in March 2011, makes clear that schools should ensure that their uniform is widely available in High Street shops and other retail outlets, and internet suppliers rather than from an expensive sole supplier.

Whilst the Department does not hold or collect the information requested the issue of the use of restrictive was investigated by the Office of Fair Trading (OFT) in 2006 with a further review undertaken in 2012. The findings of the 2012 survey indicated that 74% of schools in England, Scotland, Wales and the north of Ireland continued to place restrictions on where uniforms could be bought.

It is unacceptable that some schools here continue to engage in restrictive practices in the supply of school uniforms. Consequently, I wrote to the OFT in January to enquire whether the OFT planned to take action to address the use of restrictive practices or to undertake a further survey on such arrangements.

Whilst the OFT advised that there were no plans at that time to carry out further work in this sector I understand that a copy of my correspondence has been passed by the OFT to the recently established Consumer and Markets Authority (CMA).

### **Pre-School Places**

**Mrs Cochrane** asked the Minister of Education what consideration his Department has given to (i) the introduction of a central, points-based application system for pre-school places; (ii) ensuring consistency of entrance criteria for such pre-school places; and given his commitment to provide one year of pre-school education for all, (iii) restructuring the pre-school application system so that it is in line with the process for enrolment in Primary One.

**(AQW 33532/11-15)**

**Mr O'Dowd:** I have consistently encouraged all parents to participate in the Pre-School Education Programme (PSEP) and, to that end, I want to make the application process as straightforward as possible. I have already introduced a two-stage admissions system from 2011/12 to allow parents who might not initially have obtained a pre-school place to submit further applications.

The Review of the Pre-School Admissions Arrangements includes an action requiring the Department to undertake to improve the applications experience for parents, and the efficiency of the process through centralised administration and the greater use of technology.

This action will be taken forward under Learning to Learn. In developing proposals my officials will take into consideration a range of issues, including the benefits of a central application system; the appropriateness of consistent entrance criteria; and whether the pre-school application system should be restructured in line with the process for enrolment in Primary One. Emerging proposals will, however, need to respect the unique characteristics of the PSEP, namely that it is non-compulsory, covers one year only and is provided in both statutory and non-statutory settings.

## Newly-Qualified Teachers

**Mrs Cochrane** asked the Minister of Education whether he has assessed the possibility and implications of employing newly-qualified teachers in voluntary or private playgroup settings.  
(AQW 33534/11-15)

**Mr O'Dowd:** Individual voluntary and private playgroup settings are responsible for employing their own staff in accordance with minimum standards set by the Department of Health, Social Services and Public Safety. This is not, therefore, an area over which I have direct responsibility.

## Home to School Transport

**Mr Kinahan** asked the Minister of Education, other than the Call for Evidence, how the views of stakeholders, including children and young people, have been taken into consideration in relation to the issue of home to school transport.

(AQW 33582/11-15)

**Mr O'Dowd:** In addition to the Call for Evidence, the Home to School Transport Review Panel has engaged extensively with stakeholders during the course of the Review. They have met with over 80 organisations, including the key stakeholders of Education and Library Boards, Translink, schools and sectoral bodies as well as receiving briefings and meeting with a number of government departments, including those in other jurisdictions. It has also consulted with many young people on a cross sector and cross community basis. The views from all these contacts will inform the Panel as they make their recommendations.

## Drumragh Integrated College

**Mr Storey** asked the Minister of Education what are the implications for area planning of the recent judgement on the development proposal submitted by Drumragh Integrated College in Omagh.  
(AQW 33586/11-15)

**Mr O'Dowd:** I note the Court's judgement. I await a detailed assessment by Senior Crown Counsel of the learned Judge's decision and its implications for the work of the Department. I will give careful consideration to that assessment when I receive it.

## Drumragh Integrated College

**Mr Storey** asked the Minister of Education for his assessment of the judgement on Drumragh Integrated College's proposal, in particular that the needs model itself is just an analytical tool.  
(AQW 33588/11-15)

**Mr O'Dowd:** I note the Court's judgement. I await a detailed assessment by Senior Crown Counsel of the learned Judge's decision and its implications for the work of the Department. I will give careful consideration to that assessment when I receive it.

## Pupils Who do Not Have English or Irish as a First Language

**Mr McNarry** asked the Minister of Education, pursuant to AQW 33153/11-15, what are the first languages of these 9,730 children.  
(AQW 33612/11-15)

**Mr O'Dowd:** The first language of the 9,730 pupils in primary schools and preparatory departments (including nursery units and reception) that do not have English or Irish as their first language, and the numbers of pupils recorded for each, are detailed in the table below.

Polish	3198
Lithuanian	1371

Portuguese	593
Malayalam	472
Tagalog/Filipino	353
Latvian	305
Slovak	272
Chinese (Mandarin/Putonghua)	235
Chinese (Cantonese)	209
Arabic	199
Russian	199
Hungarian	172
Romanian	154
Tetum	143
Hindi	137
Spanish	110
Chinese (Any Other)	99
Urdu	99
Bengali/Bangla/Sylheti	91
Romany	83
Somali	80
Bulgarian	77
French	67
Czech	63
Tamil	63
German	59
Telugu	59
Panjabi	52
Thai	50
Malay/Indonesian	47
Italian	39
Albanian/Shqip	36
Pashto/Pakhto	32
Yoruba	32
Shona	31
Dutch/Flemish	29
Afrikaans	24

Nepali	24
Edo/Bini	23
Turkish	22
Gujarati	19
Marathi	19
Greek	18
Japanese	15
Fijian	13
Korean	13
Persian/Farsi	9
Ukrainian	9
Finnish	8
Igbo	8
Swedish	8
Kannada	7
Pahari/Himachali (India)	7
Xhosa	7
Swahili/Kiswahili	6
Slovenian	5
Akan/Twi-Fante	*
British Sign Language	*
Chinese (Hokkien/Fujianese)	*
Creole English	*
Creole French	*
Danish	*
Estonian	*
Icelandic	*
Kurdish	*
Luganda/Ganda	*
Macedonian	*
Maltese	*
Ndebele	*
Oriya	*
Rajasthani/Marwari	*
Serbian/Croatian/Bosnian	*

Sinhala/Sinhalese	*
Tsonga	*
Tswana/Setswana	*
Vietnamese	*
Welsh/Cymraeg	*
Zulu	*
Other Language	109
<b>Total</b>	<b>9730</b>

**Source:** NI school census

\* denotes fewer than 5 pupils

## Department for Employment and Learning

### Individuals on Job Seekers Allowance: Canvassing

**Mr Swann** asked the Minister for Employment and Learning to detail any (i) scheme or program supported or delivered by his Department which would allow a political party to employ individuals on Job Seekers Allowance to canvas for them during elections; and (ii) political party utilising these schemes or programs.

**(AQW 33212/11-15)**

**Dr Farry (The Minister for Employment and Learning):** My Department provides a range of schemes and programmes to support those in receipt of benefit to find work. Steps to Work (StW) is my Department's main adult return to work programme. The programme is available, throughout Northern Ireland, to anyone aged 18 years or over (aged 16 or over in the case of a lone parent) who is unemployed or economically inactive with the aim of assisting them find and remain in employment.

StW guidance specifically excludes programme participants from "any activity which is likely to be seen as indoctrinating or as promoting a particular political, religious or other controversial viewpoint". The Department would consider canvassing to be a political activity and as such would not allow the programme to be used for this purpose.

Access to strands of StW provision may be made available to political parties wishing to provide eligible Jobseeker's Allowance claimants with appropriate work experience or subsidised employment opportunities for purposes other than those excluded above.

While politicians and political parties utilise StW provision by offering work experience placements and subsidised employment opportunities programme information is not gathered in a format that would facilitate the provision of validated statistical data broken down by political party.

The Youth Employment Scheme (YES) has been introduced to address high levels of unemployment among young people in Northern Ireland. This is a voluntary scheme designed to help young people aged 18 to 24, develop the skills needed to get a job.

Whilst current staff guidance for this element of the Youth Employment Scheme does not specifically prevent a political party offering individuals on Jobseeker's Allowance a placement that involves canvassing during elections, canvassing has not been included in the above placement specifications.

However, in order both to provide clarity and in line with the Steps to Work programme, staff guidance has been revised to ensure that future YES placements must not include canvassing for elections as part of the placement activity. This revised guidance issued on 8 May 2015.

## Undergraduate Students

**Mr McElduff** asked the Minister for Employment and Learning what action his Department is taking to remove barriers for students at undergraduate level on a north/south basis.

**(AQW 33259/11-15)**

**Dr Farry:** My Department has established a project team, as part of the Graduating to Success implementation plan, to facilitate cross-border cooperation and student mobility.

A key part of this project is addressing four of the nine recommendations from the Irish Business and Employers Confederation and the Confederation of British Industry (IBEC-CBI) Joint Business Council study of obstacles to cross-border undergraduate education.

In relation to these four recommendations, work is being undertaken by my Department's Careers Service, UCAS, the Central Applications Office and the Northern Ireland Schools and Colleges Careers Association to ensure that students have access to relevant, up to date information on higher education opportunities in the UK and the Republic of Ireland.

An anomaly in relation to student finance has been resolved and since 2013 students from Northern Ireland studying in the Republic of Ireland have had access to a repayable Student Contribution loan and other financial support.

The Department of Education is in the lead on work regarding A Level and Leaving Certificate equivalences and, together with my Department, has been pursuing this issue for a number of years. I discussed this at a recent meeting with Minister Quinn and he advised that while the Irish Universities Association continues to consider the position at a strategic level, a number of individual universities are considering interim measures to attract Northern Ireland students.

There has been progress on this issue, with Dublin City University announcing the launch of the McAleese Scholarships to provide up to forty scholarships for students from Northern Ireland, and Trinity College Dublin also considering an access programme. I welcome support from Minister Quinn and his Department in trying to achieve an equitable solution to this issue.

Preparatory work has been undertaken in relation to research on cross border student flows and the impact of future demographics to inform policy development. . Departmental officials have agreed with colleagues in the Higher Education Authority on joint input to a formal report on North South student flows to be prepared for the Ministers in both jurisdictions.

## Student Union

**Mr Weir** asked the Minister for Employment and Learning what is the current position for students regarding (i) automatic membership of NUS-USI; and (ii) membership of their university student union.

**(AQW 33339/11-15)**

**Dr Farry:** It was necessary for Departmental officials to contact the National Union of Students - Union of Students Ireland (NUS-USI) in respect of this matter. They advised that membership of NUS-USI is on an organisational rather than an individual basis. If an institution has a Students' Union, all students are automatically members of that students' union. The Students' Unions are the members of NUS-USI, and not the students themselves.

Individual Students' Unions decide themselves how they will make the decision to opt in or out of membership of NUS-USI. The decision could take the form of a referendum of students, student representatives taking the decision, or the decision being taken by another means.

Queen's University Belfast advised that once students register with the university they receive a Students' Union card and are, therefore, automatically members of the Students' Union. The students may not necessarily take part in union business but there is no process in place to allow them to opt out of being members.

University of Ulster students are automatically granted membership of the Students' Union when they register with the University. Students can opt out of membership of their Students' Union by writing formally to the President of the Students' Union. It is important to note that in doing so they would be unable to utilise the formal representation structures typically available to students such as sabbatical representation at academic appeals or student disciplinary meetings.

University of Ulster advised that its Students' Union is affiliated to NUS-USI on a three yearly basis. A referendum was last held in 2012 and is due again in 2015.

Students as individuals do not, under current constitutional structures, have the ability to disaffiliate with NUS-USI. This is due to the affiliation of the University of Ulster Students' Union with NUS-USI as a corporate body, leaving its membership indirect members of NUS-USI rather than direct ones.

## Student Union

**Mr Weir** asked the Minister for Employment and Learning the process for allowing students to opt in or out of membership of (i) their student union; and (ii) NUS-USI.

**(AQW 33340/11-15)**

**Dr Farry:** It was necessary for Departmental officials to contact the National Union of Students - Union of Students Ireland (NUS-USI) in respect of this matter. They advised that membership of NUS-USI is on an organisational rather than an individual basis. If an institution has a Students' Union, all students are automatically members of that students' union. The Students' Unions are the members of NUS-USI, and not the students themselves.

Individual Students' Unions decide themselves how they will make the decision to opt in or out of membership of NUS-USI. The decision could take the form of a referendum of students, student representatives taking the decision, or the decision being taken by another means.

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Students as individuals do not, under current constitutional structures, have the ability to disaffiliate with NUS-USI. This is due to the affiliation of the University of Ulster Students' Union with NUS-USI as a corporate body, leaving its membership indirect members of NUS-USI rather than direct ones.

## Department of Enterprise, Trade and Investment

### InvestNI: Funding

**Mrs Dobson** asked the Minister of Enterprise, Trade and Investment how InvestNI ensure that funding provided to local companies does not result in the displacement of jobs and investment.

**(AQW 33231/11-15)**

**Mrs Foster (The Minister of Enterprise, Trade and Investment):** Under both national and EU rules, Invest NI cannot assist any project where there is a likelihood of job displacement.



While displacement can be caused in any sector or by any company, it is most likely to occur in locally-focused and cost-competitive businesses and sectors or in the provision of local services. All proposals brought forward to Invest NI for support are formally assessed for potential displacement issues and to ensure that they comply with the national and European rules.

### **InvestNI: Funding**

**Mrs Dobson** asked the Minister of Enterprise, Trade and Investment (i) for her assessment of the displacement of jobs and investment within local businesses as a result of funding provided to local companies by InvestNI; and (ii) whether a mechanism exists to recoup public funding if displacement occurs.

**(AQW 33232/11-15)**

**Mrs Foster:**

- (i) Under both national and EU rules, Invest NI cannot assist any project where there is a likelihood of job displacement. While displacement can be caused in any sector or by any company, it is most likely to occur in locally-focused and cost-competitive businesses and sectors or in the provision of local services. All proposals brought forward to Invest NI for support are formally assessed for potential displacement issues and to ensure that they comply with the national and European rules.
- (ii) Should any EU State Aid rule be breached, any sector, company or individual could seek redress through the European Commission.

### **European Consultation on Community Framework for State Aid, for Research, Development & Innovation**

**Mr Swann** asked the Minister of Enterprise, Trade and Investment what response her Department provided to the European consultation on Community Framework for State Aid, for Research, Development & Innovation.

**(AQW 33324/11-15)**

**Mrs Foster:** The UK response to the European Commission's consultation on the Framework for Research, Development and Innovation can be accessed via the following weblink. [http://ec.europa.eu/competition/consultations/2013\\_state\\_aid\\_rdi/index\\_en.html](http://ec.europa.eu/competition/consultations/2013_state_aid_rdi/index_en.html)

All State aid consultation exercises are undertaken at a Member State level, with the Department of Business Innovation and Skills (BIS) taking the lead in drafting the UK's response on the exercises relating to the 'industrial' State aid rules. Officials from the Devolved Administrations and other Whitehall departments are consulted by BIS throughout the drafting process.

### **InvestNI's Propel Programme**

**Mr Eastwood** asked the Minister of Enterprise, Trade and Investment to detail the number of applicants to InvestNI's Propel Programme broken down by constituency.

**(AQW 33333/11-15)**

**Mrs Foster:** Invest NI does not hold the breakdown of applicants by constituency for the full duration of this programme. However, we are able to provide the breakdown on the basis of Invest NI regional office area. The breakdown by Regional Office area is provided in the table below:

#### **Regional Distribution of Applicants to the Propel Programme 2009-2014**

<b>Invest NI Region</b>	<b>Number</b>
East (Ards, Belfast, Castlereagh, Lisburn, and North Down)	194
Southern (Armagh, Banbridge, Craigavon, Down, and Newry & Mourne)	99

<b>Invest NI Region</b>	<b>Number</b>
Western (Cookstown, Dungannon, Fermanagh, Omagh, and Strabane)	59
North East (Antrim, Ballymena, Ballymoney, Carrickfergus, Larne, Moyle, and Newtownabbey)	71
North West (Coleraine, Londonderry, Limavady, and Magherafelt)	70
USA <sup>1</sup>	2
GB <sup>1</sup>	2
ROI <sup>1</sup>	5
<b>Total</b>	<b>502</b>

**Note:**

- 1 Propel applications are permissible from people based in any country. However, the participant must commit to establishing the resultant business within Northern Ireland.

**InvestNI's Propel Programme**

**Mr Eastwood** asked the Minister of Enterprise, Trade and Investment to detail the number of successful (i) female; and (ii) male applicants to InvestNI's Propel Programme broken down by constituency.

**(AQW 33334/11-15)**

**Mrs Foster:** The breakdown of successful applicants by gender is provided in the table below:

**Invest NI Number of Successful Males and Females that have participated in the Propel Programme 2009 - 2014 (CCMS Reporting)**

<b>PCA</b>	<b>Number</b>	<b>Male</b>	<b>Female</b>
Belfast East	17	13	4
Belfast North	9	6	3
Belfast South	31	25	6
Belfast West	3	3	0
East Antrim	4	4	0
East Londonderry	4	3	1
Fermanagh and South Tyrone	10	5	5
Foyle	10	10	0
Lagan Valley	9	7	2
Mid Ulster	5	5	0
Newry and Armagh	12	9	3
North Antrim	2	0	2
North Down	5	3	2
South Antrim	8	6	2
South Down	13	12	1

PCA	Number	Male	Female
Strangford	4	2	2
Upper Bann	6	4	2
West Tyrone	6	3	3
<b>Total</b>	<b>158</b>	<b>120</b>	<b>38</b>

It is helpful to set female participation figures on the Propel Programme in context. The latest findings in the Global Entrepreneurship Monitor (GEM) 2013 report show that in 2013, 1.1 per cent of women in Northern Ireland expected to start a business in the next 3 years compared to 5.8 per cent of men. It is encouraging that Propel participation rates of 24% female and 76% male represent a more positive ratio than the female entrepreneurial activity findings from GEM.

### InvestNI's Propel Programme

**Mr Eastwood** asked the Minister of Enterprise, Trade and Investment to detail the number of (i) female; and (ii) male applicants to InvestNI's Propel Programme broken down by constituency.

**(AQW 33335/11-15)**

**Mrs Foster:** Invest NI does not hold the breakdown of applicants by constituency for the full duration of this programme. However, we are able to provide the breakdown on the basis of Invest NI regional office area. The breakdown by gender and Regional Office area is provided in the table below:

#### Regional Distribution of Applicants to the Propel Programme by Gender 2009 - 2014

Invest NI Region	Number	Female	Male
East	194	50	144
Southern	99	17	82
Western	59	20	39
North East	71	17	54
North West	70	14	56
USA <sup>1</sup>	2	0	2
GB <sup>1</sup>	2	0	2
ROI <sup>1</sup>	5	1	4
<b>Total</b>	<b>502</b>	<b>119</b>	<b>383</b>

**Note:**

- 1 Propel applications are permissible from people based in any country. However, the participant must commit to establishing the resultant business within Northern Ireland.

### InvestNI's Propel Programme

**Mr Eastwood** asked the Minister of Enterprise, Trade and Investment to detail the number of successful applicants to InvestNI's Propel Programme broken down by constituency.

**(AQW 33336/11-15)**

**Mrs Foster:** The number of successful applicants broken down by parliamentary constituency area is provided in the table below:

### Invest NI Number of Successful Applicants that have participated in the Propel Programme 2009 - 2014

PCA	Number
Belfast East	17
Belfast North	9
Belfast South	31
Belfast West	3
East Antrim	4
East Londonderry	4
Fermanagh and South Tyrone	10
Foyle	10
Lagan Valley	9
Mid Ulster	5
Newry and Armagh	12
North Antrim	2
North Down	5
South Antrim	8
South Down	13
Strangford	4
Upper Bann	6
West Tyrone	6
<b>Total</b>	<b>158</b>

### Petroleum Licence PL2/10

**Mr Agnew** asked the Minister of Enterprise, Trade and Investment given the controversy relating to the deferral of ceasing of the petroleum licence PL2/10, in the event of failure to meet the conditions of Part 1 of the initial term of the licence, whether she will bring the decision on whether to cease the licence to the Executive.

**(AQW 33364/11-15)**

**Mrs Foster:** No. This is a matter for DETI to administer in accordance with the relevant enabling legislation.

### Jobs Fund in East Londonderry

**Mr Campbell** asked the Minister of Enterprise, Trade and Investment, as of the most recent date for which figures are available, to detail the number of jobs (i) promoted; and (b) created from the Jobs Fund in East Londonderry in the last twelve months.

**(AQW 33373/11-15)**

**Mrs Foster:** The most recent figures available for a full twelve month period are from the 2012/13 financial year. Figures for the recently completed 2013/14 financial year will be available in the near future.

In 2012/13 the Jobs Fund (i) promoted 67 jobs and (ii) created 40 jobs in East Londonderry.

Please note that projects are implemented across a period of several years. Therefore a proportion of the jobs created during this 12 month period relate to jobs which were promoted in an earlier period.

Businesses which have been supported by the Jobs Fund in East Londonderry include Annie's Traditional Food which received support to create 10 new jobs, and Season Harvest which was supported to also create 10 new jobs.

### **Tamboran Resources: Drilling**

**Mr Flanagan** asked the Minister of Enterprise, Trade and Investment what commitments Tamboran Resources made in May 2012 when requesting a change in work programme to drill a stratigraphic borehole; and to detail (i) whether they demonstrated that they had purchased the necessary land and had the necessary finance and company structures in place; (ii) what due diligence was carried out by her Department with respect to commitments from Tamboran Resources, including having the necessary finance and company structures in place; and (iii) when her Department first became aware that Tamboran Resources would not be able to meet their work programme commitments in the terms set down in the licence.

**(AQW 33376/11-15)**

**Mrs Foster:** The information which applicants for a petroleum licence are required to submit to DETI, to enable DETI to assess the company's financial and technical viability and capacity, are set out in DETI's "Guidance to Applicants" document.

The work programme described in a Petroleum Licence outlines the work proposed at the time of Licence award. However, it is the nature of exploration that companies may require to make changes to work programmes.

Where changes are proposed, companies are required to submit such further information to DETI as is required to satisfy the Department that the company continues to have the necessary capability to take forward the changes.

In May 2012 DETI approved a variation to Tamboran's work programme because DETI was satisfied that, from a technical point of view, substituting one deep stratigraphic borehole for a number of shallower ones made good sense.

The Company has satisfied DETI that it has the financial capacity to carry out this revised work programme.

The company would not have been expected to have purchased land in advance of DETI approving its request to modify the work programme.

When the company submits its application to DETI for "consent to drill", it will be required to demonstrate that it has the appropriate managerial structure and operational competence to carry out the drilling operations.

The company submitted a written request to DETI for a 6-month extension to Part 1 of its work programme on 19 February 2014.

### **Northern Ireland Tourist Board: Milk Cup**

**Mr Swann** asked the Minister of Enterprise, Trade and Investment whether she is aware that the Northern Ireland Tourist Board has only made an offer of support to the Milk Cup for 2014 to 2016, which shows an award of 48 per cent of the claim lodged.

**(AQW 33412/11-15)**

**Mrs Foster:** A Letter of Offer was sent to The Milk Cup offering £170,730 over three years with the first year's award being £63,000.

In 2013/14 The Milk Cup received an award of £25,000 from The Northern Ireland Tourist Board therefore the new offer, in year one alone, is a substantial 152% increase on the previous year's award.

## Control of Noise at Work Regulations

**Mr McGimpsey** asked the Minister of Enterprise, Trade and Investment to detail the inspection procedure of the Health and Safety Executive Northern Ireland to ascertain breaches of the Control of Noise at Work Regulations.

**(AQW 33424/11-15)**

**Mrs Foster:** Inspectors in the Health and Safety Executive for Northern Ireland (HSENI) will identify potential issues relating to noise at work during proactive inspection of premises. HSENI will also investigate complaints made by an employee or union safety representative regarding noise at work.

Where issues are identified the employer will be requested to address these in line with the requirements of the regulations.

If appropriate action is not taken by the company HSENI will consider the use of an improvement notice, requiring the company to comply with specific regulations. Breach of an improvement notice may result in criminal proceedings.

Where a complaint is made by a member of the public regarding noise emanating from an industrial premises, the Control of Noise at Work Regulations (Northern Ireland) 2006 do not apply. In such circumstances complainants are advised to contact their local council who may act under the Noise Act 1996.

## Control of Noise at Work Regulations

**Mr McGimpsey** asked the Minister of Enterprise, Trade and Investment to detail the number of enforcement proceedings taken forward by the Health and Safety Executive Northern Ireland under the Control of Noise at Work Regulations, in each of the last five years.

**(AQW 33425/11-15)**

**Mrs Foster:** The Health and Safety Executive for Northern Ireland has not needed to serve any notices or instigate any prosecutions under the Control of Noise at Work Regulations during the past 5 years.

## Control of Noise at Work Regulations

**Mr McGimpsey** asked the Minister of Enterprise, Trade and Investment how many employers have been subject to investigation for breaches of the Control of Noise at Work Regulations, in each of the last five years.

**(AQW 33426/11-15)**

**Mrs Foster:** The Health and Safety Executive for Northern Ireland has undertaken investigations into 73 noise at work related complaints in the past 5 years as detailed below.

Year	Number of Investigated Complaints
2013	12
2012	17
2011	14
2010	20
2009	10

## Control of Noise at Work Regulations

**Mr McGimpsey** asked the Minister of Enterprise, Trade and Investment how many employers are currently subject to enforcement proceedings by Health and Safety Executive Northern Ireland under the Control of Noise at Work Regulations.

**(AQW 33427/11-15)**

**Mrs Foster:** There are no employers currently subject to enforcement proceedings by the Health and Safety Executive for Northern Ireland under the Control of Noise at Work Regulations (Northern Ireland) 2006.

## Administrators to Acheson & Glover, Fivemiletown

**Ms McGahan** asked the Minister of Enterprise, Trade and Investment whether she has been in contact with the administrators to Acheson & Glover, Fivemiletown to ensure that the jobs of the 400 employees are safeguarded.

**(AQW 33435/11-15)**

**Mrs Foster:** My Department has been in touch with Acheson & Glover Limited and confirm, Acheson & Glover Group Limited, is a non-trading Holding Company that owns Acheson & Glover Limited and Acheson & Glover Precast Limited. It was placed into Administration on 2 May 2014.

The joint administrators from BDO are in the process of completing the sale of the trading subsidiaries to a new company owned by Raymond Acheson who has headed the business for more than 30 years.

This will enable the trading businesses to continue as normal without any impact on staff, suppliers or customers.

## Giro d'Italia Grande Partenza

**Mr Flanagan** asked the Minister of Enterprise, Trade and Investment how many people watched the Giro d'Italia Grande Partenza on television.

**(AQW 33446/11-15)**

**Mrs Foster:** The Northern Ireland Tourist Board does not currently have access to this information. Actual viewing figures will not be known until after the post event evaluation is completed. Financial Assistance to Purchase Wood Pellets for Burners

**Mr Moutray** asked the Minister of Enterprise, Trade and Investment when financial assistance to purchase wood pellets for burners will be made available, given that England, Scotland and Wales have recently announced assistance.

**(AQW 33502/11-15)**

**Mrs Foster:** The Department of Energy and Climate Change has recently introduced a domestic Renewable Heat Incentive (RHI) scheme in England, Scotland and Wales. The scheme provides homeowners with ongoing incentive payments for the installation and operation of renewable heat technologies, such as biomass boilers, heat pumps and solar thermal panels.

DETI has consulted on proposals for a domestic RHI in Northern Ireland and is in the process of finalising plans for introduction. The scheme will be similar to the scheme launched in GB in that payments will be made to homeowners over a number of years and will be designed to ensure the additional costs of installing renewable heat technologies are recovered by the applicant.

In the interim, my Department has been administering a grant scheme for domestic customers wishing to install renewable heat technologies. The Renewable Heat Premium Payment (RHPP) scheme was launched in May 2012 as a forerunner to a domestic RHI in NI. As of 13 May 2014 over 1700 applications have been made and over 1200 have received offers. This represents support of £2.3 million towards a total investment in the sector of over £7.7 million.



## Department of the Environment

### Quarries: Tarmac Plant

**Mr McGimpsey** asked the Minister of the Environment how many quarries are currently operating in each council area; and of these, how many operate a tarmac plant.

**(AQW 32936/11-15)**

**Mr Durkan (The Minister of the Environment):** Tarmac is a type of road surfacing material; it may also be used when referring to other materials including bitumen and asphalt. As such the Department has considered all types of coated road stone plant.

Then number of quarries currently operating in each council area, as well as the number of these operating a tarmac plant, are detailed in the attached table at Annex A.

### Annex A

Council Area	Number of Quarries Operating	Number of Tarmac Plants
Ards	5	3
Armagh	13	3
Ballymena	5	2
Ballymoney	4	2
Banbridge	4	2
Belfast		1
Carrickfergus	1	
Castlereagh	1	
Coleraine	4	2
Cookstown	16	2
Craigavon	2	
Derry	10	
Down	3	1
Dungannon & South Tyrone	6	
Fermanagh	17	2
Larne	3	
Limavady	3	
Lisburn	2	2
Magherafelt	5	2
Moyle	1	
Newry & Mourne	12	3
Newtownabbey	2	3
North Down		1

<b>Council Area</b>	<b>Number of Quarries Operating</b>	<b>Number of Tarmac Plants</b>
Omagh	17	1
Strabane	16	
<b>Total</b>	<b>152</b>	<b>32</b>

Please note some plant may be registered in one council area and the quarry within a different council area, due to the location of quarries straddling council boundaries. Therefore some of these entries are showing as blank.

### **Moratorium on Lignite Extraction**

**Mr Swann** asked the Minister of the Environment for an update on the current moratorium on lignite extraction in place in North Antrim.

**(AQW 33036/11-15)**

**Mr Durkan:** My Department has no planning moratorium on the extraction of lignite in North Antrim. This is a matter for the DETI Minister to respond to in respect of any potential prospecting licenses for such development.

### **River Faughan Special Area of Conservation: Pollution**

**Mr Agnew** asked the Minister of the Environment who can be held responsible for the pollution emanating from the illegal landfill at Mobuoy Road into the tributary of the River Faughan Special Area of Conservation now the City Waste Company has been closed down by his predecessor.

**(AQW 33131/11-15)**

**Mr Durkan:** The pollution emanating from the landfill at Mobuoy Road is subject to criminal proceedings and due process. It will ultimately be a matter for the courts to determine responsibility for the pollution being caused.

The Northern Ireland Environment Agency (NIEA) is taking a structured approach in dealing with the waste issues on the Mobuoy Road site. In the past nine months, works at the site have focused on removing waste materials from the City Waste Materials Recovery Facility (MRF) site and implementing immediate works to try and capture polluting liquids and leachate from reaching surrounding watercourses.

A significant volume of contaminated surface water is currently being directed to a cut-off drain on the site and removed on a regular basis through tankering from the City Waste site. This contaminated liquid is treated at a local Wastewater Treatment Works, working in conjunction with Northern Ireland Water. To date 1,426,435 litres of leachate has been removed from the site. The cost of both actions is in the region of £800,000.

In addition, NIEA is undertaking environmental monitoring of the water quality in rivers upstream, in the middle of and downstream from the site, including the River Faughan, with samples being collected on a monthly basis and the watercourse being visually inspected weekly. No significant pollution has been identified in the River Faughan.

There has been some pollution in the local stream adjacent to the site. However, a visual inspection by NIEA staff in April noted that this has receded. This may be due in part to the works undertaken to remove leachate or it may also be due to low levels of rainfall causing lower levels of infiltration at the site.

NIEA will continue to monitor the water quality in the local watercourses whilst developing both an extensive plan to clearly identify the risk of further leachate impacting on local environmental receptors and a management plan for resolving the issues in both the short and medium term.

A tender is currently being developed to manage the medium and long term options for the site and it is hoped this will be place by September.

## Community Benefits Summit

**Mr Flanagan** asked the Minister of the Environment (i) to list the actions agreed by his predecessor during the Community Benefits Summit in June 2013; and (ii) for an update on how each action has progressed.

**(AQW 33188/11-15)**

**Mr Durkan:** The aim of the Summit, convened by my predecessor Alex Attwood, was to explore what more could be done to further Community Benefit through planning. Community Places prepared a report on the Summit which identified three broad areas or 'next step actions'. These were:

- 1 Policy and Practice:
  - to develop a guidance circular on planning and Community Benefit;
  - identify and promote good practice to communities;
  - introduce an assessment of Community Benefit opportunity (separate from Pre Application Discussions) early in the process;
  - escalate the range of Community Benefit opportunities - especially through Article 40;
  - re-examine how applications are advertised;
  - introduce a register of Community Benefit; and
  - establish a fund for communities to both set up community trusts and develop a business case.
- 2 Planners will identify any projects currently in the planning system where there are community benefit opportunities.
- 3 Government spending should have conditions attached to how money should be spent for community benefit

By way of update, in relation to renewable energy my Department, along with DETI and DARD, published a study into Communities and Renewable Energy in October 2013 which contained a number of recommendations. These included the preparation of best practice guidance on community engagement and Community Benefit and a recommendation for a register of Community Benefits in relation to renewable energy development. It also recommended that the Departments should develop a Northern Ireland Action Plan which will address many of the renewable energy related actions from the summit. Given its lead role on energy matters, DETI is leading on this and my officials will continue to engage with them on the development of the draft Action Plan. Engagement with communities, developers, councils and elected representatives will be an important aspect of this work over the coming months.

In relation to the role that the planning system can play in bringing forward community benefit guidance, best practice and early engagement with communities, my officials are currently dealing with this through the Planning Reform and Transfer Project. This work will also address how applications are advertised when planning transfers to councils.

In addition, the Department seeks to secure community benefit by way of an Article 40 planning agreement where the benefit sought serves a planning purpose; is necessary for the development to proceed; and is otherwise fairly and reasonably related to a particular application. Examples of such benefits may include the provision of open space, a road junction improvement or a community facility in association with a large residential development.

In relation to the action that Government spending should have conditions attached to how money should be spent for community benefit, the Department of Finance and Personnel (DFP) have issued a procurement guidance note (PGN 01/13 – November 2013) which advises that, depending on their nature, social considerations can be included in the procurement process provided that they relate to the subject matter of the contract or the performance of the contract. The EU Procurement Directives provide the legal framework to achieve this and I strongly support this approach.

## Breaches of Planning Control

**Mr Weir** asked the Minister of the Environment to detail the number of breaches of planning control that have resulted in court prosecutions, in each of the last five years.

**(AQW 33202/11-15)**

**Mr Durkan:** The table below details the number of prosecutions for planning breaches, between April 2009 and December 2013.

Please note the last financial year (April 2013 to December 2013) only covers 9 months, based on the latest NI Planning Development Management Statistics Bulletin. The figures for January to March 2014 will not be published until 26 June 2014, thus cannot be publicly released prior to this date.

### Planning Prosecutions from April 2009 to December 2013

April 2009 – March 2010	April 2010 – March 2011	April 2011 – March 2012	April 2012 – March 2013	April 2013 – December 2013p
164	91	131	145	60

#### Notes

- 1 Prosecutions refer to the number of cases that were referred to a solicitor to initiate court proceedings.
- P Please note these figures are provisional.

## Taxi Operator Licences

**Lord Morrow** asked the Minister of the Environment, pursuant to AQW 31657/11-15, to detail (i) the date of the review; (ii) who carried out the review; and (iii) what the review entailed.

**(AQW 33222/11-15)**

**Mr Durkan:** The review referred to in AQW 31657/11-15 was undertaken by the Driver and Vehicle Agency and included a visit to Ravenhill rugby ground on 13 August 2013, following which the operating centre at Ravenhill rugby ground was removed from Fonacab's taxi operator licence on 1 October 2013.

## Driver and Vehicle Agency in Omagh

**Mr McElduff** asked the Minister of the Environment for an update on the redeployment of the permanent and temporary employees of the Driver and Vehicle Agency in Omagh.

**(AQW 33258/11-15)**

**Mr Durkan:** The Department of Environment Human Resource Branch (DOE HR) is currently working with the NICS Cross Departmental Redeployment Group to identify suitable posts into which permanent DVA staff could be redeployed at the earliest opportunity. In line with the NICS Redeployment Policy priority will be given to surplus DVA staff before posting by other mechanisms, i.e. promotion and/or recruitment.

The temporary staff currently working in Omagh Local Vehicle Licensing Office will not be included in the redeployment process as it is intended that any temporary employment contracts will be terminated when the vehicle licensing work in the local offices ceases.

DOE HR has issued Staff Assessment/Preference forms to permanent DVA staff affected by the centralisation decision that will establish if they have any special circumstances, for example disability or welfare reasons, which might restrict their mobility. The exercise will also identify locations where staff would prefer to be redeployed. DOE HR will take this information into account when considering redeployment opportunities for staff including those in Omagh and will make every effort to find suitable posts which meet the individual circumstances of staff.

## Applications: Reviews

**Mr Agnew** asked the Minister of the Environment, pursuant to AQW 17634/11-15, how many of the 120 applications identified for immediate review have been reviewed.

**(AQW 33267/11-15)**

**Mr Durkan:** Of the applications identified for review, 17 applications still require to be reviewed.

## Private Hire Taxi Drivers and Operators: Access NI

**Lord Morrow** asked the Minister of the Environment (i) whether private hire taxi drivers and operators are required to be Access NI checked; (ii) if so, to state the relevant regulation or legislation; and (iii) whether current Driver and Vehicle Agency registered private hire taxi drivers and operators are Access NI checked and cleared.

**(AQW 33316/11-15)**

**Mr Durkan:** All taxi drivers and operators are required to have a previous conviction check carried out by Access NI and the Department does not differentiate between private and public hire drivers or operators.

The grant of a taxi licence is dependent upon applicants satisfying the Department of their repute suitability. For taxi drivers, Article 79A of the Road Traffic (NI) Order 1981 states that “the Department shall not grant a taxi driver’s licence unless it is satisfied that the applicant is a fit and proper person to hold the licence.” Since April 2008 the Department obtains details of an applicant’s criminal record by way of an Enhanced Disclosure Certificate from Access NI and this information is taken into account in determining if an applicant meets the legal requirements of being a fit and proper person.

Similarly in relation to Taxi Operator Licences, Paragraph 2(4)(a)(i) of the Taxis Act (NI) 2008 states that “the Department shall grant an operator’s licence to the applicant if it is satisfied that the applicant is a fit and proper person to hold an operator’s licence.” As part of the application process, applicants for taxi operator licences must supply a Basic Disclosure Certificate from Access NI and information on these is taken into account in determining whether or not the fit and proper person requirements are met.

An Access NI Enhanced Disclosure Certificate has been obtained for all licensed taxi drivers and (at least) an Access NI Basic Certificate for every taxi operator.

## Driver and Vehicle Agency Taxi Operator Handbook

**Lord Morrow** asked the Minister of the Environment (i) when the current Driver and Vehicle Agency Taxi Operator Handbook (TOL2) was first issued; (ii) to list the amendments made since the first issue; (iii) why Point 5.11.2 has lines blacked out and differing information placed over the original point; (iv) on what date, and why, the decision was taken to carry out this alteration; (v) what was the original text; (vi) was he made aware of this in advance of the alteration, and if not, when was he made aware; and (vii) what engagements took place with taxi drivers and operators prior to this decision to amend.

**(AQW 33318/11-15)**

**Mr Durkan:**

- (i) The Taxi Operator Handbook (TOL2) was first issued prior to the introduction of taxi operator licensing in September 2012.
- (ii) Amendments were subsequently made to paragraph 5.11.2 - Operators working from business / commercial premises.
- (iii) The text of Point 5.11.2 was amended following a review of planning requirements, when applying for a taxi operator licence. It was amended to read:

“If you are working from a business / commercial property you will need to ensure that any operating centre(s) on your application:

- Has existing planning approval, or

- Has a certificate of Lawful Use or Development, or
- Does not require planning approval and is outside the scope of any planning enforcement action.

If you need any advice on planning matters, you should contact your Local Area Planning Office. Addresses and telephone numbers are available at [http://www.planningni.gov.uk/index.about/about\\_contacts.htm](http://www.planningni.gov.uk/index.about/about_contacts.htm).

Warning: If it is found that an Operating Centre does not have the necessary planning approval, or an applicant has deliberately made a false or misleading statement, their Taxi Operator Licence may be revoked.”

- (iv) The revised planning requirements for applicants were agreed on 4 March 2013. When taxi operator licensing was originally introduced, it was determined that taxi operators would need to prove that they had appropriate planning approval for their premises. However, this proved extremely difficult for operators to provide, particularly for those premises where they had been established for many years. DVA was asked by numerous operators to review the planning requirement, as the consequence for operators was that they could not obtain a full taxi operator licence, nor provide a legal taxi service, until this information was provided.
- (v) The original text of point 5.11.2 read:
- “If you are working from a business / commercial property you will have to provide as part of the application:
- a copy of your Planning Permission or
  - a Certificate of Lawful Development Existing.

If you need advice on planning matters you should contact your Local Area Planning Office. Addresses and telephone numbers are available at [http://www.planningni.gov.uk/index.about/about\\_contacts.htm](http://www.planningni.gov.uk/index.about/about_contacts.htm).

You must submit original documents, not copies, in support of your application. Original documents will be returned to the applicant following an inspection.

If, subsequent to the grant of a licence, it is discovered that an operating centre does not have planning permission and is liable for enforcement action by the Department (whether enforcement action is taken or not) this licence may be revoked”.

- (vi) The content of the taxi operator handbook was not agreed with the Minister at that time, as it was an operational matter.
- (vii) Following the introduction of taxi operator licensing in September 2012, significant numbers of queries and complaints were received from taxi operator customers attempting to comply with the planning requirements at that time; this customer engagement and feedback prompted the review and subsequent change to the application process.

### **Ravenhill Rugby Grounds: Taxi Operators**

**Lord Morrow** asked the Minister of the Environment to detail the minutes of a meeting between an official from the Driver and Vehicle Agency (DVA) and Belfast Public Hire Taxis on 12 September 2013 at Clarence Court, during which a DVA official stated, in his view, the arrangement for taxi provision through private hire at Ravenhill Rugby Ground was acceptable.

**(AQW 33352/11-15)**

**Mr Durkan:** At the 12 September 2013 meeting, Departmental officials advised representatives of Belfast Public Hire Taxis (BPH) that if some limited changes were made by Fonacab, its operations at Ravenhill might be compliant with current legislation. However, officials emphasised that further legal advice was awaited and therefore the position was not fully clear at that time. A note of the meeting is appended to this answer.

**Meeting Between BPH Representatives and DOE**

In attendance: Gerry Diver (BPH) Alex Boyle (DOE)  
Pat Meighan (BPH) Elaine Colgan (DOE)  
Kieran Reilly (BPH)

**Items discussed:** BPH began by outlining their reasons for asking to meet DOE at short notice, having just come from meeting DVA enforcement. BPH advised that they had been informed that DVA Enforcement “only do what the Core tell them” and therefore believe DVA enforcement do not have the tools they need to act, and putting fines of £30 are not deterring illegal activity. They stated the one-tier system will be detrimental to them, and enforcement is not taking action to sort out Belfast City Centre in advance of its introduction. They believe none of the government Departments are ready for single tier to be introduced. DVA have advised BPH that taxi legislation particularly TOL cannot be enforced and that clarification is sought from the Department on a number of issues, including operating centre definitions.

Alex clarified that in relation to Ravenhill specifically, legal advice is pending, and he clarified the situation regarding PSNI attendance at games following discussions with them.

BPH reported that DVA maintain the legislation for TOL is not enforceable, and is a fixed penalty matter only. Alex stated he believed the legislation was workable and the process of enforcement beyond penalty points could be played out if necessary. This includes taking operators to Court either instead of fixed penalties subject to previous enforcement history or as a result of accumulating fixed penalties.

BPH asked the Department to pause implementation of single tier and not to introduce this in September 2014. Alex stated the only way to do this was if politicians asked the Department to do so. BPH asked for a round-table discussion with the Department and the Environment Committee, and Alex advised them to contact the Committee to request this. He also advised them to contact Private Office if they wished to meet the Minister to discuss a delay to single tier.

Iain Greenway entered the meeting and further discussion took place on the Ravenhill situation and the legality of Fonacab contracts there. BPH were advised that this was proving a complex legal issue, and that it was possible (but not certain) that, if some limited changes were made by Fonacab, their operations at Ravenhill might be compliant with current legislation. However, officials emphasised that further legal advice was awaited and therefore that the position was not fully clear at the moment. DVA attendance at Ravenhill on 23 August had allowed the detailed manner of operating to be clarified in a number of respects. BPH asked whether, if Fonacab approached the Department for advice on how to comply with the legislation, the Department would advise them. Officials indicated that most likely they would, as they would generally take the view to assist any citizen who was trying to comply with the law. If nothing else, a District Judge would not look kindly on a public official who took an enforcement case against a citizen, having been unwilling to advise them on how to comply with the law. Officials pointed out that they have held many such advice meetings with BPH.

BPH reiterated that single tier should and would not happen, that government departments were acting against them, despite them having arranged shirts for their members, and then walked out of the meeting.

**Private Hire Taxis: Illegal Pick Ups**

**Lord Morrow** asked the Minister of the Environment, pursuant to AQW 32654/11-15, to detail the actual offence.

**(AQW 33353/11-15)**

**Mr Durkan:** The actual offence is “Using a public service vehicle on a road to stand or ply for hire or carry passengers for hire without there being in force, in relation to the vehicle, a licence granted under Article 61 of the Road Traffic (NI) Order 1981, contrary to Article 60”.

This offence carries a maximum fine, upon conviction, of £2,500 or alternatively can be dealt with by way of a £30 Fixed Penalty Notice.



## Driver and Vehicle Agency

**Lord Morrow** asked the Minister of the Environment, pursuant to AQW 32608/11-15 and particularly the final sentence, "I can however confirm that traffic wardens do not provide the Driver and Vehicle Agency with any information relating to taxi drive-offs from Belfast City Hall", whether this is contrary to the remarks of a Driver and Vehicle Agency official to the Committee for the Environment on 12 December 2013, and if so, why this disparity has arisen.

**(AQW 33355/11-15)**

**Mr Durkan:** The comments made to the Committee on 12 December 2013 by a DOE official were in relation to wider issues concerning taxi rank accessibility which had been discussed with colleagues from the Department for Regional Development at a prior meeting and included a reference to drive-offs by Public and Private Hire Taxis.

These remarks reflected ongoing communication between the two Departments and discussions on the operational context of enforcement within Belfast City Centre.

The Agency can confirm that there is no inconsistency between comments made on 12 December 2013 and the answer to AQW 32608/11-15.

## Planning Response

**Mr Campbell** asked the Minister of the Environment, following the site meeting requested by the MP for East Londonderry and held at Strandview, Portstewart on 7 February 2014, when a definitive planning response will be issued.

**(AQW 33372/11-15)**

**Mr Durkan:** Further to my site meeting on 7 February 2014 at which I heard the concerns of local residents and elected representatives, a definitive planning response will be issued after I have had the opportunity to consider the relevant issues.

## Illegal Dumping Sites

**Mr Newton** asked the Minister of the Environment to detail the number of illegal dumping sites his Department has identified over the past three years; and the level of fines issued as a result.

**(AQW 33433/11-15)**

**Mr Durkan:** During the past three years, 1,222 incidents have been reported to NIEA, over 90% of which relate to allegations of illegal waste management. These incidents range from one or two bin bags to major illegal waste activity. In some of these reports, the incidents relate to facilities which are authorised by NIEA, and are therefore dealt with by regulatory teams within NIEA.

In the same period, 127 enforcement files have been opened. Of the cases which have been identified during this time, 21 have completed the court process. Others are still progressing through the criminal justice system or are under investigation.

To date, the fines resulting from these cases amount to £29,550. Five suspended prison sentences have also been given out by the courts ranging from three to six months. One confiscation order of £60,000 has been made under the Proceeds of Crime Act 2002.

There have been a number of other court outcomes during the last three years which have related to cases where the offending was detected prior to June 2011. These outcomes are not included in this answer.

## Public Hire Taxi Drive-Offs

**Lord Morrow** asked the Minister of the Environment, in light of the statement by a departmental official at the Committee for the Environment meeting on 12 December 2013 that there had been over 900 Public Hire taxi drive-offs from Belfast City Hall on sight of traffic wardens, (i) on what evidence he

based this statement; (ii) to provide a copy of this evidence; (iii) whether traffic wardens record such information and pass it to the Driver and Vehicle Agency; and (iv) to list the dates of these drive-offs.

**(AQW 33445/11-15)**

**Mr Durkan:** Whilst responding to a query from the Chair of the Environment Committee, a Departmental official mentioned the numbers of public hire taxi drive-offs from Belfast City Hall as general supporting information. The information originated from officials of the Department of Regional Development, which is the Department responsible for traffic wardens, and was provided verbally during one of their discussions with DOE officials in respect of taxi policy.

Information and statistical data collected by traffic wardens is the responsibility of the Department of Regional Development. As stated in my answer to AQW 32608/11-15, traffic wardens do not provide the Driver and Vehicle Agency with any information relating to taxi drive-offs from Belfast City Hall.

### **Taxi Drivers: Touting for Passengers**

**Lord Morrow** asked the Minister of the Environment why the departmental minutes of a meeting between Driver and Vehicle Agency (DVA) staff and Belfast Public Hire Taxis (BPHT) on 3 October 2013 at Clarence Court does not contain the remarks made by a DVA official that touting is legal as long as a driver doesn't load his own car, which is noted in the minutes taken by BPHT.

**(AQW 33447/11-15)**

**Mr Durkan:** Departmental officials met with representatives of BPHT on 3 October 2013 to discuss the outcome of the legal advice obtained by the Department around taxi operations at Ravenhill Rugby Ground.

The Departmental record of the meeting includes a note that an official advised that, with regard to the offence of touting as provided for in regulation 49 of the Public Service Vehicles Regulations (NI) 1985, this may be interpreted as only applying to the driver of their own vehicle, as the regulation refers to 'the' vehicle rather than 'a' or 'any' vehicle.

### **River Faughan Special Area of Conservation: Pollution**

**Mr Agnew** asked the Minister of the Environment, pursuant to AQW 33133/11-15 and given that he has stated that no significant pollution has been identified in the river, whether any levels of pollution from the illegal land fill at Mobouy are now being detected in the River Faughan Special Area of Conservation.

**(AQW 33563/11-15)**

**Mr Durkan:** Following the closure of these sites adjacent to the River Faughan Special Area of Conservation, NIEA immediately implemented a detailed water quality monitoring programme, with the aim of determining if there was any polluting impact on the river from the waste sites. This monitoring consists of a number of samples being regularly collected from several points on the River Faughan, upstream, adjacent to and downstream of the waste sites.

This intensive precautionary monitoring has not shown any downgrading of the water quality classification of the River Faughan due to pollution from these sites.

## **Department of Finance and Personnel**

### **Regulation of Management Companies for Housing**

**Mr Flanagan** asked the Minister of Finance and Personnel what consideration has been given to the introduction of regulation of management companies for housing.

**(AQW 33119/11-15)**

**Mr Hamilton (The Minister of Finance and Personnel):** The Northern Ireland Law Commission has reviewed the law relating to apartments and has recommended the regulation of managing agents, rather than management companies. Work in relation to the proposed introduction of a regulation scheme for managing agents is ongoing.

### **Northern Ireland Law Commission: Apartments Report**

**Mr Flanagan** asked the Minister of Finance and Personnel, following the Northern Ireland Law Commission's Review Law Relating to Apartments, what plans he has to regulate the operation of management agents, particularly in regard to protecting the position of apartment owners and occupiers in situations where agents are struck off or enter liquidation.

**(AQW 33187/11-15)**

**Mr Hamilton:** The recommendations in the Law Commission's Apartments Report are cross-cutting and the Executive has, therefore, established an Apartments Report Implementation Group, which is comprised of senior officials from the Department of Enterprise, Trade and Investment, the Department of Finance and Personnel, the Department of the Environment, the Department of Justice and the Department of Social Development. The Group is currently focusing on the recommendations with regard to the regulation of managing agents and the provision of advisory services, as it is considered that those recommendations are likely to be of most interest to apartment owners.

If a regulation scheme for managing agents is introduced it will have to stipulate which body will handle any resulting disputes. The Department of Justice is exploring the options for dispute resolution. It is also considering whether there are any services that could be put in place to assist apartment owners involved in a dispute.

As there is no regulation scheme at present, managing agents cannot be "struck off".

The Law Commission did not make any recommendations with regard to substantive company law and, accordingly, the current company law rules with regard to the striking off of companies and liquidation will continue to apply.

### **Equal Pay Settlement for PSNI, Department of Justice and Northern Ireland Office Staff**

**Mrs Cochrane** asked the Minister of Finance and Personnel, further to his engagement with the Minister of Justice regarding an equal pay settlement for PSNI, Department of Justice and Northern Ireland Office staff, and that of their respective Departments, (i) for an update on the progress to date in relation to this issue; and (ii) to detail an indicative timescale for when possible solutions may be brought before the Northern Ireland Executive for consideration.

**(AQW 33250/11-15)**

**Mr Hamilton:** I have recently circulated a paper to my Executive colleagues outlining a recommendation that will result, I hope, in a satisfactory resolution of this issue for this group of staff. The recommendation, and any expenditure of resources, will require the agreement of the Executive.

### **Stormont Estate: Dogs on Leads**

**Mr Cree** asked the Minister of Finance and Personnel (i) for an update on the changes that have been imposed on walking dogs in the Stormont Estate; and (ii) if these changes are in accordance with the Stormont Estate Regulation 1933.

**(AQW 33286/11-15)**

**Mr Hamilton:** All dog owners entering the Estate must keep their dogs on a lead aside from in a 1.5 acre fenced exercise area located just off the Prince of Wales Avenue where they can exercise their dogs off lead.

The Stormont Estate Regulations 1933 require dogs entering the Stormont Estate to be kept under proper control. The Dogs (Northern Ireland) Order 1983 defines under control.

## Air Passenger Duty

**Mr Cree** asked the Minister of Finance and Personnel for an update on the Chancellor's announcement that he intends to reform Air Passenger Duty with effect from 1 April 2015 and what affect this will have locally.

**(AQW 33287/11-15)**

**Mr Hamilton:** Air Passenger Duty (APD) is currently levied on the basis of four destination bands and the reforms announced by the Chancellor as part of Budget 2014 will see the number of destination bands reduce to two as a result of merging the 'long haul' bands B, C and D from 1 April 2015.

Given that rate setting powers for direct long haul flights have already been devolved to the Assembly and the rate set to zero, this will have no real impact locally.

Legally however, the reforms have changed the bands to which the direct long haul APD rates set by the Assembly will apply, and therefore the provisions in the UK Bill change the legislative competence of the Assembly. As a result, a Legislative Consent Motion is required and this

is currently scheduled for debate in the Assembly on 27 May 2014. An amendment to the Northern Ireland Air Passenger Duty (Setting of Rate) Act 2012 will also be required.

## Northern Ireland Civil Service: Advertising

**Mr Agnew** asked the Minister of Finance and Personnel whether the Northern Ireland Civil Service advertise externally for Administrative Officer positions and not for Administrative Assistant positions; and if so, to provide an explanation for this.

**(AQW 33304/11-15)**

**Mr Hamilton:** Job opportunities for both Administrative Officers and Administrative Assistants positions are advertised externally, in line with Northern Ireland Civil Service departments' requirements to recruit and appoint staff at these grades.

## Department of Health, Social Services and Public Safety

### Recruitment Process for Middle-Grade Doctors

**Mr Rogers** asked the Minister of Health, Social Services and Public Safety, considering the failure of the recruitment process for middle-grade doctors over the last five years, what alternative options are being considered in the short and medium term.

**(AQW 33198/11-15)**

**Mr Poots (The Minister of Health, Social Services and Public Safety):** The current national shortage of middle grade doctors has been well documented and is an issue all parties involved in health provision have been seeking to resolve. Trusts continue to engage recruitment agencies experienced in sourcing medical staff internationally to help source suitable doctors.

Changes to immigration rules in 2008 impacted adversely on the recruitment of doctors from outside the EEA which was an important source for middle grade doctors. Consequently I have corresponded with the Secretary of State, Theresa Villiers MP, and the Secretary of State at the Home Office to highlight the issues and I have asked the Home Office to review the immigration rules. I liaise regularly on these matters with my ministerial counterparts in the UK. I also have frequent discussions with individual health and social care trusts on how to address the ongoing shortage of staff.

I have met with the College of Emergency Medicine to discuss the pressures facing Emergency Departments in particular and my Department will continue to work with the College and the HSC in seeking to address this UK-wide difficulty. There is also regular liaison on all issues relating to medical staffing with the British Medical Association and the Northern Ireland Medical and Dental Training Agency.

To address the matter in the short and medium term Trusts have undertaken a number of initiatives such as converting middle grade doctor posts to consultant posts where staff are available; developing their own middle grade staff by working intensively with locum staff to develop their skills to a point where they are able to work at middle grade doctor level and become trust employees; and employing and training up GP trainees so that they are able to cover middle grade roles.

### **Patients Returning Home from Hospital**

**Mr Frew** asked the Minister of Health, Social Services and Public Safety to detail (i) the standard operating procedure in the Northern Health and Social Care Trust when patients are returning home from hospital; (ii) the time allocated to allow the families and carers to adjust; (iii) when patients can expect care in the community packages to be in place after leaving hospital; and (iv) the required consultation and communication with families and carers before discharge.

**(AQW 33199/11-15)**

**Mr Poots:** The Northern Health and Social Care (HSC) Trust has advised that when an individual is referred to the social work department they will be allocated a social worker and will undergo a comprehensive social work assessment. The majority of individuals will be assessed by the multi-disciplinary team and depending on their assessed needs, a package of care will be requested to meet the identified care needs. The social worker will liaise with the individual, their family and carers at the earliest possible stage to consider the individual's circumstances and begin the discharge planning process. At all times the individual and carer are at the centre of the process.

The time spent with families and carers will vary and will be very much dependent on an individual's circumstances. In addition, the time required for individuals and carers to adjust to discharge plans will again be dependent not only on the individual but also the complexities of their care needs and medical condition. If at the point of discharge an appropriate package of care is required but is not available, an alternative care package can be arranged for an interim period.

### **Rehabilitation of Patients: North Down Area**

**Mr Weir** asked the Minister of Health, Social Services and Public Safety to detail the (i) number; and (ii) location of vacant beds available for the rehabilitation of patients in the North Down Area.

**(AQW 33200/11-15)**

**Mr Poots:** The information requested is not held centrally and was therefore requested from the South Eastern Health and Social Care (HSC) Trust.

The South Eastern HSC Trust indicated that at 2nd May 2014, there were 10 vacant intermediate care beds for rehabilitation in the North Down & Ards sector. This comprised of 2 vacancies in Nursing Homes, 3 vacancies in Residential Homes, 4 vacancies in Elderly Mentally Infirm (EMI) Nursing Homes and 1 vacancy in an EMI Residential Home.

### **Cardiology and Cardiac Surgery**

**Mrs Cochrane** asked the Minister of Health, Social Services and Public Safety (i) for an update on the progress of the independent assessment of current and future needs for cardiology and cardiac surgery for congenital heart disease in the Republic of Ireland and Northern Ireland, which he announced with the Minister for Health, James Reilly TD, on 9 December 2013; and (ii) for his assessment of the adequacy of interim arrangements for children born in Northern Ireland with congenital cardiac defects who require cardiac surgery or emergency cardiology procedures.

**(AQW 33205/11-15)**

**Mr Poots:**

- (i) The Expert Group appointed by Minister Reilly and I to carry out the Assessment visited Northern Ireland and the Republic of Ireland from 7-11 April 2014. During this time they met with Minister Reilly and me and representatives from

all stakeholder groups including: clinicians, health service commissioners, service managers, public representatives, parents and parent group representatives. The Group had a productive visit and garnered most of the information they require to complete the Assessment. They are now in the process of completing their Assessment and will report their recommendations to Minister Reilly and me by 1 July 2014.

- (ii) The interim arrangements which have been put in place by the Belfast Health and Social Care Trust and the Health and Social Care Board, as described in my response to AQW 31087/11-15, provide the framework within which children born in Northern Ireland with congenital cardiac conditions can continue to receive the treatment they require.

### **Pharmacy Department: Staffing Levels**

**Ms Maeve McLaughlin** asked the Minister of Health, Social Services and Public Safety whether the current staffing levels in the Pharmacy Department in the Ulster Hospital are appropriate.

**(AQW 33208/11-15)**

**Mr Poots:** Local staffing arrangements are the responsibility of individual Health and Social Care (HSC) employers, taking into account factors such as service needs and available resources.

The South Eastern HSC Trust has advised that the Ulster Hospital manages the staffing levels in the Pharmacy department by ongoing review throughout the day and staff are moved to the areas of greatest need within the pharmacy department to ensure staffing levels are appropriate.

### **Family Support Hubs**

**Ms Maeve McLaughlin** asked the Minister of Health, Social Services and Public Safety whether any of the ten family support hubs will be located in Derry.

**(AQW 33211/11-15)**

**Mr Poots:** There are three existing Family Support Hubs in Londonderry.

Delivering Social Change funding has established ten new family support hubs. Seven of these will be located in the Belfast Health and Social Care Trust area with the other three in the Northern HSCT area.

The Londonderry hubs have received an additional £16.77k in 2013/14 through the DSC programme to support their staff and services.

### **Foreign Nationals: Services**

**Mr McNarry** asked the Minister of Health, Social Services and Public Safety how many foreign nationals from (i) other EU states; and (2) non-EU states have used the services provided by his Department in the last two years; and to detail the costs incurred by usage and the steps taken to recover costs in the case of non-EU nationals.

**(AQW 33215/11-15)**

**Mr Poots:** Entitlement to health and social care in Northern Ireland is residency based and therefore people from EU and non-EU states who are resident here are entitled to access free health and social care services. Data relating to the provision of healthcare services to these categories of persons is not available.

Non UK residents are normally charged for health and social care services that they receive here. The costs recovered in the last two years from non UK residents for these services are detailed below:

- 2011/12 £736K
- 2012/13 £576K



## Service User and Carer Reimbursement Payments

**Mrs Dobson** asked the Minister of Health, Social Services and Public Safety to detail the number of (i) service user; and (ii) carer reimbursement payments which have been made by the Southern Health and Social Care Trust in each month of the last three years, including the total cost and nature of the reimbursement.

**(AQW 33220/11-15)**

**Mr Poots:** It is not possible to distinguish between travel reimbursement to service user and carers.

The total number of hospital travel reimbursements and costs which have been made by the Southern Health and Social Care Trust in each month of the last three financial years is set out in the table below.

	2013/14		2012/13		2011/12	
	Number	Costs £	Number	Costs £	Number	Costs £
April	129	4,339	126	3,821	87	2,675
May	78	3,208	93	2,927	90	2,740
June	84	3,831	54	2,087	88	2,753
July	123	5,260	100	2,463	116	3,086
August	114	4,716	92	3,284	72	2,111
September	27	1,077	99	2,806	74	2,443
October	70	4,790	87	2,608	118	2,768
November	75	4,383	121	4,063	123	3,273
December	44	2,241	84	2,186	63	2,841
January	47	3,577	77	2,104	33	1,877
February	58	4,635	76	2,629	121	3,555
March	48	6,957	81	2,608	66	3,028
<b>Total</b>	<b>897</b>	<b>49,014</b>	<b>1,090</b>	<b>33,586</b>	<b>1,051</b>	<b>33,150</b>

## Service User and Carer Reimbursement Payments

**Mrs Dobson** asked the Minister of Health, Social Services and Public Safety to detail the number of (i) service user; and (ii) carer reimbursement payments which have been cancelled by the Southern Health and Social Care Trust in each month of the last three years.

**(AQW 33221/11-15)**

**Mr Poots:** The Southern Health and Social Care Trust does not routinely cancel reimbursement payments. However, un-cashed cheques are automatically deemed void by the bank after six months from the date of issue.

Unfortunately, the Southern Health and Social Care Trust is unable to determine the number of reimbursement payments which remain un-cashed or have been declared void.

## Prisoners Diagnosed with a Personality Disorder

**Mrs Cochrane** asked the Minister of Health, Social Services and Public Safety for an update on the delivery of the Personality Disorder Strategy published by his Department in June 2010 with specific reference to (i) the provision of a residential unit for adults with a personality disorder; (ii) plans for a dedicated Criminal Justice Residential Unit for prisoners diagnosed with a personality disorder;



(iii) the development of a multi-disciplinary service to address the needs of prisoners and people on probation who have a personality disorder diagnosis; (iv) the development of links between specialist personality disorder services and generic and other specialist mental health services including forensic and psychological therapy services; and (v) the establishment of an inter-agency Personality Disorder Network Group to support the implementation of the Personality Disorder Strategy.

**(AQW 33234/11-15)**

**Mr Poots:** Delivery of the Northern Ireland Personality Disorder Strategy 'Personality Disorder: A Diagnosis for Inclusion' (June 2010) has been progressed in the following areas:

- Community-based Personality Disorders services have been established across the Region;
- A regional clinical network to share services, skills and expertise, including PBNI and Prison Health, has been developed;
- A training strategy has been developed and is being delivered, with a particular focus on raising the capacity of primary care and other mainstream services to meet the needs of the Personality Disorder population;
- Recovery principles have been adopted, which allow service users and carers to protect their own mental health and offer peer support, education and training;
- Joint training with Forensic services has taken place, where appropriate; and
- An Integrated Care Pathway based on NICE Guidelines has been developed.

Due to budgetary pressures resulting from the Comprehensive Spending Review, the funding initially earmarked for the Personality Disorders Strategy was substantially reduced. The initial focus for the delivery of the Strategy has been on the development of community Personality Disorder services, which are now in place.

With reference to your specific queries:

- (i) Residential unit for adults with a personality disorder:

Due to the reduced budget for the delivery of the Personality Disorder Strategy, there are currently no plans for a residential unit for those with a Personality Disorder, not in contact with the Criminal Justice System.

- (ii) Plans for a dedicated Criminal Justice Residential Unit for prisoners diagnosed with a personality disorder:

The provision of a Criminal Justice residential unit for prisoners diagnosed with a personality disorder is the responsibility of the Department of Justice.

- (iii) The development of a multi-disciplinary service to address the needs of prisoners and people on probation who have a personality disorder diagnosis:

There is no specific personality disorder service for prisoners and people on probation. The South Eastern Health and Social Care Trust have staff who work with prisoners with personality disorders. Individuals on probation will be cared for by community-based mental health, forensic and personality disorder services in accordance with their assessed needs.

- (iv) The development of links between specialist personality disorder services and generic and other specialist mental health services including forensic and psychological therapy services:

An Integrated Care Pathway for Personality Disorders has been completed and promotes effective interfaces between Personality Disorder Services and other specialist mental health services.

- (v) the establishment of an inter-agency Personality Disorder Network Group to support the implementation of the Personality Disorder Strategy:

An inter-agency Personality Disorder Network Group has been established.

## Patients with a Personality Disorder

**Mrs Cochrane** asked the Minister of Health, Social Services and Public Safety how many patients were transferred to other jurisdictions in order to receive treatment for a personality disorder between 30 April 2012 and 1 May 2014.

**(AQW 33235/11-15)**

**Mr Poots:** Between 30 April and 1 May 2014, 4 patients were transferred to other jurisdictions in order to receive treatment for a personality disorder.

## Northern Ireland Formulary

**Mr Beggs** asked the Minister of Health, Social Services and Public Safety for his assessment of the implications for Health and Social Care Trust Formularies following the development of the Northern Ireland Formulary.

**(AQW 33237/11-15)**

**Mr Poots:** The development and introduction of the Northern Ireland Formulary means that formularies previously used by the Belfast and South Eastern Health and Social Care Trusts no longer apply. The other HSC Trusts did not have a Medicines Formulary in place.

## Northern Ireland Formulary

**Mr McCarthy** asked the Minister of Health, Social Services and Public Safety whether the five Health and Social Care Trust Drug and Therapeutic Committees have agreed to apply the Northern Ireland Formulary.

**(AQW 33248/11-15)**

**Mr Poots:** Each of the five Health and Social Care Trust Drug and Therapeutic Committees has agreed to apply the Northern Ireland Formulary.

## Health and Social Care Trust Hospital Formularies

**Mr McCarthy** asked the Minister of Health, Social Services and Public Safety whether the Health and Social Care Trust Hospital Formularies still apply.

**(AQW 33249/11-15)**

**Mr Poots:** The development and introduction of the Northern Ireland Formulary means that formularies previously used by the Belfast and South Eastern Health and Social Care Trusts no longer apply. Prior to the development of the Northern Ireland Formulary the other HSC Trusts did not have a Medicines Formulary in place.

## Multiple Sclerosis

**Mr McElduff** asked the Minister of Health, Social Services and Public Safety how his Department is making sure that sufferers of Multiple Sclerosis have full and free access to new, life-changing drugs and treatments.

**(AQW 33256/11-15)**

**Mr Poots:** The Health and Social Care Board (HSCB) has responsibility for commissioning all drug therapies in Northern Ireland. It is the responsibility of clinicians to determine which drugs their patients should be given access to by following the guidance provided by the HSCB.

The HSCB has advised that Northern Ireland has the highest uptake rate for specialist MS drugs in the UK and at end of February 2014, there were 1521 people on treatment. 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 £10m.

The HSCB aims to make all specialist MS drugs available subject to evidence on clinical and cost effectiveness as determined by the National Institute for Health and Care Excellence (NICE) and the guidance of the Association of British Neurologists. The HSCB currently commissions all NICE approved specialist MS drugs.

### **Tests on Meat Destined for Human Consumption**

**Lord Morrow** asked the Minister of Health, Social Services and Public Safety, in relation to tests carried out on meat destined for human consumption which was found to contain equine products, whether bute was detected at any time; and if so, to detail (i) where the equine product originated; and (ii) the date the results were received.

**(AQW 33269/11-15)**

**Mr Poots:** The Food Standards Agency (FSA) is the central competent authority in matters of food safety and authenticity in the Northern Ireland.

Since it became apparent on 14th January 2013 that beef products had been contaminated with horse meat, the FSA initiated a comprehensive UK-wide sampling regime. This included a targeted sampling plan conducted by local authorities across the UK, in which 514 samples were taken and analysed. Over 45,000 samples were also taken by the food industry.

All samples testing positive for the presence of horse DNA over 1% were analysed for the presence of Phenylbutazone ('bute'), and from this bute was detected in only one product, ASDA 'Smart Price' Corned Beef, at very low levels. The Food Standards Agency (FSA) received the results on 9th April 2013, and ASDA recalled the product from consumers on the same day.

This product had previously been withdrawn from supermarket shelves on 8th March 2013, when it first became apparent that it had been contaminated with horse DNA. The product was manufactured in France, and it is not known where the equine DNA originated from.

### **CT Scans**

**Mr Wells** asked the Minister of Health, Social Services and Public Safety why patients in the Kilkeel and Newry areas are being sent to the South Tyrone Hospital for CT scans.

**(AQW 33273/11-15)**

**Mr Poots:** The Southern Health and Social Care Trust manages CT scanning demand and capacity across the Trust network according to chronological order and on the basis of clinical urgency, which is classified as Red Flag, urgent, routine and planned review. The Trust endeavours to appoint patients to their nearest hospital for their scan, however this is not always possible due to demand and a patient may be allocated to the next available slot at any of the Trust's CT scanners.

### **Dialectical Behaviour Therapy**

**Mr Wells** asked the Minister of Health, Social Services and Public Safety for an update on the availability of Dialectical Behaviour Therapy in the South Eastern Health and Social Care Trust area.

**(AQW 33274/11-15)**

**Mr Poots:** The South Eastern HSC Trust offers Dialectical Behaviour Therapy through its Borderline Personality Disorder Service, for individuals with a diagnosis of Borderline Personality Disorder/ Emotionally Unstable Personality Disorder, including those who have extensive and recent histories of self-harm and other self defeating behaviours. Referrals to the service are made by consultant psychiatrists in partnership with community mental health teams.

## Availability of Medicines via the Internet

**Mr D McIlveen** asked the Minister of Health, Social Services and Public Safety what discussions his Department has had with the Department of Justice regarding the availability of medicines via the internet.

**(AQW 33283/11-15)**

**Mr Poots:** My Department leads on the cross-departmental strategy developed to tackle alcohol and drug misuse in Northern Ireland, the New Strategic Direction for Alcohol and Drugs (NSD Phase 2). Within the NSD Phase 2 there is a key priority to reduce the availability of illicit drugs, including prescription medicines illicitly obtained over the internet. In addition, my Department's Medicines Regulatory Group has a statutory interest in the sale of such products where the sale may breach the Human Medicines Regulations 2012.

My Department, from both a substance misuse perspective and a medicines regulation perspective, is represented on the Organised Crime Task Force Drugs Expert Group – chaired by the PSNI with representation from the UK Border agency and the Department of Justice – that meets on an ongoing basis to share information and intelligence, and to monitor and oversee joint action to help restrict supply and reduce the availability of all illicitly obtained drugs, including medicines obtained over the internet.

## Availability of Illegal Drugs via the Internet

**Mr D McIlveen** asked the Minister of Health, Social Services and Public Safety what discussions his Department has had with the Department of Justice regarding the availability of illegal drugs via the internet.

**(AQW 33284/11-15)**

**Mr Poots:** My Department leads on the cross-departmental strategy developed to tackle alcohol and drug misuse in Northern Ireland, the New Strategic Direction for Alcohol and Drugs (NSD Phase 2). The NSD Phase 2 contains outcomes to reduce the availability and supply of all illegal/illicit drugs. With regard to illegal drugs, enforcement of the key UK-wide legislation (the Misuse of Drugs Act 1971) is the responsibility of the PSNI, and therefore this Department has, and continues, to work closely with the Department of Justice and the Criminal Justice sector on this issue.

Examples of cross-departmental working include the Law and Criminal Justice Advisory Group, chaired by the Department of Justice, which is one of four advisory groups set up to provide advice and policy guidance on specific priorities contained within NSD Phase 2. In addition, key links have been made between NSD Phase 2, the DOJ Community Safety Strategy, the Organised Crime Task Force, and the Strategic Framework for Reducing Offending. At a local level, my Department continues to promote joined up working between the Drug and Alcohol Co-ordination Teams, the Police Community Safety Partnerships and local councils.

My Department is also represented on the Organised Crime Task Force Drugs Expert Group – chaired by the PSNI with representation from the UK Border Agency, the Department of Justice, and other key partners – which meets on an ongoing basis to share information and intelligence, and to monitor and oversee joint action to help restrict supply and reduce the availability of all illicit drugs, including those obtained over the internet.

## Eating Disorders

**Mr D McIlveen** asked the Minister of Health, Social Services and Public Safety how much funding his Department has spent on treating eating disorders in each of the last five years.

**(AQW 33285/11-15)**

**Mr Poots:** Since 2008/2009, the Health and Social Care Board has allocated a total of £2 million per annum for specialist Eating Disorder Services. This figure does not include inpatient care or the cost of treatment for eating disorders provided outside Northern Ireland.

### Finance Officer Band 3

**Mr Agnew** asked the Minister of Health, Social Services and Public Safety how many people have been recruited to the position of Finance Officer Band 3 in the Belfast Health and Social Care Trust in the last two years.

**(AQW 33310/11-15)**

**Mr Poots:** 36 permanent and 9 temporary staff were recruited to the position of Finance Officer Band 3 in the Belfast Health and Social Care Trust in the last two years.

### Clerical Officer Band 2

**Mr Agnew** asked the Minister of Health, Social Services and Public Safety how many people have been recruited to the position of Clerical Officer Band 2 in the Belfast Health and Social Care Trust in the last two years.

**(AQW 33311/11-15)**

**Mr Poots:** 2 temporary staff were recruited to the position of Clerical Officer Band 2 in the Belfast Health and Social Care Trust in the last two years.

### Asthma Management Measures

**Mrs Dobson** asked the Minister of Health, Social Services and Public Safety what plans he has to amend asthma management measures, including amendments to the Human Medicine Regulations 2012.

**(AQW 33312/11-15)**

**Mr Poots:** My Department is committed to improving the health, well-being and quality of life for people with long term conditions, including asthma and other respiratory conditions. The Department's Policy Framework "Living with Long Term Conditions" provides a strategic direction for the modernisation of services for adults with long term conditions and includes key actions to support better treatment and care, including supported self management, patient education and information, more effective medicines management and the development of personalised care plans.

The Service Framework for Respiratory Health and Well Being which was published in 2009 includes standards relating to the assessment, diagnosis, treatment and management of people with asthma in Northern Ireland. This Framework is currently under fundamental review and it is anticipated that a revised Framework will be issued for consultation in the next few months. The standards and associated key performance indicators contained within the Framework will be subject to regular review and refinement as new evidence and learning emerges ensuring the continued improvement in the quality of services for people with respiratory disease.

There are currently 4 indicators for asthma contained within the clinical domain of the Quality and Outcomes Framework (QOF) of the General Medical Services Contract with an estimated value of £2.3m. QOF sets standard levels of care on the best available evidence and provides rewards to practices to recognise improvements in clinical, organisational standards, quality and productivity.

The Health and Social Care Board (HSCB) has completed an in-depth assessment of the need for paediatric asthma, allergy and anaphylaxis services as a result of which the HSCB has allocated over £400,000 recurrently to these services.

The Medicines and Healthcare products Regulatory Agency (MHRA) is currently consulting on the supply of asthma inhalers to schools for use in emergencies. The consultation proposes a change to the Human Medicine Regulations 2012 which would permit schools to obtain and store asthma inhalers for emergency use direct from the supplier. The change in the legislation will not make the holding of an asthma inhaler plus appropriate spacer mandatory but will facilitate those schools that wish to implement such a policy. The consultation and proposed amendment to the Human Medicines Regulations 2012 will apply on a UK wide basis.

## CT Scanners

**Mr Craig** asked the Minister of Health, Social Services and Public Safety why the CT scanners in the Lagan Valley and Down hospitals were not operational on 5 May 2014.

**(AQW 33314/11-15)**

**Mr Poots:** Monday 5 May 2014 was a Bank Holiday and therefore routine lists were not scheduled, however an on-call service was in place. During the on-call service 3 patients received emergency CT imaging in Lagan Valley Hospital. The CT scanner at the Downe Hospital was not operational on 5 May due to a fault. This was repaired and the scanner was operational by 12.00 noon on 6 May.

## Northern Ireland Formulary

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety whether each of the Health and Social Care Trust Drug and Therapeutic Committees have agreed to apply the Northern Ireland Formulary within their Trust.

**(AQW 33321/11-15)**

**Mr Poots:** Each of the Health and Social Care Trust Drug and Therapeutic Committees has agreed to apply the Northern Ireland Formulary within their Trust area.

## Health and Social Care Trust Hospital Formularies

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety whether the Health and Social Care Trust Hospital Formularies are still applicable.

**(AQW 33322/11-15)**

**Mr Poots:** The development and introduction of the Northern Ireland Formulary means that formularies previously used by the Belfast and South Eastern Health and Social Care Trusts no longer apply. Prior to the development of the Northern Ireland Formulary the other HSC Trusts did not have a Medicines Formulary in place.

## Patients in Antrim Area Hospital: Headsets

**Mr Frew** asked the Minister of Health, Social Services and Public Safety what percentage of patients in Antrim Area Hospital have access to fit for purpose headsets for watching TV and listening to radio, broken down by ward; and how this compares to three years ago.

**(AQW 33329/11-15)**

**Mr Poots:** This information is not collected centrally and is therefore not available.

## Patients in Antrim Area Hospital: Headsets

**Mr Frew** asked the Minister of Health, Social Services and Public Safety which budget pays for purchasing headsets for listening to TV and radio in the Antrim Area Hospital; and how much has been spent on same in each of the last five financial years.

**(AQW 33330/11-15)**

**Mr Poots:** In Antrim Area Hospital payments for the purchase of headsets for listening to TV and radio are met from a general ward budget.

Information on how much has been spent on such headsets, in each of the last five financial years at Antrim Area Hospital, can only be obtained at a disproportionate cost.



## Patients in Antrim Area Hospital: Headsets

**Mr Frew** asked the Minister of Health, Social Services and Public Safety who is responsible in Antrim Area Hospital for purchasing headsets for listening to TV and radio and ensuring that all patients have access to fit for purpose headsets.

**(AQW 33331/11-15)**

**Mr Poots:** Individual Ward Managers at Antrim Area Hospital are responsible for purchasing headsets for listening to TV and radio. These managers are also responsible for ensuring that there is appropriate provision for their ward.

## Slievemore Nursing Unit, Derry

**Mr Eastwood** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 33074/11-15, whether there has been a recent reduction in staffing levels at Slievemore Nursing Unit in Derry.

**(AQW 33343/11-15)**

**Mr Poots:** The Western Trust has advised that staffing levels are being maintained to meet the assessed needs of the remaining five patients in Slievemore. Natural staff vacancies have occurred, with no requirement to replace them as there are sufficient staffing levels in place.

## Slievemore Nursing Unit, Derry

**Mr Eastwood** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 33073/11-15, whether further admissions can be made to Slievemore Nursing Unit, Derry.

**(AQW 33347/11-15)**

**Mr Poots:** The Western Health and Social Care Trust advise that as an alternative to hospital-inpatient care they have developed a community-based service model for people with dementia. This alternative service model assists people with dementia to remain at home, or within their current environment, consistent with the principles of the Northern Ireland Dementia Strategy and Transforming Your Care.

The impact of the community-based service model has meant that there has been no further identified demand for in-patient care at Slievemore Nursing Unit. In that context the Western Trust is engaging in an ongoing mediation process with the families of the five remaining patients in the Unit with a view to agreeing how future needs will be met.

## Slievemore Nursing Unit, Derry

**Mr Eastwood** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 33073/11-15, whether he intends to close the Slievemore Nursing Unit, Derry.

**(AQW 33348/11-15)**

**Mr Poots:** The Western Health and Social Care Trust advise that as an alternative to hospital-inpatient care they have developed a community-based service model for people with dementia. This alternative service model assists people with dementia to remain at home, or within their current environment, consistent with the principles of the Northern Ireland Dementia Strategy and Transforming Your Care.

The impact of the community-based service model has meant that there has been no further identified demand for in-patient care at Slievemore Nursing Unit. In that context the Western Trust is engaging in an ongoing mediation process with the families of the five remaining patients in the Unit with a view to agreeing how future needs will be met.

## Northern Ireland Formulary

**Mr Wells** asked the Minister of Health, Social Services and Public Safety whether the five Health and Social Care Trust Drug and Therapeutic Committees have agreed to apply the Northern Ireland Formulary.

**(AQW 33350/11-15)**



**Mr Poots:** Each of the Health and Social Care Trust Drug and Therapeutic Committees has agreed to apply the Northern Ireland Formulary.

### Disposal Process for Yellow Bag Medical Waste

**Mr Agnew** asked the Minister of Health, Social Services and Public Safety to outline the disposal process for yellow bag medical waste.

**(AQW 33362/11-15)**

**Mr Poots:** Yellow bag clinical waste is classified as infectious clinical risk waste containing chemicals, medicines or pathogens. Yellow bag clinical waste is collected at ward level and is transported to a transfer station at facility level for collection by the regional clinical waste contractor. In order to meet current waste legislation, this waste must be incinerated and as there is no incineration facility in Northern Ireland capable of handling this waste, it is currently shipped to mainland Great Britain for incineration.

### Cases of Trisomy 18 and Trisomy 13

**Mr P Ramsey** asked the Minister of Health, Social Services and Public Safety how many cases of Trisomy 18 and Trisomy 13 have been diagnosed in each of the last five years, broken down by Health and Social Care Trust.

**(AQW 33366/11-15)**

**Mr Poots:** Information on the number of cases of Trisomy 18 and Trisomy 13 diagnosed is not available.

However, it is possible to identify the number of individuals admitted to HSC Hospitals in Northern Ireland over the last five years with a diagnosis of Trisomy 18 or Trisomy 13.

Individuals admitted with a recorded diagnosis of Trisomy 18 over the past five years were as follows. Where the number of patients is less than five, cells have been masked in order to protect patient confidentiality.

Financial Year	HSC Trust					Northern Ireland
	Belfast	South Eastern	Northern	Southern	Western	
2008/09	<5	<5	<5	<5	<5	12
2009/10	<5	<5	<5	<5	0	10
2010/11	<5	<5	0	<5	<5	5
2011/12	<5	0	0	<5	0	7
2012/13	<5	<5	0	<5	<5	7

In each of the years 2008/09 – 2012/13 there were a total of five or fewer individuals admitted to HSC Hospitals in Northern Ireland with a diagnosis of Trisomy 13.

### Trisomy 18 and Trisomy 13

**Mr P Ramsey** asked the Minister of Health, Social Services and Public Safety what clinical advice is provided by health staff on diagnosing, advising and the aftercare of patients whose children have Trisomy 18 and Trisomy 13.

**(AQW 33367/11-15)**

**Mr Poots:** The Health and Social Care Trusts have advised that the diagnosis of Trisomy 18 and Trisomy 13 can be made in the antenatal period, for example after amniocentesis for an abnormal antenatal

scan, although diagnosis is often made after delivery, following a definitive laboratory test result. These tests are carried out in the Regional Genetics Laboratory at Belfast City Hospital.

Advice and support commences when diagnosis has been made and includes appropriate support from paediatric multidisciplinary teams, including paediatricians, children's nurses, allied health professionals and children's disability social work teams. Patient information is provided relating to screening available and the associated risks of screening. Parent counselling about the prospects for the child and management options may also be offered to parents. Genetic counselling is provided by a genetic counsellor based at the Regional Genetics Centre at Belfast City Hospital and is advised for future family planning. The management and counselling provided depends on the needs of each family, with the main objective being to keep the baby as comfortable as possible and provide the family with as much support as possible.

On-going paediatric and palliative care after the child is born is provided based on parental needs and requests and may include input from Clinical Psychology staff and further counselling where appropriate.

### Children with Trisomy 18 and Trisomy 13

**Mr P Ramsey** asked the Minister of Health, Social Services and Public Safety how many instances of children with Trisomy 18 and Trisomy 13 have also had Congenital Diaphragmatic Hernias in each of the last five years, broken down by Health and Social Care Trust.

**(AQW 33368/11-15)**

**Mr Poots:** Information is not available on the number of instances of children with Trisomy 18 and Trisomy 13 who have also had Congenital Diaphragmatic Hernias.

However, it is possible to identify the number of individuals admitted to HSC Hospitals in Northern Ireland over the last five years with a diagnosis of Trisomy 18 or Trisomy 13 in combination with Congenital Diaphragmatic Hernia.

The number of instances of children<sup>1</sup> with Trisomy 18 or Trisomy 13 in combination with a Congenital Diaphragmatic Hernia in each of the last five years is as follows. Where the number of patients is less than five, cells have been masked in order to protect patient confidentiality.

Financial Year	HSC Trust					Northern Ireland
	Belfast	South Eastern	Northern	Southern	Western	
2008/09	0	0	0	0	0	0
2009/10	<5	0	0	<5	0	<5
2010/11	0	0	0	0	0	0
2011/12	0	0	0	0	0	0
2012/13	0	0	0	0	0	0

1 Children have been defined as patients aged under 18 years.

### Children with Trisomy 18 and Trisomy 13

**Mr P Ramsey** asked the Minister of Health, Social Services and Public Safety what support is available to bereaved parents of children with Trisomy 18 and Trisomy 13.

**(AQW 33369/11-15)**

**Mr Poots:** The care and support of all parents who experience the loss of a baby or young child is set out in my Department's Careplan for women who experience a Miscarriage, Stillbirth or Neonatal Death (2006). It establishes best practice principles to improve the quality of bereavement care in these

circumstances. This careplan is currently being reviewed; the Department has set up a steering group with representatives from the medical and nursing professions, education providers and patient group representatives to produce a regional guidance document to support staff to deliver a consistent and high-quality approach to care of women and their families at this very difficult time, from the moment of diagnosis.

My Department's Review of Children's Palliative and End-of-Life Care in Northern Ireland also aims to determine strategy over the next ten years to ensure the best possible quality of life and care for children with a life-limiting condition. The final Strategy document will be published later this year.

All Health and Social Care Trusts in Northern Ireland have bereavement co-ordinators who are available to provide training for staff, as well as speak with people who have been bereaved. Currently one Trust has a dedicated bereavement midwife, who has been a significant asset to women and their families and to the training and support of staff within that Trust.

### **Trisomy 18 and Trisomy 13**

**Mr P Ramsey** asked the Minister of Health, Social Services and Public Safety how the Public Health Agency are highlighting Trisomy 18 and Trisomy 13 and raising awareness of the conditions.

**(AQW 33370/11-15)**

**Mr Poots:** The Public Health Agency is not currently engaged in awareness-raising activities specifically related to Trisomy 13 or Trisomy 18. However, the UK Strategy for Rare Diseases, published in November 2013, sets out an overarching framework for a shared UK vision for improving the lives of all those with rare diseases, including those with Trisomy 13 and Trisomy 18. Following publication of the UK Strategy, the Northern Ireland Rare Diseases Stakeholder Group, led by my Department, has been working to prepare a Northern Ireland Rare Diseases Implementation Plan with a view to having it ready for publication by autumn 2014.

### **Laundry Services**

**Mr Hazzard** asked the Minister of Health, Social Services and Public Safety to detail (i) all changes to laundry services within the South Eastern Health and Social Care Trust in the last twelve months; (ii) any plans to change laundry services in the next twelve months; and (iii) what discussions took place with staff representatives or the wider public regarding such changes.

**(AQW 33375/11-15)**

**Mr Poots:** With regard to the issues raised, the South Eastern Health and Social Care Trust (SEHSCT) has advised that:

- (i) There have been no major changes to laundry services within the Trust over the past 12 months.
- (ii) Within the next 12 months there are plans to change laundry services as follows:
  - a The Downshire laundrette will close due to the small number of patients requiring a laundry service on the Downe or Downshire site
  - b With laundrettes processing increased amounts of person clothing, identification of the clothing is necessary and is to be enhanced with the introduction of a Radio Frequency Identification (RFID) tagging system during this year.
  - c To ensure compliance with statutory standards and best practice, all high risk categories of laundry (foul and infected) will be processed in the Ulster Hospital main laundry while some personal items will be processed in Lagan Valley laundrette.
- (iii) The closure of the Downshire laundrette will affect 2 members of staff. Trust Management has had discussions with the individuals concerned and with Union representatives. The Trust's Human Resources team is working to appropriately redeploy the staff concerned.

## Health and Social Care Trust Hospital Formularies

**Mr Wells** asked the Minister of Health, Social Services and Public Safety whether the Health and Social Care Trust Hospital Formularies still apply.

**(AQW 33377/11-15)**

**Mr Poots:** The development and introduction of the Northern Ireland Formulary means that formularies previously used by the Belfast and the South Eastern Health and Social Care Trusts no longer apply. Prior to the development of the Northern Ireland Formulary the other HSC Trusts did not have a Medicines Formulary in place.

## Out of Hours Service at Craigavon Area Hospital

**Mrs D Kelly** asked the Minister of Health, Social Services and Public Safety whether there have been any occasions over the last six months when no doctors were available during the Out of Hours service at Craigavon Area Hospital; and if so, (i) what alternatives were available to patients; and (ii) what steps the Southern Health and Social Care Trust are taking to prevent this happening again.

**(AQW 33383/11-15)**

**Mr Poots:** I understand that there was only one occasion during the past six months when the Craigavon GP Out of Hours base was closed for GP appointments. This was for a period of 2 hours on 25th December 2013 between 2.00pm and 4.00pm.

During this time patient appointments were available in two other locations, Dungannon and Newry, whilst patient triage, call backs and home visits were undertaken by GPs who were working across the Southern Trust service area.

The Trust is working with the Health and Social Care Board, the commissioners of GP Out of Hours services, in relation to workforce planning strategies for the service.

## GP Registration Statistics

**Mrs Dobson** asked the Minister of Health, Social Services and Public Safety whether his Department will provide GP registration statistics to Education and Library Boards to assist them in planning future pre-school education provision.

**(AQW 33386/11-15)**

**Mr Poots:** My Department does not hold GP patient registration statistics; however, the Business Services Organisation (BSO) is responsible for maintaining GP Practices' patient registration records. It has confirmed that it would be willing to provide Education and Library Boards with GP registration statistics on receipt of a request from any of the respective Boards. Requests should be forwarded to:

Information and Registration Unit  
Family Practitioner Services  
HSC Business Services Organisation  
2 Franklin Street  
Belfast BT2 8DQ

By email to: [Info.BSO@hscni.net](mailto:Info.BSO@hscni.net)

## Patient Support and Reference for People with Diabetes

**Ms Maeve McLaughlin** asked the Minister of Health, Social Services and Public Safety to detail the operational support available in each Health and Social Care Trust for the development of patient support and reference for people with diabetes.

**(AQW 33388/11-15)**

**Mr Poots:** All Health and Social Care Trusts provide operational support for people with diabetes. A summary of key services provided by each HSC Trust is set out in the attached Annex.

**Annex - Diabetes Services Provided by Health and Social Care Trusts**

Service Delivered	HSC Trust				
	Belfast	Northern	Southern	South Eastern	Western
Inpatient admissions	√	√	√	√	√
Day case admission	x	√	√	√	√
Outpatient Clinics	√	√	√	√	√
Insulin Pumps (initiation & supervision)	√	√	√	√	√
Prescribing/ medicines management	√	√	√	√	√
Maternity Service	√	√	√	√	√
Pre-pregnancy Services	√	√	√	√	√
Retinal Screening (age > 12)	√	√	√ facilitated by regional screening service RVH but provided locally	Regional screening programme	Regional screening programme
Structured patient education programmes	√	√	√	√	√
Exercise programmes	Starting April 2014	x	Provided by local partners (leisure centres)	√ (adults)	√ 1 WTE exercise professional in Trust plus referral to exercise schemes in Fermanagh (not available Tyrone area)
GP practice based clinics	√	√ in some practices	Via GP services	√	√ supported by community diabetes teams in some areas
Diabetes ICP Provider Networks	√	√	√	√	√
Diabetes Specialist Nurses	√	√	√	√	√

Service Delivered	HSC Trust				
	Belfast	Northern	Southern	South Eastern	Western
Diabetes Specialist Podiatrists	√	√	√	√ (adults)	√
Diabetes Specialist Dieticians	√	√	√	√ (adults)	√

Examples of other services highlighted by Trusts include:

- Transitional clinical services provided in the Belfast and Northern Trusts
- Young People's Clinic available in Belfast Trust
- Nurse led clinics available in Southern and Western Trusts
- Diabetes Psychologist in the Western Trust
- Supporting weekend breaks and summer camps in partnership with Diabetes UK – Southern Trust
- Working with adults with learning disability who have diabetes – Southern Trust
- South Eastern Trust pilot of D-Nav Insulin Guidance System on approximately 150 patients  
Regulation and Quality Improvement Authority's Maternity Services Review

**Mr P Ramsey** asked the Minister of Health, Social Services and Public Safety what contribution his Department has made, or plans make, to the Regulation and Quality Improvement Authority's Maternity Services Review.

**(AQW 33396/11-15)**

**Mr Poots:** In 2010 the Regulation and Quality Improvement Authority (RQIA) carried out The Review of Intrapartum Care (2010) in Northern Ireland and one of its overall findings was that a comprehensive maternity strategy should be developed. My Department subsequently led the development of the Maternity Strategy for Northern Ireland 2012 – 2018 which I launched on 2 July 2012. My Department took account of the RQIA's recommendations and other relevant reports in developing the Maternity Strategy. The strategy provides a comprehensive plan to further improve the delivery of this important service and is currently being implemented by Health and Social Care in Northern Ireland.

During 2014-15, the RQIA will commence a review of the implementation of the Maternity Strategy. It is anticipated that this review will commence in autumn 2014 and will focus on the implementation of the strategy. My Department will provide any assistance requested by the RQIA in carrying out this independent review of the strategy.

## Patients Diagnosed with Mental Health Issues

**Lord Morrow** asked the Minister of Health, Social Services and Public Safety (i) what percentage of patients diagnosed with mental health issues are linked to the consumption of illegal substances; (ii) what long-term support is in place for such cases; and (iii) whether there is any correlation between the increase in patients with mental health issues and the increase in illegal drug-taking.

**(AQW 33397/11-15)**

**Mr Poots:**

- (i) The Health and Social Care Board has advised there is no information held on the percentage of patients diagnosed with mental health issues that are linked to the consumption of illegal substances. This information could only be acquired at disproportionate cost.
- (ii) Long term support for people with mental health issues linked to the consumption of illegal substances may involve, a range of services from specialist addiction services, dual diagnosis

services, generic mental health services, primary care and voluntary organisations, depending on the individual's assessed needs.

- (iii) The PHA advises that there is not an increasing trend in reported illicit substance misuse. The New Strategic Direction for Alcohol and Drugs Phase 2 recognises the link between alcohol and drug misuse, suicide and self-harm, and mental health. However, it is very difficult to generalise as to what causes this co-morbidity to occur as very many factors are involved and care is required to avoid proposing causal links.

### Clinics for Skin Disease Complaints

**Mr Weir** asked the Minister of Health, Social Services and Public Safety how many clinics for skin disease complaints are held in each Health and Social Care Trust on a monthly basis.

**(AQW 33411/11-15)**

**Mr Poots:** Information on the number of clinics for skin disease complaints held in each Health and Social Care Trust is not collected by the Department and could only be provided at disproportionate cost.

However, information is available on (i) the number of outpatient attendances at a consultant-led clinic in the Dermatology specialty and (ii) the number of outpatient attendances at an Integrated Clinical Assessment and Treatment Service (ICATS) in the Dermatology specialty, for each Health and Social Care Trust. This information is shown in the tables overleaf, for the first three quarters of 2013/14.

It is important to note that information on the number of outpatient attendances at a nurse-led clinic in the Dermatology specialty is not collected by the Department and has not been provided in the tables overleaf.

It should also be noted that in Northern Ireland, outpatient activity information is collected on the basis of the specialty that the patient is seen in, rather than the complaint that the patient attended for.

- (i) Number of consultant-led outpatient attendances in the Dermatology specialty by attendance type and HSC Trust

Trust	Number of Attendances at Consultant-Led Dermatology Clinics, by quarter and attendance type								
	QE June 2013 <sup>P</sup>			QE September 2013 <sup>P</sup>			QE December 2013 <sup>P</sup>		
	New	Review	Total	New	Review	Total	New	Review	Total
Belfast	1,852	3,987	5,839	2,516	4,251	6,767	2,614	4,291	6,905
Northern	1,137	1,449	2,586	1,155	1,477	2,632	1,160	1,357	2,517
South Eastern	1,322	1,966	3,288	1,218	2,098	3,316	1,237	2,074	3,311
Southern	1,558	2,140	3,698	1,820	1,645	3,465	1,743	1,837	3,580
Western	1,548	1,565	3,113	1,495	1,239	2,734	1,573	1,283	2,856
<b>Northern Ireland</b>	<b>7,417</b>	<b>11,107</b>	<b>18,524</b>	<b>8,204</b>	<b>10,710</b>	<b>18,914</b>	<b>8,327</b>	<b>10,842</b>	<b>19,169</b>

**Source:** Quarterly Outpatient Activity Return (QOAR)

<sup>P</sup> Data is provisional



- (ii) Number of ICATS outpatient attendances in the Dermatology specialty by attendance type and HSC Trust

Trust	Number of Attendances at ICATS Dermatology Clinics, by quarter and attendance type								
	QE June 2013 <sup>P</sup>			QE September 2013 <sup>P</sup>			QE December 2013 <sup>P</sup>		
	New	Review	Total	New	Review	Total	New	Review	Total
Belfast	199	205	404	169	200	369	162	247	409
Northern	345	774	1,119	314	697	1,011	390	676	1,066
South Eastern	552	613	1,165	453	526	979	459	622	1,081
Southern	309	257	566	231	161	392	321	251	572
<b>Northern Ireland</b>	<b>1,405</b>	<b>1,849</b>	<b>3,254</b>	<b>1,167</b>	<b>1,584</b>	<b>2,751</b>	<b>1,332</b>	<b>1,796</b>	<b>3,128</b>

**Source:** Quarterly ICATS Activity Return (QIAR)

P Data is provisional

**Note:** Dermatology ICATS services are not provided in the Western Health and Social Care Trust

### Day Care Facilities for Children with Special Needs: Rathmoyle

**Mr McMullan** asked the Minister of Health, Social Services and Public Safety whether the day care facilities for children with special needs will remain on the Rathmoyle site after the construction of the 28 Supported Living Units.

**(AQW 33431/11-15)**

**Mr Poots:** To date nothing has been confirmed in relation to the supported living development on the Rathmoyle site. Northern HSC Trust staff are continuing to work with the stakeholder group for the supported living development and they will update users of the resource centre, and their relatives, as soon as plans for the site can be confirmed.

The Trust met with the families of people who attend the resource centre in September 2013. At that time, the families indicated that their preference was for the current day care facility at Rathmoyle to be retained and the Trust indicated that it would seek to facilitate this. The Trust advised the families that the time frame for any development on the site would be 2015/16.

### Duchenne Muscular Dystrophy

**Mr Milne** asked the Minister of Health, Social Services and Public Safety for his assessment of services provided for people diagnosed with Duchenne muscular dystrophy; and what plans he has to improve care services.

**(AQW 33436/11-15)**

**Mr Poots:** Services for people with Duchenne Muscular Dystrophy are provided by Health and Social Care Trusts on the basis of assessed need and may involve hospital and/or community based services.

The Belfast Health and Social Care Trust provides a regional neuromuscular clinic for all age groups at the Royal Victoria Hospital, Belfast. The management of neuromuscular conditions also requires input from other specialties such as cardiology, orthopaedics and respiratory medicine and a one-stop-shop with these specialties present has been piloted at Belfast City Hospital.

A regional specialist neuromuscular nurse is now in post within the Royal Belfast Hospital for Sick Children. This post provides specialist nursing skills and knowledge in the management of those affected by a neuromuscular condition, their families and the professionals working with them.

In addition, there are a number of planned service improvements for people with Duchenne Muscular Dystrophy and these are attached at Annex A.

### **Annex A**

Plans to improve services for people with Duchenne Muscular Dystrophy include:

- The development of clinical networks with specialist centres in other parts of GB is a priority for specialist children's services including formalising links with a specialist neuromuscular service so that clinicians can develop expertise in neuromuscular conditions and experts from the specialist centres can provide input into the service in Belfast.
- The modernisation of adult neurology services to include: review medical capacity development of 'one-stop-shops'/ multidisciplinary clinics for patients accessing a range of specialist services in Belfast Trust; the development of referral protocols linked to care pathways including GP referrals; and the use of telemedicine and virtual clinics. Any additional investment required will be subject to prioritisation within the resources available.
- The appointment of two care advisors in the Belfast Trust to provide advice, support and information to people living with neurological conditions including neuromuscular conditions.
- The development of a patient journey for Duchenne Muscular Dystrophy which will focus on patients and their carers before and after diagnosis. The patient journey will be informed by the forthcoming GAIN care standards for Duchenne Muscular Dystrophy.
- The development of the NI Implementation Plan in response to the UK Strategy for Rare Disease. Any additional investment required will be subject to prioritisation within the resources available.

### **Early Access to Medicines Scheme**

**Mr Milne** asked the Minister of Health, Social Services and Public Safety whether he plans to introduce an Early Access to Medicines Scheme similar to that announced in Britain in March 2014, which allows patients the right to try medicines that have been shown to be safe and effective in mid-stage trials without having to wait for the licensing process to be completed.

**(AQW 33437/11-15)**

**Mr Poots:** I am aware of the Early Access to Medicines Scheme which was announced in England in March 2014 and I am currently considering whether Northern Ireland should participate in the scheme.

### **Social Workers: Face-to-Face Engagements**

**Mr Swann** asked the Minister of Health, Social Services and Public Safety in which circumstance, according to departmental or Northern Health and Social Care Trust guidelines, must an engagement between a social worker and their client be conducted on a face-to-face basis.

**(AQW 33451/11-15)**

**Mr Poots:** All of the Trusts in Northern Ireland are subject to the same regulation, guidance and policy in respect to when clients must be seen face-to-face.

In children's services face-to-face engagement with children and young people is directed for child protection investigations, statutory visits to Looked After Children, visits to children whose names are on the Child Protection Register and where an Initial Assessment of a child's needs is being undertaken.

In adult services, the Mental Health Order (NI) 1986 Code of Practice directs that the Approved Social Worker interviews the individual, who may be the subject to an application for detention, in person. The

Regional Adult Protection Policy & Procedural Guidance also directs that alleged adult victims of abuse should be interviewed during the course of an investigation.

Outside of these mandatory occasions, forms of contact are based on an assessment of the client's need, taking into account any risk factors that may exist. There may be times when it is appropriate for forms of contact other than face to face such as telephone, e-mail or letter to be used. This will normally be done with the client's agreement.

## House Fires

**Mr D McIlveen** asked the Minister of Health, Social Services and Public Safety how many people have died in house fires in each year since 1999.

**(AQW 33464/11-15)**

**Mr Poots:** The table below details the number of people who have died in house fires since \*August 1999. The figures have been provided by the Northern Ireland Fire and Rescue Service (NIFRS) and are for all fatalities in dwelling fires (accidental and deliberate)

Financial Year	Dwelling Fatalities
*August 1999-2000	16
2000/2001	12
2001/2002	17
2002/2003	11
2003/2004	13
2004/2005	12
2005/2006	7
2006/2007	19
2007/2008	20
2008/2009	12
2009/2010	8
2010/2011	11
2011/2012	11
2012/2013	14
2013/2014	9

\* NIFRS current Management Information System commenced in August 1999.

## Children Diagnosed with Hydrocephalus

**Mr Cree** asked the Minister of Health, Social Services and Public Safety how many children under eleven years old in each Health and Social Care Trust are diagnosed with hydrocephalus.

**(AQW 33467/11-15)**

**Mr Poots:** Information on the number of children diagnosed with hydrocephalus is not available.

However, it is possible to identify the number of admissions and individuals aged under eleven years old admitted to HSC hospitals in Northern Ireland in 2012/13 with a diagnosis of hydrocephalus, and these are detailed in the following table.

<b>HSC Trust</b>	<b>Admissions</b>	<b>Individuals</b>
Belfast	171	76
South Eastern	9	<5
Northern	21	9
Southern	24	<5
Western	10	<5
<b>Total</b>	<b>235</b>	<b>96</b>

**Source:** Hospital Inpatient System

**Notes:-**

- 1) The number of individuals given with a diagnosis of hydrocephalus also includes congenital hydrocephalus and hydrocephalus due to congenital toxoplasmosis.
- 2) Cell sizes less than five have been masked to protect patient confidentiality.

### People Diagnosed with Hydrocephalus

**Mr Cree** asked the Minister of Health, Social Services and Public Safety how many people in each Health and Social Care Trust area are diagnosed with hydrocephalus.

**(AQW 33468/11-15)**

**Mr Poots:** Information on the number of people diagnosed with hydrocephalus is not available.

However, it is possible to identify the number of admissions and individuals admitted to HSC hospitals in Northern Ireland in 2012/13 with a diagnosis of hydrocephalus, and these are detailed in the following table.

<b>HSC Trust</b>	<b>Admissions</b>	<b>Individuals</b>
Belfast	399	239
South Eastern	30	23
Northern	35	18
Southern	132	22
Western	47	29
<b>Total</b>	<b>643</b>	<b>331</b>

**Source:** Hospital Inpatient System

**Note:** The number of individuals given with a diagnosis of hydrocephalus also includes congenital hydrocephalus and hydrocephalus due to congenital toxoplasmosis.

### Transforming Your Care: Domiciliary Care Services

**Mr Agnew** asked the Minister of Health, Social Services and Public Safety what analysis his Department has undertaken to determine the impact that Transforming Your Care will have on the demand for domiciliary care services; and how much funding, which is separate from any additional resources to meet the demand due to an ageing population, will be reallocated to domiciliary care to meet any increase in demand over this budget period.

**(AQW 33481/11-15)**

**Mr Poots:** While my Department establishes the budget for the Health and Social Care (HSC) Board it is the remit of the commissioners in the HSC Board to identify areas for additional investment.

As well as traditional domiciliary services, TYC initiatives such as Healthy Ageing, Re-ablement, Tele-care, health will extend the assistance provided for individuals going forward.

### Local GPs: Regulatory Body

**Lord Morrow** asked the Minister of Health, Social Services and Public Safety to what regulatory body and or agency are local GPs accountable.

**(AQW 33489/11-15)**

**Mr Poots:** All practising medical doctors, including GPs, in the Northern Ireland, must be registered with the General Medical Council (GMC). The GMC is the independent regulator for doctors in the UK. Its legal role is to protect, promote and maintain the health and safety of the public by making sure that doctors meet our standards for good medical practice.

The Health and Personal Social Services (Primary Medical Services Performers Lists) Regulation (Northern Ireland) 2004 requires all GPs providing or wanting to provide primary medical services in Northern Ireland, for which the Health and Social Care Board has a duty to provide or secure, to be included in a primary medical services performers list maintained by the Health and Social Care Board (the HSCB). The HSCB can refuse or defer applications to be included in the list and can also remove or suspend registrations of GPs, if it has grounds for doing so.

### Waiting Time for a GP Appointment

**Lord Morrow** asked the Minister of Health, Social Services and Public Safety what is the average waiting time for a GP appointment in the Southern Health and Social Care Trust.

**(AQW 33490/11-15)**

**Mr Poots:** The information requested is not available.

As independent contractors, GPs are responsible for the day to day management of their Practice, including patient appointment arrangements

## Department of Justice

### Anonymity Orders

**Lord Morrow** asked the Minister of Justice how many Anonymity Orders are currently active in Magistrates Court cases per court division; and to detail the general nature of the charges for which each Anonymity Order has been granted.

**(AQW 33223/11-15)**

**Mr Ford (The Minister of Justice):** The table below details the number of active Anonymity Orders in the Magistrates' Court made under Article 6 of the Human Rights Act 1998, including the general nature of the charges, as at 6 May 2014.

Division	Number of Active Anonymity Orders	General Nature of Charges
Antrim	1	Possessing/Distributing Indecent Photograph
Ards	1	Indecent Assault
Craigavon	1	Possession of Firearm
Londonderry	3	Possession of a Controlled Drug

**Source:** Integrated Court Operations System

As outlined in the response to AQW/14072/11-15, there is a range of legislation under which the Court has power to make an order prohibiting the publication of case details, which can include defendant or witness anonymity. A manual review of these orders would be required to identify if they contained anonymity clauses. This could not be completed without incurring disproportionate cost and data have not been included in the above figures.

### **Anonymity Orders**

**Lord Morrow** asked the Minister of Justice how many Anonymity Orders are currently active in Crown Court cases per court division; and to detail the general nature of the charges for which each Anonymity Order has been granted.

**(AQW 33265/11-15)**

**Mr Ford:** At 6 May 2014, there were 21 active Anonymity Orders in two Crown Court cases, both in the Division of Belfast. The orders relate to witness anonymity. The nature of charges in these cases relate to the possession of explosives and firearms.

As outlined in the response to AQW/14072/11-15, there is a range of legislation under which the Court has power to make an order prohibiting the publication of case details, this can include defendant or witness anonymity. A manual review of these orders would be required to identify if they contained anonymity clauses. This could not be completed without incurring disproportionate cost and data have not been included in the above figures.

### **Female Prisoners**

**Mr Wells** asked the Minister of Justice, pursuant to AQW 32960/11-15, whether female prisoners receive beauty treatment as part of City and Guilds courses in hairdressing and beauty therapy.

**(AQW 33271/11-15)**

**Mr Ford:** In line with City and Guilds qualifications, NIPS must provide learners with a realistic working environment where they can develop their knowledge and practise their skills.

Primarily this involves practice on mannequins but for assessment and accreditation purposes there is a requirement to demonstrate competence on other learners.

### **Availability of Illegal Drugs via the Internet**

**Mr D McIlveen** asked the Minister of Justice what measures are in place to prevent people buying illegal drugs online.

**(AQW 33281/11-15)**

**Mr Ford:** Tackling the use of the internet for criminal purposes is a significant challenge for the Government and law enforcement agencies worldwide. The Organised Crime Task Force has a drugs sub group which seeks to combat drug trafficking. The drugs sub group comprises representatives from all the relevant law enforcement agencies as well as the Department of Health, Social Services and Public Safety and the Department of Justice. It provides a forum for the sharing of information and identifying joint action in the fight against drugs, including online.

More generally, the DHSSPS leads on the work to tackle drug misuse in Northern Ireland through the New Strategic Direction for Alcohol and Drugs and the DOJ is one of the partners that assists with the delivery of the short and long term outcomes outlined in that Strategy.

### **Strip Searching in Prisons**

**Mr Flanagan** asked the Minister of Justice for an update on the efforts to seek a modern viable alternative to the practice of strip searching in prisons.

**(AQW 33305/11-15)**

**Mr Ford:** Under the justification of practices involving the use of ionising radiation 2004 legislation, NIPS must obtain a licence prior to evaluating transmission x-ray search technology.

In order to obtain such a licence, NIPS must first complete a justification application and submit it through the Department of Energy and Climate Change (DECC).

DECC is the Department responsible for co-ordinating the Regulatory Justification process across the United Kingdom and is the policy lead for the regulations.

The Justification Liaison group agreed it would be necessary to carry out a full justification process on the NIPS application as no justification process has been carried out on the use of transmission x-ray technology to search people in the United Kingdom. When that process has been concluded the Justification Liaison Group, which includes representatives from the Department of Energy and Climate Change, Health and Safety Executive, Public Health England, Food Standards Agency, Scottish Office, Welsh Office and Department of Justice, and is led by the National Offender Management Service (NOMS), will draft a submission to the Secretary of State for Justice asking him to note the findings and approve progress towards the next stage of the application process for the use of a modern viable alternative to full body searching.

Millimetre wave technology has already been piloted in two NIPS Establishments and proved not to be as effective as existing processes.

### **Prisoners: Strip or Full Body Searches**

**Mr Flanagan** asked the Minister of Justice to detail the number of (i) prisoners that have been subject to a strip or full body search in each month since January 2010; (ii) strip or full body searches that have taken place in each prison since January 2010; and (iii) forced strip or full body searches that have taken place in each prison since January 2010.

**(AQW 33306/11-15)**

**Mr Ford:**

- (i) The number of full body searches carried out on prisoners in the period stated is set out in the table below. To determine how many prisoners these figures refer to could only be achieved at disproportionate cost.

	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>
January	1722	2322	2809	1709	2077
February	1793	2778	2755	1645	1788
March	1951	2740	3038	1699	2210
April	1628	2385	2512	1881	1777
May	1666	2643	2759	2244	
June	2018	2551	2237	2548	
July	2568	1973	2014	2231	
August	1922	1987	2103	2409	
September	1858	2131	2107	2515	
October	1811	2658	2055	2395	
November	1986	2718	1837	2462	
December	1979	2395	1418	1677	



- (ii) The number of full body searches carried out in each establishment in the period stated is set out in the table below.

Establishment	Gender	No of Searches
Maghaberry	Male	65348
Magilligan	Male	22596
Hydebank Wood	Female	4743
Hydebank Wood	Male	20405

- (iii) The method for recording full body searches under force after a prisoner has refused to comply was refined in early 2013. To provide figures before that date would incur disproportionate cost.

Establishment	Gender	2013	2014
Maghaberry	Male	464	266
Magilligan	Male	3	0
Hydebank Wood	Female	5	0
Hydebank Wood	Male	3	0

### Transmission X-Ray Body Scanners

**Mr Flanagan** asked the Minister of Justice for an update on the Northern Ireland Prison Service Justification Application for the initial trialling and possible future use of transmission x-ray body scanners.

**(AQW 33307/11-15)**

**Mr Ford:** Under the justification of practices involving the use of ionising radiation 2004 legislation, NIPS must obtain a licence prior to evaluating transmission x-ray search technology.

In order to obtain such a licence, NIPS must first complete a justification application and submit it through the Department of Energy and Climate Change (DECC).

DECC is the Department responsible for co-ordinating the Regulatory Justification process across the United Kingdom and is the policy lead for the regulations.

The Justification Liaison group agreed it would be necessary to carry out a full justification process on the NIPS application as no justification process has been carried out on the use of transmission x-ray technology to search people in the United Kingdom. When that process has been concluded the Justification Liaison Group, which includes representatives from the Department of Energy and Climate Change, Health and Safety Executive, Public Health England, Food Standards Agency, Scottish Office, Welsh Office and Department of Justice, and is led by the National Offender Management Service (NOMS), will draft a submission to the Secretary of State for Justice asking him to note the findings and approve progress towards the next stage of the application process for the use of a modern viable alternative to full body searching.

Millimetre wave technology has already been piloted in two NIPS Establishments and proved not to be as effective as existing processes.

### Prisoner: Arteriovenous Malformation

**Mr Flanagan** asked the Minister of Justice for his assessment of whether a prisoner suffering from arteriovenous malformation is suitable for a forced strip search.

**(AQW 33308/11-15)**

**Mr Ford:** When a full body search is deemed necessary and the prisoner refuses to comply, he will be allowed reflection time. He will only be full searched under force after a risk assessment has been carried out. A healthcare professional will provide input and advice on any known medical issues. NIPS standards do not permit full searches to be carried out on a prisoner who has a serious medical problem that could be adversely affected by the full search procedure.

### Deportation on Completion of a Custodial Sentence

**Lord Morrow** asked the Minister of Justice, in relation to recommendations for people to be deported on completion of a custodial sentence, whether they are released pending deportation, or remain in custody until deportation, even if they have served their sentence.

**(AQW 33356/11-15)**

**Mr Ford:** The Northern Prison Service (NIPS) may hold individuals who are liable for deportation beyond their custody expiry date providing those individuals have been served with a warrant of detention (known as an I.S. 91) by the Home Office. NIPS detains these individuals until they are collected by Tascor (the private company now performing duties previously undertaken by the UK Border Agency) and transported to a holding centre. NIPS works closely with Tascor to facilitate the prompt removal from prison of such individuals.

### Legal Aid: Fermin Vila Michelena

**Lord Morrow** asked the Minister of Justice how much has been paid in Legal Aid to date, broken down by law firm and (a) junior; and (b) senior counsel in the case of Fermin Vila Michelena; and to detail the estimated final total.

**(AQW 33407/11-15)**

**Mr Ford:** The amount of legal aid paid to date in the case of Fermin Vila Michelena is as follows:

Solicitor	£17,976.74
Junior counsel	£20,244.83
Senior counsel	£17,391.00
<b>Total</b>	<b>£55,612.57</b>

A further claim has been submitted by the solicitor but as yet it has not been assessed. It is estimated that the costs will be £450. This will give an estimated final total of £56,062.57.

### Prisoner Assessment Unit

**Lord Morrow** asked the Minister of Justice State what changes have been made to the regime and managing of the reopened Prisoner Assessment Unit.

**(AQW 33408/11-15)**

**Mr Ford:** Recommendations falling from both inspection and investigation reports were used as a basis for the development of Burren House.

Staff, including the Senior Officer grade, were specifically selected to run the unit and have been specially trained for the role. The training was co-delivered with Probation Board Northern Ireland (PBNI), and a full time PBNI officer will work within the Unit.

A more stringent multi agency selection process is in place to select prisoners for Burren House, and prisoner induction is more informative which clearly states what is expected of prisoners. In addition, a more robust progression /regression policy is in place, and staff employed there will write reports on the prisoners for the Parole Commissioners.

Senior managers from the Prison will visit the Unit on a rotational basis, and it will be audited regularly by Headquarter staff and a report given to the Governing Governor.

A full review of the operation of Burren will be carried out six months after the Unit opens.

### **Anonymity Orders in Legal Cases**

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 33009/11-15, to detail the total cases reviewed; and of these how many had (i) reporting restrictions; and (ii) anonymity orders removed, shown per court division, and indicting the nature of the charge.

**(AQW 33409/11-15)**

**Mr Ford:** The Office of the Lord Chief Justice reviewed orders made in respect of 61 defendants under section 1(2) of the Sexual Offences (Amendment) Act 1992 prohibiting the media from publishing their identity. Orders in respect of 56 defendants have been removed.

In five cases the court was satisfied that there were sufficient grounds for prohibiting the media from naming the defendant and made a reporting restriction under another statutory provision.

In all cases the defendants were charged with sexual offences.

<b>County Court Division</b>	<b>Number of Defendants</b>	<b>Number of Orders Removed</b>
Antrim	13	13
Ards	19	16
Armagh & South Down	8	8
Belfast	10	9
Craigavon	4	3
Fermanagh & Tyrone	2	2
Londonderry	5	5
<b>Total</b>	<b>61</b>	<b>56</b>

### **Labour Relations Agency Staff**

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 33100/11-15, to detail the dates in which Labour Relations Agency staff attended meetings on this matter.

**(AQW 33410/11-15)**

**Mr Ford:** My answer to AQW/33100/11-15 did not refer to meetings attended by the Labour Relations Agency on the matter of the disciplinary cases following the death in custody of Colin Bell but referred to an arrangement to convene an Independent Panel to consider the appeals of the individual staff involved. This arrangement followed the Ackah and Deane Review which had been facilitated by the Labour Relations Agency and which recommended that the Northern Ireland Prison Service Code of Conduct and Discipline as a whole should be reviewed in terms of the Labour Relations Agency Code of Practice on Disciplinary and Grievance Procedures.

### **Audio Recordings of Magistrates Court Proceedings**

**Lord Morrow** asked the Minister of Justice, given that there is equipment already in place, whether he will extend audio recordings of Magistrates Court proceedings similar to those in higher courts in the interest of accuracy and veracity.

**(AQW 33448/11-15)**

**Mr Ford:** I have no plans to bring forward legislation to require the use of audio recording of Magistrates' Court proceedings. However, recording equipment is available in most courtrooms and a District Judge (Magistrates' Court) can direct the use of audio recording equipment for any part of a Magistrates' Court sitting.

### **Night Custody Officers**

**Lord Morrow** asked the Minister of Justice to detail the reasons for the disparity in the outcome of the Independent Panel's deliberations which reinstated four female and five male night custody officers and reduced the recommended punishment in the case of three senior male officers, when only one night custody officer was dismissed from the service to face prosecution.

**(AQW 33479/11-15)**

**Mr Ford:** The outcome of the Independent Panel's deliberations was a matter for the Panel Members to decide based on the facts pertaining to each individual appeal case.

### **PSNI Service Medal**

**Mr Hussey** asked the Minister of Justice, pursuant to AQW 33019/11-15, to list the consultees he is referring to as 'the wider policing family'.

**(AQW 33485/11-15)**

**Mr Ford:** The draft list for taking the views of the 'wider policing family' (outside of Northern Ireland) will include: the Association of Chief Police Officers, the Chief Police Officers Staff Association, the Police Superintendents' Association for England and Wales, the Police Federation of England and Wales, the Scottish Chief Police Officers' Staff Association, the Association of Scottish Police Superintendents, the Scottish Police Federation, the Minister of State for Policing, Criminal Justice and Victims, and the Scottish Cabinet Secretary for Justice. Views from other organisations will be welcome.

### **Prison Staff: Alleged Misconduct in Public Office**

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 33163/11-15 and AQW 33012/11-15, whether he will revise his answers to provide statistics on the (i) number; and (ii) grade of prison staff who were; (a) disciplined; and (b) investigated by the PSNI for alleged misconduct in public office; and to detail the number of staff at management grades who were disciplined, in view of the findings of the Prisoner Ombudsman for Northern Ireland and His Honour Patrick Lynch QC at Craigavon Crown Court regarding the death in custody of Colin Bell.

**(AQW 33510/11-15)**

**Mr Ford:** I will not revise the answers to the pursuant AQW/33163/11-15 and AQW/33012/11-15 as disclosure would be likely to lead to the identification of individuals which would be contrary to the principles of the Data Protection Act 1998.

### **Car Park at Dungannon Court House**

**Lord Morrow** asked the Minister of Justice what action is being taken to extend or enlarge the car park at Dungannon Court House to address the parking problems on Killyman Road and local residential areas on court sitting days.

**(AQW 33512/11-15)**

**Mr Ford:** I have no plans to extend the car park at Dungannon Courthouse.

No complaints or reports of parking issues at Killyman Road or surrounding residential areas on court sitting days have been raised with the Northern Ireland Courts and Tribunals Service.

## **Custodial Arrangements: Children**

**Mr Eastwood** asked the Minister of Justice how he will address concerns about local custodial arrangements for children.

**(AQO 6166/11-15)**

**Mr Ford:** I recently consulted on the custodial arrangements for children in furtherance of the recommendations in the Youth Justice Review. The Summary of Responses to the consultation was published on 9 May. This document not only examines the views expressed by a range of respondents, including children and young people and their parents, but also sets out my proposals for changes to custodial arrangements and sentencing options for under-18s.

I have already publicly stated that children will no longer be held at Hydebank Wood YOC. I plan to underpin this policy position in legislation and ensure that all children committed to custody, regardless of their sentence, will be held at Woodlands Juvenile Justice Centre, whose regime and ethos make it a more appropriate location for children.

The proposals set out our plans to simplify the current custodial sentencing options for children by replacing two existing orders with a single order that is informed by the international principles contained in the United Nations Convention on the Rights of the Child relating to “best interests” and “custody as a last resort and for the shortest appropriate period of time”. I also intend to remove children aged 13 and under from the scope of the new order.

The summary document gives more specific details of this new order, such as minimum and maximum durations and a compulsory community supervision period.

The changes being proposed as a result of the consultation affirm my commitment to ensuring that custody for children is not used lightly, but as a consideration of last resort. Where custody is necessary, children should be held in the most suitable surroundings and for the shortest appropriate period.

The proposals will now be taken forward through the Fines and Enforcements Bill, which I am planning to introduce in the autumn.

## **Firearms Licensing**

**Miss M McIlveen** asked the Minister of Justice for an update on the progress made to address firearms licensing issues, as raised by the country sports industry.

**(AQO 6162/11-15)**

**Mr Ford:** I am seeking to find a package of changes which will: provide adequate and appropriate funding for the PSNI's Firearms Licensing Branch, enable those who are 12 or over to shoot in defined circumstances under suitable supervisory arrangements and to introduce a banded system to enable a more straightforward variation of firearms holdings.

Exchanges have been ongoing to try to draw this matter, on which there are differing views, to a conclusion.

I am keen to do so as soon as possible, but I need to be clear that we cannot continue the current public subsidy for Firearms Branch. In addition any changes must have public safety at their heart.

## **Domestic Abuse**

**Mr D McIlveen** asked the Minister of Justice for an update on his Department's efforts to eradicate domestic abuse.

**(AQO 6167/11-15)**

**Mr Ford:** The vision of the 'Tackling Violence at Home' Strategy is to put in place all practicable measures towards the elimination of domestic violence and abuse. My Department has played a significant role in the introduction of many such initiatives aimed at eradicating domestic violence.

The need to offer appropriate interventions aimed at changing the behaviour of those committing these dreadful crimes remains a priority for my Department. The Integrated Domestic Abuse Programme for convicted perpetrators of domestic violence challenges them to accept responsibility for their violent and abusive behaviour, to acknowledge the effect of their actions, and to take steps to change. Plans are being developed to pilot similar programmes for alleged perpetrators of domestic violence.

I am also committed to ensuring that, if such abuse does happen, victims are protected, supported and have access to justice. Measures in place have included Multi Agency Risk Assessment Conferences for high risk victims of domestic violence and abuse. Since their inception in 2010, safety plans and support have been put in place for over 6,700 high risk victims of domestic violence and abuse. In December 2011 I introduced a process which allows all victims of domestic violence to access legal aid quickly in order to assist in obtaining Non-Molestation Orders.

The Member will be aware that a public consultation on a new domestic and sexual violence Strategy, 'Stopping Domestic and Sexual Violence and Abuse in Northern Ireland', recently ended. The document, which was compiled through discussion with key stakeholders, contains a number of proposed priorities to address domestic violence. The responses to the consultation are presently being considered and will help develop proposals in this important area.

In the interim the current Action Plan under the "Tackling Violence at Home" Strategy will continue to progress actions aimed at both eradicating domestic violence and enhancing services to protect and support victims.

### **Animal Cruelty: Lenient Sentences**

**Ms McCorley** asked the Minister of Justice, given the recent public outcry over the perceived leniency of sentences in relation to animal cruelty, to outline any meetings he has had with the Minister of Agriculture and Rural Development in relation to this subject.

**(AQO 6168/11-15)**

**Mr Ford:** The Minister of Agriculture and Rural Development has given a commitment to review the implementation of the Welfare of Animals Act (Northern Ireland) 2011, and I have given my full co-operation and support to that review. I understand that the terms of the review are currently being developed and our respective officials have already been in discussion.

No formal Ministerial meeting has yet taken place, but I will of course facilitate any request for such a meeting.

### **Rural Crime**

**Mrs Dobson** asked the Minister of Justice for an update on the measures being taken by the Rural Crime Unit to provide a subsidy to farmers in E and F police districts to encourage the fitment of security equipment to farm machinery.

**(AQO 6169/11-15)**

**Mr Ford:** As Members are aware, in December 2013 the Rural Crime Unit announced an initiative to provide a subsidy to farmers in E and F policing districts, where higher levels of crime relating to agricultural-based activity were identified, to encourage farmers to fit security equipment to farm machinery to combat thefts.

I understand that 119 orders for equipment were placed and NFU Mutual, who jointly funded this initiative, has estimated that over £1.7 million worth of machinery has been fitted with additional security equipment as a result of this initiative.

Given the interest which this initiative has generated, consideration is currently being given to rolling out this initiative to other areas.

## Department for Regional Development

### NI Water: Fees

**Mrs Hale** asked the Minister for Regional Development whether he has had any discussions with NI Water in relation to excessive fees imposed on house builders for sewer inspections and bonds.

**(AQW 33190/11-15)**

**Mr Kennedy (The Minister for Regional Development):** I have discussed this issue with NI Water staff on several occasions.

I plan to publish a consultation paper shortly which will invite representations on the level of sewer bonds set by NI Water.

### Unauthorised Road Signs

**Mr McGlone** asked the Minister for Regional Development what steps his Department is taking regarding the problem of unauthorised road signs erected by businesses.

**(AQW 33253/11-15)**

**Mr Kennedy:** While I appreciate and understand the difficult trading conditions being experienced by many retailers, the illegal erection of advertising signs along the public road is an offence under The Roads (Northern Ireland) Order 1993. Furthermore, such signage can be a distraction to motorists and as such can have significant road safety implications. The more signs which are in place the greater the risk to safety.

Where advertising hoardings are erected illegally on the Department's property, action is taken by officials to try to remove these under Article 87 of the Roads (NI) Order 1993. This Article deals with advertisements, pictures, signs, etc. unlawfully affixed to the surface of a road, or any tree, structure or other works in or on a road i.e. signs on departmental property.

In addition, Article 21(1) of the Roads (Northern Ireland) Order 1993 states that "any person who erects or exhibits or causes or permits to be erected or exhibited any advertisement or notice which is sited or designed wholly or mainly for the purpose of being visible to persons using a special road or which is likely to prejudice the safety of traffic using a special road shall be guilty of an offence and liable under summary conviction to a fine". The motorway and Westlink are examples of Special Roads.

### Castledawson Roundabout Park and Ride Facility

**Mr McGlone** asked the Minister for Regional Development, in relation to the Castledawson Roundabout Park and Ride facility, when the planned expansion of the facility will be operational.

**(AQW 33254/11-15)**

**Mr Kennedy:** Officials are aware that demand for park and ride / share parking spaces at Castledawson significantly exceeds supply and it is planned to increase the number of parking spaces by 100. However, progression of the scheme will be dependent upon successful acquisition of the land and, to date, attempts to acquire the land by agreement have not been successful.

The lands required to facilitate the proposed scheme are currently the subject of a planning appeal and further discussions with the landowner will take place after the appeal decision is known.

### Knock Dual Carriageway

**Mr Agnew** asked the Minister for Regional Development for an update on the proposal to widen the Knock Dual Carriageway.

**(AQW 33263/11-15)**

**Mr Kennedy:** I would refer the Member to my answer to Assembly Question AQW 32817/11-15.



### **Portavoe Reservoir: Fish**

**Mr Easton** asked the Minister for Regional Development to detail the total number of fish killed as a result of draining Portavoe Reservoir.

**(AQW 33293/11-15)**

**Mr Kennedy:** DCAL Fisheries Officers have undertaken regular inspections of Portavoe Reservoir and to date no evidence of dead fish has been found.

The lowering of the water level in Portavoe Reservoir is required to facilitate essential health and safety work to refurbish valves and other maintenance work required to protect the structural integrity of the reservoir.

NI Water has been working with the Northern Ireland Environment Agency (NIEA) and the Department of Culture, Arts and Leisure (DCAL) regarding the lowering of the reservoir and has been taking advice on the appropriate environmental approach to this work.

### **Portavoe Reservoir: Birds**

**Mr Easton** asked the Minister for Regional Development to detail the number of total birds killed as a result of draining Portavoe Reservoir.

**(AQW 33294/11-15)**

**Mr Kennedy:** Five dead birds have been found by NI Water within the reservoir site, however none of these deaths are believed to have been caused as a result of the lowering of the water. NI Water is working with other Departments to attempt to establish the reason for these deaths and should any further dead birds be found that are in an acceptable condition for analysis, they will be removed and efforts made to determine the cause of death.

The lowering of the water level in Portavoe Reservoir is required to facilitate essential health and safety work to refurbish valves and other maintenance work required to protect the structural integrity of the reservoir.

NI Water has been liaising with the Northern Ireland Environment Agency (NIEA) and the Department of Culture, Arts and Leisure (DCAL) regarding the lowering of the reservoir and has been taking their advice on the appropriate environmental approach to this work.

### **Portavoe Reservoir: Fish**

**Mr Easton** asked the Minister for Regional Development how many fish have been rescued and removed from Portavoe Reservoir.

**(AQW 33295/11-15)**

**Mr Kennedy:** The Department of Culture, Arts and Leisure (DCAL) has informed me that it is regularly monitoring fish welfare at Portavoe Reservoir. Removal of fish is being carried out during the week commencing 12 May 2014. I am advised that as of 13 May 2014, thirty fish have been removed.

### **Portavoe Reservoir**

**Mr Easton** asked the Minister for Regional Development when Portavoe Reservoir will be refilled.

**(AQW 33296/11-15)**

**Mr Kennedy:** NI Water initially envisaged that the lowering of the water level to facilitate essential health and safety work at Portavoe Reservoir would be completed by the end of April 2014. Regrettably, the process has been slowed down as a result of acts of vandalism at the site and the unauthorised closing of the scour valve, which has the effect of prolonging the disruption to the natural habitat at the reservoir. The Police Service of Northern Ireland is currently investigating the acts of vandalism.

If the lowering of the water level in the reservoir can continue without further interference and rainfall does not exceed the seasonal average, then the required low water level should be achieved by the end

of May 2014. This will enable the maintenance work to be completed by the end of August 2014 and the reservoir will subsequently refill naturally. The timescale for refilling the reservoir will be dependent on rainfall.

### **Traffic Calming Measures: Sandown Road, Belfast**

**Mr Agnew** asked the Minister for Regional Development what consideration he has given to installing traffic calming measures on Sandown Road, Belfast.

**(AQW 33300/11-15)**

**Mr Kennedy:** My Department previously assessed Sandown Road for the provision of traffic calming measures. The assessment indicated there are a number of other areas competing for inclusion within the traffic calming programme which are deemed to be of greater priority at this time.

Taking account of the funding currently available for such works, officials therefore do not envisage being able to provide traffic calming measures along Sandown Road in the near future.

### **Parking Availability for Residents and Retailers in Ballyhackamore**

**Mr Agnew** asked the Minister for Regional Development to detail (i) what measures he is taking to resolve the issue of parking availability for residents and retailers in Ballyhackamore; (ii) whether he intends to introduce any residents parking schemes; and (iii) whether he intends to develop any more public car parks in the area.

**(AQW 33301/11-15)**

**Mr Kennedy:** I am very familiar with issues affecting local businesses and traders in the Ballyhackamore area of Belfast, having met some of them along with their representatives on a number of occasions.

My officials have considered the option of widening the small service road in the village, in order to accommodate parallel parking on each side of the road. However, such a scheme is not considered economically viable and would have a significant detrimental effect on pedestrians.

As part of the forthcoming Belfast Rapid Transit (BRT) works scheduled for the Ballyhackamore area, my Department is planning to construct a new lay-by to accommodate additional short stay parking opposite Eastleigh Drive. This will require the purchase of a narrow strip of private land along the frontage of the adjacent retail units.

Although a residents' parking scheme in the Ballyhackamore area is not being progressed at this time, a number of streets in the area have been noted for future consideration.

I am seeking to reduce reliance on the private car as a mode of transport for commuters, with a greater emphasis being given to more sustainable modes. The BRT project is aiming to reduce demand for car parking in the area, by providing an attractive, alternative means of transport for people travelling to and from Ballyhackamore. My Department's focus in relation to new car parking provision is, therefore, on strategic Park and Ride sites and at transportation centres such as bus and rail stations. As such, I am not intending to direct resources towards the development of additional off-street car parks in the Ballyhackamore area.

### **Wheelchair Users: Translink Metro Buses**

**Mr McCarthy** asked the Minister for Regional Development whether there is a policy that stipulates that only one wheelchair user may board a Translink Metro bus at a time; and if so, to detail why this policy is in place and whether his Department plans to reconsider this.

**(AQW 33302/11-15)**

**Mr Kennedy:** Translink have advised me that all of its current low-floor fleet in both Metro and Ulsterbus comply with the Public Service Vehicle Accessibility Regulations (Northern Ireland) 2003 No 37, allowing access on the vehicle for disabled persons. These regulations come under the remit of

the Department of Environment. The requirements stipulate that there should be not less than one space for a wheelchair with suitable safety provisions. It is worth noting that the regulations also take account of the need to maintain space for other users including those with disabilities but not using wheelchairs.

Translink further advises that it is not aware of any low-floor large buses in commercial production that would accommodate more than one wheelchair.

You should also be aware that my Department supports Disability Action to run an interim transport service, the Disability Action Transport Scheme (DATS). This offers transport options to individual members who cannot avail of mainstream public transport due to disability. Wheelchair users may be eligible to become members of this scheme and if so can avail of the transport services available.

### **Footpaths in Bangor**

**Mr Weir** asked the Minister for Regional Development whether there are plans to repair the footpaths in Bangor town centre to ensure they are safe for use by the visually impaired.

**(AQW 33325/11-15)**

**Mr Kennedy:** My Department carries out cyclical inspections on all carriageways and footways under its maintenance responsibility. All surface defects which are deemed hazardous to the public are identified and instructed for repair to a timescale depending on their severity.

A recent inspection of the subject area confirmed the footways were considered to be in a safe and serviceable condition.

However, if the Member is aware of a specific issue and /or location then officials in Bangor Section Office are available to assist in resolving the matter.

The Member may be aware that a Public Realm Scheme has recently commenced within Bangor Town Centre during which the footways will be reconstructed. During the consultation process the views of vulnerable road users were sought and considered at the planning and design stages of the scheme.

### **Groups Representing the Visually Impaired: Street Pavements**

**Mr Weir** asked the Minister for Regional Development what consultation takes place with groups representing the visually impaired to ensure street pavements are safe and maintained to an adequate standard.

**(AQW 33326/11-15)**

**Mr Kennedy:** My officials regularly meet with groups that represent the needs of all people with disabilities. The Department also provides representation to various working groups organised by the Inclusive Mobility and Transport Advisory Committee, which the Accessible Transport Strategy confirmed as the main source of independent advice to Government and others in Northern Ireland on all transport issues that affect the mobility of older people and disabled people, including those with visual difficulties.

At a local level, my Department also engages with local access groups to address the needs of local people. Officials apply guidance from sources such as the Department for Transport's 'Inclusive Mobility', which is acknowledged as a guide to best practice on access to pedestrian and transport infrastructure.

### **Wheelchair Users: Translink Metro Buses**

**Mr A Maginness** asked the Minister for Regional Development what proportion of Metro buses can accommodate (i) one wheelchair user; (ii) two wheelchair users; and (iii) more than two wheelchair users.

**(AQW 33359/11-15)**

**Mr Kennedy:** Translink has advised that all Metro buses can only accommodate one wheelchair user. All Metro buses comply with the Public Service Vehicle Accessibility Regulations (Northern Ireland) 2003 No 37, allowing access on the vehicle for disabled persons. These regulations come under the remit of the Department of Environment. The requirements stipulate that there should be not less than one space for a wheelchair with suitable safety provisions. Translink further advises that it is not aware of any low floor large buses in commercial production that would accommodate more than one wheelchair.

Recognising the constraints here I announced in 2013 that my Department would support Disability Action to run an interim transport service, the Disability Action Transport Scheme (DATS.) This offers transport options to individual members who cannot avail of mainstream public transport due to disability. Wheelchair users may be eligible to become members of this scheme and if so can avail of the transport services available.

### **Wheelchair Users: Translink Metro Buses**

**Mr A Maginness** asked the Minister for Regional Development how many requests Translink received in each of the last three years to schedule Metro buses that can accommodate more than one wheelchair user; and of these, how many requests were granted.

**(AQW 33360/11-15)**

**Mr Kennedy:** Translink has advised that over the last three years it has not received any specific requests to accommodate more than one wheelchair on its Metro services.

Disability Action who under the auspices of the Disability Action Transport Scheme, which is supported by my Department, regularly receives requests to accommodate more than one wheelchair on the services it provides and the specialised custom built vehicles it has at its disposal can readily accommodate such requests.

### **Wheelchair Users: Ulsterbus and Metro Services**

**Mr A Maginness** asked the Minister for Regional Development what policy is in place to allow two or more wheelchair users to travel together on Ulsterbus and Metro services.

**(AQW 33361/11-15)**

**Mr Kennedy:** Translink have advised me that all of its current low-floor fleet in both Metro and Ulsterbus comply with the Public Service Vehicle Accessibility Regulations (Northern Ireland) 2003 No 37, allowing access on the vehicle for disabled persons. These regulations are under the remit of the Department of the Environment. The requirements stipulate that there should be not less than one space for a wheelchair with suitable safety provisions.

Translink further advises that it is not aware of any low-floor large buses in commercial production that would accommodate more than one wheelchair.

### **NI Water: Flooding Incidents at the Mourneview Estate, Dundrum Road, Newcastle**

**Mr Rogers** asked the Minister for Regional Development, pursuant to AQW 31807/11-15, to detail the outcome of NI Water's detailed investigations and feasibility study in respect of repeated flooding incidents at the Mourneview Estate, Dundrum Road, Newcastle.

**(AQW 33402/11-15)**

**Mr Kennedy:** NI Water has received the initial draft report on the feasibility study from its consultants on the drainage situation within the Mourneview Estate. The report has been reviewed and a number of queries have arisen which need to be addressed. These include the need for NI Water to consult with Roads Service as there are potentially multiple sources for the flooding.

NI Water has advised that a substantive report is expected to be available by the end of May 2014 to allow for the development of solutions at the earliest opportunity.

## Safe Routes to School Scheme: Temporary 20mph Speed Limit

**Mr McMullan** asked the Minister for Regional Development how many schools in (i) Cushendall; (ii) Cushendun; and (iii) Glenariff qualify for the recently extended Safe Routes to School Scheme - temporary 20mph speed limit.

**(AQW 33434/11-15)**

**Mr Kennedy:** Work is at an advanced stage on the development of a new Policy on Roads Safety at Schools, which will include the provision of part-time 20mph speed limits as a speed reducing measure.

This new policy contains an assessment procedure which will be used to assess schools, ensuring that those with the greatest need are given priority.

You may already be aware that 'Safer Routes to Schools' measures, which included school warning signs on backing boards with amber flashing lights and red surfacing on the approaches, have already been provided at St Mary's Primary School in Cushendall and at St Patricks Primary School in Glenariff.

## Abandonment Orders

**Lord Morrow** asked the Minister for Regional Development to outline the process adopted for Abandonment Orders.

**(AQW 33449/11-15)**

**Mr Kennedy:** My Department's policy and procedures for its Abandonment Orders are available to view on its internet site at:

<http://www.drndi.gov.uk/index/publications/publications-details.htm?docid=9255>.

## Cycle Network

**Mr D Bradley** asked the Minister for Regional Development, given the feel good factor created by the Giro d'Italia passing through Newry and Armagh, what plans he has to further improve the cycle network in the area to encourage safe cycling.

**(AQO 6151/11-15)**

**Mr Kennedy:** My Department is currently working on a cycling strategy for Northern Ireland. I expect a draft strategy to be prepared by June of this year. This will provide an appropriate framework within which to assess different routes – including those in Newry and Armagh.

In parallel with this, consideration will be given to the drafting of cycling masterplans for areas within Northern Ireland starting with Belfast. While my ambition is to improve cycling infrastructure throughout Northern Ireland, I think that it is important to adopt a step-by-step approach so that the benefits of investment are more effective.

## Park and Ride: Dungannon

**Lord Morrow** asked the Minister for Regional Development for an update on the proposed park and ride scheme at Dungannon.

**(AQO 6149/11-15)**

**Mr Kennedy:** The proposal for Park & Ride facilities at both Tamnamore and Stangmore were included in the draft Local Transport & Safety Measures Programme 2014-2016, which was presented to Dungannon & South Tyrone Borough Council in December 2013.

I am pleased to confirm that construction work has started at the Tamnamore site and the facility, which will provide 270 spaces at a cost of £800,000, should be operational by autumn 2014.

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. Discussions with Translink and the affected landowner have taken place and demand is to be reassessed once the Tamnamore facility has become operational.

## Off-Street Parking Legislation

**Mr G Kelly** asked the Minister for Regional Development when an off-street parking bill will be introduced. (AQO 6150/11-15)

**Mr Kennedy:** My Department proposes to issue an Off-Street Parking (Functions of District Councils) Bill for consultation soon. It is scheduled to be introduced to the Assembly in September.

The Bill would transfer to district councils the powers my Department has in relation to the provision, operation and management of off-street parking places under the Road Traffic Regulation (Northern Ireland) Order 1997.

The Bill would also create certain decriminalised powers of enforcement to enable councils to issue penalty charge notices where parking contraventions occur in those car parks. Those powers would broadly reflect those available to my Department under the Traffic Management (Northern Ireland) Order 2005.

The Bill would come into effect on 1 April 2015.

## Unadopted Roads

**Mr Brady** asked the Minister for Regional Development for an update on the implementation of the recommendations contained in the inquiry into unadopted roads. (AQO 6152/11-15)

**Mr Kennedy:** My Department has made good progress on the implementation of the recommendations contained in the inquiry into unadopted roads. All of its recommendations have been considered, and either dealt with directly by my Department or referred to the appropriate parties.

I have given my full support for the Committee's Inquiry into Unadopted Roads. I acknowledge the very real problems unfinished roads and sewers have caused to homeowners in some housing developments, and I assure you my Department remains committed to dealing with this issue.

During 2013/14, my Department adopted just under 63 kilometres of housing development roads into the public road network. The majority were completed by developers, but enforcement was also used in a number of instances, and bond monies were called upon where completion through the normal processes was not possible. In the same period, 325 backlog sites have been completed and adopted.

In summary, there is still work to be done, but significant overall progress has been made in dealing with unadopted roads and sewers in housing developments. I am committed to making further progress and I will be writing to the Committee for Regional Development in the near future with a full update.

## Giro d'Italia: Legacy

**Mr Dickson** asked the Minister for Regional Development what discussions he has had with the Minister of Enterprise, Trade and Investment regarding the physical infrastructure legacy of the Giro d'Italia. (AQO 6153/11-15)

**Mr Kennedy:** I am sure that you will want to join with me in congratulating all those involved in the organisation of the Giro d'Italia NI Grande Partenza, which has been a huge success due to the effective joint working of many Departments and bodies to promote NI and cycling.

My Department has been heavily involved in numerous activities with the Giro d'Italia from the operational aspects of the Race Committee through to representation on the Northern Ireland Local Steering Group for the Legacy Plan.

The delivery structure of the event has targeted 'legacy' as one of its primary objectives of the event. Whilst the Northern Ireland Tourist Board is leading this aspect of the event organisation, my Department has provided input. Cycling Unit officials have contributed to the draft Legacy Plan which, among other things, seeks to promote Active Travel for the journey to school and to encourage the



wider local population to engage with cycling as an everyday means of transport. It is expected that the draft Legacy Plan will be endorsed by the Executive in due course.

My Department is also setting up a cross-sectoral Cycling Group to ensure that the wider benefits of cycling are promoted and I have written to the Minister of Enterprise, Trade and Investment seeking her Department's involvement in this Group. I intend to chair this Group which will have representation from a wide range of stakeholders. Encouraging more cycling and providing safe and accessible infrastructure would be a legacy from the Giro d'Italia for all our citizens.

In terms of infrastructure, we are moving forward plans for a dedicated pedestrian and cycle bridge across the Lagan to provide a direct link from the city centre to Ormeau Park. This will link with the National Cycle Network routes alongside the Lagan and open up a quiet route for cyclists from both the east and south of Belfast.

As well as the funding I intend to commit to cycling infrastructure, my Department is pursuing opportunities for EU funding in partnership with cross-border groups to develop traffic-free Greenway routes throughout Northern Ireland.

## **EU Funds**

**Mr F McCann** asked the Minister for Regional Development for an update on his Department's new EU Unit's success in increasing the drawdown of EU funds.

**(AQO 6154/11-15)**

**Mr Kennedy:** Since its establishment in July 2013, my Department's European Programmes and Gateways Unit has been successful in securing £19.9m of EU funds. It has secured £10.7m of EU Funds through the European Sustainable Competitiveness Programme and £9.2m from the INTERREG European Territorial Co-Operation Programme.

This success has been achieved in what is a highly competitive arena; in almost every case, applications for European funding are substantially oversubscribed. My decision to establish a dedicated EU Unit was predicated upon a determination to ensure effective engagement with European stakeholders and the ongoing competitiveness of our bids.

An application has recently been made under the TEN-T programme for £2.9m of EU funds which would, if successful, contribute to the cost of a works study for the proposed Belfast Inter-modal Transport Hub at Great Victoria Street in Belfast. The decision in respect of this application is likely to be known in September of this year.

In the meantime, the European Programmes and Gateways Unit continues to explore potential opportunities for future bids and is working co-operatively with colleagues across a number of regions in doing so.

## **Manhole Covers: Theft**

**Mrs McKeivitt** asked the Minister for Regional Development how many manhole covers have been replaced by his Department, or its arm's-length bodies, in the last 12 months as a result of theft.

**(AQO 6155/11-15)**

**Mr Kennedy:** My Department and NI Water have replaced 71 manhole covers in the last 12 months as a result of suspected theft.

## **Lorries: Clady**

**Ms Boyle** asked the Minister for Regional Development what plans he has to address the increasing numbers of articulated lorries travelling through Clady, County Tyrone.

**(AQO 6156/11-15)**



**Mr Kennedy:** The cross border bridge and the roads through Clady, County Tyrone are structurally sound and therefore capable of accommodating articulated lorries.

However, in order to reduce vehicle speeds and discourage vehicles unnecessarily travelling through Clady, my Department provided traffic calming measures on Urney Road and Bellspark Road within the village in 2008. In the past few years, Bellspark Road has also benefited from the provision of additional footways. These measures should contribute to improving road safety within the village.

## Department for Social Development

### Proposed Social Housing Scheme: Crossgar

**Mr Wells** asked the Minister for Social Development, pursuant to AQW 32471/11-15, whether the deletion of the proposed social housing scheme at 19 Downpatrick Road, Crossgar from the Social Housing Development programme 2014/15 - 2016/17 will enable his Department to fund an alternative scheme in Crossgar.

**(AQW 33275/11-15)**

**Mr McCausland (The Minister for Social Development):** The current projection for 5 year social housing need in Crossgar is 30 new units. Clanmil Housing Association has programmed to deliver 11 new units at 37-45 Downpatrick Street, Crossgar in the 2016/17 programme year.

The Housing Executive has highlighted the additional housing need in its Unmet Needs Prospectus and will therefore consider supporting additional proposals as they are brought forward by Housing Associations.

### Doury Road Area of Ballymena: Derelict Properties

**Mr McKay** asked the Minister for Social Development, pursuant to AQW 31955/11-15, when the Housing Executive will repaint and power wash the derelict properties that were used for art projects, and make improvements to the memorial garden and make a derelict gable wall good, as was previously agreed with the residents association in Doury Road.

**(AQW 33280/11-15)**

**Mr McCausland:** The Housing Executive has advised that they have paused the progression of its plans for derelict properties until the Building Successful Communities Forum (BSCF) has considered how to integrate this work with the regeneration of the Doury Road. As such, it has been agreed that all proposed works to these dwellings will be postponed in the interim period.

The Housing Executive also advised that they would be willing to consider improving the memorial garden and will discuss this, along with the other issues, at the next BSCF on 27 May 2014.

In relation to the gable wall, which is in block 1 to 11 Sandown Park, future plans for this row of properties have been deferred to ensure that the Housing Executive's plans compliment the work of the Forum. The Housing Executive has confirmed that the gable has been inspected and there are no health and safety issues.

### Waiting Time for Allocation of Social Housing: Ballymoney and Ballymena

**Mr Swann** asked the Minister for Social Development what was the average waiting time for allocation of social housing in (i) Ballymoney; and (ii) Ballymena, in each of the last three years.

**(AQW 33313/11-15)**

**Mr McCausland:** The Housing Executive has provided the table below which details the average waiting time for the allocation of social housing in the Housing Executive's Ballymena and Ballymoney local office areas in 2012/13 and 2013/14. Due to a gap in the data available (because of the introduction

of a new Housing Management System) the Housing Executive is unable to produce reliable data on Allocations for the financial year 2011/12.

<b>Local Office</b>	<b>No. of Allocations to 31.03.13</b>	<b>Mean average Months</b>	<b>Median average Months</b>	<b>No. of Allocations to 31.03.14</b>	<b>Mean average Months</b>	<b>Median average Months</b>
Ballymena	216	21.12	13.00	293	22.44	16.00
Ballymoney	91	11.15	6.00	104	13.36	7.00

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: Diabetes**

**Lord Morrow** asked the Minister for Social Development what amendments have been made to the Disability Living Allowance (DLA) qualifying criteria for children with long term DLA awards for diabetes transferring to adult DLA where there is no alteration of condition; and to detail the date any amendments were introduced.

**(AQW 33354/11-15)**

**Mr McCausland:** There have been no amendments made to the qualifying criteria for Disability Living Allowance for children with long term awards for diabetes transferring to adult DLA where there is no alteration of condition.

Entitlement to Disability Living Allowance depends on the extent to which the person needs help with personal care, requires supervision or has difficulty getting around.

Therefore, entitlement is based on the effects that severe disability has on a person's life and not on a particular disability or diagnosis. This is because people living with the same disabilities or illnesses do not necessarily have precisely the same care or mobility needs.

In the case of children, an important consideration is the amount of additional care and supervision the disabled child needs beyond what a child without severe disability would require. Some very young children do need substantially more care than children without a severe disability but this may change over time.

Automatic entitlement for certain conditions would not be a precise enough way to determine someone's actual needs, how those needs may vary over time, or the variable responses of an individual to the condition.

### **Social and Affordable Homes**

**Mr Campbell** asked the Minister for Social Development to detail the number of additional social and affordable homes provided in each of the last seven calendar years as a result of (i) properties being purchased; and (ii) properties being built.

**(AQW 33371/11-15)**

**Mr McCausland:**

- (i) The information requested is only available for financial years rather than calendar years.

The Social Housing Development Programme is made up of new built houses and purchases of Off –the Shelf and existing Satisfactory Properties. The number of social properties purchased during the period 2007/8 to 2013/14 is as follows;

<b>Year</b>	<b>Purchased</b>	<b>Built</b>	<b>Total Starts</b>
2007/08	613	982	1,595
2008/09	522	614	1,136
2009/10	543	1,295	1,838
2010/11	493	1,925	2,418
2011/12	384	1,026	1,410
2012/13	241	1,138	1,379
2013/14	407	892	1,299
<b>Totals</b>	<b>3,203</b>	<b>7,872</b>	<b>11,075</b>

- (ii) The number of Affordable homes delivered by the Northern Ireland Co-ownership Housing Association (NICHHA) during 2007/8 to 2013/14 are as follows:

<b>Year</b>	<b>Total number of properties claimed for in the financial year</b>
2007/08	935
2008/09	325
2009/10	461
2010/11	492
2011/12	643
2012/13	957
2013/14	1223
<b>Total</b>	<b>5036</b>

**Social Houses: Belfast Estates**

**Mr Humphrey** asked the Minister for Social Development, pursuant to AQW 32503/11-15, to provide the same information in the same format for Newtownabbey 1 and Newtownabbey 2 Housing Executive areas. **(AQW 33380/11-15)**

**Mr McCausland:** The tables below set out the information in relation to Newtownabbey 1 and Newtownabbey 2 as requested.

**Table 1- Social Housing schemes currently being built and planned in the Social Housing Development Programme 2014/15 – 2016/17 for Newtownabbey 1, by estate in order of housing need**

Housing Need Assessment Area	Projected Housing Need for HNA	Common Landlord Areas/ Estates within each HNA	Scheme Name	Units	Prog Year
North Belfast Strategy	1145	North Belfast Strategy	Feldon, Newtownabbey	97	*Currently being built
Rathcoole	85	Rathcoole	Deerfin Park / Derrycoole Way Rathcoole Ph1 & Ph2 (T)	20	2014/15
Rathcoole	85	Rathcoole	Iniscarn Way & Loughmoney Park, Rathcoole (T)	10	2015/16
Rathcoole	85	Rathcoole	Rathcoole Eastway & Derrycoole Way (T)	20	2016/17

**Table 2 - Social Housing schemes currently being built and planned in the SHDP 2014/15 – 2016/17 for Newtownabbey 2, by estate in order of housing need**

Housing Need Assessment Area	Projected Housing Need for HNA	Common Landlord Areas/ Estates within each HNA	Scheme Name	Units	Prog Year
Glenvarna & Queens Park	104	Glenvarna & Queens Park	369-371 Antrim Road (Glengormley)	21	* Currently being built
Glenvarna & Queens Park	104	Glenvarna & Queens Park	Ballyduff Road, Carnmoney	6	2016/17
Glenvarna & Queens Park	104	Glenvarna & Queens Park	19-23 Moss Road, Newtownabbey	6	2016/17
Ballyduff	68	Ballyduff	Ballyduff Primary School (Extension), New Mossley	30	* Currently being built

\* The Housing Executive records official Social Housing Development Programme statistics for 'Completions' based on information received from Housing Associations. It is possible that a scheme could be completed and the dwellings fully allocated and operational but the Housing Association has not informed the Housing Executive by way of formal Practical Completion Certificate; such schemes would not therefore be officially recorded as completed.

The Information provided in this response is governed by the Principles and Protocols of the Code of Practice for Official Statistics. This is enforced by UK Statistics Authority.

## Double Glazing

**Mrs D Kelly** asked the Minister for Social Development to outline the planned schedule of works for double glazing Housing Executive properties in the Portadown area.

**(AQW 33385/11-15)**

**Mr McCausland:** The Housing Executive has advised that their records show that there are only four properties remaining in Portadown, which will need to be double glazed. The Housing Executive is also aware that there are a number of properties in Portadown with older retrofitted double glazed windows and they have currently included these in two indicative schemes for consideration for new double glazing; they advise that it is likely that any resulting schemes would commence in 2015/16.

## Disability Living Allowance: Hydrocephalus

**Mr Cree** asked the Minister for Social Development how many people are in receipt of Disability Living Allowance because they have a family member who is diagnosed with hydrocephalus.

**(AQW 33469/11-15)**

**Mr McCausland:** The information requested is not held by my Department. Entitlement to Disability Living Allowance is not based on a diagnosis of a medical condition or illness but on an assessment of how much help someone needs with personal care and/or mobility needs because of their disability

## Employment Support Allowance: Hydrocephalus

**Mr Cree** asked the Minister for Social Development how many people are in receipt of Employment Support Allowance because they are diagnosed with hydrocephalus.

**(AQW 33470/11-15)**

**Mr McCausland:** In Northern Ireland, there are 40 people in receipt of Employment and Support Allowance with a main medical condition recorded as Hydrocephalus.

The information provided is governed by the Principles and Protocols of the Code of Practice for Official Statistics. This is enforced by the UK Statistics Authority.

## Tenancy Deposit Scheme

**Mr Flanagan** asked the Minister for Social Development, pursuant to AQW 33117/11-15 and given that it is the responsibility of local environmental health offices to enforce the tenancy deposit scheme, why his Department is unable to break down the figures by council area.

**(AQW 33472/11-15)**

**Mr McCausland:** Tenancy Deposit Scheme Administrators do not provide this information to my Department. However, I have asked officials to check if the scheme administrators hold the information broken down by council area and will write to you when I have an update on this.

With respect to the enforcement of the Tenancy Deposit Regulations, I expect that the information gathered by the Landlord Registration Scheme will enable Councils to identify the location of private tenancies.

## Tenancy Deposit Scheme

**Mr Flanagan** asked the Minister for Social Development, pursuant to AQW 33117/11-15, whether he has any plans to collect this information broken down by council area, in order to monitor effective enforcement by local councils.

**(AQW 33477/11-15)**

**Mr McCausland:** My officials have opened discussions with the three tenancy deposit scheme administrators to ascertain if they hold their information broken down by council area and if it is possible to share it.

The Department will be working with Councils in the coming months to encourage effective regulation of the private rented sector.



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Anonymity Orders in Legal Cases	WA 265	Taxi Operator Licences	WA 231
Audio Recordings of Magistrates Court Proceedings	WA 265	<b>Office of the First Minister and deputy First Minister</b>	WA 193
Availability of Illegal Drugs via the Internet	WA 261	Pre-Election Period Guidance	WA 194
Car Park at Dungannon Court House	WA 266	Racial Equality Strategy	WA 193
Custodial Arrangements: Children	WA 267	Social Investment Fund	WA 195
		Sustainable Development Implementation Plan	WA 193
		Together: Building a United Community	WA 194
		Together: Building a United Community	WA 195
		Victims and Survivors Service	WA 194



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## Revised Written Answers

### Friday 23 May 2014

#### (AQW 32699/11-15)

The Foras na Gaeilge (FnaG) costs for overnight accommodation for 2013 are shown in the table below:

	<b>Cost for 2013</b>	<b>Reason(s) for overnight accommodation</b>
Board	£6,786.79	Foras na Gaeilge Board attending meetings.
Staff	£36,588.73	Foras na Gaeilge staff attending meetings, conferences and events throughout Ireland
Others	£4,466.98	Non – Foras na Gaeilge staff engaged to provide a service
<b>Total</b>	<b>£48,483.40</b>	

#### (AQW 32529/11-15)

The Northern Health & Social Care Trust identified to my Department 20 separate incidents in which the response by the Trust was below standard. The Trust further advises that, where appropriate, in each of the cases involving a death, the families of those involved have been advised. This is a sensitive issue for families and requires careful interaction. It is also important to understand that families may choose to decline engagement with the Serious Adverse Incident process.

#### (AQW 32775/11-15)

The Northern Health & Social Care Trust identified to my Department 20 separate incidents in which the response by the Trust was below standard. The Trust further advises that, where appropriate, the patients/families of those involved have been advised and that in one case this communication took place after 28 March.

This is a sensitive issue for families and requires careful interaction. It is also important to understand that families may choose to decline engagement with the Serious Adverse Incident process.

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