

# Official Report (Hansard)

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# Contents

## **Assembly Business**

Point of Order.....63

## **Ministerial Statements**

Public Expenditure: January Monitoring Round.....64

British-Irish Council: 13 January 2012 .....74

Preschool Admissions .....80

## **Oral Answers to Questions**

Finance and Personnel .....87

Health, Social Services and Public Safety.....92

## **Executive Committee Business**

Protection from Tobacco (Sales from Vending Machines) Regulations (Northern Ireland) 2012 .....99

## **Adjournment**

Castlewellan Forest Park: Arboretum.....103

## **Culture, Arts and Leisure**

Salmon Conservation ..... WMS 1

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# Northern Ireland Assembly

Tuesday 17 January 2012

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

*Members observed two minutes' silence.*

## Assembly Business

### Point of Order

**Mr Elliott:** On a point of order, Mr Speaker. Last Tuesday, the Office of the First Minister and deputy First Minister (OFMDFM) released a statement referring to additional funding to alleviate pressures on school budgets. On Thursday, the Minister of Education issued a press release that claimed that funding of £120 million had been agreed by the Executive for his Department and would be available over the next three years. Is it in order for a Minister to issue such an announcement before the Minister of Finance and Personnel has had an opportunity to make a statement to the House? Will you investigate the matter, Mr Speaker? I know that you have had concerns about that being done in the past.

**Mr Speaker:** I thank the Member for his point of order. I will look at the issue and come back to the Member individually or to the House, as I am not around the whole detail at present.

**Mr McDevitt:** Further to that point of order, Mr Speaker, it was indicated at the time in the press that the Minister of Education intended to make a statement to the House on the proposed £120 million allocation. Will you inform the House whether you have received any notice from the Minister of Education of his intention to make such a statement?

**Mr Speaker:** I am conscious of a number of issues to do with this and am aware that the House did not meet last week to discuss any of those issues. As Members know, we often hear rumours about Ministers coming to the House to make statements. As I have continually said in the House, it is really up to individual Ministers as to what statements they bring to the House. I have always encouraged Ministers to judge for themselves but to inform the House

first on important matters. I know that there will be occasions when Ministers will have to release a brief statement to the House on a particular issue and then come back to the House with a fuller statement. Let me look at all those issues.

I say again that I have very little authority around the issue of getting Ministers to the House to make statements. As I say, there will be occasions on which Ministers will have to release information to the press. We should try to understand that, given the nature of the subject matter that needs to be released to the press. Let me look at the issue and come back to the House.

## Ministerial Statements

### Public Expenditure: January Monitoring Round

**Mr Speaker:** I have received notice from the Minister of Finance and Personnel that he wishes to make a statement to the House this morning.

**Mr Wilson (The Minister of Finance and Personnel):** Thank you for the opportunity to present the outcome of the January monitoring round to the Assembly. This is the last monitoring round of the financial year and is, therefore, strategically important in influencing the end-of-year outcome and in setting the opening position for the forthcoming financial year. That is particularly important this year, because we are now operating within the framework of the Budget exchange scheme that I agreed with the Chief Secretary to the Treasury last July. I will say more about that shortly, but, first, I want to look at the financial position as presented to the Executive in this monitoring round.

When the 2011 Budget was initially set for this financial year, back in March 2011, there was an expectation that it would be a very tight settlement, with little expectation of material reduced requirements being declared during the course of the year. However, the evidence to date suggests otherwise. Although that may reflect robust action taken by Departments to contain expenditure, through, for example, the delivery of efficiencies, it raises the possibility that the original Budget allocations to some Departments either reflected an overly pessimistic view of need or underestimated the capacity within Departments to pursue and deliver savings. There is encouraging evidence to suggest that efficiencies are being driven out. For example, the pace of reduction in administration spending is increasing. In the October monitoring round, I reported that administrative expenditure had fallen by 2.5% since the Budget was set. The January monitoring position shows that the spend on administration is now 3.8% lower than planned. Although that is encouraging, I have now asked my officials to undertake an analysis of the current financial position of Departments and compare that with the original Budget allocations. Such analysis is timely, given that the Executive have now launched the draft Programme for Government (PFG). It will provide the Executive with an opportunity to review

departmental allocations for 2013-14 and 2014-15 in light of the PFG priorities.

I now turn to the specific issues in this monitoring round. The Executive started the round with an overcommitment from the October monitoring round of £11.5 million in respect of non-ring-fenced resource expenditure and £23.8 million with regard to capital investment. Members will note that the focus on non-ring-fenced resource expenditure items introduced in the October monitoring round has continued. The ring-fenced position is provided in the tables I have included for information. As I have explained to the Assembly before, the Executive have no discretion to move resources out of the ring-fenced category. As I said, there were significant reduced requirements again declared in this monitoring round. Departments surrendered £33 million of non-ring-fenced resource expenditure and £23.9 million in respect of capital investment. Details of those reduced requirements are included in the tables.

One significant item within the reduced requirements related to the schools end-of-year flexibility scheme. In June, the Department of Education (DE) was allocated £20.5 million to cover the estimated 2011-12 net schools drawdown for this year. However, the Department has confirmed that the final estimated drawdown is only £10 million, which means that there was a surrender of £10.5 million in this monitoring round. I am obviously disappointed that DE has surrendered such a large amount of resource, and I have asked my officials to liaise with their colleagues in that Department on improving their forecasting next year. The schools end-year flexibility stock will now be reduced by £10 million, which is the total net amount drawn down this year. That will set the opening position for next year.

In addition to reduced requirements, there were a number of "centre" issues that impacted on the amount of additional resources available in this monitoring round. In total, those centre issues resulted in an additional £21.3 million of non-ring-fenced resource expenditure being made available in this round. However, on the capital investment side, the net effect was a £1.1 million pressure.

The most significant issue was additional Barnett consequentials received in this financial year. On the capital investment side, those Barnett additions were offset by the Executive's

decision to explicitly build into its planning assumptions the progress made by the asset management unit towards its goal of £10 million in additional capital receipts. The asset management unit advises that it has delivered £1.3 million of additional asset sales to date and that, although further asset sales may be realised in this financial year, there is a high degree of uncertainty. The Executive, therefore, decided to explicitly recognise the £8.3 million capital pressure in its deliberations.

I now turn to the issue of internal reallocations and reclassifications. The public expenditure control framework provides each Department with considerable scope to address emerging pressures within its existing allocations on a unilateral basis. However, any proposals to move resources across spending areas in excess of the de minimis threshold of £1 million are subject to the Executive's approval. There may also be departmental allocations that, for technical reasons, were incorrectly classified. All proposed reclassifications require the Executive's approval. All proactive movements and reclassifications agreed by the Executive have also been included in the tables that accompany Members' copies of this statement.

With regard to the resources that were available, the starting level of overcommitment, the level of reduced requirements, the "centre" items and the internal reallocations and classifications all impacted on the amount of resources available for allocation in this monitoring round. The net impact of all those issues was that the Executive had £44.3 million of non-ring-fenced resource expenditure available for allocation. However, a capital investment pressure of £1.2 million remained.

The bids by Departments for additional resources amounted to £20.6 million of non-ring-fenced resource expenditure and £11.4 million of capital investment. The individual bids by Departments are shown in the tables.

The level of resources available on the resource expenditure side exceeded the amount of bids, whereas on the capital investment side the opposite was the case. Therefore, in order to meet the capital investment bids and exit the monitoring round with zero overcommitment of capital, the Executive agreed to reclassify £12.6 million from resource expenditure to capital investment. The reclassification from resource expenditure to capital investment allowed the

Executive to agree allocations on the resource expenditure and capital investment sides. That buoyant position meant that all bids were met. The agreed allocations are shown in the tables, and I will highlight a few of the main ones.

The Department for Regional Development (DRD) was allocated £10 million, which will allow for further maintenance and repair of our major and minor roads as well as the purchase of 13 new buses to run on those roads. That is good news for the construction industry, because it means that spend on roads maintenance this year will be £111 million. That is the highest allocation ever recorded for roads maintenance and illustrates the Executive's commitment to dealing with some of the issues around jobs and so on that the construction industry has brought to us.

#### **10.45 am**

A total of £8.2 million was allocated to the Department for Employment and Learning (DEL). The bulk of that additional funding will go to the Steps to Work employment programme, which has seen increasing demand in the current difficult economic climate. That additional allocation will ensure that our employment service is fully funded to assist unemployed people back into work. Funding was also provided for the Step Ahead programme, which offers participants a job for up to 10 weeks in the community and voluntary sector. The funding now provided will allow DEL to support 500 participants through the programme.

There was also a £2 million allocation to the Department for Social Development (DSD), which will deliver thermal improvements to a further 900 Housing Executive homes in this financial year. That will create further opportunities in the construction sector and help to deal with fuel poverty, an issue that a number of Members have raised in the Assembly on a number of occasions.

The Executive now leave this monitoring round with £11.2 million of remaining non-ring-fenced resource to put towards our carry-over into next year, and Members will be glad to hear that it will not be surrendered to the Treasury. Our proactive management of the Budget position also means that there is now no capital expenditure overcommitment, while any further capital underspends that emerge over the next few months will also be carried into next year.



Therefore, the Executive leave this monitoring round having met all bids and with some unallocated resources, which will be added to whatever residual underspends emerge at the provisional out-turn stage. That can be carried into the 2012-13 financial year under the Budget exchange scheme. The scheme allows the Executive to carry forward £50 million of non-ring-fenced resource expenditure and £13 million of capital expenditure, and we are aiming to maximise, although not go over, those limits. To go over those limits would mean that we would lose the money to the Treasury.

Moving into next year, what we do with those resources and the additional Barnett allocations resulting from the Chancellor's autumn statement is strategically important. Rather than wait until emerging bids appear in the June monitoring round, I believe that we can take some early decisions that will allow for better planning and delivery of key services and give certainty to those who have to deliver the key services.

The Executive are acutely aware of the particularly difficult circumstances in the education and health sectors. Those circumstances are driven largely by the combined effects of demographic change and the need to deliver the ongoing strategic programme of transformational change. The problems over reform in the schools sector particularly worry me. I recently met the Minister of Education, the First Minister and the deputy First Minister to discuss those issues. It was a very constructive meeting, and we agreed an additional package of assistance that will be rolled out over the next three years.

The package will be factored into the wider Budget review process. In the light of a need for some urgent action, however, the Executive agreed that we now allocate a further £30 million resource to the Department of Education budget for 2012. That has enabled the Minister of Education to inform schools that the reduction in their budget will be 3% next year, which will enable them to do immediate planning for dealing with that reduction.

The concerns over the health sector are mainly, although not entirely, on the capital side. I proposed to the Executive that those pressures be addressed as part of the wider review of budgets assessment. I also intend to take account of the health capital pressures in an emerging paper that I will present to Executive colleagues. The paper will set out

the conclusions of the wider review of the capital position following recent developments, especially the decision by the Irish Government not to make money available for the A5.

I look forward to updating the House on the outcome of the budget reviews. I hope that the Assembly will welcome this statement. I believe that the picture is much more optimistic than it perhaps was at the beginning of the year, when we discussed the Budget position. I am happy to take questions.

**Mr Murphy (The Chairperson of the Committee for Finance and Personnel):** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire. I thank the Minister for his statement. He said that he has instructed his officials to compare Departments' current financial position with the original Budget allocations and that the Executive will have an opportunity to review Budget allocations in the light of the Programme for Government priorities. Is that, in effect, a reconsideration or a reopening of the third and fourth years of the Budget? If so, will he give an indication of the timescales for that process and ensure that the Assembly and its Committees are fully involved and engaged in it?

What is the Minister's assessment of the reasons for the high level of reduced requirements at this late stage in the year? Will he assure us that that is due more to good financial management than to bad budget-setting for the current year, in that Departments overestimated what they could have spent?

**Mr Wilson:** I will deal first with the review of the allocations that have been made in the four-year Budget that we set. We believed that having a four-year Budget was the right thing to do, and Departments made their bids. There have been substantial returns this year from some Departments in particular. We intend to look at the starting position this year and at the provisional out-turn position at the end of this year. We have to look at the past two years, because the provisional out-turn would not be known in time to make reallocations for the next financial year, so we have to have a year's space in between.

It is not a reopening of the Budget whereby we look at its fundamentals. We already have the Programme for Government; we know what Departments are doing. We are looking at the margins and seeing whether all the allocations are correct. If they are not, it would be far better



to make adjustments now so that we can plan spending and give certainty to the delivery of services in year 3 and year 4. Essentially, that is what we are doing. I emphasise that it is not a reopening of the Budget through which Departments will bid for fundamental change. We have a draft Programme for Government and a strategic way forward. We know that, after one year, there have been differences at the margins that we had not anticipated. We now want to look at that money and allocate it to where we have identified pressures.

As for the reasons for the return of money, as I said in the statement, some Departments have already made substantial savings of 3·8% in their administrative costs. At the time of the Budget last year, I emphasised that, in a tight budgetary situation, we should look at how we can take money out of services that are not front line so that it goes to front line services. Some Departments have been good at that. We often had discussions about whether there were things that Departments did that they did not need to do. Of course, everybody said that they had to do all the things that they said. I think that some Departments looked at some of the things that they were doing and asked whether they really needed to do them, and they stopped doing them.

Of course, there have been particular pressures. In the case of the Department of Enterprise, Trade and Investment (DETI), for example, firms are finding it difficult to get match finance from banks. That of course means that they cannot draw down grants or do not have confidence for the future, which then means that they delay investment decisions. That has meant that there have been substantial returns from DETI in this year. It remains to be seen what happens in future years. So, there are particular reasons for that in some Departments, but, by and large, I am pleased that Departments are managing their budgets better than they were in the past.

**Mr Girvan:** I thank the Minister for his statement this morning. What progress has the performance and efficiency delivery unit (PEDU) made in the Department of Education's work programme?

**Mr Wilson:** Some Ministers were very reluctant to have PEDU look at their Department's performance, efficiency and delivery and how it could be improved. Indeed, I had many a battle with Ministers about PEDU going in to look at such work. I must say that I am pleased with PEDU's

work in the Department of Education, where it identified scope for considerable savings. Off the top of my head, we are talking about nearly £20 million of potential savings in just two areas: school transport and school meals.

I had a meeting yesterday afternoon with the Minister of Education, during which we went through the PEDU report. At the end of the day, this is not about the Department of Finance and Personnel placing an imposition on other Departments. It is about the Department of Finance and Personnel working with Ministers and Departments. The Minister responsible for the Department concerned has to take ownership of the report — it has to become his or her report — and he or she then has to implement the recommendations.

I was very pleased that the Minister accepted all PEDU's recommendations, and he intends to put in place a work programme to deliver on those. He is quite happy for PEDU to continue monitoring what is being delivered. I think that that is the way forward. Rather than Ministers being suspicious of PEDU coming in and looking at their Department, they should see it as a resource to help them to manage their budget more effectively.

**Mr Cree:** I also thank the Minister for his statement. He referred to the fact that the Department of Education asked for £20·5 million in July and that, six months later, £10 million is not required. Is the Minister concerned that the Department's forecasting was so inaccurate in such a short space of time?

**Mr Wilson:** I am not concerned that its forecasting was so inaccurate. However, I am concerned that it did not identify at an earlier stage exactly how much schools would draw down. Let me just explain what happened. The end-year flexibility arrangements were lost after the coalition Government decided that money could not be carried forward on a year-to-year basis. Schools had saved about £57 million and were afraid that they were going to lose all of that; some of them were spending in the wildest possible ways. So, the then Minister of Education and I came to an arrangement whereby we would carry the money at the centre and the schools could then bid for that in June, thereby allowing them to spend in a much more sensible manner. Whatever money they asked for would be made available to them. All the

Department had to do was to forecast how much it thought would be required.

The Department of Education drew down the £20.5 million. However, schools decided that they would rather keep half of that money as savings rather than spend it all in this financial year. That is what I want my officials to work on with the Department of Education. I would like the Department to have found out at an earlier stage how much schools intended to spend this year and to have returned any remaining money in September rather than in January. I suppose the trick in future years will be to get those indications earlier. I think that it was left a bit late this year. It is not the case that the money is not needed. Rather, schools have decided, maybe because they have a tighter budget next year, that they want to carry that forward to next year. I, therefore, want education officials to identify at an early stage whether schools are going to use the money this year and, if they are not going to do so, I want them to get it back so that it is available when it really is needed.

**Mr D Bradley:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as an ráiteas a rinne sé ar maidin. The Minister referred to the ending of the end-year flexibility scheme last year and the consternation that that caused. Many Members brought pressure to bear in order to get the scheme replaced, and I welcomed the replacement at the time. However, it is disappointing — I know that the Minister shares my disappointment — that £10 million of that resource has now been returned.

Does the Minister agree that the money is a mixture of resource and capital? At a time when school budgets are under pressure, it is scandalous that an amount of that magnitude is being returned to the centre, especially given the fact that —

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

**11.00 am**

**Mr D Bradley:** OK, Mr Speaker. It is scandalous, especially given the fact that many teachers are now being placed on protective notice.

**Mr Wilson:** I am amazed that the Member, who has been a very good member of the Committee for Education for many years, seems to have such a shallow understanding of what that is all about. It is money that schools have saved.

They got it in their budgets. They had the option to save some of their budget or to spend it fully. The Member will know full well why some schools decide to put money aside. Perhaps they want to paint the school, but, because they do not have enough money in the budget for one year, they set aside a little each year until they have enough. Perhaps they want to replace computers, play equipment or whatever. The fact that schools did not draw down that money this year does not mean that it has been lost to education; it simply means that schools have held onto it so that they can spend it when they assess that they need it. I would have thought that that was good, prudent management in schools. My only complaint is that I wish that the Department of Education had identified earlier in the year whether schools intended to draw down that money this year or keep it until next year so that the money would have been available earlier and might have been allocated to bids that were made in, say, September. That is my only complaint.

Let me emphasise that the money is not lost. It allows schools the flexibility and the ability to determine when they want to spend their own money. We have put the scheme in place. I should also point out — just in case the Member wants to take credit for it — that the arrangement was actually devised by the Minister of Education and me long before pressure came from the Assembly. As soon as the problem was identified, my officials, Department of Education officials, the Minister of Education and I got together and sorted the problem out. We did not need to be pressurised to do that.

**Mrs Cochrane:** I thank the Minister for his statement. I welcome the money that has been allocated to DRD and DSD, which will surely be a much-needed boost for the construction industry. I also welcome the extra resource allocation to the Department of Education, which will be a relief to principals and boards of governors, who have struggled to find ways to reduce costs for the incoming year. Given the Minister's evident commitment to the Department of Education, can he tell me whether, if more capital underspend emerges, consideration will be given to school capital projects, such as the rebuild of Strandtown Primary School in east Belfast, which had plans approved and was found to be compliant with the capital build programme but did not have any money?

**Mr Wilson:** First, as I said, we will review the capital budget, especially in light of the fact that money for the A5 has not been made available from the Government of the Irish Republic. There will have to be a reallocation of money. We also have capital Barnett consequentials of £150 million — I think it is £150 million or £130 million — over the next three years, which will have to be allocated. I hope to bring a statement to the Assembly in the near future. We will have to apply a number of criteria. One criterion will be whether the money can be spent in time, as we cannot carry it over in substantial amounts from one year to the next. We can carry over only £11.5 million from one year to the next. Therefore, it will have to be allocated to projects that are ready to go.

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

Secondly, there will be all kinds of bids from Departments as to what capital is required. As I said in relation to the Health Department, one way in which we will judge capital bids will be whether they actually help with the reform programme. Obviously, in the case of education, there is a rationalisation programme. If the Department of Education makes strong bids on the basis that they are a way to deliver longer-term savings and better services, of course those bids will be considered. However, priorities within those allocations as to which schools will get the money will be for the Minister of Education to decide on, not me.

**Mr Humphrey:** I, too, thank the Minister for his statement to the House. I share his concerns and worries about education reform, as do many on these Benches. I welcome the resource being put into education. I am a governor in two schools in the greater Shankill area, including Springhill Primary School, which is urgently in need of a newbuild, and I would like to know how the Minister proposes to find the additional £30 million for the Department of Education in 2012-13.

**Mr Wilson:** I have already pointed out to the Assembly that, over the next three years, a stream of money is being made available for additional resource spending from Barnett consequentials; in other words, spending decisions have been made by the Government at Westminster, and a certain percentage of that additional spending will then come to Northern Ireland. Therefore, we know that we have a flow of capital and resource from that over the next

number of years. Next year, it is around £20 million — I should remember the exact figure, but I cannot — and we will have money that we will carry over under the Budget exchange system. With the provisional out-turn figures, we are hoping that that will be maximised at £50 million. Therefore, immediately, there is a pot of money available to spend next year, and we know that we have that.

I have no doubt that there will also be returns and reduced requirements in the monitoring rounds. From all of that, we should easily be able to meet requirements. That is why I have been able to give the commitment to the Minister of Education that the £30 million that he requires next year to keep the reduction in the schools budgets to 3% rather than the planned 5% will be available. That is where the money will come from.

**Mr Flanagan:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as an ráiteas seo. Given the further handing back of funding by Invest NI, primarily because of the inability of businesses to get finance, will the Minister provide the House with an update on any progress he has made in putting pressure on the banks to ease up their criteria for lending capital to businesses?

**Mr Wilson:** I have regular meetings with the banks. They always assure me that their doors are open for business and they are lending, but that is not the evidence that I get back from businesses. Every day, I get evidence and hear stories from businesses that have strong trading positions and need more working capital to expand their business but cannot get money from the banks. Therefore, we have to keep pressure on the banks. The Minister of Enterprise, Trade and Investment also looked at what her Department may do where banks fail to make that money available. Although I do not have all the details, she announced £50 million for the loan guarantee scheme, and that is an additional source of finance that firms can apply to. However, let me make it clear that that will not be a substitute for proper bank lending.

I have had conversations with the governor of the Bank of England and with Treasury Ministers in London. I know that the Government have set targets for the lending that they require and want banks to make to small businesses, but there are no regional targets. We have been pushing to get some regional targets, but

one thing we can do is get the Treasury to put pressure on banks to make sure that some of the money and the requirement to lend to small businesses percolates down to Northern Ireland. I suppose it is a case of keeping the pressure on, but, at the end of the day, we do not have control over the banks. We can only keep that pressure on and try to persuade them to do what is required to keep the economy buoyant and to ensure their own future business.

**Mr Hilditch:** My question is on the same theme and in the context of looking to the private sector and the need to grow that sector. Does the Minister have any further comment on the Invest NI decision?

**Mr Wilson:** It is unfortunate that the money that Invest NI had been hoping to spend on job promotion has not been fully spent this year. Of course, that is not a reflection on the work that is done by Invest NI and by the Minister of Enterprise, Trade and Investment; it is because a lot of that funding has to be matched. If firms cannot find resources, get money from banks or, in some cases, do not have the confidence to invest, there is not a great deal that can be done about that. I want to make it clear to the House that we have reallocated the money to projects that will create jobs. Job opportunities will not be lost as a result of the money not being spent. For example, when we put money into roads maintenance or the thermal insulation of Housing Executive houses, that creates jobs in the construction sector. When we put money into DEL for the Steps to Work programme, that brings people into training and gives them job opportunities and the ability to move into longer-term employment. It is not the case that money suddenly drops into a hole and there is no job creation from it; we are simply moving it from the DETI budget to other budgets, and different kinds of job are being created.

**Mr McNarry:** Wizard Wilson's zest for conjuring money never ceases to amaze me, and here we have word of his magic wand turning Big Bad John into the Jolly Green Giant. Let us be fair, the education package is good news, and it should be welcomed by all as such. Will the Minister tell the House the nature of the compelling arguments that convinced him to release the money? Were any conditions attached? In his statement, the Minister said that the package:

*"will be rolled out over the next three years."*

What is the total amount that will be rolled out over the next three years?

**Mr Wilson:** I am glad that the Member has moved away from me being the creator of black holes. A year and a half ago there were black holes all over the place that I could not fill, yet it now seems that I have the ability to conjure money. Mind you, during the Budget discussions last year, I thought that some Members from the Ulster Unionist Party thought that I had trees at the bottom of my garden that grew money. They seemed to think that I could finance every one of their demands. I am pleased that the Member recognises that the dire predictions made by his party during the Budget discussions last year have not come to fruition. However, that is not due to my conjuring abilities; rather, it is due to the hard work that was done by Ministers across Departments to manage within the existing available resources.

The Member asked what compelling arguments were made in relation to schools. All Members will have received representations from schools. Schools were faced with a 5% reduction next year, a 1% reduction the following year and a 5% reduction the year after that. Those reductions would have had dire consequences for schools. Indeed, many schools felt that they would have been unable to operate because they would not have had the required teaching complement. Therefore, the first thing was the pressure that schools applied through public representatives, and the Assembly was a useful conduit for local schools to get their message across. Secondly, the Minister of Education and I sat down and discussed the extra allocation. I want to make it clear that I would have been reluctant to simply throw a pile of money at education to avoid some of the hard decisions that still have to be taken. I would not have listened to the Minister's argument had he come to me and told me that he needed money because of the number of school closures and everything else and that, if I did not give him the money, that would happen. There is still a need for reform and for structural reform in education, and the Minister has assured me that he will not shy away from that. Indeed, this money will not enable him to shy away from it, and he has said that publicly. Thirdly, given the resources that we had available, if there was a means of allowing schools to make the transition to some of the changes required and to plan in a better and much more even way for those changes,



it was my responsibility to find the necessary resources. That is exactly what we did.

The figure of £120 million over three years is in the public domain; the Minister of Education put it there. We have identified how much money he needs for school budgets over the next number of years. It will come from the review and reallocation of budgets, together with the other moneys that will become available over the next three years from Barnett consequentials, in-year monitoring and savings made by the Department of Education. In that way, we will finance the full amount required.

### 11.15 am

**Mr A Maginness:** I thank the Minister for his statement. The Committee for Enterprise, Trade and Investment expressed great concern about the return of £21 million by Invest Northern Ireland. There is great concern outside the House, particularly among the business community, which sees the return of £21 million by the major instrument of job creation in government. I ask the Minister two things. First, does he not agree that that sends out a very bad message that will adversely affect the Government's commitment to job creation? Secondly, will he consider giving greater additional flexibility to Invest Northern Ireland to retain some of its money and allow it to be redirected towards other methods of job creation? The situation is serious.

**Mr Wilson:** The Minister of Enterprise, Trade and Investment shares the concern that the Committee has expressed. Let us face the facts: a lot of Invest NI's spend is demand-led spend. Of course, Invest NI will look for opportunities and does so. I talk to companies that benefit from the money that Invest NI spends, and I listen to what they say. DETI and Invest NI have been increasingly encouraging companies to look at markets well beyond Europe to see what expansion opportunities exist. They have made money available for that and have been inventive in going to areas to look for investment coming into Northern Ireland. However, if projects are not coming forward, the money cannot be spent. I have given all the reasons why, sometimes, those projects are not coming forward.

As far as giving Invest NI flexibility to hold on to money is concerned, the Member knows that I cannot tell a Department that, because it has not spent the money, it can carry it forward into

the next financial year. The Departments do not have the ability to do that, and we have limited ability to carry money forward. If money cannot be spent this year, we spend it on alternatives or it goes back to the Treasury.

As I said in answer to an earlier question, if DETI cannot spend the money on job creation, we look at other Departments to determine what programmes and projects they could spend the money on that would create jobs. The record amount of money spent on roads maintenance has created jobs, as has that spent on the thermal insulation of houses. The money that has gone to the Department for Employment and Learning has created jobs, along with a range of other programmes. At least we have sought to use that money to promote the kind of economic opportunities for people to get into work that the Executive made a priority. Of course, if the Minister of Enterprise, Trade and Investment presents ideas on how money might be better used to promote jobs in a different way, she simply has to make the case for that. As I said, we are looking at allocations, and we have an opportunity to review some of those over the next three years. The door will always be open to practical suggestions.

**Mr Deputy Speaker:** I still have a considerable number of Members on my list. I ask them to keep their questions concise.

**Mr Storey (The Chairperson of the Committee for Education):** "Concise" and "Mervyn Storey" do not go in the same sentence, Mr Deputy Speaker. However, I thank the Finance Minister for the immense work that he and the First Minister have done, particularly in relation to the problems and pressures that have faced the education budget. The allocation of the £30 million is welcome, and I appreciate the Minister's comments about the future and the reform that is needed. However, given the issue of PEDU and the savings in transport and school meals and given his comments in the statement today on his concern about improving forecasts, does he think that there is now a place for PEDU to look at the mechanisms that are in place that could help schools and the Department not to get into the same position this time next year by not surrendering the same amount of money?

**Mr Wilson:** I have said that my officials will speak to Department of Education officials to ensure that there is better forecasting of what drawdown schools need, how quickly they need

it and at what stage you cut off that drawdown if it has been overestimated. We will continue to do that work. It is a simple issue to deal with that simply requires some resolve on the part of the Department of Education to make it clear to schools that, if they want to draw down money, they should tell us at a certain stage in the year and we will not let it go to the last moment.

**Ms Lo:** On two occasions now, Invest NI has surrendered a substantial amount of money. Should it not rethink its approach? A lot of very small entrepreneurs here who are not looking to export outside Northern Ireland do not receive grants. Should that flexibility not be looked at now to help the local economy?

**Mr Wilson:** Again, the detail of that question is probably for the Minister of Enterprise, Trade and Investment. However, the whole idea of using public money is to ensure that you do not simply rescue a business for the short term but look at the potential for growth in the longer term. That is where a lot of the DETI money is going. Let me emphasise that, first, the money has not been lost as far as job creation is concerned; it has gone into immediate job creation in the economy. Secondly, I think that DETI has done a sterling job, even in the midst of the recession, in still attracting jobs into Northern Ireland and sustaining jobs in existing firms. There will be no unwillingness on the part of my Department to make resources available for that.

**Mr Nesbitt:** I thank the Minister for acknowledging the sensitivity of Invest NI's handing back money for the second monitoring round. Given the economic climate and the way that Invest NI profiles its funding offers, will the Minister take this opportunity to prepare people for the fact that the reduced requirements are likely to be a continuing trend and that, rather than just speeding up Invest NI, we need to take a new approach to mitigate the need to surrender money?

**Mr Wilson:** Had the Member's party had its way during the previous Budget, Invest NI would not be surrendering any money, because that party wanted to slash Invest NI's budget. I am glad to see that there is now some concern and recognition of the importance of Invest NI and the DETI budget to the promotion of economic growth. Since a lot of this is demand-led and firms do not have confidence about investing in the future, it will be difficult to get investment.

I want to make a point about confidence. I listened this morning to the trade unions, who seem to think that, if you get any good news in Northern Ireland, you have to smack it on the head immediately to make sure that it does not gather any momentum. Instead, they introduce more gloom, doom and despair with mad predictions — they are mad predictions — about the loss of jobs in the public sector. The best thing that people who are involved in all areas of the economy and the media in Northern Ireland can do is to try to encourage some confidence in the economy rather than always knocking everything that happens. Indeed, they should stop trying to compete with each other as to who can make the future look blackest. That would help Arlene Foster in creating jobs and encouraging firms to invest.

**Mr Spratt:** As Chairperson of the Committee for Regional Development, I welcome the Minister's announcement of an additional £10 million capital allocation. In the latter part of his statement, the Minister briefly mentioned the A5. When will he update the House on the implications of the Irish Government's decision to withdraw funding for the scheme?

**Mr Wilson:** I want to bring to the Executive and Assembly as quickly as possible a revised capital spend profile on the money that we have available. We have £130 million available as a result of money coming from Westminster, some of which is to be spent next year. Some of the A5 money also needs to be spent next year, and, to give confidence to the construction industry, we want to look at the changed spend over the next three years. I want to produce the revised profile as soon as possible, but there obviously has to be agreement before it can be brought to the Assembly.

**Mr Byrne:** I also welcome the Minister's statement, particularly the increased money for the Roads Service budget. Can he explain what the £2 million of capital expenditure on the old Public Record Office of Northern Ireland is for, given that the building is up for sale?

**Mr Wilson:** As far as I understand, it is money that is coming back to the Department rather than money being spent. It is a reduced requirement. The detail would be better asked of the Minister of Culture, Arts and Leisure.

**Lord Morrow:** Mr Spratt got in ahead of me, but I will try my question anyway. I welcome the statement and the fact that the Minister has

announced that we will have the highest level of expenditure ever on our roads. My question is on the £400 million that was allocated to the A5. Since Mr Spratt asked part of my question, I will ask the other part: is the Minister prepared to join me to lobby for that money to be spent on the west? Can he tell the House when the £400 million that was allocated will be redistributed, and will it be retained in the roads budget?

**Mr Wilson:** If money is returned to the centre, it will be for the Executive to decide how exactly it is spent. I have already indicated that Departments have a large number of capital projects waiting in the wings. I want the decisions to be made as quickly as possible, and, once capital allocations are made to them, it will be up to individual Ministers where they spend the money, what projects they spend it on and what they prioritise when spending it.

We do not want to simply say that, because it was originally allocated to a project in an area, all the money will automatically be put back into that area if the project does not go ahead. What if there are no good projects there that have a value-for-money basis and a good business case? Do you simply spend the money on lower-priority projects in the area rather than on high-priority projects that benefit the entire Northern Ireland economy? That is how decisions will be made. They will not be made on a geographical or political basis but on the basis of what we need to build the infrastructure of Northern Ireland and where the best projects are to be found.

**Mr Lunn:** I am sure that the Minister is fed up answering questions about Invest NI, but does he agree that part of the problem with Invest NI might be that, as a result of various reports on it, including one by the Public Accounts Committee a couple of years ago, it is a bit too risk-averse? It is not so much a lack of demand that is the problem; rather, Invest NI is being a bit too cautious in backing projects.

### 11.30 am

**Mr Wilson:** I agree with the Member. In fact, I have said time and again in the House that public servants have become very risk-averse, but the House is one reason for that. Members like nothing better than a nice juicy story about money that, with five years' hindsight, they can say might have been better spent. We just love that. We will tear people to shreds and get headlines. If we want people to be less risk-averse, maybe we, as a House, must look at

how we address some of those issues, because the culture starts here and percolates right through the public sector.

**Mr Allister:** In a climate of austerity, it must be surprising that the Minister had twice as much returned to him in resource money as he had in bids. That may suggest that some Ministers, in their original demands, were crying wolf. The Minister commended Departments for the manner in which they reduced and controlled their administration, but the glaring exception to that in table F is the lead Department, OFMDFM. As most other Departments substantially reduced their administration, we find a massive 18% increase in spend in OFMDFM. Why is that? Why is that Department not leading by example? What action will DFP take to reduce what OFMDFM obviously cannot itself reduce — its administration? Will he send PEDU in to take control of that situation and bring it into kilter with the rest of the Departments?

**Mr Wilson:** I am glad that the Member, as usual, forensically looks at these tables and identifies the one “glaring” figure in them. Sometimes, in such tables, you have to dig into what lies behind a particular figure. As far as I know, and I may be wrong so I am reluctant to be definitive, OFMDFM now has the Attorney General's office in its remit. There has been —

**Mr Bell:** You would have thought that a lawyer would know that.

**Mr Wilson:** He will also know that lawyers do not come cheap.

**Mr Bell:** And they double-job.

**Mr Wilson:** However, as far as I understand, a large part of that increase in administrative spend was the cost of setting up of the Attorney General's office and its attached expenditure.

**Mr B McCrea:** As Chair of the Committee for Employment and Learning, I welcome the allocation of £7.7 million to Steps to Work. The Minister spent time defending DETI on job creation. He said that his door was always open, so I draw his attention to his statement that:

*“That additional allocation will ensure that our employment service is fully funded to assist unemployed people back into work.”*

His conclusion is:

*“some early decisions that will allow for better planning and delivery”.*



Will the Minister address the fact that, already this year, we have had to seek an additional £15.8 million for unemployment services through in-year monitoring and that the unemployment services believe that, from April next year, there will be a structural deficit of around £15 million out of a budget of £90 million? Given his commitment to finding alternative ways to help people back to work —

**Mr Deputy Speaker:** May we have a question, please?

**Mr B McCrea:** — and the disappointment of the DETI position, will the Minister indicate how he intends to help the employment services meet the needs of our people?

**Mr Wilson:** First, we have a recession going on, so unemployment is going up. This year, two bids have been made by the Department for Employment and Learning. Those bids have been fully met because we recognise that a recession and increased unemployment will lead to greater demands on the service available to help unemployed people to get back to work. The Member asked what steps we intend to take. We have shown that, when bids come in from DEL and where we have resources available, we have given priority to helping the unemployed and will continue to do that.

## **British-Irish Council: 13 January 2012**

**Mr P Robinson (The First Minister):** In accordance with the requirements of the Northern Ireland Act 1998, I wish to make the following report on the seventeenth summit meeting of the British-Irish Council (BIC), which was held in Dublin Castle on 13 January this year. All Executive Ministers who attended the summit have agreed that I should make this statement to the Assembly on their behalf.

The Irish Government hosted the summit, and the heads of delegations were welcomed by the Taoiseach, Enda Kenny TD. The United Kingdom Government delegation was led by the Deputy Prime Minister, the Rt Hon Nick Clegg MP. The Scottish Government were led by the First Minister, the Rt Hon Alex Salmond MSP. The Welsh Government were led by the First Minister, the Rt Hon Carwyn Jones AM. The Government of Jersey were represented by the Chief Minister, Senator Ian Gorst. The Government of Guernsey were represented by the Minister of the Home Department, Deputy Geoff Mahy, and the Isle of Man Government delegation was led by the Chief Minister, the honourable Allan Bell MHK.

In addition to the deputy First Minister and me, the Northern Ireland delegation consisted of Alex Attwood MLA, Minister of the Environment, and Edwin Poots MLA, Minister of Health, Social Services and Public Safety. A full list of participants is attached to the statement that has been provided to Members.

The summit again underlined the British-Irish Council's unique and important role in furthering, promoting and developing links between its member Administrations and in providing a forum for consultation and co-operation on east-west issues. Member Administrations continue to discuss and exchange information with each other on a wide range of matters of mutual interest. All parties at the summit welcomed the opportunity it provided to engage directly with their counterparts on issues of significant concern to all.

The summit discussed the economic situation across each jurisdiction and, in particular, the problem of youth unemployment. The delegations respectively outlined the related challenges that each is facing. Noting the common challenges and the factors that influence the rise of youth unemployment, the heads of Administrations shared details of the initiatives that they had introduced to

address youth unemployment within each of their respective Administrations. The Council agreed that it should continue to focus attention on youth unemployment, to explore how best that work might be advanced through the BIC and to commission a more detailed analysis of the impact of specific initiatives on youth unemployment in different Administrations. That will be reported on at the next meeting of the Council in Scotland later this year.

The Council considered and welcomed a discussion paper on recovery from problem drug use. Ministers discussed in particular drug treatment measures and strategies that have been put in place in each Administration to facilitate the path of recovery from drug addiction. The Council noted that a more ambitious approach was needed, involving individual care plans and better interagency working to address the holistic needs of clients. The Council also noted the misuse of drugs work stream's commitment to include a renewed focus on recovery from drug dependence in any future drugs strategies, with a view to maximising the potential for individuals to access the social, economic and cultural benefits of life. The Council agreed that member Administrations would actively encourage the renewed focus on recovery and work together to evaluate and share successful approaches.

The summit meeting received an update on progress in establishing the BIC standing secretariat in Edinburgh and welcomed the confirmation that the standing secretariat became operational on 4 January. The Council noted the forward work plan of the standing secretariat, including the actions that are needed to ensure that the secretariat reaches full capability and the intention to review existing work stream activities with a view to producing a draft BIC strategic business plan for consideration and approval by the Council at the Scotland summit in June this year. In addition to contributing its share of the running costs, this Administration will meet its commitment to provide a seconded staff member to the secretariat. It is expected that they will take up post in the near future.

The Council also noted the progress described in the update reports provided to it on each of the 11 work sectors of the BIC. The issue of formal links with the British-Irish Parliamentary Assembly (BIPA) was raised under any other business. It was agreed that the standing

secretariat would liaise with the BIPA secretariat to discuss how linkages might be developed within the parameters agreed by the Council at previous summits.

At the conclusion of the meeting, the Council agreed that the next BIC summit would be hosted by Scotland in June 2012.

**Mr Elliott (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister):** I thank the First Minister for the statement. I note the intention to produce a draft strategic business plan for consideration. Is no strategic business plan in place for the BIC already? If there is, is this merely a review, or is it a totally new project?

**Mr P Robinson:** The BIC has agreed a series of work streams. The various groups meet regularly and produce reports under the 11 work streams already in existence. That is the framework that has operated to date. I very much welcome the fact that we now have an east-west secretariat that balances the North/South secretariat. It will be able to give some direction, drive and energy to the work of the BIC. I expect that the business plan will look at the value of the work that has been undertaken, try to assess whether there are further areas that should be considered by the Council, and start the process of building up the necessary research so that that work can be undertaken.

**Mr Wells:** Members will welcome the creation of the secretariat in Edinburgh. Will the First Minister outline what difference he thinks that that new body will make to the forward work programme of the BIC?

**Mr P Robinson:** The BIC has discussed having a standing secretariat for a very long time. It was part of the St Andrews Agreement. All parties in the House were in support of having that mechanism put in place. I am delighted that we have done it, with Scotland providing the location and carrying the initial set-up costs. Obviously, there will be costs to us, but they are reasonably minor in government terms; our contribution will be roughly £16,000. We have to provide a secondee on top of that, so our overall cost will probably be around £75,000, which seems to me to be very good value for money. It will provide a focus on east-west issues. As I indicated, it will provide direction, drive and energy to the process of east-west relationships, and it balances the North/South institutions. All of us in the House should welcome it.

**Ms Ruane:** Go raibh maith agat, a LeasCheann Comhairle. Cuirim fáilte roimhe go raibh sibh ag plé dífhostaíochta i measc na n-óg. Ceapaim go bhfuil sé an-tábhachtach go mbeidh deis ag an aos óg. I welcome the fact that the British-Irish Council discussed youth unemployment. We all know the difficulties that our young people face. Without pre-empting the analysis, I note the timescale. Will you give us more details on exactly what areas will be looked at and how the Assembly, or your Department, is co-operating with Scotland, Wales and England?

**Mr P Robinson:** The discussions did, indeed, include a very detailed discussion on youth unemployment, although it was in the context of the economy more generally.

It struck me as rather frustrating that, on that same day that we had news of the job losses at Ulster Bank, which have consequences both for GB and Northern Ireland and the Republic of Ireland, there was a good-news announcement that the Chicago Mercantile Exchange would bring jobs to Northern Ireland, which is a major boost for the economy. The two major exchanges in the world, the New York Stock Exchange and the Chicago Mercantile Exchange, both now recognise the value of placing themselves in Northern Ireland. No matter how fast you pedal, there will always be difficulties with job losses during a recession.

#### 11.45 am

In relation to unemployment more generally, the statistics show that, at 6.9%, Northern Ireland has a lower level of unemployment than Scotland, Wales, or the UK average. It has an unemployment rate that is less than half that of the Irish Republic. We have the lowest level of youth unemployment in the UK. However, all those figures are masked by the fact that there is a very high level of economically inactive people, particularly young people, in Northern Ireland, which is a very real problem. We outlined the various measures that are being taken, particularly by the Department for Employment and Learning (DEL). I should point out that the Minister for Employment and Learning has indicated that, at our next Executive meeting, he will bring forward a strategy for dealing with youth unemployment. That will be of interest to the Member and the rest of the House.

A project was led by Enda Kenny. As we went around the room, we heard about the wide

range of measures being taken by the various member Administrations to deal with youth unemployment. It was felt that it would be of value to task officials to look at those measures to see whether they are working, and if so, which works best, and to report to the summit in Scotland in June. That will be of value because it allows us to use some comparators in relation to the work that we are doing. That will be made available to Members as soon as we have it.

**Mr Eastwood:** Given the recent and very public debate on Scottish independence and “devolution max”, what discussions, if any, have there been on further devolution of powers to this Assembly, outside of the discussions on corporation tax?

**Mr P Robinson:** There have been discussions, obviously, with the Government on corporation tax and air passenger duty. Those discussions have not taken place in the context of the BIC and, indeed, the issue of Scottish independence did not come up during the meeting of the BIC, but it certainly was the main issue during the press conference afterwards.

My view is that it is obviously a matter entirely for the people of Scotland as to how they determine their future. However, I very much hope that it will be as an integral part of the United Kingdom. I cannot help but think that there is an irony that, at a moment when there seems to be a real possibility of some form of break-up of the United Kingdom, Northern Ireland is not the cause of it.

**Mr Deputy Speaker:** It might be helpful if I remind Members to focus their questions on the statement.

**Mr Lunn:** Thank you very much, Mr Deputy Speaker. You have completely snookered my question. I will chance my arm anyway. *[Laughter.]* Mr Eastwood mentioned corporation tax. In the general discussions among the very high level delegations at the conference, was there any discussion of corporation tax, and, in particular, was there any indication of the attitude of the Scottish people to our attempts to obtain a reduction?

**Mr P Robinson:** The only reference to corporation tax was made by our delegation when dealing with the economy and our priority to rebuild and rebalance our economy. That, I think, allows the Member’s question to be relevant. We know that the Scottish Government want to have power

over the setting of corporation tax levels and has used Northern Ireland's discussions with the Government in order to stake their claim. So I do not think that there is any doubt about the intention of the Scottish Government, but I am not sure what the view of the Scottish people might be on the issue.

As far as our case is concerned, we are continuing to work with the Government. There is a ministerial working group, and officials are working at the same time. On the present timetable, I suspect that we are more likely to see a response from the Government in the summer than at any time before that.

**Mr Humphrey:** I thank the First Minister for the statement. I welcome the establishment of an east-west secretariat and strengthened links between the constituent parts of the United Kingdom and, indeed, the Republic of Ireland. The First Minister will be aware that I have the privilege to represent North Belfast in the House. In my constituency, many young people, particularly from the Protestant community and those in the hard-to-reach communities, have been in unemployment for some time. Will the First Minister work closely with Ministers from across the United Kingdom and the Republic to find best practice solutions to addressing the scourge of youth unemployment in our society?

**Mr P Robinson:** Yes, indeed. The youth unemployment rate in the United Kingdom as a whole is about 22%. It is 29.8% in the Republic of Ireland, 23.5% in Scotland, 22.9% in Wales, and 18.2%, which is the lowest, in Northern Ireland. However, as I said, although our overall unemployment rates and our rates of youth unemployment are the lowest, the statistics do not take into account our level of economic inactivity, which is much higher than it is elsewhere in the UK. I fully understand the problems that are faced in north Belfast; they are shared across the city. It is a lost resource to our economy. There is, therefore, a real value for the Government to ensure that they have in place measures that can bring people out of unemployment and into full-time employment.

Having spoken to DEL officials, I know that it is clear that the document, which will be produced and provided to the Executive during the course of their next meeting, will deal with a wide range of interventions that can take place. They will range from the preventative, which will try to identify areas and so forth where there is likely

to be a high incidence of youth unemployment, to interventions that can be put in at a very early stage. The document will be of value, and I think Members will want to have a very full discussion about it when Stephen Farry produces it in a fortnight's time.

**Mr McElduff:** Go raibh maith agat, a LeasCheann Comhairle. In the "aon ghnó eile" — any other business — section of the meeting formal links between BIPA, the British-Irish Parliamentary Assembly, and BIC, the British-Irish Council, were discussed. The First Minister said that:

*"linkages might be developed within the parameters agreed by the Council at previous summits."*

What are those parameters?

Is there any likelihood of a take-up on the part of Nick Clegg or Alex Salmond about the offer that Stormont Castle might become available for constitutional and peace talks?

**Mr P Robinson:** We are happy to rent it out, I think; it might help our economy. With regard to the issue that came up under any other business, it is worth pointing out that there is a general view in the BIC that BIPA should not become the parliament to a BIC executive, but that there will be a wide range of areas where BIPA will want to report and allow us to have the value of its views. The work streams in which BIPA and the BIC will be operating will probably be better co-ordinated in that area. That is how I see it going, and that certainly has been the view expressed at previous meetings.

**Mr Spratt:** I thank the First Minister for his statement. What processes are now in place to ensure that the size of the Northern Ireland delegation is proportionate and appropriate to the size of the other delegations?

**Mr P Robinson:** That is a difficult one, because some statutory requirements apply to Northern Ireland but not to other jurisdictions. There is an entitlement on the part of any Minister who wants to attend North/South Ministerial Council or BIC meetings if a matter relating to their Department is on the agenda. However, that led to a farcical situation at a previous meeting, where we ended up with the embarrassing spectacle of having 10 Ministers from Northern Ireland to two Ministers from each of the other delegations. Therefore, the deputy First Minister and I wrote to all Ministers — last



November, I think — indicating that, unless they were responsible for the substantial business element of a meeting, we would, as a matter of guidance, encourage them not to attend. On this occasion, we managed to get attendance down to me, the deputy First Minister and two other Ministers.

Given the financial restraints that we operate under — it is not just a matter of each Minister going along, you also get the ministerial entourage, and that can be quite costly — I think that we have it about right at this stage. The other delegations increased to three, and we sent four on this occasion. It certainly is much better. Ministers have a statutory right to be there, and they are exercising some restraint by not being there.

**Mr Nesbitt:** I thank the First Minister. The Council apparently “noted the progress” in the 11 work sectors of the BIC. If there was nothing worth reporting, will the First Minister address what benefit we might anticipate to the people of Northern Ireland from this ongoing work?

**Mr P Robinson:** It is not that there was nothing worth reporting, it is just that the 11 work streams periodically report to the BIC, and, on this occasion, we were dealing with issues relating to youth unemployment and drug abuse. At a future meeting, there will be reports from the other work streams, and, of course, we participate in all those work streams and lead, I think, three or four of them. At each BIC meeting, we will bring forward aspects of the reports from various work streams.

**Ms J McCann:** Go raibh maith agat, a LeasCheann Comhairle. I also welcome the Minister’s statement, particularly the fact that recovery from drug use was discussed. The Minister, like most Members, will be aware of the growing problem of people under the age of 18 becoming addicted to drugs. They need help, and so do their parents and families because the children affected are so young. Was there any discussion about family support or a dedicated residential facility to treat under-18s with that type of problem? I know that other jurisdictions have that in place.

**Mr P Robinson:** Drug abuse is an important issue for us to deal with. The Health Minister, who was present and spoke on that issue on behalf of the Northern Ireland delegation, pointed out that, although it is a significant issue for us, the big issue in Northern Ireland

has been alcohol abuse. Alcohol abuse causes about three and a half to four times the number of deaths that occur from drug abuse. That is not to reduce the importance of the problem of drug abuse. I think that the last statistics were from 2009, and about 84 people died from it in that year, so it is a significant factor.

The Health Minister also pointed out that a large part of the problem, and one that is probably more significant here than in any other part of the whole British Isles, is the abuse of prescription drugs. His Department is looking closely at monitoring the prescriptions that are issued and how prescription drugs get into the hands of those who abuse them. That is a big issue for us. Cocaine is probably the drug most used in Northern Ireland.

Obviously, we are doing this in the context of the overall issue of drug abuse. Nevertheless, it was focused on recovery, which brings me to the issue raised by the Member. I am told by officials that we do not have a major problem in this element of drug abuse. We have a person-centred approach to dealing with recovery, whereas there are much higher levels elsewhere in the UK and, indeed, the South. Northern Ireland is in a much more manageable position to do it on a single person-centred approach.

## 12.00 noon

**Mr G Robinson:** What is the Northern Ireland contribution to the new secretariat as regards finances and personnel?

**Mr P Robinson:** The Member will forgive me if I have not got it right to the last penny, but our contribution is about £16,000, which is 9% of the overall cost. On top of that, we have made a commitment to second an employee, and an official will come from the Department for Regional Development. Therefore, there will be some reference to the Committee on that matter before we publicise who our representative will be. When you add all the costs together, our contribution will be around £75,000 overall.

**Mr B McCrea:** I note the First Minister’s welcome of an east-west forum to discuss these matters, with the focus on youth employment. Notwithstanding the point about economically inactive people, youth unemployment in Northern Ireland has risen faster than in any other region of the United Kingdom. The Department for Work and Pensions has already announced a

£940 million package called Youth Contract to address the issue, and Scotland and Wales have their initiatives in place. Will the First Minister explain what information he gained about those initiatives in the exchange of information and why we do not yet have a similar package in place to challenge what, he agrees, is a very serious problem?

**Mr P Robinson:** Youth unemployment has risen so fast because it came from a low base. As I have already indicated, our levels of youth unemployment — leaving aside the issue of the economically inactive — are lower than anywhere else in the British Isles, with the exception of one or two of the dependencies, which have virtually no unemployment at all.

I do not want to steal the fire, having been given a briefing by Stephen Farry's departmental official. Stephen Farry is bringing out his report on youth unemployment in the next couple of weeks. When it is published, the Member will see that a number of interventions are recommended. However, it needs to be said that a series of interventions and funding arrangements is already in place. Whether we are talking about Pathways to Work or Steps to Work or about some of the youth funding that is available, a plethora of funds, programmes and interventions is already there. The strategy coming out in a few weeks' time will look at the value of each of those and whether there will be a recommendation for some other or others to be put in place.

**Mr I McCrea:** I thank the First Minister for his statement. As an Ulster Scot, I was disappointed to see the work of the British-Irish Council — certainly the press element of it — overtaken by the potential Scottish referendum. Has the First Minister made an analysis of the impact of a potential Scottish referendum on the work of the British-Irish Council?

**Mr P Robinson:** The referendum will have zero impact on the BIC; however, the outcome of the referendum might have an impact on the work of the BIC. Nevertheless, we need to point out — the people opposite will probably not like the language — that, if we are dealing with a body that covers the British Isles as a whole, we have to recognise that not all of them are in the United Kingdom. The Republic of Ireland is not a member of the United Kingdom, yet it is part of the BIC. I think that, even if Scotland were to make the decision that all of us in the House

would, I am sure, unanimously agree we do not want it to make, that would not stop it being a member of the BIC. I have to say that I do not see BIC membership being the main issue during the debate on the Scottish referendum.

**Mr Deputy Speaker:** Perhaps it is appropriate that that is the end of questions to the First Minister.

## Preschool Admissions

**Mr Deputy Speaker:** The Minister of Education wishes to make a statement.

**Mr O'Dowd (The Minister of Education):** Thank you, a LeasCheann Comhairle. You are quicker off your mark than I am.

I would like to make a statement to the Assembly on the outcome of the review of preschool admissions arrangements. Members will recall the private Members' debate on 7 June 2011, during which nursery and preschool education were discussed. At that time, I indicated my intention to review the procedures associated with the preschool programme, including the benefits of bringing in statutory preschool education. My priority as Minister is to create an education service that ensures that all our young people receive a high-quality education. I made a statement to the House in September entitled 'Putting Pupils First: Shaping Our Future'. I emphasised that my focus would be on the needs of children over institutions. I made clear the importance of ensuring that quality and the needs of all our children, including those with special educational needs, are to the fore. That applies to preschool education in the same way as to any other sector.

There have been developments since I announced the review in June 2011. I am particularly encouraged by the commitment in the draft Programme for Government to ensure that at least one year of preschool education is available to every family who wants it. That aligns with DE's existing policy objectives and signals the wider Executive commitment to preschool education.

The outcome of the review, which I am announcing today, will be an important factor in considering what changes are needed. The establishment of the Education and Skills Authority will also offer a changed context in which to take forward some of the actions identified in the report.

I want to take this opportunity to acknowledge the good preschool education that is available across the region. In the current year, over 23,000 children are in funded preschool education, with a budget of approximately £50 million. That is a significant investment. Sometimes, we hear about the difficulties in the system, the children who have not secured a place, for whatever reason, or the parents who have concerns. However, the vast majority of pupils

are allocated a place in which they receive a good preschool education that prepares them for the next important phase of primary school and, indeed, for later life.

My first priority is to ensure that, no matter where preschool education is provided, it is of a high quality. That is achieved through the skills and expertise of staff and is governed by the Education and Training Inspectorate, through whose inspections we are raising standards across providers. Although there are still areas for improvement, we should be rightly proud of the general standard of preschool education provided. Across every area of the North, children have access to good education across all sectors. I commend excellence wherever it is found. Equally, I expect improvement in the less successful preschool settings, in whatever sector, and will take steps to ensure that that is the case.

The review contains 17 actions in total. I will draw Members' attention to those that might be of most interest. At the outset, I want to make it clear that, although some of the actions identified are straightforward, others are more complex and would have significant implications for the way in which the preschool programme is run and managed. In the case of some of the more far-reaching actions, further investigation, detailed costings and possible additional consultation or legislation will be required. I will also wish to consider implications for the Irish-medium sector in particular. The report should, therefore, be regarded as a framework for action rather than a list of agreed actions to be implemented immediately.

I turn to the key actions. In June, there was some debate in the House on whether there should be a statutory right to preschool education. That can mean different things to different people. To some, it means a right to a statutory place. For others, the interpretation of a statutory right to preschool education might be for the Department's existing policy to be enshrined in legislation. However, it would not make economic sense at this time to ignore or displace the quality provision that has benefited from previous public investment and has many strengths to commend it. No particular advantage to enshrining the existing policy in statute has been identified, as it would not increase the likelihood of parents gaining a place for their child in their preferred setting. I have therefore decided that the Department will



not seek to place the existing preschool policy on a statutory basis at this time.

Other strategic actions have been identified to address specific pressures on the preschool programme. They need to be examined in more detail and include amending legislation to address the issue of underage children in statutory settings. Although good administrative progress has been made to ensure that priority is given to children in their immediate preschool year, there are still underage children securing places. Also, a number of schools are continuing to offer reception provision, which has been shown to be educationally undesirable and can cause operational problems on the ground. Legislative amendments will also be needed to address that matter.

The strategic planning of places is particularly challenging for preschool as there can be significant variations in numbers and locations that apply only for one year. I know that that issue is of particular concern to Members. In the first instance, the Department will look to the education and library boards and the preschool education advisory groups (PEAGs) and, subsequently, the Education and Skills Authority to improve the statistical data used to inform local area planning and to develop plans to address shortfall. We also expect a protocol to be developed to encourage and support the creation of additional voluntary private sector provision where it is required. In the statutory sector, the Department will review its policy on enrolment numbers to see whether greater flexibility can be introduced; for example, time-limited temporary extensions.

In progressing area-based planning, the Department and ESA will also undertake a strategic review of the number and location of preschool places to inform future planning. Some actions seek to improve the admissions application experience for parents and carers, including a more centralised administration, greater use of technology, revised information about the programme, as necessary, and a new communications strategy.

The review has also identified significant policy issues that will require detailed further consideration and investigation before a decision is made on how they should be handled.

In relation to the duration of preschool provision, both part-time and full-time provision are funded in the preschool programme. We need to look at

that in some detail, and I intend to examine it further as part of the early years strategy.

The review also highlights the fact that some primary schools use attendance at a specified nursery or other preschool setting as part of their admissions criteria. That is an admissions issue beyond the preschool sector, and I want to look at it in more detail before reaching a final decision on how it can best be addressed. I have also identified some actions that I intend to progress immediately.

The report confirms previous findings that the July/August birthdays admissions criterion can potentially disadvantage younger children in their preschool year. I intend to revoke that criterion in the 1999 regulations and remove it as a priority criterion for non-statutory providers. I will also move to review and broaden the definition of the phrase “children from socially disadvantaged circumstances” and amend the regulations as appropriate. Amendment of those key criteria will have a major impact on the preschool admissions process. To ensure that the process operates on a fair, consistent and equitable basis across all sectors and areas, the Department will work with key stakeholders to develop a preschool admissions code. I fully recognise the role of boards of governors and management committees in setting individual admissions criteria. However, the Department will provide specific guidance about its expectations in relation to particular groups of children.

The review offers a sound framework for further work by identifying potential actions. As I have already explained, further work will be needed to decide how best to progress some of those. The complex nature of the preschool programme means that some actions can have further and more far-reaching consequences than might first appear to be the case, and we need to ensure that we fully understand all of them. Today, I have also identified some actions that the Department will begin to implement immediately. However, the current process for admissions has already commenced, and it will not be possible to introduce changes for September 2012.

Other aspects of the review will be considered as part of the early years strategy and will inform the work that is to be carried out under the Programme for Government. The introduction of the Education and Skills Authority will offer an opportunity to develop a more streamlined and

co-ordinated programme, and I will look to it to take forward the relevant actions.

### 12.15 pm

I also take this opportunity to announce my intention to allocate a further one-off payment of £1.25 million to the private and community sectors. That will equate to an additional £150 per place for this year only. Members will be aware of the not insignificant funding differential between the voluntary and private sectors and the statutory sector. That is documented in a number of reports and is a matter that the Department needs to address. The current cost of a place in a non-statutory setting is £1,565 compared with £1,827 for a part-time nursery unit or £1,949 for a nursery school. Full-time places are, of course, more costly.

I deliberated carefully before deciding to make this payment this year. My preference would be to consolidate it for future years. However, I do not want to pre-empt the early years strategy, and I am also very mindful of the difficult budgetary position that I face. Many of the actions that I outlined have cost implications. I concluded, therefore, that it would not be prudent to announce a consolidated uplift at this time. I will, however, revisit the issue later this year.

The review provides a useful framework to improve the operation of the preschool programme and will support the Department in its aim of making a place available to every child whose family desires it. It will inform the early years strategy and the Programme for Government work that has been identified. The preschool programme is a genuine partnership, and I value that. It is delivered through the statutory and voluntary sectors, both of which are highly valued. I want to harness the strengths of the different sectors and encourage them to work together in a productive partnership so that the distinctive offerings of each sector can be recognised and contribute to this important programme. Parents and carers are also an important part of that partnership. Parents have a fundamental role to play in contributing to a child's early education, and I look to them to play their part in supporting and encouraging their child in the preschool setting.

As I said at the outset, we have much to be proud of in our preschool programme. There is a good foundation, but we need to develop it so that it is better able to respond positively and flexibly to the needs of parents and children, so

that each child gets the best possible start in formal education. Go raibh míle maith agat.

**Mr McKay:** Go raibh maith agat, a LeasCheann Comhairle. I very much welcome the Minister's statement, in particular the extra funding for preschool places and the fact that the Department will address the July/August birthday criterion issue.

Why is there a mixture of statutory nursery places and funded places within the voluntary and private sectors? Does the Minister also believe that changes to the funding differential that he outlined could reduce the level of displacement?

**Mr O'Dowd:** We have a mixture of statutory, community and voluntary and private sector because of the expansion of this programme. Since 1997, we have been putting in place a new tier of education. We have our primary, post-primary and further and higher education. Since 1997, however, a new tier has been put in place. Historically, there has been nursery provision in statutory settings. To expand this programme, however, it was felt at the time that we needed a partnership between the statutory sector and the community and voluntary and private sectors. That has been working quite successfully over the past number of years and has been able to deliver services right across the North where once they were unavailable. It is certainly something I wish to expand on. I wish to see the statutory and community and voluntary sectors expand. I also want to see them being equally valued, hence my announcement about further funds. It is a matter that has to be consolidated. It is not the best way to announce funding for any programme this late on in the year. I have no doubt that the moneys will be spent and spent wisely, but I want to be in a position to inform the community and voluntary sector and, indeed, the statutory sector of their funding arrangements as early in the financial year as possible.

**Mrs Dobson:** I welcome the Minister's announcement about temporary variations to preschool enrolments under a flexible entry scheme. Will the Minister consider extending that flexible entry to future years and expanding the definition of disadvantage in relation to preschool places?

**Mr O'Dowd:** It is certainly an answer over the next number of years. I would much prefer to see an area-based planning programme, where

we have accurately identified the needs of the community so that we can put our longer-term planning in place. Certainly, over the next number of years, I want to be in a position to give temporary variations to statutory settings. It is unfortunate that the current practice is that we have a 26-place nursery provision that cannot be expanded outside a development proposal. I believe that, under current legislation and provisions, we can allow a temporary variation to such settings to bring in a small number of children. That will not affect the educational outcomes of the rest of the cohort; it certainly will not affect the safety and other standards expected of nursery provision. It is a welcome temporary step, but I want area planning in place that allows for long-term provision and planning in areas without constantly having to resort to temporary variations.

**Mr McDevitt:** I welcome the aspects of the statement that definitely move the issue on somewhat. Will the Minister clarify what appears to be a rather confused part of his statement? If every child aged three should have access to a preschool or nursery place, to which the draft Programme for Government commits the Executive, what is the barrier to providing that guarantee of access in statute? In other words, what, in the Minister's mind, is the barrier to creating a statutory right for every child aged three to access to a preschool or nursery place in the North of Ireland?

**Mr O'Dowd:** We could take up a considerable amount of the time of the Committee and the House in legislating to guarantee a statutory place. Legislation is not always required to fulfil a government pledge or policy or to fulfil elements of the Programme for Government. The draft Programme for Government clearly states that the objective of the Executive is to put in place preschool education for every young person whose family requires it. That will be fulfilled; I have no doubt about that. That does not require the distraction of legislation or taking up the time of the Education Committee, the Department or the Assembly. The best way forward is to implement the actions of the preschool review, move forward with the early years strategy and put in place all the actions to ensure that all our young people have a quality preschool experience.

**Mr Lunn:** I welcome the Minister's very positive statement, particularly his reference to the July/August birthday admissions. We are getting

some action on that at long last. I want to ask the Minister about reviewing and broadening the definition of children from socially disadvantaged circumstances. If there is to be a place for every child, as there is, effectively, at the moment, will the Minister explain why there is a need to expand and amend the definition of socially disadvantaged circumstances?

**Mr O'Dowd:** That matter was raised with me during discussions on the review. The social disadvantage provision is in place for very sound educational reasons: we want to encourage children from socially disadvantaged backgrounds into preschool education and educate our way out of poverty. That is a very sound basis for that provision.

There have been changes in the welfare system since the definition of jobseeker's allowance and income support were included that require legislative change to broaden the context. We also have welfare reform and universal credit coming at us, and we will have to look at the implications of those. Certainly, however, if we are to provide a place to every child who requires it, why do we need specific legislation to protect young people from socially deprived areas? I will keep that under review as the programme rolls out and as we fulfil our Programme for Government commitment. I will review the impact of that against the need for the social clause in the legislation and keep an open mind. At this stage, however, I want to keep it in place. I want to ensure that children from socially deprived backgrounds get access to preschool education and that the Executive are educating our young people out of poverty.

**Ms Boyle:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his welcome statement. I hope that it will go some way to alleviate some of the problems that exist and the frustration that parents encounter when accessing nursery places.

I ask the Minister to expand on or clarify the following comment:

*"the Department will provide specific guidance about its expectations in relation to particular groups of children."*

**Mr O'Dowd:** That largely relates to the previous question from Mr Lunn in respect of children from socially deprived backgrounds, etc. I will also change the legislation in relation to the provision of preschool education. The

legislation has always referred to children in the year before they enter formal education. However, that has broad definitions in other circumstances, and we have seen a significant number of children aged two and upwards going into preschool education. So, I want to define that in legislation and give guidance to boards of governors and management committees as to how that will be administered.

**Mr B McCrea:** The Minister talks about social disadvantage. How does he feel about the fact that hard-working parents who go to work and pay their taxes feel disadvantaged because they cannot get their child into the school that is nearest to them? If we are looking at universal provision, surely we ought to find a better way so that people, particularly those in Lisburn, are not disadvantaged, as they have been in the past number of years.

**Mr O'Dowd:** Let us be clear about this: there are many hard-working parents who, through no fault of their own, have found themselves unemployed. We have actually seen a rise in the number of applicants to preschool education through the social clause. Being unemployed certainly should not be interpreted as the fault of the person who is unemployed. What we are doing is ensuring that, particularly in communities where there is a history of social disadvantage, we are educating those communities out of social disadvantage. I think that that is a good investment by the Department and the Executive in the long-term development of society.

In general, the number of children accessing preschool education under the social clause varies across the spectrum from around 15% to 18%. However, it is as high as 40% in some areas. That, in turn, reflects on the unemployment and deprivation figures in those areas. Let us focus on why that policy was brought into place and whether it is a good policy. Will it help with the Executive's overall drive to change society? I think so. Yes, there is a certain frustration among individual parents in certain areas who see the clause as depriving their child of a place at their local school. On the other side, I have also said that I am prepared to look at the enrolment numbers in certain settings and that I want to see better area planning to ensure that nursery provision and preschool provision is provided where needed. I think that by balancing those out, we can move forward to meet the needs of those who, through no fault of their

own, find themselves socially disadvantaged at this time and families who are continuing in employment and see themselves as being at a disadvantage. Both of those working in parallel will solve that problem.

**Mr D Bradley:** Go raibh míle maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a ráiteas ar an athbhreithniú ar na socruithe iontrála don réamhscolaíocht. I thank the Minister for responding to the debate about the review that the SDLP brought to the Floor on 7 June 2011. Will he indicate what criteria might be used to broaden the category of social disadvantage, as indicated in the statement? What action will he take to create a level playing field for the voluntary and community sector, from the point of view of transforming qualifications, improving accommodation and increasing special needs support?

**Mr O'Dowd:** I am always keen to respond to the SDLP and to show it how things should be done. The Member raises a very relevant point. I will deal with the community and voluntary sector and put it on a level playing field with the statutory sector largely through funding. I indicated in the announcement that additional funding has been given to the sector. However, I want to await the outcome of the early years review. I will continue to interrogate my budget to see how best to use it. I am conscious that, as part of that process, I will have to look at the community and voluntary sector in respect of early years provision and to invest in that.

### 12.30 pm

However, it has to be said that standards in the community and voluntary and private sectors are generally very good. They continue to rise all the time, and we can see that through inspection reports. Community and voluntary settings are open to inspection in the same way as statutory settings. So, that standard is rising all the time. The training of staff who work in those centres is improving all the time, and you can see those results throughout the reports of the training inspectorate.

As Members and as an Assembly, we should recognise the commitment and role of the community and voluntary and private sectors in the delivery of preschool education. We should not differentiate between nursery schools and community and voluntary settings. Both types of organisations provide the same curriculum and first-rate — as well as age-appropriate, it has to



be said — education to our young people. So, I intend to bring the community and voluntary sector on to a level playing field through all those measures.

**Mr Flanagan:** Go raibh maith agat, a LeasCheann Comhairle, agus Cuirim fáilte roimh ráiteas an Aire tráthnóna inniu. How will the Minister's Department actually implement the commitment to guarantee a year's preschool education to all children who want it?

**Mr O'Dowd:** It is a Programme for Government commitment. Therefore, it is my firm view, and, indeed, that of the Executive and OFMDFM, that it has to be delivered. I believe that the internal review that my Department carried out will go a long way in assisting us to ensure that a place is offered to the young people and families who want it. These arrangements will go a long way towards ensuring that that happens, and the early years strategy will also continue to secure that situation. Through work with the education and library boards and preschool groups, as well as the move towards the ESA, I believe firmly that we will be able to deliver on our Programme for Government commitment.

**Mrs Overend:** The issue of socially disadvantaged circumstances has been raised time and time again. I understand the Minister's reasoning, which he explained to others in the Chamber, for broadening the definition of children from socially disadvantaged circumstances. Will he bring forward proposals for more engagement with parents, given the need to educate families out of poverty? Surely we also need to reach parents. Does he have any proposals with that in mind?

**Mr O'Dowd:** One action point in the document deals with greater information for parents. In my view, part of that has to be about why preschool education is required and why we want to encourage parents and guardians to bring children into preschool education. Regardless of our investment in broader education or the commitment and dedication of staff in education, a number of reports point to the fact that around 20% of any person's educational attainment is obtained in the classroom and 80% in the home environment, community and broader settings.

Therefore, in the months ahead, I will put in place a public information programme that will appeal to parents and guardians in the broader community and inform them of their role in

education. Education is not simply about bringing their children to school and leaving them at the school gates; it has to break out of the school gates and get back into the family home, the community, sporting organisations and all the organisations out there that will play a part in recapturing the gift of education. Those organisations will also play a part in encouraging young people, especially those in hard-to-reach communities, to learn about the need for education and the self-improvement and enjoyment that can be achieved through it. That programme of work will be rolled out over the next number of months. I think that, as mentioned in one of the report's action points, we can also send information on the need for preschool education to communities and parents.

**Mrs Cochrane:** I, too, thank the Minister for his statement. Indeed, I could almost come down there and kiss him for the July/August suggestion. *[Laughter.]* However, that is probably not appropriate.

Unfortunately, the anomaly this year will affect children in east Belfast, and children from areas such as Conlig and Dunmurry will get places. I trust that we will be able to work together to ensure that places are made available immediately for those who are affected.

The Minister referred to the improved application process. How will he deal with the fact that letters of offer will be sent out on 30 March 2012, which is the day on which schools break for Easter? How will he deal with parents whose children have not got places and make information available to them over the couple of weeks that the schools are still off?

**Mr O'Dowd:** Through my statement, and, indeed, the report, I acknowledged that a lot of the report's actions will not come into effect this year. They will affect the programme of work for 2013-14. That is important to point out. However, on the action points about better information going out to parents, we should be using more technology more effectively and using a centralised system. ESA will put that in place, but I will ask my officials to discuss with the boards how we can centralise the administration of the process more effectively, even in the run-up to the establishment of ESA.

I am keen to learn from past practices. If, as the Member said, letters of information are going out when schools are on their mid-term or Easter break, there has to be a better way of

doing it. Simple processes and planning should eradicate that. In fairness, it should not require a report by a Minister or anyone else to rectify the situation.

The Member referred to the July/August birthday issue. I hope to deal with that in legislation connected to ESA. I will have to have discussions and reach agreement with the Committee for Education to do that, and, ultimately, I will require the Assembly's agreement to pass the legislation, but I hope that we can progress it. If that is not felt to be the appropriate manner in which to address the issue, I will introduce separate legislation, but I am keen to remove that provision from the statute book.

**Mr Storey (The Chairperson of the Committee for Education):** I apologise to the Minister and the House for not being present for all of the statement, but I had to meet representatives of schools that are still concerned about the Minister's budget. Although the announcement of additional money is welcome, there is detail that has still to be worked out. I also thank the Minister for giving me and the Deputy Chairperson a briefing earlier this morning on the statement that he made to the House.

Although I welcome the fact that the Minister is proposing to move on the July/August birthday issue — I assure him that I have no intention of following the desire of the Member for East Belfast — I am concerned that, in the Minister's mind and in the Department's mind, it seems that better outcomes can somehow be achieved by injecting money into the system. What I mean by that is that surely the inspector's report has to be taken into consideration when looking at outcomes, and there is still a considerable way to go for the community and voluntary sector. His report is very clear that the outcomes from the statutory sector are outstanding. What assurances will the Minister give and what mechanisms will he put in place to ensure that the community and voluntary sector gives us better outcomes as a result of having additional money? Will he assure the House that it will not just be a case of throwing money at some organisations that have very lucrative private businesses as a result of providing education for our children?

**Mr O'Dowd:** The Chairperson raises a pertinent point in very difficult budgetary times. He mentioned the recent announcement on the very welcome investment in education, but we

are certainly not out of the woods yet. We have a lot of hard work to do in education. There are a lot of difficult decisions to be made on how we administer, manage and run our schools estate and on what our schools estate will look like. I am certainly not of the mindset or in the mood to be throwing money away. I want to ensure that any money that I invest produces good educational outcomes for the people whom we are here to serve.

The Chairperson rightly refers to the inspectorate's report. It has identified improvements in the community and voluntary sector. Individual inspection reports on the sector also provide welcome news that individual units are improving all the time. The Chairperson is correct that the outcomes in the statutory sector are outstanding, but there are individual reports in the statutory sector that cause concern. Therefore, it is like the rest of our education system: there are good areas and there are areas for improvement.

How will we ensure that the money is being spent wisely and is a good investment? The Education and Training Inspectorate is in there inspecting all the premises that the Chairperson mentioned. It reports back to me as Minister and to my Department on the progress being made, and, where I find individual failings, interventions will be made. If I find failings across the sector, I will have to examine my own policies and examine what support mechanisms are in place for the community and voluntary sector and for all other sectors. I will have to ensure that the policy framework allows the development of the sectors and ensure that we are providing them with proper resources and training. However, I will not be throwing money anywhere, because I have no money to throw about.

**Mr Deputy Speaker:** That concludes questions to the Minister of Education. The Business Committee has arranged to meet immediately on the lunchtime suspension. I propose, therefore, by leave of the Assembly, to suspend the sitting until 2.00 pm. The first item of business when we return will be Question Time.

*The sitting was suspended at 12.40 pm.*

On resuming (Mr Speaker in the Chair) —

2.00 pm

## Oral Answers to Questions

### Finance and Personnel

**Mr Speaker:** As we move into Question Time, I am told that the Building's alarm bell, which alerts Members to the beginning of Question Time, is not working. At one stage, I wondered whether even the Minister would arrive. We are trying to fix the alarm system.

Question 7 has been withdrawn and requires a written response.

#### Government Contracts: Social Clauses

1. **Mr P Maskey** asked the Minister of Finance and Personnel what percentage of active procurement contracts include social clauses.  
(AQO 1063/11-15)

**Mr Wilson (The Minister of Finance and Personnel):** Thank you, Mr Speaker. You are quite right. I was at the meeting of the all-party construction group. I am glad that I have a very efficient private secretary, who noticed that the bell had not rung and got me here on time.

Procurement contracts for goods, works and services that are awarded by the Central Procurement Directorate (CPD) include standard social clauses that require compliance with applicable fair employment, equality of treatment and health and safety legislation, etc. In addition, in higher-value construction-related contracts, we routinely include provisions for work opportunities for the unemployed and apprentices and, more recently, for students on construction-related courses.

Of the 28 active works contracts that were awarded by CPD through the eSourcing portal, some 90% have additional requirements for employment opportunities. Those requirements were revised with effect from September 2011 and now also apply to lower-value contracts. The scope for including employment obligations in supplies and services contracts is more limited. Typically, those contracts have a lower value, but where social clauses can be applied, we have applied them.

Currently, seven higher-value contracts for services and supplies include employment-related clauses. It is not possible to give a percentage for live contracts, as that information is not held by the CPD.

**Mr P Maskey:** I thank the Minister for his answer. I recognise that the use of social clauses is included in the Programme for Government (PFG), and that is a step in the right direction. Social clauses can make a big difference to communities, particularly those in areas of social need. Will the Minister consider lowering the threshold to encourage the increased use of social clauses in contracts?

**Mr Wilson:** We have already lowered the limit, and there are difficulties in lowering it too much. For example, including requirements in small-value contracts that so many apprentices or long-term unemployed must be employed would not work, if, because of the value of the contract, only a small number of people are employed. You reach a threshold below which it is impossible to impose such social clauses.

As I said, we lowered the threshold in September 2011. More important, we intend to monitor how contractors comply with social clauses, and we will continue to do that. I am sure that the Member will appreciate that there is probably not enough employment in low-value contracts without imposing requirements that so many apprentices, students or unemployed people should be taken on.

**Mr McQuillan:** I want to touch on the implementation of social clauses in construction procurement contracts. Minister, how exactly is that monitored?

**Mr Wilson:** It is monitored in a number of ways. First, it is in the general guidance when a contract is awarded. Secondly, we require contractors to show the number of students, apprentices or the long-term unemployed that they have taken on.

Let me give an example: under the new requirements, 5% of the main contractor's workforce and first-tier subcontractor's workforce, where there are 20 or more employees, must be employed in formally recognised apprenticeships. It is easy to check that out by determining from the contract whether the main and first-tier subcontractors meet that 5% criterion and then looking at the number of apprentices employed on the site.



**Mr P Ramsey:** I want to follow on from the question asked by the Member for West Belfast. We all know the importance of social contracts. Will the Minister outline models and examples of where best practice is involved in social contracts and how he foresees increasing those benefits in the future?

**Mr Wilson:** I cannot give an example of a contract. I go out to sites once every week or two to look at where we spend money. Very often, people on those sites point out the apprentices who will be employed and get their experience on the scheme. We laid down the numbers: for example, for every £250,000 of labour in a contract, the main contractor has to provide one person with a 13-week employment opportunity through Steps to Work or an equivalent programme. That is a good example of how we are using public procurement to take people off the unemployment register and give them an opportunity to get into work. Hopefully, once they are in work, it will give them the foothold to get further jobs. Those clauses will be put into all major contracts over £2 million, and you will see people in those categories working.

## Wealth Inequality

2. **Mr Agnew** asked the Minister of Finance and Personnel what measures are in place to measure wealth inequality. (AQO 1064/11-15)

**Mr Wilson:** I am very glad that the Green Party is interested in wealth creation and wealth equality. I thought that that party was against growth and economic activity. It is good to see that interest. The family resources survey gives a comprehensive picture of income levels and includes some information on financial assets and savings, with a focus on benefit entitlement. The survey commenced in Northern Ireland in 2002 and is conducted annually in GB. The sample size in Northern Ireland is significantly larger than required for UK purposes. It provides robust data, which enables us to decide on a range of policies. We collect the information for that purpose. However, one way of reducing inequality and poverty is through economic growth. I am afraid that the Green Party's record on wanting economic growth is very, very poor.

**Mr Agnew:** I disagree with the Minister's final comment. Through programmes such as the green new deal, the Green Party has shown how it can look to create jobs in a way that is economically, socially and environmentally

sustainable. Does the Minister accept that a reduction in wealth inequality can lead to improvements in health and education outcomes, as well as reducing crime? If so, what measures to reduce inequalities in income and wealth are in the draft Programme for Government?

**Mr Wilson:** I am glad that the Member has raised that point, because he is exactly right. More wealth in an economy enables us to deal with many of the social problems that cause crime, ill health, and so forth. However, just in case he thinks that that is the biased view of a Minister who does not have a great deal of love for the Green Party, let me quote Mr Andrew Simms to him. The author of a number of publications written for the Green Party, he wrote 'The New Home Front' and 'A Green New Deal' and said:

*"one of the most fundamental questions for the transition to a low carbon economy"*

— so much loved by the Green Party, is —

*"how to maintain the social contract — health and education services and security in retirement — when"*

— and this is the result of the Green Party's policies —

*"conventional growth becomes constrained."*

Even the green economists recognise that this so-called green new deal, which is supposed to create jobs, employment and wealth, will not work. Mr Simms says that we have to set ourselves on a war footing and should go back to the kind of situation that we had during the Second World War when we had rationing and taxes on luxury goods and other things. So, before it starts giving lectures about how we deal with inequality, the Green Party ought to rethink its economic policies.

**Mr D Bradley:** Go raibh maith agat, a Cheann Comhairle. I thought for a moment that you were going to recall Mr Agnew. [Laughter.] Does the Minister agree that the coalition Government's plan for welfare reform will have a devastating impact in terms of wealth inequality? Are there any measures that our Executive can take to mitigate the effects of those changes?

**Mr Wilson:** I believe that welfare reform is essential because I believe that getting people into work is the one thing that helps them out of poverty. As far as I am concerned, nothing

destroys individuals more than making them dependent on the state and on benefits and not giving them the dignity of work. As an Assembly, we should welcome the aspects of welfare reform that are designed to get people into work. However, the Executive have set up a review group to look at welfare reform. We met yesterday and discussed the matter. The welfare reform proposals allow for some localisation of how we deal with some of the changes. We had a very good discussion, and the Executive will look at how we can mitigate some of the detrimental impacts of welfare reform, bearing in mind that, first, we do not have the resources to set up a separate welfare system and, secondly, that changes are needed in welfare to encourage people back into work and to make sure that the large economically inactive population in Northern Ireland is reduced.

### Air Passenger Duty

3. **Mr Dickson** asked the Minister of Finance and Personnel for an update on the devolution of air passenger duty powers. (AQO 1065/11-15)

**Mr Wilson:** The draft Programme for Government has committed the Executive to eliminating air passenger duty (APD) on direct long-haul flights. We are in the process of finalising the precise arrangements for the devolution of those powers, and discussions with the Treasury are ongoing. Those will include agreeing which aspects of APD will be devolved, the precise costs and the administrative arrangements for its collection. The current revenues from direct long-haul flights from Northern Ireland, which will be a cost to the block grant, have been estimated by the Government at £5 million. We have not received any estimate of the administrative cost. The Government are also considering the precise legislative changes that are required, but the expectations at present are that the changes will be included in the 2012 finance Bill at Westminster, which, hopefully, should receive Royal Assent by autumn this year.

**Mr Speaker:** I call Gregory Campbell for a supplementary question. Sorry, I call Stewart Dickson; I apologise to the Member.

**Mr Dickson:** Thank you, Mr Speaker, and I thank the Minister for the response. Given that promises that were made to airlines about the transfer of APD are not sufficient to guarantee their future, it is vital that we have a legislative programme and a timetable for the transfer of

those responsibilities. Otherwise, airlines such as Continental have made it very clear that, without the appropriate legislation, they will be out of here.

**Mr Wilson:** You are quite right: the sooner we get certainty on this, the better. However, although the legislation is not through, the measure has been implemented, and air passenger duty is not being collected on those flights. Continental was happy with that and understood the legislative timetable that was involved, and it was well understood that the first opportunity to deal with the issue was the finance Bill this year, which will take until autumn to become law. We still have to have the discussion on which powers will be devolved. My personal view is that, because of reasons that I outlined in the House time and time again, we should seek the devolution of powers for direct long-haul flights only.

### 2.15 pm

**Mr Campbell:** On the point about the differentiation between long-haul and short-haul flights, to which the Minister has just alluded, will he, in conjunction and in discussion with Treasury officials, keep applying pressure to the Treasury and the Government to ensure that air passenger duty is lowered in the United Kingdom to help businesses as well as passengers? The duty is significantly higher in the UK than it is in many of our competing countries, either in the EU or outside it.

**Mr Wilson:** The Member has raised a totally different issue and one that is outwith the responsibility of this House. It is about the appropriate level, if any, of air passenger duty for the United Kingdom as a whole. On the theme of the previous question, do not forget that air passenger duty is another gift that we got from the Green Party. It is one of the green taxes, and the argument is that we should make air travel in the United Kingdom more expensive in order to cut down carbon emissions, despite the impact that it has on people's ability to go on their holidays, to do business and to travel within the United Kingdom and beyond. My argument is that the aviation industry provides a vital form of transport, especially for a place such as Northern Ireland. Air passenger duty is an inappropriate tax, and to put a green label on it and make us feel that we should all pay it because we should have a guilty conscience about destroying the planet is quite patently absurd.

**Mr A Maginness:** I hope that the Minister calms down a little. Most people would not describe the air passenger duty as a green tax. It is a revenue-raising measure that the Government have introduced. The Government may well have disguised it as a green tax, but it is not. It has been an unmitigated disaster for Northern Ireland, and it should either be abolished or reduced to a minimal level so that we can compete with our neighbours in the South and elsewhere.

**Mr Speaker:** Ask a question.

**Mr A Maginness:** Mr Speaker, I am putting it into context. I ask the Minister to make serious representations to the British Government to have this disastrous tax abolished.

**Mr Wilson:** It is not just down to the Administration in Northern Ireland, and we have already made such representations. The First Minister and deputy First Minister, when writing about the devolution of air passenger duty, have made known, as have I, their opposition to air passenger duty as a tax per se for the very reasons that the Member has given. I am glad to see that, as time goes on, I am getting more and more converts for the message that I have been giving as a prophet in the wilderness for a number of years. The Member has said that it is not a green tax, but the Green Party says that it is. The Government introduced it as a green tax and still market it as such, and Europe still demands it as a green tax. You cannot run away from the fact that air passenger duty is a tax that was designed to stop people travelling by air because it was deemed that air travel was a bad thing. We in Northern Ireland know that it is essential not only for consumers but for business.

**Mr Allister:** As one prophet in the wilderness to another, I ask the Minister whether he can shed any light on who is benefiting from the already implemented reduction in air passenger duty. Anecdotally, I see no evidence that the passengers are benefitting, because fares seem to be rising rather than falling. That suggests that the financial beneficiary is the operator. Yes, we want to keep the operation, but we also want to get fairer and better fares for customers. Will the Minister consult with the operator to try to get an insight into how they are spreading the benefit from the reduction in the duty and with whom they are sharing it?

**Mr Wilson:** I thank the Member for the point that he has made; it seems that there are now two prophets in the wilderness. There will be

quite a crowd of them before we finish up. The detail of the costs and the operations of the Continental flight from Northern Ireland are, of course, the responsibility of the Minister of Enterprise, Trade and Investment.

However, the Member is quite right: the idea behind reducing air passenger duty was to enable Continental, which said that it was operating the service at a loss, to mitigate those losses. As to whether all those losses and more are covered by the reduction in the duty, I really cannot give the Member an answer. I suppose that the price that is charged for the route between Northern Ireland and Newark depends on what the operator considers commercially possible and what people are prepared to pay. I understand that Continental does very well from connecting flight traffic from Northern Ireland beyond Newark, from which the company also raises money. I hope that all those things will be in the mix when deciding how the reduction in the tax is to be apportioned.

## INTERREG

4. **Mr Hilditch** asked the Minister of Finance and Personnel to outline the progress made by the five local authority-based groups under the INTERREG programme on applications that are currently being assessed. (AQO 1066/11-15)

**Mr Wilson:** There are currently 15 projects from INTERREG groups at various stages of the assessment process. Of the 15 applications, seven, worth £23.3 million, are currently under assessment. The Special EU Programmes Body (SEUPB) aims to have the applications assessed by the steering committee by the end of March.

A further seven projects have received conditional steering committee approval, and, to proceed to letter-of-offer stage, they will need to meet the various conditions that have been set. Finally, one project — the east border region's tourism development plan — has received steering committee approval but has yet to receive its final letter of offer. The reason for that is that it is above the £2 million threshold so needs Department of Finance and Personnel (DFP) approval and scrutiny.

**Mr Hilditch:** Why has the performance of the local groups been so mixed?

**Mr Wilson:** There is a host of reasons. I have some sympathy with the local groups. To be frank, the rules were changed on at least two

occasions by SEUPB, which held back the ability of groups to bring forward projects. Secondly, the quality of some of the projects has not been as good as was expected. I am sure that the Member, along with all others in the House, would not expect public money, even though it comes from Europe, to be spent on projects that are not seen to be good or value for money. I said to SEUPB that, where there are gaps in knowledge, I want it to work with local groups to show them how to turn applications with common deficiencies into successful applications, because the one thing that we do not want is to return money.

**Mr Murphy:** The Minister will be aware of the ongoing concern right across the Assembly and local government that some of the money allocated to SEUPB will not be spent over this budgetary period. Given the review of public administration (RPA), is there a possibility of relooking at the delivery mechanisms to involve local government more formally in the decision-making processes and, in doing so, to reduce bureaucracy? He will be aware, as I am, of the many groups that try to go through the process to get funding approved under the SEUPB programmes only to be frustrated and thwarted by the layers and layers of bureaucracy.

**Mr Wilson:** The Member makes a good point. It seems that when, as previously, the local groups were responsible for delivery, we did not hit the same problems as we do at the moment. That is probably something that we need to look at. Rather than simply have the groups bring proposals that are to be delivered by SEUPB, perhaps there should be a greater responsibility on the groups to deliver the projects on the ground. They seemed to be successful in doing that in the past. If that is something that needs to be looked at as a means of changing the way in which the INTERREG programme is delivered at local level in future, I am happy that we consider that.

**Mr Kinahan:** We touched on this just now, but can the Minister guarantee or reassure us that no moneys not spent by SEUPB will be given back to Europe?

**Mr Wilson:** If money is not spent by SEUPB, it will be given back to Europe, so I cannot guarantee that. However, I can guarantee that officials from my Department sit down with SEUPB weekly. My officials sat down with SEUPB only this week.

SEUPB also sat down with the Department of Enterprise, Trade and Investment (DETI), because there was criticism there about where the delays were occurring. We have made it clear to SEUPB that, if it needs additional help from economists in getting some advice on assessing projects, we will make that available. So, every effort will be made, and there will be close monitoring of its performance. Of course, I cannot guarantee that if the money is not spent it will not go back. In fact, I know that if it is not spent it will go back, but I assure the House that we will make every effort, as will the Department of Enterprise, Trade and Investment, to ensure that it is not our fault.

**Mrs D Kelly:** I thank the Minister for his personal commitment to the programme. Given the experience of many project promoters in trying to draw down the match funding that they require, and given the Minister of Enterprise, Trade and Investment's announcement a few months back about a fund that her Department is going to set aside to assist in match funding, have you, as Minister, negotiated any leverage with DETI on SEUPB-type applications?

**Mr Wilson:** We have. As I said, only this week, or perhaps last week, SEUPB officials, DETI officials and the Minister met to discuss that — at least, I think the Minister was involved — to see what can be done at DETI level to ensure that the process is gone through as quickly as possible. I have to point out that, in the average project, it is taking about a year to get assessments made, and the bulk of that time is as a result of the work that SEUPB has to do. That constitutes nearly 90% of the work, and 10% is DETI work.

## Energy Performance Certificates

5. **Mr McKay** asked the Minister of Finance and Personnel how many energy performance certificates have been issued since their introduction in December 2008. (AQO 1067/11-15)

**Mr Wilson:** From 30 June 2008, when the requirements of the Energy Performance of Buildings (Certificates and Inspections) Regulations (Northern Ireland) 2008 first came into effect, to 31 December 2011, a total of 151,421 certificates were issued in Northern Ireland.

**Mr McKay:** Go raibh maith agat, a Cheann Comhairle. Do all large public buildings that the



public visit, including Parliament Buildings here, display energy performance certificates (EPCs) as required, and does the Department monitor that?

**Mr Wilson:** It is monitored. I can say that there is 100% compliance for DFP buildings. The compliance rate that I have been given for public buildings — I got an update just this morning — is 90%, which is the highest of all the different sectors.

**Mr Copeland:** I thank the Minister for his answer. Will he explain whether, to ensure competition and fair pricing, he is satisfied that sufficient companies are providing that service?

**Mr Wilson:** I would have thought that, if there were a gap in the market, especially in the current market, and if excessive profits were available for companies to make, people would step into the market and do that. I know that extensive training went on to enable people to carry out the assessments. I have not been made aware that excessive pricing is taking place or that there is some market failure in getting companies in to ensure competition. One thing that we do not want, of course, is householders having to pay enormous prices to get those certificates. If there is a market failure there somewhere, and if the Member brings it to my attention, I will be more than happy to see what can be done.

### Schools: Capital Assets

6. **Mr Beggs** asked the Minister of Finance and Personnel what discussions he has had with the Minister of Education regarding the recuperation of capital assets following the closure of a school. (AQO 1068/11-15)

**Mr Wilson:** I assume that the Member is referring to the realisation of funds from the disposal of capital assets. I have had no discussions with the Minister of Education specifically on that. However, I encourage all Executive colleagues to maximise opportunities for the realisation of surplus assets. To allow the Member to ask a supplementary question, I will not read the rest of the answer that I was given.

**Mr Beggs:** Schools in which millions of pounds of public funds have been invested may be closed and subsequently even demolished. That is under way at St Comgall's at present. Will the Minister advise whether there are any clawback clauses that encourage continual public use for

publicly funded assets, such as the gymnasium at that school?

**Mr Wilson:** The Member raises a very important point. Where the recuperation of assets is concerned, when schools are in different ownership, the money will often go back to the owners.

However, where there has been public sector capital investment, depending on the amount and how long ago it took place, there are clawback arrangements. I expect Departments to claw that money back.

2.30 pm

## Health, Social Services and Public Safety

**Mr Speaker:** Questions 1 and 15 have been withdrawn and require written answers.

### NHS: Trade Unions

2. **Mr T Clarke** asked the Minister of Health, Social Services and Public Safety for a breakdown of the health service spending on trade union activity for the last available year. (AQO 1079/11-15)

**Mr Poots (The Minister of Health, Social Services and Public Safety):** Employers in Northern Ireland are bound by legislation to make provision for trade union activity in the workplace. The estimated annual cost, which is calculated on a basic salary basis, to my Department and the wider health service of health and social care staff involvement in trade union activities for 2010-2011 was just over £1.6 million. I will provide the Member with a table setting out a breakdown of that figure.

**Mr T Clarke:** I thank the Member for that answer. I will deviate slightly if you permit me, Mr Speaker. I saw the press coverage at the weekend of trade unions' comments about Antrim Area Hospital. I commend the staff there for the excellent work that they do. However, the problem there at the moment is typical. Given the trade unions' criticisms about that, what actions is the Minister taking on that backlog?

**Mr Poots:** I have been to that hospital, and I have met the trade unions at the hospital. More recently, I have been in discussion with the HSC Board. It is working to support the trust,

recognising the difficulties that exist. Immediate measures are being put in place to improve services, including enhanced GP cover; greater use of the 65 intermediate care beds in the community to speed up discharge and prevent admission; further exploration of improved access to out-of-hours GP services; improved hospital discharge arrangements; additional emergency theatre time; additional cardiology time for Belfast to enhance the timely transfer of patients; extra nurses; and 20 additional beds in Antrim remaining open. I understand that the latest news is that there are no 12-hour breaches at Antrim A&E, and I trust that that will continue to be the case.

**Mr McDevitt:** Does the Minister agree that the trade unions will be an exceptionally important partner in the future of the health service? May I ask him to take this opportunity to reassure the House that, in carrying out the reforms that he proposes for the health service, he remains absolutely committed to the principles of social partnership and to the trade unions and staff, who give up their time as workers, being central to the reforms?

**Mr Poots:** I remain absolutely and totally committed to social partnership. That is demonstrated by the Department's facilitating trade union members to the point of £1.6 million in a year in which we are under very tight fiscal constraints. I wish that that would be reciprocated. I felt that it was not, particularly when the first strike was called. Clear reasons were not set out for that strike in the first instance, and there was very limited support for it among trade union members, as demonstrated when very limited numbers of people turned out on the day. Trade unions should not strike at the drop of a hat; they should seek to negotiate. That is what we are investing this money in. We are not investing it so that trade unions can go on strike easily. I trust that the Member will join me in condemning strikes that are wholly unnecessary and not in the public's best interests.

**Mr McCallister:** Does the Minister not agree that £1.6 million is a significant amount of money? Although I think we all support working together in social partnership, is it really a core activity of the Department of Health to fund trade union activity?

**Mr Poots:** Of course, the year that I gave was 2010-2011. I think that the Minister in that year was from the Member's party. So, obviously,

his party thought that it was a core activity.  
[*Interruption.*]

**Mr Speaker:** Order. We will move on.

## Meals on Wheels

3. **Mr McLaughlin** asked the Minister of Health, Social Services and Public Safety for an update on meals on wheels provision. (AQO 1080/11-15)

**Mr Poots:** Meals on wheels or community meals continue to be provided or arranged by the HSC trusts for vulnerable people where a needs assessment shows that a person is unable to secure a nutritious cooked meal and would therefore be at risk of malnutrition should a meals service not be provided. There are no plans to make substantive changes to the availability of the service to current recipients, and, indeed, the trusts have recently introduced a common set of clear, consistent access criteria. That should promote a clearer understanding of the service and of how and when it should be provided for all those involved in providing and receiving community meals.

**Mr McLaughlin:** I thank the Minister for the detail in that answer. I am sure that many people will take reassurance from his comments. Will he explicitly confirm that the provision of meals on wheels is contained in the commissioning direction for 2012-13?

**Mr Poots:** In July 1996, the Department commissioned a review of the charging policy for non-residential personal services, which indicated that the charge for meals on wheels should not be set at a level that would be prohibitive for clients and would reduce the uptake. There has been a reduction in the number receiving meals on wheels in the community of some 1,510 persons over a four-year period. That causes me some concern. I have the notion that, when they have to make spending cuts, some of the trusts may find meals on wheels an easy option for reducing funding. That is certainly not something that I believe to be right in the context of what we in the Department are doing, where we want to go or what the Compton report has set out as where we should be going. We want to keep people in their own home and in the community. Providing nutritious meals to such people is something that can aid us in doing that.

**Mr Byrne:** I thank the Minister for his support for meals on wheels. If he has the figures to

hand, will he tell us the level of provision of meals on wheels in the Western Trust area?

**Mr Poots:** I do not have the figures for the Western Trust to hand, but I know that in each trust area provision has reduced to some extent. I have visited people who are receiving meals on wheels, and I know that the service is of real benefit to them. We need to ensure that that service can continue and that it is sustainable both for suppliers and those who receive the meals.

**Mr Dunne:** What is being done in the Department to ensure consistency across the trust areas? Does the Minister recognise that meals on wheels is an excellent service and that it is not just a drop-off service but a social service?

**Mr Poots:** As part of the exercise carried out by HSC in September, an eligibility criteria document has been agreed and policy-screened, together with the process used to compile the document from existing sources. As a result of that process, we identified the need for an equality impact assessment, but the document has been agreed with the HSC trusts' chief executives. Therefore, I hope that that will help us to achieve the consistency that we need across Northern Ireland.

**Mr McCarthy:** The Minister has acknowledged that there has been a reduction in the number of people receiving meals on wheels. I would say that it is a dramatic reduction. Does he agree that the needs assessment that has now come into being is perhaps responsible for so many people being outside the criteria for receiving that vital nutritional service daily?

**Mr Poots:** A needs assessment is absolutely necessary. If it is screening people out, there is a reason for that; it does not necessarily show that the needs assessment is wrong. However, we need to ensure that this is not an easy area in which trusts can make cuts or savings that will ultimately lead to more people ending up in nursing care or in our hospitals. We need to ensure that we can provide quality care to people at home, and this is an element of that service.

### Fire Station: Cushendall

4. **Mr McMullan** asked the Minister of Health, Social Services and Public Safety why the business case for a new fire station in Cushendall has not yet been completed. (AQO 1081/11-15)

**Mr Poots:** I understand that the draft business case for the replacement of Cushendall fire station is being assessed through the Northern Ireland Fire and Rescue Service's internal procedures.

**Mr McMullan:** I thank the Minister for that. Minister, I am sure you are aware that we have been told in writing several times since 2009 and through 2010 that the business case would be completed. It was supposed to be completed before April of last year, then it was supposed to be completed before September. It has got lost out there, once again, wherever it has been lost. Can we get a definite date for the completion of the business case for the station? We cannot take forward the case for funding. The station is still under planning law, 22 years after the construction of a temporary building. Firemen have been hurt in the station because of the state that it is in. I take this occasion to invite you down to have a look at the station.

**Mr Poots:** The Chief Fire Officer has indicated to the Department that he expects to be in a position to submit the business case to the board by April this year. I expect it to be approved within six months of being submitted to my Department. Repairs were carried out to the roof of Cushendall fire station in December of last year.

**Mr Hilditch:** Minister, what other plans have you for capital investment in fire stations?

**Mr Poots:** Planning permission for Omagh fire station has been approved, and I expect that Omagh and Rathfriland fire stations should be completed before 2015. The capital cost of Omagh is projected at around £5.6 million, and the capital cost for Rathfriland fire station is £0.95 million.

**Mr Dickson:** I want to go back to the issue of Cushendall fire station. Given that the closest fire stations to Cushendall are at Carnlough and Ballycastle, I welcome what the Minister has said. However, can he guarantee that, once the business plan has been completed, the matter will be moved forward urgently by his Department? I take this opportunity to pay tribute to all Fire and Rescue Service personnel.

**Mr Poots:** We are where we are with Cushendall fire station. It is being progressed, albeit not as quickly as some Members would like, but work is being done on it. I have also received enquiries about a planned new fire station in Ballycastle. Colleagues in north Antrim will be



particularly interested. There is a business case for the construction of a newbuild to replace Ballycastle fire station, which has been approved at a capital cost of £2.62 million. At this stage, we do not have capital funding to take that project forward.

### Health: Telemonitoring

5. **Mr Spratt** asked the Minister of Health, Social Services and Public Safety to outline the benefits of remote telemonitoring services.

(AQO 1082/11-15)

**Mr Poots:** A number of studies in the UK and internationally report that remote telemonitoring helps to improve quality of life, reduce hospital admissions, empower patients and alter attitudes towards their conditions. An independent evaluation of local pilot studies was undertaken in Northern Ireland. It found that patients were overwhelmingly positive about the benefits they derived from remote telemonitoring and that it had a positive impact on their quality of life and general health and well-being. The majority of clinicians felt that remote monitoring helped their patients feel less anxious, more reassured and better able to manage their illness, and the large majority of patients felt that it had helped them to reduce their reliance on hospital and nursing staff and had helped reduce their hospital admissions.

I am keen to pursue the use of technology to provide healthcare remotely. In December, I launched the remote telemonitoring service in Northern Ireland: Telemonitoring NI. That £18 million investment is expected to benefit in the region of 20,000 patients over the next six years. It will provide more and better targeted support to patients, which will enable them to have greater control, learn more about their condition and lead a more independent life.

**Mr Spratt:** I thank the Minister for his answer. How does the memorandum of understanding with Invest Northern Ireland envisage his Department building on its role with Connected Health?

**Mr Poots:** We see huge advantages in that. In fact, we are ahead of the game, and there is considerable interest in what we are doing from outside Northern Ireland. There is interest from the United States of America, Finland, Catalonia and other regions. We are very positive about the memorandum of understanding and believe that it will help us to support clinical research in Connected Health in Northern Ireland that will be of use to others. It may be something that

may eventually be sold to others, and Invest NI would take the lead on that aspect.

### 2.45 pm

**Mr Nesbitt:** As the Minister knows, the remote telemonitoring service was launched with TF3 Consortium as a business partner. Will he tell the House how many potential business partners he has identified across the health service to help to effect financial savings?

**Mr Poots:** There are considerable opportunities, and people regularly approach us. I have always indicated that I do not have a problem working with the private sector, provided the quality of the service is enhanced, as opposed to diminished, and it delivers value for money. In a series of areas — mental health, the learning-disabled community, care of the elderly and many others — there is expertise that the private sector can bring to the table. Ultimately, the greatest part of our service will be provided through the public service and met at the point of need by the public sector.

**Mr McGlone:** Go raibh maith agat, a Cheann Comhairle. I thank the Minister for his answers up to now. Will he indicate whether there are any projected or net savings associated with telemonitoring, as introduced by his Department?

**Mr Poots:** The real benefits in Connected Health are those in the care of and better outcomes for patients. We have looked at the Whole System Demonstrator programme, which was a two-year research project funded by the English Department of Health, to find out how technology can help people to manage their health while maintaining their independence. The early headline figures on telehealth indicated that there was a 15% reduction in A&E visits, a 20% reduction in emergency admissions, a 14% reduction in elective admissions, a 14% reduction in bed days, an 8% reduction in tariff costs and a 45% reduction in mortality rates. That has obvious benefits for the person. While it benefits the person, we can see financial benefits too, because people not spending days in beds in hospitals is extremely beneficial from the Department's financial perspective.

### Health Promotion

6. **Mr Agnew** asked the Minister of Health, Social Services and Public Safety what percentage of the healthcare budget is currently spent on health promotion. (AQO 1083/11-15)

**Mr Poots:** Health promotion activity is inherent within and across all aspects of health and social care provision in Northern Ireland. I am committed to increasing the percentage of my Department's overall budget that is spent on health promotion. For example, my Department plans to invest £119 million on health promotion activities in 2011-12, which represents an increase of £28 million or 26% on planned spend in the previous financial year. My commitment to increasing health promotion spend is also evident in the draft Programme for Government and in the forthcoming development of a new public health framework, both of which will strengthen the drive to improve the health and well-being of the people of Northern Ireland.

**Mr Agnew:** I thank the Minister for his commitment to increasing the amount spent on health promotion. However, does he accept that we are considerably behind other regions of the UK as well as the Republic and even further behind Scandinavian countries?

**Mr Poots:** That is fairly obvious; otherwise, we would not have invested 26% more in public health this year.

**Ms Gildernew:** Go raibh maith agat, a Cheann Comhairle. Does the Minister believe that, given the health benefits not only to children's immune systems but in preventing obesity, enough is being spent on the promotion of breastfeeding?

**Mr Poots:** Without getting into specifics, the Public Health Agency looks at all those issues, and huge benefits result from children being breastfed. It is something that we want to encourage. For young mothers, even for a short period, it can have significant benefits, and the longer children are breastfed, the better. We will be doing more work on it and will encourage the Public Health Agency to continue to support it.

**Ms Lewis:** How does the intended spend on public health compare with the situation a decade ago?

**Mr Poots:** Over the past eight years, spend on health promotion has increased from £34 million in 2003-04 to £119 million in this financial year. That is a significant investment and reflects the Department's commitment to a series of strategies that seek to foster conditions that allow the people of Northern Ireland to be healthy and make healthy choices. The increase in health promotion expenditure is

due to investments in a range of programmes, such as the drug strategy, action to combat drugs, suicide awareness, the tobacco strategy, vaccination programmes, investing for health and telemonitoring. There has always been an awareness of the importance of health promotion and disease prevention. The Health Promotion Agency existed for 20 years prior to the formation of the Public Health Agency, which has given extra impetus to this important part of public health.

**Mrs Overend:** Will the Minister outline how much is being spent on educating firms or businesses about the cost of accidents in the workplace? Does he feel that more needs to be done in that area?

**Mr Poots:** I am loath to venture into that area. The Health and Safety Executive does not come under the Department of Health, Social Services and Public Safety, but we pick up a lot of the problems thereafter. We can only encourage people to take action to ensure that they work safely. I know that the Member comes from an agricultural background, and that is an area where there are a lot of challenges, particularly for older men. A lot of incidents happen on our farms, and we need to encourage people to work safely.

### Mental Health: Perinatal Services

7. **Mr P Ramsey** asked the Minister of Health, Social Services and Public Safety what perinatal services are available for mothers suffering from mental health-related illnesses.

(AQO 1084/11-15)

**Mr Poots:** As with all mental health patients, the aim is to treat within the community, in line with the recommendations of the Bamford review. Mothers who require mental health care will, therefore, receive it within existing community mental health services. For those requiring inpatient care, trusts have protocols in place for treatment in existing psychiatric hospitals.

**Mr P Ramsey:** I thank the Minister for his response. There are some difficulties when a mother and child are separated, particularly when the mother is in hospital. Does he have plans to establish a mother and baby specialist unit at the proposed psychiatric units in Belfast?

**Mr Poots:** It has been identified that we could do that. Obviously, it is a very difficult area and a difficult issue. The best place for a child's early

months is not necessarily a psychiatric unit. It has to be designed in a particular way so that it does not appear to be a psychiatric unit but still has connections, so that the skill base is there to support the mother through that difficult time and, hopefully, restore her to full health and strength. However, that has to be done in a very specialised way. The design has been looked at, and I trust that, if we proceed with the project, all of that will be taken into account.

**Ms P Bradley:** I thank the Minister for his answers. Has he met any campaigners in favour of a stand-alone unit?

**Mr Poots:** Yes. I met the chair and representatives of the Royal Jubilee Maternity Liaison Committee in November last year. The representatives asked for consideration to be given to the design and capacity of the new Belfast inpatient mental health facility to enable it to provide inpatient care for mothers with severe mental health conditions. We have asked for the provision of perinatal beds to be considered in the business case for the new unit.

### **Accident and Emergency Services: Belfast**

8. **Mr A Maskey** asked the Minister of Health, Social Services and Public Safety for his assessment of the impact on accident and emergency services in Belfast of the closure of the A&E department at Belfast City Hospital.  
(AQO 1085/11-15)

**Mr Poots:** For safety and quality reasons, it was imperative to put in place temporary changes to the provision of accident and emergency services in the Belfast Trust. I take this opportunity to thank health and social care (HSC) staff for their hard work and dedication. A range of measures to improve the quality of decision-making in emergency departments (ED) and to enhance both ED capacity and the throughput of hospital patients are in place. They include an enhanced consultant presence in ED, medical admissions units and greater access to short-stay unit beds on both the Mater and Royal sites, with an acute medical assessment unit in the City Hospital to facilitate direct admissions from the community. Enhanced care pathways for certain chronic conditions have been developed. Additional capacity for the assessment of cancer patients in the Cancer Centre has been made.

In addition, there is greater access to eye emergency services on the RVH site, and there has been enhanced ambulance cover across all sites. Overall, the total number of ED attendances in the Belfast Trust is similar to that for the same period last year, but acute admissions are rising. That is a reflection of increasing demand on our services and the complexity of many patients presenting to ED. I acknowledge some difficulties in access, and there is still a need to improve performance on the four- and 12-hour waiting-time targets.

The HSC system needs major reform if we are to cope with increasing demand and provide a high-quality, sustainable service. Permanent changes to accident and emergency services will be subject to public consultation as soon as possible in 2012, starting with the Lagan Valley Hospital and followed by the Belfast Trust proposals at a later date.

I want to remind the public again that attendance at an ED should occur only if it is absolutely necessary.

**Mr A Maskey:** I thank the Minister for his fairly detailed response. I appreciate that he may be unable to elaborate, but I am particularly concerned about some of the reports over the Christmas and new year period, when there was a lot of adverse public and media commentary referring to all A&E units being oversubscribed and to directives given to send people home from hospital admissions. There were also reports of fairly high levels of staff absenteeism. I appreciate that the Minister may not be able to respond to that today, but can he give us an update?

**Mr Poots:** I can give an update. Flows in the Royal hospital improved over and above what the Royal and City hospitals had been doing in previous months. There was a quicker turnaround of patients. Unfortunately, in December, that fell away to some extent. We always get winter pressures. For example, in December 2010, the number of patients waiting for four hours and under was 72.9. That dropped to 63.3, which was disappointing. This December, the number of patients waiting for more than 12 hours rose from 40 and 83 in the previous year — 123 taking into account the two hospitals — to 170. Again, that is disappointing. We have not had to deal with any catastrophes in that respect. The hospital has been able to cope, but decisions have been taken in view of a lot of complicated

cases coming in that required bed space. So, a considerable amount of the flow coming through has been dealt with without a lot of difficulty. Additional admissions have posed some difficulties, and that has been demonstrated. However, the issue here is not with A&E but with admissions to the hospitals and bed capacity in the hospitals.

**Mr Speaker:** Once again, I remind Members who want to ask a supplementary question that it is important that they rise continually in their place. I know that some Members have difficulty doing that, but that is the only way in which you will get to ask a supplementary question.

**Mr Storey:** I assure you, Mr Speaker, my difficulty in getting up has no relation to age.

I thank the Minister for his answer on the specific issues relating to the Belfast hospital. On a wider issue, he is well aware of the concerns we have raised around the Causeway Hospital and staff. Staff are an important and key element to the delivery of an A&E service. What action has the Minister taken to permit more doctors to come into the health service from, for example, the Indian subcontinent, particularly to work in our emergency departments?

**Mr Poots:** Emergency medicine is one of the specialties in which we have had difficulty recruiting sufficient doctors, particularly junior doctors, and the changes to the immigration rules that were introduced in 2008 are the biggest contributing factor. Despite a recruitment exercise in India, securing the necessary paperwork for work in the UK created long delays, and those doctors identified secure posts elsewhere.

We find that situation unacceptable, and we have raised it with the Immigration Minister, Damian Green. In a response to us in December last year, he made it clear that the rules would not be changed and that the annual limits would still be applied. He is firmly of the view that there should be no separate shortage occupation list for Northern Ireland.

### 3.00 pm

The overriding concern from their perspective is the need to reduce net migration. There is no acceptance that recruitment difficulties exist to the extent that we have quoted as being due to the complexity of the immigration rules. We do not really accept that, and officials from my Department have met officials from the UK

Border Agency. We encourage the Northern Ireland Medical and Dental Training Agency to also meet the UK Border Agency. We are quite prepared to facilitate that to ensure that we are getting the necessary flow of doctors to help and support us and provide us with an excellent service, as they have been doing for many years. Those doctors learn excellent skills that they can take back to their own countries.

**Mr Speaker:** That ends Question Time. I ask the House to take its ease as we move on to the next item of business.



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

## Executive Committee Business

### **Protection from Tobacco (Sales from Vending Machines) Regulations (Northern Ireland) 2012**

**Mr Poots (The Minister of Health, Social Services and Public Safety):** I beg to move

*That the draft Protection from Tobacco (Sales from Vending Machines) Regulations (Northern Ireland) 2012 be approved.*

I seek the Assembly's approval to introduce the aforementioned statutory rule. Subject to the Assembly's approval, this rule will ban the sale of tobacco products from vending machines in Northern Ireland. The main aim of the legislation is to prevent children and young people from being able to access tobacco from a largely unsupervised source.

Members will recall agreeing in March 2009 to the extension to Northern Ireland of certain tobacco-related provisions in the Westminster Health Act 2009. Those provisions provided my Department with powers to lay four separate sets of regulations relating to the display of tobacco products in retail outlets and the sale of tobacco from vending machines. All four sets of draft regulations were the subject of a public consultation in the latter half of 2010, and a summary of the consultation responses was published on my Department's website on 23 August 2011. All consultation responses were carefully considered and helped to inform the final regulations.

Today, I have moved the Protection from Tobacco (Sales from Vending Machines) Regulations (Northern Ireland) 2012. This statutory rule is very brief and contains only two regulations. The first provides that the sale of tobacco from vending machines is prohibited, and the second provides important clarity on who is liable in the case of a breach of the legislation. For the purposes of this legislation, the person who controls or is responsible for the management of a premises where a vending machine is sited would commit an offence if tobacco sales were made from such a machine once the legislation has commenced.

The regulations will bring Northern Ireland into line with the rest of the UK. Similar regulations were commenced in England on 1 October 2011, Wales will be introducing a ban on tobacco vending machines from 1 February 2012 and Scotland is in the process of making legislation to that effect.

Members will be aware that smoking is well recognised as the single greatest cause of premature death and avoidable illness in Northern Ireland, claiming some 2,300 lives here each year. Smoking is a major risk factor for coronary heart disease, strokes, cancer and other circulatory diseases, and it can lead to blindness. Those diseases are also key causes of disability and have life-changing impacts, not only for sufferers but for their families.

Smoking is also a major cause of health inequalities and is the principal cause of the gap in life expectancy between affluent people and those on low incomes. A person living in one of the most deprived areas of Northern Ireland is twice as likely to die from lung cancer as someone who lives in the least deprived area of Northern Ireland. There has been considerable progress on tobacco control in recent years, and the rate of smoking prevalence has declined over the past decade.

However, our smoking prevalence rates remain higher than those in England and Wales, with almost one in four adults still smoking. That figure rises to one in three in some areas of Northern Ireland. Significantly, a recent survey showed that 82% of adult smokers in Northern Ireland took up the habit in their teens, and 8% of children aged between 11 and 16 are regular smokers. Therefore, it is clear that, if we are to achieve a significant reduction in smoking prevalence, we must deter young people from taking up the habit.

Children and young people are particularly vulnerable consumers in that they are, generally, unaware of the long-term health implications of tobacco use. By the time they reach adulthood and the dangers are more apparent, they have become dependent on nicotine and joined the majority of smokers who would like to quit but find it difficult.

The young persons' behaviour and attitude survey carried out in Northern Ireland reveals that vending machines are a usual source of tobacco for 14% of smokers aged between 11 and 16. Evidence from test purchasing



exercises in England before a ban was introduced there showed that under-18s were able to make illegal purchases from 58% of vending machines tested and that one quarter of those machines were sited in unsupervised areas. Although a similar exercise has not been conducted in Northern Ireland, we have no reason to believe that the situation here is any different.

Removing tobacco vending machines will not only remove an easily accessible source of tobacco from underage children but will support the thousands of smokers who try to quit each year, thereby linking the legislation with two main objectives in my Department's new tobacco control strategy, which is due to be published this month. That strategy will retain the key objectives from the previous tobacco action plan. Those are prevention, with fewer smokers starting the habit; cessation, which is helping more smokers to quit; and protection from harm caused by second-hand smoke. The Public Health Agency will be responsible for implementing the new strategy and will, of course, continue to explore with the statutory and voluntary sector agencies how best to discourage young people from adopting the smoking habit.

I stated that I will lay four new sets of tobacco control regulations. The other three relate to banning the display of tobacco products at the point of sale in retail outlets, thereby protecting children from exposure to tobacco advertising in the form of brightly lit, colourful gantries found behind the tills in most newsagents and convenience stores. Those will be commenced in Northern Ireland in the latter half of 2012 for large shops and in 2015 for smaller shops. I also intend to bring forward proposals this year that will impose sanctions on those retailers who persist in selling tobacco to those who are underage.

My Department provided resources to facilitate the appointment of additional enforcement officers to maximise compliance with the smoke-free legislation in 2007. That funding continues and is linked to enhanced enforcement activity on underage sales. That will include any enforcement activity required to implement the vending machine regulations.

We do not permit the widespread sale through vending machines of other age-restricted products such as alcohol, fireworks or lottery tickets. Therefore, it is entirely appropriate that

tobacco should not be available in that way. I trust, therefore, that I have the Assembly's support in prohibiting the sale of tobacco, which is a very harmful and addictive product, from vending machines. I commend the motion to Members.

**Ms Gildernew (The Chairperson of the Committee for Health, Social Services and Public Safety):** Go raibh míle maith agat, a LeasCheann Comhairle. The Minister explained the purpose of the draft statutory rule, which requires the affirmation of the Assembly before it can come into operation, and he described in considerable detail the difficulties with tobacco and its accessibility.

I will add to what he said in that I certainly feel that a lot of young girls buy cigarettes in an attempt to suppress appetite or not put on weight. There seems to be an increase in young girls and young women smoking, so anything we can do to try to prevent the development of tobacco addiction is certainly to be welcomed. This rule will, essentially, ban the sale of cigarettes and other tobacco products from automated vending machines, with the aim of preventing children and young people who are underage from being able to access cigarettes.

The Health Committee is fully supportive of that goal. However, in scrutinising the legislation, we were mindful that the change in the law will have an impact on businesses. The Committee received representations from vending machine businesses, and they raised the issue of compensation. A regulatory impact assessment has been done on the legislation. There are 1,831 tobacco vending machines at an approximate value of £375 each, which makes the total one-off cost to the industry approximately £686,000. The Committee subsequently wrote to the Department to seek clarification on the matter of compensation. The Department confirmed that no compensation would be offered as it was of the view that operators had been allowed sufficient time to prepare for the changes.

On balance, the Committee was content that the benefits of the legislation outweigh the limited financial loss to businesses. The Committee, therefore, following its meeting on 5 October 2011, advised the Department that it was content that the legislation be prepared. The Committee then considered the draft regulations at our meeting on 14 December 2011 and

recommended that they be affirmed by the Assembly. I support the motion on behalf of the Committee.

**Mr Wells:** I enthusiastically support the motion. I was the Chair of the Health Committee when this issue was initially discussed. There was considerable enthusiasm amongst members then for the proposed legislation, and that continued after the recent election. We heard very clear evidence of the link between accessibility of cigarettes to younger people through unregulated vending machines and people taking up smoking. We felt that the statistics, as the Minister indicated, were very clear. Unfortunately, it is a route that younger people use to access cigarettes and get on to the habit, which can last a lifetime and have quite shocking consequences.

Several months ago, the previous Minister of Health, Social Services and Public Safety confirmed, in response to a question for written answer, that there were 2,300 deaths a year in Northern Ireland as a result of cigarette-related diseases. Indeed, that figure was confirmed recently by the present Minister in a debate on the Compton report. Many of those people die agonising, long, painful deaths as a result of lung cancer. As I said in a previous debate, I recently witnessed two people whom I knew very well die from lung cancer. It is absolutely ghastly. Anything that the House can do to prevent young people getting hooked on tobacco has to be applauded. Therefore, the legislation should be given a clean bill of health from the Assembly and allowed to pass.

We realise that this is only part of a package of measures that we hope are forthcoming. I understand that the Minister is about to publish his tobacco strategy. The sorts of issues that I think that we all want to see — I think that some are guaranteed — include progress on the banning of the display cabinets that are so prevalent in every shop and supermarket in the country so that they no longer promote the brands of cigarettes and encourage people to smoke. Also, we hope to eventually see a ban on smoking in cars, which was debated in the Assembly a few months ago. There was clear cross-community support for that, particularly when children are present. There is an unanswerable view that we have to tackle this issue. We cannot allow young children in particular to be exposed to tobacco smoke in those confined spaces.

I hope that we eventually go down the route of plain paper packaging for cigarettes. In other words, you will not have the glamorous bright red or blue packet or whatever it is promoting cigarettes as cool; the packaging will be brown and plain. Perhaps the only photograph on them will be of a lung that is taken from someone who has died of lung cancer as a result of smoking. That is the sort of message that we need to get out. The Minister, quite rightly, quoted the statistic that 82% of the people in Northern Ireland who smoke are desperate to get off the habit. Almost everyone I talk to who smokes wishes that they did not. Therefore, we have to facilitate those people and make it more difficult for them to obtain cigarettes and easier to give up. That is the carrot-and-stick approach that is required.

A manufacturer of vending machines from Londonderry wrote to us to say that this would have an effect on his business. The reality, sadly, is that there may be 1,000 vending machines in Northern Ireland, but there is already a market for second-hand vending machines in eastern Europe and the Indian subcontinent. It is sad that we will be exporting those to other countries, where more young children can access cigarettes, perhaps illegally, but there is a market for second-hand machines. Indeed, one of the reasons why the Department delayed the implementation of the regulations was to allow those machines to be sold on elsewhere or scrapped or whatever.

### 3.15 pm

The industry was given lots of warning that this was coming. It had time to adjust and move to an export-led market rather than sell in the British Isles. Therefore, it frankly has no excuse for being caught unawares. I do not believe that the small cost involved can possibly be equated to the cost to the health service should we allow more young people to become addicted to tobacco and develop long-term chronic conditions, the treatment of which would cost the health service a fortune. I therefore wish the legislation a fair wind. I hope that it can be implemented as soon as possible and that we have seen the last of such vending machines in our shops, restaurants, pubs and elsewhere.

**Mr McCallister:** Like others, I warmly welcome the legislation. It will continue the work of the Department, the Minister, his predecessors and the Committee, and it will assist the drive to do

all that we can to rid our society of the scourge of cigarettes and tobacco smoke. I see that Ms Bradley is looking very guilty.

Smoking is a real problem for our society. The stats that the Minister gave are very compelling. We heard about people who are addicted to tobacco, their struggle to get off it and the impact on their family's finances. The cost to the public health agenda is enormous, and the effect on people's health is dramatic. The House has a real and pressing duty to address the issue. I welcome not only the regulations but the package of measures that the Minister spoke about. We should and must support the measures.

Mr Wells talked about the suffering that smoking causes individuals, and it is a telling story. We really have to get to grips with the problem and tackle it in our society by putting in place measures that address it and keep our children safe. A motion of mine was debated in the Assembly a few months ago, and I was encouraged by the support that it drew from right across the Chamber. This is something that we must do, and I am encouraged by the fact that the Minister acted on what was said in that debate and is following up on it. When the Minister introduces legislation to that effect, we will welcome it. I warmly support the motion.

**Mr Durkan:** I welcome the initiative and, indeed, any initiative that makes tobacco less accessible to children and less attractive to adults. The legislation will bring us into line with where Great Britain is going.

A couple of Members spoke about the impact that the legislation will have on businesses dependent on vending machines. I implore the Minister to talk to his colleague the Minister of Enterprise, Trade and Investment, because she might be able to work with the companies concerned, one of which is in my constituency, to discuss the resale of such machines or their alternative uses. The machines could distribute healthier products — nicotine gum or something along those lines. That option could be explored.

We welcome the Minister's ongoing commitment to tackling nicotine addiction and the numerous serious diseases and conditions associated with it, which not only place a huge financial strain on the Department but cause an immeasurable amount of suffering for individuals and their families. We support the motion.

**Mr McCarthy:** Like all other Members, I fully support the motion. I fully concur with the sentiments of the Health Committee, its Chairperson and its Deputy Chairperson. Any measures that the Assembly can take to keep our young people free from tobacco from a very early age are well worth the effort. The Northern Ireland Assembly has led by example. I wish the measure every success.

I hope that, as generations come along, ever fewer young people will take up the disgusting habit, and I speak as someone who smoked for some years. I remember the first fag that I lit. When I put it in my mouth, my elder brother said, "You will live to regret that." I dismissed his words totally and absolutely. However, I did regret it. His words came true. Thankfully, I was able to quit the habit a number of years ago. I wish every success to all smokers who try to quit.

The legislation will make it more difficult for young people to smoke. Young people start and, before they know it, smoking, like any other habit, has taken over. I welcome the legislation.

**Mr Poots:** I thank the Chairperson, the Deputy Chairperson and, indeed, the other members of the Health Committee for their contribution to the debate. I welcome the widespread support for the legislation. I recognise that banning the sale of tobacco from vending machines will not in itself solve the problem of children smoking. However, it will complement current enforcement activity and ongoing prevention work that is being undertaken by many agencies, which include the Public Health Agency, health and social care trusts, the education sector, the voluntary sector and others. The regulations represent another important milestone in our pursuance of the long-term goal, which is a tobacco-free society in Northern Ireland.

To those outside the Chamber who will carp about a nanny state and that sort of thing, I want to make it absolutely clear that we are not anti-smoker; we are anti-smoking. We want to ensure that as few people as possible start smoking in the first instance. As Mr McCarthy quite rightly pointed out, it is extremely addictive and detrimental to people's health. I do not see how preventing people from taking actions that can lead to early death and huge health problems is being a nanny state. Very often, healthcare provision for people who have smoked for many years has to be paid for by others. I make no apology whatsoever for being

anti-smoking. I will continue to campaign against that activity and to create circumstances that will make it more difficult to smoke.

Mr Wells mentioned smoking in cars. We will give that due consideration over the next number of months. We will go to public consultation later in 2012. We will seek the public's views on options for the implementation and enforcement of such a ban. That approach is being taken to ensure that the public considers the issue in a holistic manner and to provide comprehensive information to all who are involved in the implementation and enforcement of any such legislation.

I welcome the support for the statutory rule. I trust that that will be reflected when the House votes.

*Question put and agreed to.*

*Resolved:*

*That the draft Protection from Tobacco (Sales from Vending Machines) Regulations (Northern Ireland) 2012 be approved.*

*Motion made:*

*That the Assembly do now adjourn. — [Mr Deputy Speaker.]*

## Adjournment

### Castlewellan Forest Park: Arboretum

**Mr Deputy Speaker:** I remind Members that the proposer of the topic for debate will have 15 minutes. The Minister will have 10 minutes to respond. All other Members who wish to speak will have seven minutes.

**Mr W Clarke:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Business Committee and my party for selecting the topic of the restoration of the arboretum in Castlewellan. It is a very important subject for discussion. Annesley garden and the national arboretum in Castlewellan forest park means a lot to the people of Castlewellan, South Down and further afield.

The walled Annesley garden, dating from 1740, provides a central focal point for the national arboretum. This magnificent collection of trees and shrubs, set in beautiful surroundings, also incorporates fountains, ponds and ornamental greenhouses.

In terms of the size, age and condition of the trees, the collection ranks among the top three arboreta in these isles and the finest in Ireland. Mr Terence Reeves-Smyth, who is a senior inspector in the built heritage division of the Environment Agency, believes Annesley garden to be one of the most important in Europe today.

In 2005, the entire built heritage at Annesley garden received a B listing. That included the entire wall surrounding the 12-acre site and the two buildings built into the walls — the slaughterhouse and the hanging house. It is not as bad as it sounds; they were used for venison. I know that landlords were bad, but I do not think they carried out anything like that in Castlewellan.

A trust will be able to avail itself of funding from the Heritage Lottery Fund to develop a plan for Annesley garden and will eventually get funding to restore the glasshouses. The Architectural Heritage Fund feels that it can secure funding to restore the slaughterhouse and the hanging house for use as holiday lets.



Anyone who has recently visited Annesley garden and Castlewellan arboretum will be in no doubt that the garden and the important collection are in serious decline. The gardens were purchased by the Government in 1967, and they are currently under the ownership of the Department of Agriculture and Rural Development (DARD) and managed by Forest Service. Our world-renowned arboretum is now scruffy and overgrown and needs a lot of care and attention. Very little funding has been dedicated over the past decade to the restoration and care of the arboretum, and, in my opinion, we should be showcasing our park, restoring it for the world to see, and making the walks striking and informative to local people and visitors alike.

The fact is that the Forest Service does not have the necessary funding to bring Annesley garden and the glasshouses in Castlewellan forest park up to standard. We all understand that the Department and the Executive have limited resources, and there are more pressing issues in every Department. Every day of the week we hear that in regard to education, job creation or health. Therefore, we understand that, and the people from South Down also understand that.

As an Assembly, we have to find the solution. I am proposing a joint initiative between Down District Council, the Forest Service and a trust. The Annesley garden trust will be formed very soon, and it is being spearheaded by Simon Moore, who is a native of Castlewellan. Simon has been involved in garden design in England, where he lives, but he is looking to come back.

The trust will be made up of gardening experts, council representatives, the Tourist Board and built heritage representatives, and there will be a place for others with certain expertise who can bring certain additional qualities to the trust. Obviously, there will be a place for the volunteer group, which has been carrying out maintenance in the park. They are a dedicated group of people who are known as the arboretum restoration committee (ARC), and I pay tribute to them. They do that on a totally voluntary basis, and the huge amount of work they have put in has to be recognised and put on record.

There will be an opportunity for local people to become friends of the trust. They will be able to volunteer and eventually gain admittance to the arboretum in exchange for contributing a

couple of hours of voluntary work a week. That is the sort of repayment in kind that the trust is looking at.

There will be opportunities for unemployed people and citizens recovering from illness to be trained in horticulture.

The partnership model will allow various pots of funding to be used, including the Heritage Lottery Fund and the rural development programme, which is under the guidance of the Minister.

### 3.30 pm

I had the pleasure of working on the Forestry Act 2010. That Act was shaped to develop leisure activities in forests, in partnership with councils and community groups, to benefit local communities, to create jobs and to boost our tourism product. We need to enhance our product so that it can reach its full potential. For example, the development of an adventure playground in Castlewellan forest park would help children to engage with nature and woodlands and add to the family experience. Furthermore, the development of a family-designed mountain biking trail has received a letter of offer of funding. That is an example of the council, the Forest Service and DARD working together with NITB and CAAN to deliver a world-class facility. That trail is out to tender for design.

From correspondence with the RSPB, I know that it aims to work with local stakeholders in the community to establish red kite trails for walkers and cyclists. That project is a significant tourist attraction in the area, and it could be enhanced if new signage for the arboretum and the surrounding area were to be installed. The RSPB also strongly supports the restoration proposals. The arboretum is a major tourist attraction in its own right and an economic driver. Another major attraction is the Peace Maze. It is the world's largest permanent hedge maze, and it represents a path to a peaceful future for Ireland.

Others in support of a partnership approach include Mr Michael Lipsett, the director of the recreation department in Down District Council. The Northern Ireland Tourist Board has stated that it wants a trust to be set up to take on the restoration of the whole national arboretum and not just the Annesley garden. Dr Sally Montgomery, the chief executive of W5 at the Odyssey, met Malcolm Beatty, the



chief executive of the Forest Service, to secure the future of that world-renowned garden. She also favours the partnership approach that I mentioned. The National Trust and the Mourne Heritage Trust also support the project and the principle of forming a trust and providing a partnership approach.

The public demand that the issue be dealt with and a satisfactory resolution found. When the Forest Service took over from the Annesley family in 1967, some 60 to 80 people were employed in the forest park. Today, three people look after the same area, which gives you some idea of the pressures that the Forest Service is under. In the past, many who worked in forests throughout the North did so under public relief schemes for the unemployed. At times of high unemployment, people were always sent to the forest for temporary work solutions. We are almost getting back to that situation now, and there is probably a need for a similar scheme through which people can get work in forests.

I give full credit to the staff of Castlewellan forest park. As I said, they are low in number, but they have maintained the magnificent tree collection. The specimens are in excellent condition, and it is a great credit to them. Today, we need horticulturists to restore the Annesley gardens. I give a special note of thanks to Mr Pat McVeigh. He lives in Rostrevor but is a native of Castlewellan and, over the years, has campaigned for a restoration programme. He deserves a bit of a mention.

The future of the national arboretum in Castlewellan is at a crossroads. The Forest Service cannot behave like a dog in a manger. The restoration of the arboretum is not within its grasp, and it will not get the resources to bring that about. Therefore, there is an onus on the Forest Service to let go, provide a leasing opportunity and work in partnership with the council, the trust and other organisations interested in restoring that fine facility. I do not think that the Department or the Forest Service will be unwilling to engage, but I am interested in the Minister's view on that. We want the trust to have some sort of leasing arrangement whereby they can draw down a cocktail of funds. The Department and the council cannot do it alone. We need everybody working together to ensure that we can draw down the revenue from various sources.

There are many elements to the restoration of the arboretum, such as the re-landscaping of the garden paths and the restoration of the glasshouses and the two listed buildings. Those are major projects in their own right, and we will be looking for funding proposals for each of them from various sources.

There are media opportunities for the trust to record the restoration project. That will provide a good opportunity to promote and showcase the forest park, south Down and the island of Ireland in general. We are showing what we have to offer on our island.

There is a good opportunity for working with local communities. That is something that groups have to do if they want to avail themselves of grants from the Heritage Lottery Fund. It has to be about telling a story and about the huge voluntary contributions from and huge efforts by local communities to guarantee funding, particularly the secondary funding. I am keen that the project is opened up to local communities. It is about taking ownership of the park and educating our young people and giving them a grasp of what nature is about.

The majority of us are from a rural background. We are very privileged to live in the countryside and in areas of outstanding natural beauty. In my area of south Down we have forest parks, open spaces, mountain ranges and beaches. A lot of people do not have those opportunities. It would be useful to engage young people from all walks of life throughout the North and throughout Ireland and get them involved in the project. It might be that we could bring young offenders into the programme and give them an opportunity to make a contribution to society — the break that they might need — and give them a new direction. I see lots of opportunities in the proposal to train volunteers and to get people back to work. The big one is fundraising. There are a number of subcommittees working in the trust to look at different aspects and to bring in people with different qualities, allowing them to work together inclusively. That is important. Everyone has a role to play in restoring the arboretum. People from all walks of life have talked to me, having seen some newspaper articles, and have said that they would be interested in doing a couple of hours of voluntary work.

We need to look at the partnership approach and then examine the leasing agreement

and draw down the funds. The restoration programme must commence now, because it is an injustice to allow such a world-class facility to fall into disrepair when we have a solution through the formation of the partnership. I thank everyone who has dedicated time and effort in the garden at the arboretum, including the ARC volunteers who have carried out a lot of work over many years. I pay tribute to them all.

**Mr Wells:** We all support the sentiments expressed by Mr Clarke on the issue. I am a frequent visitor to Castlewellan and to the forest park. I remember walking round the lake at Castlewellan and encountering a local person who stopped and said, "I could not do your job as an MLA for all the tea in China". When I asked him what he did, he told me that he was an undertaker. It is interesting that there is someone who thinks that stitching up dead bodies is more interesting than the work that we do as MLAs. Nevertheless, I think that we can prove today that we can be united on this issue.

Castlewellan forest park, the lake, the arboretum and the gardens are some of the greatest assets in Down district and, indeed, all of south Down. It is a tragedy that they have been allowed to fall into disrepair. I was fortunate enough to visit it when it was at its full glory many years ago, and it was an absolutely outstanding attraction in its time. However, I appreciate the difficulties that Forest Service has, in that its role is primarily to provide access and timber, and it is not mainly a role of being gardeners or maintaining — *[Interruption.]* Sorry; that is my fault. Its role is not to be gardeners or protectors of specimen trees but mostly to produce timber and provide access.

I see opportunities in what is being proposed by the trust, but I also see difficulties. I have no doubt whatsoever that, if the trust gets up and running and gets a leasing agreement with Forest Service, the capital funding will be available. I have found many times that, if you go to bodies such as the Heritage Lottery Fund, the Tourist Board, the Department of Enterprise, Trade and Investment or the International Fund for Ireland, you will get capital funding to upgrade and provide excellent facilities at somewhere such as the arboretum in Castlewellan. The problem does not come with that aspect but with revenue.

There are so many projects in Northern Ireland where enthusiastic groups have got together

and done magnificent work in producing a cocktail of funding. The obvious example is the Saint Patrick Centre in Downpatrick, which was opened debt-free in 2001. It had been entirely paid for by various statutory funding bodies, and I congratulate Down District Council and the others who achieved that. However, the problem, as we have discovered with the Saint Patrick Centre and every other tourist attraction, is the question of who pays for the ongoing running costs.

The difficulty I have discovered is that very few bodies are prepared to pay the cost of staff salaries, insurance, heating and so on. Such funding is almost impossible to obtain. I have spoken to representatives of the trust. I admire them, and I have said that I will give them my full support to get a business case developed and to try to enter into negotiations with Forest Service and the Department of Agriculture and Rural Development. However, I have warned them of the huge difficulties that they face on the issue of revenue. They have some exciting proposals for some form of holiday accommodation, events and tours. That is great news, but I ask this question: who will use those facilities on a wet Tuesday morning in November? You need to have the answer to that question because your costs will continue throughout the shoulder months from October to March, and you will still have to pay your salaries and fixed costs even though next to no income will be coming in to meet those costs. If you happen to have a very wet summer, you might find that your revenue in the peak months practically disappears. So, when they are looking at their proposals, they have to consider the sustainability of the project and how to get the money to ensure that it can continue.

I do not want to pour cold water on it. It is an excellent idea that will be enormously beneficial to the people of south Down and to the wider tourist trade of Northern Ireland, the Irish Republic and, indeed, even further afield. However, there has to be a sense of realism here. I suspect that, in the present economic conditions, it is unlikely that the Department of Agriculture and Rural Development will have the resources to provide long-term guarantees of staffing and funding for this project, at least not up to a level that will sustain it. It may be able to provide partial funding, but there has been a dramatic reduction in staffing not only in Castlewellan but in all the forest parks in Northern Ireland, and they are now being run with a skeleton staff.

We have had various meetings about other issues, and Mr Clarke is aware of the problem of security for those who camp in Forest Service forest parks in south Down and of the difficulty that Forest Service has in obtaining the funding to provide security. When only three members of staff cover that huge area, they are stretched extremely thinly, and I cannot see much scope for extra resources to employ people to do the intensive work needed when you are looking after an arboretum and a garden.

I had the privilege of working for 10 years with the National Trust at Saintfield's Rowallane garden. You need to go somewhere like that, which is quite equivalent, to see the intensive amount of labour that is required to keep a garden running and to realise that this is not a one man and his dog operation but one that will require several staff to work 365 days a year. However, politics is the art of the possible, and I am sure that, with a bit of thought, we can get round the problems. They have to be faced, and we have to match the enthusiasm of the group that is, quite rightly, trying to pioneer this with the cold, hard reality of the economic situation we are in. The difficulty is in maintaining those facilities all year round, when the costs keep mounting.

I will listen with interest. Mr Clarke said that he suspects that he knows some of what the Minister will say. I suspect that he knows all of what the Minister will say, or he would not have put the subject down for discussion in the first place. It will be interesting to see what the Minister says about the project. I hope that we are successful and that the doubts that I expressed can be confounded. I will be delighted to be there on the day when they cut the ribbon to reopen the arboretum to the public.

### 3.45 pm

**Mr McCallister:** I very much welcome the debate. If Mr Wells enjoyed his time gardening so much, I would be happy to assist in seeing whether we could get him back gardening full time.

I thank Mr Clarke for securing this important debate. I, along with, I suspect, colleagues from across the constituency, have received some lobbying and information on the matter. In the South Down constituency, we are somewhat blessed to have so many forest parks. Many of them are kept in superb order and are excellent examples of what a well-run forest park should be. Over the past number of years, work has

started to try to change the mindset of the Forest Service to get it to think much more about tourism, recreation, the leisure sector and the benefits that so many lifestyles derive from our great outdoor spaces, as well as about the role that the forest parks play in that. That is no less true of Castlewellan forest park, which is a gem in south Down. It is a very beautiful forest park in a very beautiful location, and the grounds are used for many events, including a large agricultural show in the summer. I think that the project that Mr Clarke talked about could build on and enhance that.

Mr Wells made remarks about the need for realism and the need to ensure that the project is well thought through. He also talked about the long-term implications and costs of not just getting the project up and running but keeping it going for years into the future for generations to continue to visit and enjoy. We need to think about that. On a positive note, I want all of us to embrace and welcome the project and to overcome the difficulties that Mr Wells quite rightly mentioned. We must do the groundwork and harness the positive comments of not only elected Members here but people in Castlewellan who are willing to roll up their sleeves and get stuck into the work that needs to be done to deliver the project. At 12 acres, the project is probably one of the largest in not only these islands but possibly Europe. It has to be restored, because it is a shame that something like it is left derelict and overgrown and is not used and enjoyed.

I encourage the Minister to listen to and respond to the debate in a positive way to see what can be done to pool the cocktail of funding that Mr Clarke talked about in his opening remarks. We must work out how all the strands can be pulled together to make this happen and to make it work into the future. That would be a real benefit not only to the South Down constituency but to all of Northern Ireland. Indeed, it would attract visitors. If we are serious across all of Northern Ireland and not just in South Down, we will see that tourism is one of the key economic drivers that could help lift our economy out of the recession in which it has been mired.

South Down, which is the gateway to the Mourne mountains, has other tourism projects. We have something to build on there to give people a reason to visit south Down, something of great historical interest that people will visit, look at and enjoy, and perhaps they will stay in

accommodation there. It is about how we bring all those elements together to make that work and generate all the spin-off from extra tourist visits to Castlewellan and the south Down area. The spin-off that that has with local businesses, whether hotels, guest houses, through camping or caravanning in the forest parks, in pubs and restaurants or whatever, is good for the south Down and Northern Ireland economy.

I hope that the Minister will embrace and respond favourably to the project and show leadership in how she proposes to pull together that cocktail of funding to make things happen. Government agencies such as Forest Service have a track record of tending to approach such issues by saying that the idea is good but giving a list of reasons why it cannot happen, rather than having a positive can-do approach that I would like to see so that this project goes forward. I am very supportive, notwithstanding Mr Wells's comment that we want to make sure that we not only get it up and running but ensure that it is here for the long term, for many years and for generations that come after us to come and see the history and heritage behind this treasure in south Down, which should be enjoyed and built into our tourism strategy for south Down and Northern Ireland.

**Mrs McKevitt:** I am delighted to add my voice to the call for investment in the restoration of the national arboretum — I have been struggling with that word all day — in Castlewellan park. It is a shame that such a jewel in our crown has been allowed to fall into such poor condition. I welcome the fact that Mr Clarke has taken the opportunity of securing an Adjournment debate to raise this significant cause. It is important not only for south Down; it is of major national significance.

I am impressed by Mr Clarke's passionate approach to the debate, particularly when members of the Castlewellan Regeneration Ltd group, which he failed to list among the interested parties, have publicly stated their disappointment at his party's support for the project and particularly at his party's Agriculture and Rural Development Minister at the time, who failed to show any interest in the opinion of the regeneration company. That having been said, all parties and MLAs should support the call to have the restoration programme implemented.

In 1967, Forest Service in the Department of Agriculture took ownership. Although some

investment was made in the early years, over recent decades the gardens and arboretum have been shamefully neglected. Promotional material informs us that, back in 1874, the Annesley family planted more than 3,000 species of trees and shrubs from around the globe in one of the finest collections of trees in Ireland. They include 42 champion trees and 20 of the oldest specimen trees in these isles. The gardens and the arboretum are great tourist attractions that bring major benefits to the area. It is not just about the quarter of a million pounds that the Forest Service earns annually but something that the whole tourism industry across south Down depends on. At a time when we are aggressively supporting tourism through our backing for major golf championships, the World Police and Fire Games, the Olympics, the MTV awards and so on —

**Mr Wells:** The honourable Member raised the issue of the quarter of a million pounds: if only it were so. From recent replies by the Minister of Agriculture to questions for written answer, I understand that that quarter of a million pounds was a contribution towards the management of the forest. It does not even cover the costs. If we were talking about a quarter of a million pound profit being made on the running of Castlewellan forest park every year, the argument would be clear: plough that into the running of the garden and the arboretum. My understanding is that the Forest Service makes a loss on its forests and that the entire visitor income helps only to reduce that loss rather than generate pure profit.

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

**Ms McKevitt:** I thank the Member for his intervention, and I take his point. However, the service receives that quarter of a million pounds annually.

We need to ensure that our tourism trails that have stood the test of time are not overlooked or neglected. I support the call for the restoration of Castlewellan forest park and request that the Minister of Agriculture and Rural Development, as a matter of urgency, consults Down District Council, the Castlewellan regeneration company and the Forest Service to explore the exact needs and the most appropriate method of support.

**Ms Ruane:** Go raibh maith agat, a LeasCheann Comhairle. Ba mhaith liom fáilte a chur roimh an díospóireacht seo agus ómós a thabhairt do Willie Clarke as é a thabhairt os comhair an



Tí. I welcome the fact that there is cross-party support for this. It is a bit unfortunate that, in her contribution, Karen chose to play a little bit of party politics, but, notwithstanding that, it is good that all parties are supporting this important initiative.

I would like to focus on the importance of the arboretum and of supporting local initiatives and proposed partnerships that would secure the long-term future of the gardens. Although we obviously have to take finance and money into account, I do not think that we should look at it purely in terms of profit and loss. How do you measure profit? How do you measure protecting the landscape and environment for future generations? I would argue that we have to invest and not take a narrow view of how we put money into important things like Castlewellan forest park.

As has been said by all contributors, Castlewellan forest park is a major tourist attraction. It takes in well over 100,000 visitors a year. As it has not yet been mentioned in the debate, it should also be noted that Tollymore and Castlewellan rank in the top 10 parks in the North of Ireland for visitors. An té nach raibh i bPáirc Foraoise Chaisleán Uidhílin go fóill, molaim dó cuairt a thabhairt uirthi — is iontach an acmhainn í do dhaoine áitiúla agus do dhaoine ar fud na hÉireann agus thar lear. People from all over Ireland and throughout Europe have been to Castlewellan forest park. It is unfortunate that the glasshouses are in such poor condition, and that is why we call on the Minister to support the project.

I have no doubt that the Minister, being from a beautiful rural area in Ireland herself, understands the importance of preserving the park's unique character and cultural heritage. I am sure that she also understands that, in the past, it was held in the hands of one person or one family. Now it is for all the people, particularly the local people who use it daily. I have been in it in all weathers. I have walked around that beautiful lake, and it is certainly a wonderful resource.

I ask the Minister to work with the Forest Service — I have no doubt that she will — to restore the arboretum. I understand that the Department could not fund the Forest Service in relation to the specific project, but it could fund a council, a community group, an NGO or a trust. I am sure that the Department would

work very well with any organisation that is formed to make sure that the project continues. The forest park is an essential part of the Castlewellan economy. When the park is busy, local businesses also benefit. Ní fóláir dúinn leanstan ar aghaidh ag cur feabhais ar gach gné den Pháirc — thug Willie Clarke cuntas dúinn ar obair an phobail áitiúil agus ar obair Chomhairle an Dúin in éineacht le gníomhaireachtaí eile lena chinntiú go ndéantar í a chothabháil ar an chaighdeán is airde is féidir.

Sinn Féin has been working very hard and will continue to work very hard to try to help the local business community overcome the recession, and I feel that the proposal has the potential to attract additional trade. For tourism to reach its full potential in south Down, people need the opportunity to create new business ventures and work creatively. It is good to see the forestry and agriculture sector doing so well in the economy. Forests need to provide a balance of economic, environmental and social benefits to the people of Ireland, and those wonderful natural resources provide opportunities for additional recreation and leisure pursuits. The project would have a positive impact on general health and well-being and would have long-term, sustainable benefits for the economy of rural areas by attracting more visitors to south Down.

To conclude, I ask the Minister of Agriculture and Rural Development to continue to recognise the historical importance of tourism and the arboretum at Castlewellan forest park, to support the valuable work that is being done and to support the potential future work that can be done for that beautiful park.

#### 4.00 pm

**Mr Deputy Speaker:** I remind Members that, when speaking in languages other than English, they should try to give a complete translation of what they say. I listened very carefully, and I hope that Members will attempt to do so. I will look at Hansard and, if necessary, pass on some comments. It is for the benefit of Members to understand everything that is said in the debate in the Chamber.

**Ms Ruane:** My apologies. If you would like me to do the translation, I can do that.

**Mr Deputy Speaker:** That is fine. I now call the Minister of Agriculture and Rural Development, Mrs Michelle O'Neill, to respond to the debate.



**Mrs O'Neill (The Minister of Agriculture and Rural Development):** Go raibh maith agat, a LeasCheann Comhairle. Tá fáilte romhaibh. Welcome. I thank Willie Clarke for securing today's debate and all the Members who contributed to it so passionately. I am glad to have the opportunity to pick up on some of the matters that Members raised. I hope to address them all. However, I will be happy to write to Members in due course if there is anything that I do not pick up on.

I absolutely recognise Members' concerns regarding the current state of the glasshouses and garden environment at Castlewellan forest park. As Willie Clarke said, the Department bought the estate in 1967, and it was opened to the public as a forest park in 1969. I pay tribute to the many people who worked hard over many years to restore and improve the gardens in the forest. They built a caravan park, car parks, an extensive network of paths and cycle trails, fishing stands and the Peace Maze. They stabilised the level of the lake and made it accessible for water sports and replaced the mature trees with new ones. Those were all understandable priorities at that time.

The fact that there are more than 100,000 paying visitors to Castlewellan forest park each year is evidence that the park continues to be an important public asset and brings valuable business to the town. In the past, we were able to make the park available to support Down District Council with its Celtic Fusion event, and we will continue to support the annual Castlewellan show.

When I was preparing for the debate, I found that there were 20 separate instances of assets that are protected from change by legislation. We need to examine all those issues carefully, because they may be part of the problem that we need to deal with today. Undoubtedly, some will argue that the only thing that needs to be done to bring Castlewellan forest park back to good condition is to spend money. That is simply not true. If that were the case, it would have been done some time ago. The assets have a heritage value, so it is important that we appreciate the heritage value but also find a modern use. Today, the gardens need to be accessible to as many people who want to enjoy the park and the gardens as possible. That will need goodwill on all sides to seek out compromises, particularly on the balance between the historical interest and the practical

matters of access. We need to renovate structures without leaving excessive bills for the future. We need to find organisational structures that provide a sustainable future; some Members picked up on that point. We need to meet the rules of any funding bodies that we can attract to the project.

Let me be very clear: notwithstanding all the issues that need to be dealt with, the Department has a policy. Michelle Gildernew brought in a policy on the social, recreational and sustainable use of our forests. This project very much fits into the principle of partnership working. In the past, the Department ran projects and maintained forests such as this through the large unemployment relief schemes. Willie Clarke mentioned this as a possible way forward for people who find themselves unemployed to learn a new skill and to volunteer their services in the forest. That is a possible way forward.

As Willie Clarke set out, partnership working will be key. We did it with district councils in the past. I also acknowledge the financial contribution that the European Commission and Down District Council made towards the Peace Maze. I welcome the financial and staffing contribution that Down District Council is making towards a network of cycle trails. I would like to do more of that with bodies outside the public sector and involve charitable bodies and commercial organisations.

In that context and notwithstanding all the issues that we need to deal with, I welcome the initiative that has been set out by Willie Clarke and look forward to hearing more about it as plans develop. I encourage the backers of the initiative and everyone involved to take careful note of the advice given to them and of the problems that have been pointed out with regard to the long-term sustainability and future funding of the project. We need to be very mindful of the needs of the bodies that may get involved, such as the Heritage Lottery Fund, the NIEA and the Forest Service. All that advice is key to moving the project forward.

There is no doubt that there is a clear need for commercial tourism benefits to flow into Castlewellan town and the wider community. As I have said, it is not just about finding the capital funds to restore some old buildings; it is also about making our forests accessible to the public and providing for the forests' sustainable use.

As to the contributions by Members, the main threads of their comments are about the tourism potential and the fact that this is a fantastic tourism attraction and we need to build on it for the future. As Caitríona Ruane said, that would have a knock-on effect for trade in the local towns. That is all stuff that we need to build on. Partnership working will be absolutely key to delivering the project, and we need to move forward with that by talking to Down District Council, the Heritage Lottery Fund and all the possible partners. Obviously, the passion of the group will be key to delivering the project and driving it forward. As I said, there is no doubt that the cocktail of funding will be key in delivering what people want — the restoration and the sustainable future of the project.

In the light of today's debate, I will instruct officials to engage with the council, the group and elected representatives for the area. I will visit the Castlewellan area. Willie Clarke has invited me to do so, and I will take him up on the invitation to come down and see it for myself. I am quite interested, now that we have had this debate and all the conversations about it. It is important that I see it at first hand, and I am happy to do that. The main thing is showcasing what is good. We have a fantastic area of natural beauty, and we should try to exploit it for tourism potential and maintain its heritage value. There is a way forward, and that is through partnership working. That is the identifiable way forward.

*Adjourned at 4.07 pm.*



# Written Ministerial Statement

**The content of this written ministerial statement is as received at the time from the Minister. It has not been subject to the official reporting (Hansard) process.**

## Culture, Arts and Leisure

### Salmon Conservation

*Published at 12.00 noon  
on Tuesday 17 January, 2012*

**Ms Ní Chuilín (The Minister of Culture, Arts and Leisure):** I am writing to update members on the state of wild Atlantic salmon stocks in the DCAL jurisdiction and of the need for stakeholders to take action to try to avert further decline in salmon numbers.

My Department commissions the Agri-Food and Biosciences Institute (AFBI) to monitor the status of Atlantic salmon populations in the DCAL jurisdiction. Conservation Limits (CL) have been established for a suite of rivers that represent an index of the river types in the DCAL jurisdiction. These monitored rivers have failed to achieve CL in most years since 2002.

Although the definitive status of all river populations in the DCAL jurisdiction is not known, under the precautionary approach adopted by the North Atlantic Salmon Conservation Organisation, we should assume that all populations are suffering reduced reproductive capacity, since marine survival is so low and due to the similarity of unmonitored river types to monitored index rivers.

Loughs Agency monitoring has indicated that some Foyle catchment stocks are now also below management targets.

AFBI has determined that DCAL licensed drift nets and bag nets fishing for salmon off the Co. Antrim Coast are intercepting mixed stocks of salmon from rivers monitored by DCAL and also salmon from the Foyle catchment. Although draft nets fishing for salmon off the Co. Down coast have not been sampled to definitively determine composition of their catch in terms of rivers of origin, these fishing engines operate adjacent to

an index river that is failing to meet its CL. Again under the precautionary approach we should also assume that these nets are intercepting salmon from other non-index rivers in the area.

Long term monitoring of the survival of salmon during the marine phase of their lifecycle at Bushmills Salmon Station shows a decline from around 30% prior to 1997 to less than 5% today.

At the 'Salmon Summit' in La Rochelle, France, in October 2011 international scientists confirmed that wild Atlantic salmon are dying at sea in alarming numbers. Southern stocks including some in North America and Europe are threatened with extinction. The reasons for increased marine mortality are not clear but international research into various factors contributing to this is on-going.

After careful consideration of all the available scientific research and data I have concluded that the continued commercial exploitation of wild Atlantic salmon and killing of salmon caught by rod and line in the DCAL jurisdiction is currently untenable. Authorising such exploitation would be inconsistent with the Departments obligations under the EC Habitats Directive and with NASCO guidelines. This could lead to significant infraction fines being imposed by the EC.

Consequently I am calling on stakeholders to support a range of voluntary conservation measures for 2012 to allow my Department to consult on how we can contribute to the long term sustainability of wild Atlantic salmon stocks. Current legislation does not readily enable the introduction of further restrictions on the taking of salmon in time for the opening of the 2012 fishing season, hence the call for voluntary action by stakeholders.

Departmental officials have written to the Salmon and Inland Fisheries Forum, on which the range of stakeholders is represented, to ask for support for a range of voluntary

conservation measures to minimise exploitation of salmon stocks in 2012. Officials have written separately to all DCAL licensed commercial fishermen operating coastal and Lough Neagh fishing engines and have asked for a voluntary cessation of salmon fishing in the DCAL jurisdiction in 2012. Through the Forum the Department has asked for support for those measures and for voluntary catch and release for all recreational anglers in 2012. The implementation of such proposals within the DCAL jurisdiction would be consistent with steps taken by other jurisdictions on the island of Ireland and elsewhere.

It is hoped that stakeholders can find common ground in the interests of recovery of stocks and with the shared aim of a return to sustainability of all salmon fisheries, there will be a good level of support for the proposals. My Department will work with stakeholders to address any concerns and clarifications that they may raise.

With the co-operation of stakeholders the exploitation of wild Atlantic salmon can be minimised in 2012. This offers the Department time to consult on a range of options on the future of both commercial salmon fishing and recreational angling for salmon.







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