

# Official Report (Hansard)

Tuesday 6 December 2011  
Volume 69, No 6



# Contents

Public Petition: Hydraulic Fracturing.....289

**Ministerial Statements**

Connected Health.....290

Health and the Economy: Memorandum of Understanding .....296

**Private Members' Business**

Hydraulic Fracturing .....300

**Oral Answers to Questions**

Office of the First Minister and deputy First Minister .....312

Social Development.....317

Assembly Commission.....323

**Private Members' Business**

Hydraulic Fracturing (*Continued*).....330

EU Welfare of Laying Hens Directive.....338

**Adjournment**

Portavogie: Regeneration .....352

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# Northern Ireland Assembly

Tuesday 6 December 2011

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

*Members observed two minutes' silence.*

## **Public Petition: Hydraulic Fracturing**

**Mr Principal Deputy Speaker:** Mr Steven Agnew has sought leave to present a public petition in accordance with Standing Order 22. I remind the House that a Member presenting a petition may refer only to the parties from whom the petition comes, the number of signatures on it and say briefly what it is about. That should take no longer than three minutes. I call Mr Steven Agnew to present the petition.

**Mr Agnew:** I have a petition that has been signed by almost 2,800 people. Fracking — the hydraulic fracturing of rock — is a method used to extract natural gas from the ground. The process involves pumping millions of gallons of water mixed with toxic chemicals thousands of feet deep into the ground. It has been used in the USA and Australia, where it has caused widespread environmental damage and water pollution, including the death of livestock and wildlife. Serious health issues for people who live in those areas have also been reported. Because of that damning body of evidence, which includes academic reports, moratoria on fracking have been put in place in New York state, New Jersey, North Rhine, parts of South Africa and France.

A large area of Northern Ireland will be affected by fracking. A licence to frack has been issued for County Fermanagh. The people of Northern Ireland need a full review of that decision and a ban on the process, which could impact severely on the tourism industry, agriculture, water quality, the environment and health. The petition's signatories call on the Northern Ireland Assembly to place an immediate permanent ban on the process known as hydraulic fracturing and all related preparatory and exploratory work in Northern Ireland.

It is important to note that it is not a Green Party petition, but one that has been set up

by Dawn Bourke, a Fermanagh native who now lives in the US and has seen the devastation that fracking can cause to human health and the natural environment. Although the petition has been signed by members of a number of political parties, the vast majority have no political allegiance. Instead, they have concern for the people of Northern Ireland, its natural environment and its agriculture and tourism industries, particularly in Fermanagh. A warning has come from across the Atlantic Ocean: we should heed it.

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

**Mr Principal Deputy Speaker:** I will forward the petition to the Minister of Enterprise, Trade and Investment and send a copy to the Chairman of the Committee.

## Ministerial Statements

### Connected Health

**Mr Poots (The Minister of Health, Social Services and Public Safety):** Mr Principal Deputy Speaker, thank you for the opportunity to inform the House of the exciting opportunities that are presenting themselves in the area of Connected Health. The significance of these opportunities was reflected by the Executive in their recently published draft Programme for Government and in the Northern Ireland economic strategy.

Connected Health is a term used to describe a model for healthcare delivery that uses technology to provide healthcare remotely and allows patients more freedom to lead their own life. It aims to optimise the use of healthcare resources and to provide increased and flexible opportunities for patients to engage with clinicians and to better self-manage their care. Connected Health encompasses telehealth and remote care options such as home care, and disease and lifestyle management. It can help to manage chronic diseases such as congestive heart failure, coronary heart disease, chronic obstructive pulmonary disease (COPD) and diabetes. It should also lead to reduced unplanned admissions to hospital and to improved outcomes for patients and their families. Those are potentially significant benefits for the health and social care system in Northern Ireland.

Although my primary focus is on ensuring that Connected Health helps to develop different and more effective health interventions for patients, I am acutely aware that anything that we do in that field can also have a direct and positive impact in helping to grow the Northern Ireland economy through the attraction of inward investment and the development of indigenous companies in the technology and life sciences sectors. In turn, that economic growth has the potential to positively impact on the health of the population. It is for those reasons that my ministerial colleague Arlene Foster and I have chosen to make statements to the House on the real opportunities that we see in pursuing jointly the exciting agenda for developing health and prosperity.

Members will be aware that I visited Boston in October. The purpose of that visit was to hear at first hand about the opportunities that

Connected Health could provide for our health and social care system and for our economy. I attended a series of meetings during the week that I spent in Boston which provided the opportunity to establish new contacts with the US Department of Commerce and to strengthen our relationships with the president of the Massachusetts Senate. I also met business leaders, academics and researchers and visited exciting new companies with innovative ideas.

Members do not need to be reminded of the major challenges that the population here faces in healthcare delivery and that face our economy more widely. That is particularly the case at this time. We have an ageing population, which will mean more chronic conditions that require long-term management. Lifestyle choices also mean that conditions related to obesity and the binge-drinking culture will increase the challenge to our system. That is all in the context of an increasingly difficult financial position.

In order to provide high quality and safe care to patients in the current financial context, we must look at new and innovative ways of providing health and social care services in the best way that we can and with the resources that we have. Simply doing things as we always done them is not an option. I believe firmly that, by using technology in the right way and on the right solutions, we can help to empower patients and carers to become involved in the overall management of their condition in a safe and supervised way. Increased monitoring through self-management has the potential to support the earlier recognition of problems, which will allow interventions to be made before patients reach the stage of needing emergency or inpatient care. As I said, those are potentially significant benefits.

Of course, minimising hospital inpatient stays has the obvious advantage of saving money, but, more importantly, it has massive benefits for individuals. It will allow those with chronic illnesses to remain in their own home with their family, rather than staying in hospital simply to have their condition monitored. It can also avoid stays in hospital when a lack of effective monitoring had led to a flare-up of their condition in the first place.

If we grasp the opportunities that are open to us, many of those benefits could be realised by using existing technology in new ways. However, we also need to recognise the importance

of innovation. Not all new ideas will end up being winners, and some good ideas will not be economically viable. It is only through co-operation between business, academia and clinicians that we can best ensure that opportunities are exploited so that future winners can be identified and developed and so that patients are the real winners. That is something in which we have an important part to play, and we must play that part.

With a population of around 1.8 million people and an integrated health and social care sector, we are ideally placed to help develop and test new ideas for improving patient care, not just here but more widely and potentially globally. My colleague will say more about those opportunities shortly. Northern Ireland has a long and proud history of being at the forefront of medical innovation. Frank Pantridge from Hillsborough and John Anderson developed the mobile defibrillator, which is an innovation that is used worldwide. A Northern Ireland neurosurgeon, Derek Gordon, developed a titanium plate for brain injuries, and a side effect of our recent past is that, for many years, we led the way in the treatment of trauma. That is a tradition that I know we all want to continue, and it is in that context that the economy Minister and I want to see greater integration between health and economic development. There can be benefits for patients in the types of care that they can receive and benefits for the economy where such developments contribute to economic growth and prosperity. The economy Minister and I agree on the mutual benefits; later today, we will jointly sign a memorandum of understanding between my Department and Invest NI.

The purpose of the memorandum of understanding is to provide a basis through which my Department and the health and social care sector, working in collaboration with Invest NI, can build on its role by supporting clinical research and development. That will provide a basis through which we can support Invest NI to promote Northern Ireland as a pro-business region in the health and life sciences sector. That is not something that we can take forward just in Northern Ireland. Innovation in technology for health is taking place all around the world, and we can contribute to and benefit from international collaboration. The Northern Ireland Massachusetts Connection (NIMAC), which now includes Finland and Catalonia as members, is an important force in strengthening

business and research collaboration between member regions. I welcome the representatives from Finland who have joined us in the Public Gallery, along with European MHealth Alliance representatives from Manchester.

The research links that have been established between North America and Europe are key to developing new and innovative products and services that will transform healthcare delivery, particularly in chronic disease management and prevention. When I was in Boston I met significant organisations in the healthcare field and a number of exciting new companies, several of which have already made follow-up visits to Northern Ireland as an initial step to exploring potential opportunities to develop and try out new products. Given the importance of the worldwide Connected Health infrastructure I am delighted to support the planned establishment of the European Connected Health Alliance. My ministerial colleague will say more about that organisation in her statement, but I want to signal my support for it. My wish is that my Department will be actively involved.

Remote telemonitoring is an important aspect of Connected Health. It is a way to improve the lives of those with long-term conditions through remote monitoring of their conditions. We have been actively pursuing developments in that area, and I can report some very positive progress, including the introduction of a new £18 million remote patient monitoring project. It is intended that it will benefit 20,000 patients over the six-year life of the contract. The contract for the project was awarded to TF3, a consortium of three companies: Tunstall Healthcare, Fold Housing Association and S3, who came together specifically to meet the requirements of the initiative. They now form the largest provider of telecare and telehealth systems in the UK, and it is here in Northern Ireland. The project will allow us to provide more and better targeted support to patients, enabling them to have greater control, learn more about their condition and live a more independent life. It will also bring timely information to professionals, enabling improvements in the quality of care, reductions in inpatient admissions and optimal use of staff resources.

#### **10.45 am**

I want to do more to ensure that health and social care in Northern Ireland fully embraces

the opportunities that new Connected Health technologies offer to improving health and well-being, patient care and the modernisation of service delivery. To lead that work, I want to refocus and re-energise the work of the European Centre for Connected Health in the health and social care sector here in line with the wider developments on Connected Health and to build on its success in bringing forward the remote telemonitoring project. The experience of the European Centre for Connected Health in that work means that it is well placed to contribute to modernising the Northern Ireland health and social care system by further redeveloping national and international links to identify and test the application of Connected Health and care technologies, encourage innovation in the application of technology and support and inform research and economic development opportunities. In recognition of the creation of the alliance and the need to establish the important role of the European Centre for Connected Health, it will henceforth be identified as reflecting its continuing remit and responsibilities in the HSC sector.

In concluding, I reiterate my firm belief that Connected Health offers great opportunities, first and foremost, to improve patient care but also to reduce unnecessary costs on our system. It is consistent with the need to reduce unnecessary admissions to hospital and with policy direction on managing long-term conditions, and the provision of technology will improve services and help people to take greater responsibility for self-management. That is why I felt it important to report to the Assembly on my recent visit to Boston and why my ministerial colleague and I believe that it is necessary to work together to realise the opportunities for health and prosperity for the future. I commend the statement to the House.

**Mr Principal Deputy Speaker:** We now have questions to the Minister. Members should remember that it is questions.

**Ms P Bradley:** I thank the Minister for his statement. As someone who has worked in the health service for many years, I truly understand the benefits of assistive technology, which we have had for a long time. This takes that one step further and will definitely ensure that the patient has empowerment and can self-manage. Will the Minister elaborate on what benefits the

memorandum of understanding will bring to the delivery of health and social care?

**Mr Poots:** We perceive the memorandum of understanding to be absolutely necessary, and it will enable the Department and Invest NI to develop opportunities that can lead to improved health and well-being of patients and can develop the economy. In Northern Ireland, we are in a unique situation in that we have an integrated health and social care system. It is considerably better than the systems in the rest of the UK and in the United States of America. That makes us an attractive option for the business sector, Connected Health and the life and health sciences sector to test their technology. So, our patients can directly benefit from this. Equally, the memorandum of understanding sends out a very strong and positive signal to local indigenous companies and those that are considering establishing a base in Northern Ireland that there is a strong joint ministerial commitment to developing opportunities in this area.

**Ms Boyle:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his statement, and I welcome it very much, particularly as people are living longer and want to live an independent life in their own home. Have there been any discussions to date with local indigenous companies and are they well geared-up for participating in taking this forward?

**Mr Poots:** Yes, there have been considerable discussions with local indigenous companies, and, indeed, the Minister of Enterprise, Trade and Investment and I will continue those discussions later this afternoon with an indigenous company.

**Mr Gardiner:** I thank the Minister for his statement. The use of new technologies should lead to savings in healthcare and a more efficient and less labour-intensive way of operating. Telemonitoring, which links the patient directly with the doctor over the internet, is a good example of that. How will the Minister link that new development with his new primary care centres? Will it enable access to specialist advice at an early stage of diagnosis and treatment?

**Mr Poots:** One of the major benefits of telemonitoring is that it will allow people who have chronic illnesses to better self-manage. It will allow the qualitative information to be made available to those who oversee their healthcare. The fact that qualitative information can be

relayed easily to their GP or to the primary care service provider who manages that individual's condition will be of huge benefit and will ensure that many people who have a chronic condition will avoid hospital admissions as a consequence. The benefit of avoiding hospital admissions is that the patient will probably have a much quicker recovery time after their condition has deteriorated because it will have been responded to more quickly. Another benefit is that the smaller the number of hospital admissions, the more we can invest in providing care in the acute sector rather than managing chronic illness.

**Mr Durkan:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I also welcome the Minister's statement. We recognise the role of technology in healthcare. We should not only embrace that technology but strive constantly to improve it, and such initiatives can only help to do so. Indeed, any initiative that might improve the health of our economy as well as the health of our people is to be especially welcomed. Can the Minister elaborate on the outworkings of the new £18 million remote monitoring project? Will it be available across all trust areas?

**Mr Poots:** At this stage, four of the five trusts are making it available. The Belfast Trust has some work to complete, but I trust that it will be available throughout Northern Ireland during the next year. It is a six-year contract and will be rolled out to 20,000 people across Northern Ireland. It will be particularly beneficial for managing the conditions of people who live in rural areas, where they are further away from healthcare centres. I named a number of conditions at which this will be specifically targeted, and all those conditions are proven to be hugely costly to the healthcare system. In Northern Ireland, we spend 80% of our money on 20% of the people, so it is incumbent on us to look at how we can do things better. It is important not only that we manage our finances well but that we manage things better from the patients' perspective. Having a better system of care whereby we can manage chronic conditions better will ensure that patients have better outcomes. That must be our primary objective.

**Mr McCarthy:** As other Members have done, I welcome the Minister's statement, and I welcome his support for the planned establishment of a European Connected Health Alliance. Anything with the word "alliance" tagged on to it has to be successful

and positive. Is there any potential for the development of electronically based pathology for Northern Ireland in what his statement has contained?

**Mr Poots:** At this stage, this is about looking after the living as opposed to the dead, and that is what we are attempting to do. Nonetheless, I am sure that the issue of pathology could be addressed at another point. The European Connected Health Alliance, which the Member may be particularly interested in, is a single organisation providing a single voice in Europe. I trust that it will be more successful than the single currency, mind you. It provides a partnership between end users, research organisations, educational institutes, companies, funding organisations and government bodies. Furthermore, the alliance supports the public and private sectors by working together to develop the connected health markets. Given its position and role, there are many benefits to my Department in becoming a member, particularly as it will provide a focus and promote the economic development of the connected health sector. Through that, we will be in a stronger position to ensure that the industry can identify the health needs of the Northern Ireland population and, equally, in a much stronger position to secure funding from Europe to further our research and development and innovation agendas. Let us put Northern Ireland in the lead in Europe.

**Mr Dunne:** I thank the Minister for his statement. What proof is there that Connected Health will be effective for patients, and how will it fit in with the pending Compton review?

**Mr Poots:** The review is identifying that we need to bring more care to the primary care sector. We will move away from having people going into hospital and will provide that care in the primary and community sectors. Therefore, it is important that we seek to ensure that we can provide as many services as possible to people locally in their own home. The Connected Health agenda will allow us to do that.

The evidence base exists. Studies in the UK and internationally report that telemonitoring improves quality of life. They identified that it reduces hospital admissions and, importantly, mortality. It empowers patients and alters their attitudes towards their conditions. The ECCH commissioned an independent evaluation of Connected Health pilots across Northern

Ireland. Locally, the study found that patients were overwhelmingly positive about the benefits they derive from remote telemonitoring. It has a positive impact on their quality of life and general health and well-being. A majority of clinicians also felt that remote telemonitoring helped their patients to feel less anxious, more reassured and better able to manage their illness. A large majority of patients felt that it helped them to reduce their reliance on hospital and nursing staff and reduce their hospital admissions.

There will be negativity. I have no doubt that we will have someone brought out by the media to complain and say that this is the wrong thing to do. However, I am convinced that it is the right thing to do and that if we proceed with it there will be beneficial outcomes.

**Mr Brady:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his statement. Is the Minister confident that the technological infrastructure will be in place to allow that process to roll out? He mentioned people in more remote rural areas, but there are people in those areas who do not have access to broadband.

**Mr Poots:** We have been trialling it, and the roll-out will commence this week, so that is how confident we are. It will be more 3G-based than relying on broadband, so we believe that the technology is sufficiently capable to deliver it across Northern Ireland.

**Ms Lewis:** I thank the Minister for his statement on Connected Health issues. I welcome the use of technology. Anything that improves our health service is good news. Will the Minister outline the potential for Connected Health in the future?

**Mr Poots:** We need to grasp the opportunities. At meetings thus far, companies have indicated to us that they believe there is huge potential in this and that they want to work with us in Northern Ireland in delivering Connected Health. I named a number of illnesses that we could support at this point. The potential is to extend monitoring beyond that list of illnesses and into a series of other areas.

Telemonitoring and telehealth also give people the opportunity to have reviews with their consultants without leaving their home. Care can be provided from hospitals to people's homes without them leaving their home. Those opportunities need to be assessed and taken forward. Obviously, it would not be suitable

for every person not to have to go to see a consultant, but in many cases the consultant does not need to examine someone physically. So, telehealth monitoring and having all the appropriate data and so forth will enable consultants to provide that level of care without seeing the patients.

#### 11.00 am

**Ms Ritchie:** There is irrefutable evidence that science and technology can make an ongoing improvement to individuals' health and well-being. Also, the research available as a result can improve and shorten the time it takes to provide good diagnoses for individuals and communities. Will the Minister specify what work has been done in a European context to explore the opportunities that could be available under framework 7 and its successor, Horizon 2020?

**Mr Poots:** That question would probably be more appropriately dealt with by Minister Foster. Nonetheless, we have been engaging very closely with Europe on all of these issues. This is an area that will enable us to bring new streams of European funding to Northern Ireland, not because of a bleeding heart sentiment that Northern Ireland is poor wee country that needs an awful lot of help from Europe but because we can provide leadership in Europe and demonstrate that there are real benefits and advantages for the rest of Europe from making an investment in the research and piloting that will take place in Northern Ireland. That can then flow through the rest of Europe and provide significant benefits and advantages to people, not just in Northern Ireland but across the continent of Europe.

**Mr Campbell:** In the early part of his statement, the Minister mentioned COPD, from which many thousands of people in Northern Ireland suffer. The Minister will be aware that there are many third-sector groups that help and assist sufferers of COPD in a very cost-effective way. Will he ensure that, on the Connected Health issue, those groups will be fully consulted and will be able to continue offering cost-effective help?

**Mr Poots:** I have met people who specialise in COPD and look at how we can better manage the condition, how we can drive down the number of people who contract COPD and how we can improve the care and management of that condition. Of course, we will always want to work with people who can provide added value

to the health and social care system. That is something that we will never shirk or shy away from.

**Ms Gildernew:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his statement. I am sure that he would agree that technology should not replace the human face of health and social care and that a check-up with a doctor or practice nurse gives a patient the chance to talk about their worries and be reassured. Will he elaborate on the fact that providing effective treatment is not just about using machines to monitor physical symptoms? There needs to be a more holistic approach, where the whole person is treated.

**Mr Poots:** This has not been set up to replace the human side of healthcare; it has been set up to enhance it and to provide those people who are involved in the provision of healthcare with the qualitative information that will enable better decision-making and earlier interventions. That will lead to fewer hospital admissions, because the early intervention provides the remedy to the illness. All of those things are to our advantage.

I hear what the Member said. We do not want to use this as a tool for displacing the human side of healthcare. The human side is a very important element, but the technology is an important tool for each and every one of those humans who provide healthcare in the system. The technology is purely a supplement to the work of the professionals at this stage.

**Mr McCallister:** I welcome the Minister's statement. How many patients across Northern Ireland does he expect to benefit from this type of innovative approach, and what could the potential savings be to the health service?

**Mr Poots:** At this stage, we are looking at around 20,000 patients. The cost to introduce this model in the first instance is around £20 million, and we consider that the savings generated will exceed that considerably. At this stage, there are views that it could save closer to £40 million, but this is not purely about saving money; it is about providing a different form of healthcare that will improve the outcomes for patients. The fact that a £20 million investment in this could potentially save just short of £40 million is a positive thing and is worth looking at in its own right.

The fact that we will ensure that many people can manage their condition at home — as

opposed to ending up going to hospital, having people come and visit them in hospital to provide that support and risking other infections as a result of coming into contact with others with different kinds of illnesses — will be to the benefit of the individual. We need to modernise the way our health and social care system provides care to people with long-term conditions, and we believe that remote telemonitoring will make an important contribution to our modernisation programme.

## Health and the Economy: Memorandum of Understanding

**Mrs Foster (The Minister of Enterprise, Trade and Investment):** Mr Principal Deputy Speaker, thank you for allowing me the opportunity to add to the earlier statement made by my colleague Edwin Poots and to update the House on the exciting economic opportunities presented in the area of Connected Health.

My Department has been working closely with the Department of Health, Social Services and Public Safety (DHSSPS) to deliver economic and health benefits through collaboration. There has been a focus on Connected Health, which is a means of delivering healthcare remotely, with a particular focus on dealing with chronic disease management. This is an area of significance to healthcare and private sector organisations worldwide, given the spiralling costs of managing chronic disease, the poor outcomes and the significant investment being made by the private sector to address the issue.

The partnership between the Department of Enterprise, Trade and Investment (DETI), Invest Northern Ireland (INI) and DHSSPS will be formalised in a memorandum of understanding, which I will launch with Edwin Poots this afternoon. The memorandum will look at a number of strategic areas including targeted research and development; innovation funding; promoting the Connected Health agenda; and collaborating with Europe and North America. It is proposed that, through this memorandum, we will deliver some of the key health and social care benefits that the Department of Health needs and, through effective international collaboration, we will also make an important contribution to the economy of Northern Ireland.

Members will be aware that the Executive are making a significant commitment to the economy through their second Programme for Government, which has set targets of 25,000 new jobs and £300 million in foreign direct investment (FDI). Connected Health has the potential to make a meaningful contribution to those targets from local and external sources. The kinds of jobs that we expect to create through Connected Health include those in research and development, software, support services and shared services. We think it reasonable to expect to create up to 400 jobs in those areas over the next Programme for Government period.

Our research groups at Queen's University and the University of Ulster provide us with an excellent base to attract investment and, through effective collaboration, to export new ideas internationally. We benefit from excellent international linkages in North America and Europe, facilitated by groups such as NIMAC (Northern Ireland Massachusetts Connection), which now includes Finland and the Catalan region of Spain. As my colleague Edwin Poots mentioned, he met with representatives of those groups during a recent visit to Boston.

In addition to our research base, we also benefit from a world-class knowledge-based workforce, which has attracted significant international investment from companies such as the New York Stock Exchange, Citi, Bombardier and Caterpillar to name a few. Our home-grown companies, such as Almac, Norbrook, Randox, First Derivatives and Andor Technology, equally have been a source of significant investment. We will build on that knowledge infrastructure, complemented by healthcare teams from the Department of Health, Social Services and Public Safety and the health and social care trusts, to provide a one-stop shop for companies seeking partnerships to bring new products and services to market, particularly with an eye on the UK and European markets.

Our links to the Connected Health infrastructure across the world are also vital, and that is why I am delighted to welcome the recently announced alliance between the European MHealth Alliance (EuMHA) and the European Connected Health Campus, which have come together to form the European Connected Health Alliance. Invest Northern Ireland and DHSSPS will be playing their part in working with the new organisation, and we look forward to the strengthening of relationships and co-operation across Europe that should result.

Any employment that we can build linked to Connected Health will make an important contribution, particularly in these challenging economic times. The business and research collaboration links being fostered through our participation in NIMAC and the new European Connected Health Alliance will make a significant difference to a number of local companies attempting to export for the first time. Those sorts of linkages have already benefitted a local University of Ulster spin-out company, Intelesens, which has just completed a successful research collaboration project with Massachusetts

General Hospital in Boston. The resulting product has now been cleared by the Food and Drug Administration (FDA) for sale in the United States.

In conclusion, I echo the comments made earlier by my colleague Edwin Poots that Connected Health offers great opportunities for the health sector. It also offers significant opportunities for the economy of Northern Ireland. Those will be achieved through a partnership between our two Departments, combined with a focus on international collaboration, to stimulate investment from local and international sources. In the current economic climate, that will give a welcome boost to the Northern Ireland economy and make an important contribution to the future Programme for Government. I commend the statement to the House.

**Mr McKay (The Deputy Chairperson of the Committee for Enterprise, Trade and Investment):**

Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for her statement, which is to be welcomed. I particularly welcome the reference to research and development. It is quite clear that, as a local economy, we have not been doing enough on R&D, and it must become central to our economic growth. You referred to two projections for Connected Health: that it will create 400 jobs over the next three years; and that it will make a contribution to the Programme for Government's FDI target of £300 million. Will the Minister elaborate on that and on whether there are jobs or concrete proposals already in the pipeline?

**Mrs Foster:** I thank the Deputy Chairperson for his question and for his welcome of what is a very innovative approach. It is telling that the Prime Minister referred to the sector yesterday when he announced what he was doing with the life sciences, including the monitoring of three million patients remotely. We in Northern Ireland can be very proud of the fact that we have passed the test stage and are now dealing with 20,000 patients. We are not in pilot mode; we are in implementation mode.

That also applies to the jobs that the Member asked about. At present, Invest Northern Ireland estimates that we have 4,200 people employed in the sector, and the 400 jobs represent a 10% increase in that. I actually think that that is quite a conservative estimate, because, although those are direct jobs, there will obviously be supply-chain jobs as well, so the figure may

be higher than that, and I certainly hope that it will be.

On our foreign direct investment target of £300 million, now that we have implemented the project, I think that companies from right across the world that are interested in the sector will see us as moving forward and will therefore be interested in investing in Northern Ireland. We want to speak to those companies and encourage them to invest, because we are ahead of the game, and we should rightly shout about it and make sure that everybody knows that we are ahead of the game.

**Mr Newton:** I also congratulate the two Ministers for the joined-upness of approach to what I think is an important area of research and development, and I know that the Committee for Enterprise, Trade and Investment also thinks that. Minister, you mentioned 400 jobs that may become available through Connected Health. Will you expand on what type of jobs they might be? You also mentioned a University of Ulster spin-out company. Are you hopeful that other spin-out companies will come from this initiative?

**11.15 am**

**Mrs Foster:** I thank the Member for his question. As regards the sort of jobs that we are targeting, I thank the MATRIX team for its work on what areas we should look to as an economy. One of the areas that the MATRIX group recommended is the Connected Health agenda. It believes that we can push ahead in that sector, and that is exactly what my colleague and I intend to do. I imagine that the jobs that we will be looking at initially are research and development jobs and jobs in the software sector and in support services. I accept that those are very high-end jobs. However, when it comes to the delivery of telecare and telehealth, domiciliary care workers will be trained up to use the new technology. Therefore, jobs will be created right across the economy. It is a very important sector in which we should push ahead.

The spin-out company, Intelesens, has been a marvellous success. I hope that there are other academics in the college system. As Minister Poots said, we hope to meet not only those from the telecare and telehealth industry today but the universities to push ahead in the sector. We believe that there are huge opportunities for health. As you will know, there are also huge opportunities for the economy. We will be able to act as an exemplar for the world in this

sector. It really is a very exciting day when we can push ahead with what the Member called “joined-upness”. We will not operate in our silos anymore but across government, which I very much welcome.

**Mr Nesbitt:** I also welcome the initiative, in particular the joined-up government that Mr Newton referred to. My party is keen to both promote and endorse that strategy. What potential does the Minister see for leveraging EU framework programme 7 (FP7) and/or Horizon 2020 funding for the sort of targeted research and development and innovation funding that she referenced in her statement?

**Mrs Foster:** I thank the Member for his question. It is a very relevant question that has been to the forefront of our minds and, indeed, my mind well before Minister Poots became the Minister. I have met European officials, because this is one of the sectors that they want to become involved with. We recently had a meeting with the director of information society and media, Paul Timmers. He is very much focused on dealing with the social challenge.

We are in a very unique situation insofar as we have not only the National Health Service but social services integrated into that health service. As the Health Minister indicated, that is unique to Northern Ireland. Therefore we can meet a lot of the social challenges that are before us and, indeed, happen before they enter primary care.

There are huge opportunities for us to draw down extra funding that may enhance not only the health budget but, from my perspective, the research and development budget. Even though we had good figures this year, we are still behind the rest of the United Kingdom. Therefore, we want to see more business spend on research and development. We will look very keenly to see how we can draw down funds from not only FP7 but, as the Member rightly said, Horizon 2020 to ensure that we get the most benefit out of those two European programmes.

**Mr Byrne:** I thank the Minister for her statement. It is one of the most progressive statements that I have heard since I returned to the Assembly. I also very much welcome the answer that she gave to Mike Nesbitt. Further to that answer, can the Minister give the House an assurance that there will be a dedicated team of client executives in Invest Northern Ireland who can help to co-ordinate access to these European

research and development moneys and act as liaison officers with both the universities, who have to do the practical scientific research, and companies such as Almac and Randox? That is crucially important.

**Mrs Foster:** I thank the Member for his question. We will focus on the European aspect, not least because some of the countries that are interested in what is going on in Northern Ireland are very much part of the European continent. We want to point out to them what we are doing in Northern Ireland. Part of the memorandum of understanding that Minister Poots and I will sign at lunchtime sets up a project team that will comprise the chief executive of Invest Northern Ireland and the permanent secretary of the Department of Health, Social Services and Public Safety who will lead the project team, and, under them, dedicated people who will work on the agenda. That is why it is so important to have the memorandum of understanding signed today. We will give it a new focus and impetus, and we will drive it forward for the Northern Ireland economy. It is a very important announcement. I thank the Member for his comments, but I hope that those outside the Chamber recognise that moving on in this manner is a ground-breaking achievement.

**Mr McCarthy:** I thank the Minister for her statement. I very much welcome what appears to be the start of joined-up working between two Departments, DETI and Health. It is very encouraging.

As has already been said, Northern Ireland has been to the forefront in innovative and successful ideas. Is the Minister confident — and this question is an excuse for her to promote what she is going to say — that the challenge will be met by and within Northern Ireland, considering the competition that there will be from the UK, Europe, and even America?

**Mrs Foster:** Yes. Our indigenous companies are very much up to the challenge. I cited the example of Intelesens, one of our spin-out companies, as being in collaboration with the Massachusetts General Hospital in Boston. That indicates the sort of research and development that is happening in Northern Ireland. Often, Members are unaware of the research, development and innovation that goes on around Northern Ireland. However, the global industry is aware of it and looks keenly

at us to see what is happening. That is why it is incumbent on Minister Poots and me to push ahead with this agenda: because there are so many exciting things happening in industries across Northern Ireland. It is incumbent on us as Government Ministers to drive this forward and give those things the spotlight so that they can grow even more.

**Mr Moutray:** Like other Members, I welcome the statements by both Ministers, which are very positive. In relation to the Prime Minister's announcement that £3 million of funding is being made available for remote monitoring, can the Minister tell us what exactly the potential is for local health-related businesses, not least Almac Group Limited in my Upper Bann constituency.

**Mrs Foster:** I love the way the Member manages to get his constituency into a question about telehealth. Obviously, Almac — just to recognise it — does marvellous things in Craigavon, and not just there. It is now a global company and is based in the USA as well. We pay tribute to all our indigenous pharmaceutical and telehealth companies that are leading the way in their sectors.

We were just made aware today of yesterday's announcement by the Prime Minister that he has an aspiration that three million patients across the United Kingdom will be monitored remotely. However, the exciting thing for Northern Ireland, as the Minister of Health has indicated, is that we are already implementing that for 20,000 patients across four Northern Ireland trusts. The scheme has already started. So, we are leading the United Kingdom, if I may say so, in telehealth and telecare and we very much hope to share our experiences of what happens. The Prime Minister also announced what he intends to do with NHS clinical trials. The important thing for us is that we are leading the way in this matter and we want to keep the momentum going: that is what today is about.

**Mr Flanagan:** Go raibh maith agat a Phríomh LeasCheann Comhairle agus gabhaim buíochas le ráiteas an Aire. Like other Members, I welcome the Minister's statement. It is good that there is cross-party support for what she is doing. I recognise and congratulate the Minister on her commitment to the sector since she launched a similar initiative, during the previous mandate, in Enniskillen with representatives of the Confederation of British Industry (CBI), the former US economic envoy and a local company.

How will continuing gaps in decent and affordable broadband provision in rural areas impact on the development of this technology? What actions will her Department take to improve broadband provision to vulnerable rural dwellers who may well be interested in taking up this technology?

**Mrs Foster:** I thank the Member for his question. We have been in discussion with our counterparts in Whitehall in relation to recent announcements on broadband funding, not least in the Chancellor's autumn statement. I hope to come to the House in the not-too-distant future and make further announcements on how we, as a Government, can help the industry in relation to broadband. However, the Member will know that I have often said that it is not just about broadband infrastructure; it is also about mobile phone coverage, because a lot of people use mobile devices now, and a lot of telecare and telehealth may be carried out through mobile devices. Therefore, it is hugely important that we continue to press in relation to our 3G coverage in Northern Ireland.

Just yesterday, I had a meeting with Jonathan Rose from Ofcom about that very issue, and, again, raised the difficulties in relation to our mobile phone coverage in the rural west. Therefore, it is a live issue in the Department. I have no doubt that the Member will keep pressing me on it, and I will come back to the House again about it in the near future.

**Mr Dunne:** What international benefits are there for Connected Health, and how are we working with other countries throughout the world?

**Mrs Foster:** That is the very good news story. There are a lot of good news stories connected with this issue today, but the fact that the international community is looking to Northern Ireland as an exemplar in this sector is very exciting. As I said, we have connections in Massachusetts, Finland and the Catalan region of Spain. Therefore, we are building connections all the time, which gives us strength in relation to research and development and in the collaborative nature of working through Europe. It also gives us opportunities in relation to new foreign direct investment.

As the Member will know, there is a challenging target in the new Programme for Government to bring about £300 million of foreign direct investment, and I believe that Connected Health will play its role in relation to that target.

**Mr Principal Deputy Speaker:** That concludes questions to the Minister on her statement.

## Private Members' Business

### Hydraulic Fracturing

**Mr Principal Deputy Speaker:** The next item of business on the Order Paper is the motion on hydraulic fracturing. The Business Committee has agreed to allow up to one hour and 30 minutes for the debate. The proposer will have 10 minutes in which to propose the motion and 10 minutes in which to make a winding-up speech. All other Members who wish to speak will have five minutes.

**Ms Lo:** I beg to move

*That this Assembly believes that a moratorium should be placed on the onshore and offshore exploration, development and production of shale gas by withdrawing licences for hydraulic fracturing (fracking), at least until the publication of a detailed environmental impact assessment into the practice; notes that hydraulic fracturing can put local water sources at risk of contamination; further notes that, amongst a variety of adverse environmental impacts, the process of fracking can cause serious well blowouts, which put both workers and local communities at risk; considers that the production of hard-to-reach fossil fuels is not compatible with efforts to achieve carbon reduction targets; and urges the Minister of Enterprise, Trade and Investment to give greater support to the generation of energy from renewable sources instead.*

I welcome the opportunity to move the motion and urge Members to embrace our responsibility as public servants to protect our society and environment from the uncertain impact of a process that has a severe deficiency of research.

I extend my sincere thanks to all members of the public who have written to me about the issue. The response has been overwhelming. The Department of Enterprise, Trade and Investment has granted a total of four petroleum licences covering the Lough Neagh basin, Lough Allen basin, Rathlin basin and Rathlin Island.

The motion is not an attempt at scaremongering, as some have suggested. Hydraulic fracturing, which is more commonly known as fracking, has been either banned or placed under a moratorium in France, areas of Germany, Australia, South Africa and in several states in the USA. Now, with the potential for fracking in our own back garden, we need to be extremely cautious about how we progress with this type of energy extraction. I believe that it would

be irresponsible not to place a moratorium on fracking, especially in light of the gaps in research abroad, and, more importantly, the lack of research relating to our own specific case. This is not a call for a moratorium only, but for a comprehensive detailed environmental impact assessment.

### 11.30 am

The concerns regarding fracking are wide-ranging, and, first, I will focus on the use of water. Fracking is a process dependent on water; in fact, between 50,000 gallons and 350,000 gallons of water are required to fracture one single horizontal well in a shale formation. It cannot be denied that the sheer volume of water used has the potential to cause great water stress in the areas concerned and could seriously deplete our resources.

Furthermore, there is the issue of contamination. Fracking does not use only water. A wide range of worrying chemicals are employed in the process. Water contamination does not stem from the use of chemical substances only; water used in fracking requires treatment after use, as the process has been shown to increase risk by the release of heavy metals, such as mercury and even arsenic.

In the guidance for licensees for Tamboran Resources, Northern Ireland Water expressed concern regarding the impact such work could have on the quality of its raw water supply. Given the experience of some US citizens regarding the flammability of home water supplies in the vicinity of fracking sites, I call for a full investigation into the impact that fracking could have on not only aquatic ecology but on our water supply.

Water quality and quantity in neighbouring rivers and loughs need to be consistently monitored as fish and other aquatic ecology are highly sensitive to changes in these areas. The Department of Culture, Arts and Leisure (DCAL) stated in licensing guidelines:

*“aquatic ecology can be impacted not only in the immediate area of the work but also significant distances downstream”.*

**Mr Newton:** I thank the Member for giving way. This is obviously a matter that she is extremely passionate and concerned about. I recognise those concerns. How many licences have been granted on the issue?

**Ms Lo:** I understand that four licences have been granted by DETI in Northern Ireland. I have serious concerns about how difficult it would be to predict the water quality, given the sheer amount of water that will be required for the process.

The threat from well blowout is not a benign one. Water deposits may be affected if there are weaknesses or cracks in well casing. According to the House of Commons Select Committee on Energy and Climate Change, fracking would require very stringent health and safety mechanisms to test the integrity of well casing.

The US, in particular, has seen several worrying well blowouts, which have resulted in thousands of gallons of contaminated and untreated water flowing through neighbouring land, which, in turn, has led to the evacuation or, in some circumstances, the relocation of families. The leak of contaminated water and back-flow fluids has resulted in the death of nearby aquatic life and posed serious health risks to the local communities.

Dr Theo Colborn was quoted as saying that the contamination of water from fracking could have negative health implications, including dizziness, headaches, and even irreversible brain damage, on human beings.

Fracking can lead not only to pollution of our water supplies; there are also issues regarding noise and air pollution, which are all products of the degradation that comes with the industrialisation of our beautiful natural landscape. The link between seismic activity and fracking urgently requires investigation before any exploration proceeds. Following two tremors in Lancaster, one of which reached 2.3 on the Richter scale, Cuadrilla suspended its hydraulic fracturing and commissioned a report that concluded this month that it was highly probable that the company's operations were to blame for the tremors. The company has now accepted that. It has since been revealed that the number of tremors is likely to be around 50 in the space of eight months. Consequently, shale gas experts have admitted that there is a pressing need to investigate and understand the link between the mechanisms used and the tremors.

The last line of the motion is crucial. Why are we discussing permitting further fossil fuel exploration and use, instead of putting our efforts into increasing our environmental and economic sustainability? Why are we actively

putting in place new licences that will increase global warming? At the end of the day, shale gas is a fossil fuel. Although I appreciate that there are disputes over the cleanliness of shale gas, one report from Cornell University suggests that the carbon footprint of shale gas is just as bad, or worse, than coal. We really need to start facing the reality that our dependence on fossil fuel is detrimental to our environment and our economy in terms of high fuel prices and potential fines for carbon emissions. The bottom line is that it is not sustainable. We must start working harder to incorporate renewable energy into our economy and our way of life. In Northern Ireland, we have the benefit of excellent natural resources, which could catapult us to becoming world leaders in developing renewable energy. Not only would the green new deal help our environment and create jobs, it would put us at the forefront of green innovation and technology.

At this stage, no economic argument can overcome the concerns regarding the environmental and health risks that have been raised about the impact of hydraulic fracturing. We cannot put a price on safety, and we cannot afford to pay the price of not giving the issue due attention and care. It cannot be determined that the possible economic benefits would present a public interest that would override the potential detrimental environmental and health damages.

**Mr Principal Deputy Speaker:** Bring your remarks to a close.

**Ms Lo:** In Fermanagh and South Tyrone, the Minister's constituency, it would be hard to argue in favour of fracking for economic reasons, given the potential negative impact on Lough Erne. With a licensed commercial scale —

**Mr Principal Deputy Speaker:** Time.

**Ms Lo:** — fishery valued at between £3 million and £4 million generating local employment and tourism, Lough Erne needs to be protected for fiscal as well as environmental reasons — *[Interruption.]*

**Mr Principal Deputy Speaker:** I call Members to order. The Member is over her time. We now move to the next Member to speak.

**Mr Moutray:** Thank you, Mr Principal Deputy Speaker. I am slightly bemused by the motion before us this morning. The motion has been proposed by those who keep reminding us

of the need to identify and utilise alternative sources of energy, and yet they seem to be paranoid about any effort that is made to find solutions to our energy needs — *[Interruption.]*

**Mr Principal Deputy Speaker:** Order. The sitting is suspended.

*The sitting was suspended at 11.39 am and resumed at 11.41 am.*

**Mr Principal Deputy Speaker:** I wish to make an announcement. We are here for a debate. The public are entitled to hear that debate, but if there are any more interventions from the Public Gallery, I will ask for it to be cleared, and the debate will continue in the public's absence. You can participate in the debate by listening. I ask Members not to refer to the Public Gallery, and I ask that people in the Public Gallery do not intervene in the debate.

**Mr Moutray:** Given the outrageous behaviour that we have had this morning, we should clear the Public Gallery. I have been a Member for 10 years, and I have never seen behaviour like that which we have just witnessed — it was absolutely appalling — and I trust that I never will again. I request that the Public Gallery be cleared.

**Mr Principal Deputy Speaker:** The decision that I have made is that, if there are no further interventions, the debate will continue. We will not clear the Public Gallery at this point.

**Mr Moutray:** The issue of hydraulic fracturing, or fracking, is very complex, but a fair amount of time has already been devoted to it in the Assembly. It has been the subject of many Assembly questions, and the Minister has already answered many of the key concerns. Those who tabled the motion and those who support it are making much of the perceived risks to health and safety. Some of their concerns are outlined in the motion. The Committee for Enterprise, Trade and Investment is aware of the concerns. I have received e-mails and other correspondence from people expressing a range of concerns and asking me to support the motion. I understand the concerns, but they are not well founded. At least the debate will give the Minister an opportunity to clarify a number of issues, put the record straight and, hopefully, alleviate some of the genuine concerns.

It is worth pointing out that some of the concerns outlined in the motion were

experienced in the USA. However, that was largely as a result of poor regulation and should not be exaggerated. There have been many successful explorations in America. Lessons have been learnt from any mistakes, and I am confident that they will not be repeated in Northern Ireland. The types of scenarios that are outlined in the motion are highly unlikely; otherwise, I would support it. I may be wrong, but, as I understand it, the licence that was issued to the Australian firm Tamboran in Fermanagh is for exploration purposes only. We have not gone beyond that stage. Contrary to what Ms Lo said, no licences have been issued to drill at this time.

It is also worth noting that shale gas was the subject of an investigation by a Select Committee of the House of Commons as recently as May this year. It concluded that the risks of water contamination are due to issues of well integrity. They are no different to concerns that are encountered during the extraction of oil and gas from conventional reservoirs. The Select Committee also concluded that there should be no moratorium on the use of hydraulic fracturing.

It should be noted that shale gas is 50% cleaner than oil in respect of greenhouse gas emissions and 25% cleaner than oil when used in transportation, and it is likely to be only a quarter of the price. I am confident that the potential benefits that may flow from hydraulic fracturing, if properly regulated, managed and controlled, will greatly outweigh any risks.

#### 11.45 am

Northern Ireland has a fine reputation for its pioneering skills and enterprising spirit. Let us not sulk in the corner seeing only dangers and problems. Let us look for ways around those problems and ways in which we can embrace every opportunity. Potentially, we have a tremendous opportunity to develop new indigenous sources of energy. Is that not a prize worth striving for? I oppose the motion.

**Mr Flanagan:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Éirím chun tacaíocht a thabhairt don rún seo. First, I would like to distance myself and my party from the comments that came from the Public Gallery.

I support the motion in order to send a clear message of support to those who have worked to raise awareness of the issue of fracking across

Ireland and to show my solidarity with the campaigners who have travelled here in good faith this morning. I congratulate the proposer of the motion for the way in which she has covered a complicated and controversial topic.

Before I start, I should probably declare an interest in the topic. I come from west Fermanagh, where plans are in place for fracking to take place. The Member from the other side of the House is correct: a licence has not been issued to allow fracking, but the plans are there. I come from west Fermanagh, and most of my family, from my mother's and father's sides, live, work and farm in the area. I am very proud of where I come from and of the people I represent. So I know all too well of the fears that exist in west Fermanagh about the proposals to extract gas from the county.

This is not the first time that the issue of fracking has been raised in the House. I must say that the flippant way in which the Minister dealt with the matter on the two previous occasions when it was discussed annoyed an awful lot of people in her constituency, particularly when she accused me of scaremongering and of stopping jobs coming into Fermanagh. I appeal to her today to be more mature, to be less dismissive and to actually take the genuine concerns and the very real dangers that exist into consideration when responding to the debate.

**Mr Newton:** I thank the Member for giving way. It is my understanding that, from as early as 2000, work of a similar nature was done in Fermanagh. No major concerns were raised at that stage and, as far as I am aware, no negative environmental impact occurred either. Why is it that we were only given the successful track record of that type of work in America, where there have been in the region of 50,000 or 60,000 fracking attempts without any impact on the environment, about which concerns are being raised today? .

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

**Mr Flanagan:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I thank the Member for his intervention. He will be aware that 596 different chemicals were not added to the ground back in 2000 or at any other time when gas exploration work has taken place in Fermanagh. That is one of the differences. He also says that fracking has successfully taken

place in America. My definition of successful does not include contaminating water supplies, killing animals, giving people cancer and being able to set water supplies on fire.

Fracking is very much a new and emerging technology, and we should not be rushing to use it without taking all of the facts on board. Anna Lo detailed where bans are in place across the world. Fracking has been banned, for example, in France, where around 80% of the energy generated comes from nuclear power. So, if the French Government, in their wisdom, believe that nuclear power is all right but fracking is bad, there must be something wrong with it.

The points about the potential environmental and health consequences have been well made and will, no doubt, be well rehearsed before the end of the debate. Many Members will focus on the potential contamination of our water supply and on the risk to the nearby environment and the health of our people in the areas that may be affected as a result of a toxic cocktail of dangerous chemicals being added to our natural environment. I, however, would like to focus on the damage that will be done to Fermanagh's economic potential as a result of the plans.

At present, Fermanagh has two thriving industries: tourism and agriculture. If fracking were to be given the go-ahead in west Fermanagh, there would be a massive detrimental impact on the number of people visiting the county. People come to Fermanagh to enjoy a clean environment, fresh air and tranquillity. In one of its recent public meetings, Tamboran revealed that if the process gets the green light, it plans to install nearly 200 9-acre concrete drill pads across west Fermanagh. That will, no doubt, impact on our beautiful landscape.

Many people come to Fermanagh to make use of the waterways, particularly Lough Melvin, Lough MacNeane and, of course, Lough Erne. However, any potential contamination to the water will surely leave people reluctant to use those waterways for outdoor activities. There has to be a certain irony in the fact that the Minister last week launched the Lough Erne product development study, which identifies strategic plans for future waterways investment. We must ask whether there is a chance that her Department will allow fracking to proceed.

Lough Melvin, which is near Garrison, where I come from, is internationally renowned for

its range of unique plants and animals. There are widely held and genuine concerns about the impact that fracking could have on the delicate ecological balance in places such as Lough Melvin. Across west Fermanagh, many people are employed in the agrifood sector, and given the risk of damage to animal health and contamination of the water supply, we need to be very cautious about giving anyone the right to put it in jeopardy.

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

**Mr Flanagan:** No; I am running out of time, so I apologise.

DUP and DETI representatives have said, and will say, much about security of supply and about how we need to focus on the manipulation of modern forms of energy. I know that shale gas may be modern for any Member who believes that the earth is only 6,000 years old. However, this is a fossil fuel; the clue is in the name. This is not modern, and gas is not an alternative to gas.

A Westminster Committee carried out a detailed inquiry into the matter, and far be it from me to sell its message, but its report stated that:

*"shale gas was unlikely to be a 'game-changer'".*

It also stated that:

*"energy security considerations should not be the main driver of policy on the exploitation of shale gas."*

**Mr Nesbitt:** Perhaps I could begin by trying to be clear, definitive and unambiguous about my party's position: we are not in favour of any hydraulic fracturing while there is any reasonable doubt that it has a negative impact on the environment. I will come back, if I may, to reasonable doubt in a moment.

Let me suggest a form of words that we would have welcomed as an amendment: we would have called on the Minister to ensure that, before any hydraulic fracturing takes place, a detailed environmental impact assessment is carried out to confirm that there will be no resulting damage to the area in question. Hopefully, that is clear and unambiguous.

In that context, I will explain why we struggle to support the motion. The first element of the motion calls for a withdrawal of licences. However, it is hard to support that without knowing the cost of withdrawing licences. That refers not only to the cash cost or the

potential cost of licensees' litigation but to the reputational cost to Northern Ireland plc. Are we open for business or are we not open for business? With our current issues about energy, not least its cost and the security of supply, why do we want to close down an operation without good reason?

That element of the motion also calls for an environmental impact assessment "into the practice". Who will do that? As we heard, that practice is conducted in many American states and in Germany, Poland, Sweden and Ukraine. Would we do it ourselves, or would there be an international assessment?

The second element of the motion states that:

*"hydraulic fracturing can put local water sources at risk of contamination".*

I have no difficulty with that. Of course it can; I have seen the clips of 'Gasland' on YouTube. However, oil drilling can also go horrendously wrong, and with 70% of our households dependent on home heating oil, are we really saying that we should stop importing heating oil because of the potential danger?

The third part of the motion talks about:

*"a variety of adverse environmental impacts".*

It also says that:

*"the process of fracking can cause serious well blowouts, which put both workers and local communities at risk".*

Once again, what about the Gulf of Mexico and the blowout in oil drilling that happened there? Are we to stop oil drilling, or do we stop importing oil when we are 70% dependent on it?

The fourth part of the motion states that:

*"the production of hard-to-reach fossil fuels is not compatible with efforts to achieve carbon reduction targets".*

I would welcome further information on that, and I would welcome a further debate on it but with an open mind. Surely a natural energy source could be a Holy Grail for Northern Ireland and should not be rejected out of turn.

Finally, the motion:

*"urges the Minister of Enterprise, Trade and Investment to give greater support to the generation of energy from renewable sources instead."*

I believe that that final word, "instead", is a clue to the real intent of those who authored the motion. It is not about a moratorium: it is a straightforward no to hydraulic fracking. Therefore, it is not about a cautious approach; it is about outright opposition before the full facts have been established. My party would very much welcome further divvying up of the full facts and some frank, open and honest debate.

On that subject, I am sure that many Members have received many petitions, e-mails and letters on this issue. I want to mention a briefing for medical practitioners that I received. It is 19 pages long. On page 17, it includes a suggested template letter for the convenience of doctors and medical practitioners. A key paragraph of the letter is worded as follows:

*"My private research into the technology to be used leads me to have very serious concerns regarding its safety".*

It seems to me that that wording is trying to encourage medical practitioners to pretend that they have conducted their own private research. I contacted one of the authors —

**Mr Agnew:** I thank the Member for giving way. It is important to note that, at the end of the briefing, it urges doctors to conduct their own research and, in doing so, come to their own conclusions. It highlights the concerns of one doctor and the other authors of the paper.

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

**Mr Nesbitt:** I thank the Member for his intervention. Perhaps I could go on to explain that I was so disturbed by that annex that I sent an e-mail to the contract address that was attached to the document and asked the recipient to call my mobile phone urgently. In fairness, that person did so. We discussed that particular paragraph and whether it actually encourages medical practitioners to state that they have conducted private research. I hope that the House will accept that, as a journalist, I am not bad at making contemporaneous notes. The response was, "There is no point you challenging the authors of this document."

I believe that there is every point in challenging the authors of the document.

**Mr Principal Deputy Speaker:** Bring your remarks to a close.

**Mr Nesbitt:** My party will bring forward its own motion in the new year. I am afraid that we may be forced to abstain on this occasion.

**Mr Byrne:** I want to say at the outset that the SDLP supports the motion, even though we have concerns about parts of it. It is fair to say that Northern Ireland is so highly dependent on imported oil, particularly for generation of electricity, that we have to be open-minded about new sources of energy.

Hydraulic fracturing poses great concerns for communities in areas for which licences have been issued. The situation is the same as it was for lignite in County Antrim 10 or 12 years ago. It raises the same concerns. People are concerned about contamination of the environment and the water supply. We are back at the same place.

Hydraulic fracturing is, primarily, about pumping very high volumes of water into the ground in order to force gas up and out through the earth. The problem is whether outputs of gas to the surface can be controlled. There are two major concerns. The first is about contamination of the water supply. Given that high volumes of water that have been mixed with chemicals have to be pumped into the bore well, that raises concern about possible contamination of the water table and underground water. People of Fermanagh, in particular, have great concerns about what might be the ramifications for them, their environment and their two primary industries, agriculture and tourism, which were referred to by Mr Flanagan.

The second concern relates to use of the technology. Is it precise, refined and controllable? That is an open question. There is great concern that, when high-pressure water is pumped into the bowels of the earth and fissures or cracks are exploited, there is no way to control cracks that then emerge on the surface. That is where major concerns arise about control of the output of the gas. Can it be collected on the surface at manageable locations? That is an open question. I contend that the technology has not yet been refined anywhere.

If we look at the great example of exploring for fossil fuels in the USA, we will see that a number of states have become so concerned that they have passed legislation. For example, in May 2010, the Pennsylvania state legislature passed a Bill that enforced a three-year moratorium on further leasing

of exploration acreage of Marcellus shale until a comprehensive environmental impact assessment has been carried out.

That is the question. If we are issuing exploration licences, is it permitted development or not? Will environmental concerns be considered?

## 12.00 noon

**Mr Ross:** I thank the Member for giving way. Does he acknowledge that one of the issues in the United States of America, in particular, was that many states had little or no regulation around fracking? You cannot compare that to Northern Ireland, where there is a lot of regulation. Before you would even get to the stage of drilling, you have an environmental impact assessment and all the planning guidelines to get round. You cannot compare where the United States was 10 years ago with where Northern Ireland is today.

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

**Mr Byrne:** I thank Mr Ross for his statement. He has brought some reality to the debate.

The question is whether this will be permitted development or whether there will be consultation with the Planning Service, the Northern Ireland Environment Agency and other concerns. That is why we need an explanation of what licences are. Are they desktop exercises, or do they allow for the start of real and practical exploration for gas?

**Mr Weir:** I thank the Member for giving way. The Member has said that we need an explanation of what licences are, yet the motion calls for the withdrawal of licences. If the Member, by his own admission, does not know what he is supporting and what is proposed in the motion how, in earth's name, can people stand by this motion?

**Mr Byrne:** I will not take a lecture from Mr Weir or anyone else. The motion calls for a moratorium. The SDLP believes — *[Interruption.]*

**Mr Principal Deputy Speaker:** Order. The Member has the Floor.

**Mr Byrne:** The SDLP believes that the cautionary approach is the proper way to look at the issue. Until there is reassurance for local communities, there will be grave concerns. Let us try to ensure that there are proper

explanations and proper consultations with the local communities that will have to endure what would be actual exploration.

In August 2010, the state of New York imposed a temporary moratorium on new shale gas activity until the US Environmental Protection Agency had reported on its study of shale gas. The state of New Jersey imposed a one-year moratorium from 25 August 2011. The technology for the mining of fossil fuels is very strong in the US; if those states are urging a cautionary mode, we should also pursue that mode.

We are largely in favour of the motion, but we recognise that the last third of the motion is prescriptive, in that it emphasises the use of only “renewable energy sources”. We need to have an open mind about trying to exploit the potential of shale gas, but we have to make sure that the technology is perfected and the environmental issues properly addressed.

**Mr Dunne:** I welcome the opportunity to speak on the motion. Many in Northern Ireland face the challenge of the ever-increasing cost of energy. Given the seriousness of the current problem, we need to take this opportunity to explore all possible options for tackling it. At this early stage, it would be premature to block any attempts at looking for alternative methods.

We rely on imported energy supplies. We cannot continue with that overdependence, and we need to look at all potential energy sources. Northern Ireland has the potential to reduce its reliance on imported energy supplies, and we should not rule out any possible alternatives, particularly when work is still at an early stage. Instead, we should openly investigate all methods and possibilities of energy creation. Currently, 66% of our population rely on oil for home heating. That is unsustainable, and we should actively try to address it.

Britain faces an energy shortfall, and we must actively look at alternative means of energy. By doing so, we could not only help to make prices more competitive for bill payers but help the local economy, not least in the creation of new jobs. Hydraulic fracturing is an option that is worth considering. It is essential that the process is fully regulated, as it has been to date. It is important that environmental concerns are addressed, especially those of people who live in areas where fracturing may take place. Residents and landowners can

and should play an active role in that process because they are most directly affected.

The current process, which includes exploration of shale gas in certain areas in the Republic of Ireland, as well as parts of Northern Ireland, should not be dismissed prematurely without the full rigours of the regulatory process being undertaken. Renewable energy sources also have a role to play in making our future energy supplies more sustainable and efficient. They, too, should be monitored continually and explored for value and effectiveness.

To propose a moratorium at this early stage of the exploration process, as the motion suggests, shows neither leadership nor a realistic way of tackling the real problem of over-reliance on imported oil and gas that this country faces today. This is an opportunity for Northern Ireland that should not be overlooked. Lessons can and should be learned from across the world on the issue. Should the exploration process show evidence that there may be potential for gas supply locally, all regulatory processes should, quite rightly, be taken through to evaluate hydraulic fracturing, taking on board all the concerns and issues that surround it. I oppose the motion.

**Mr McKay:** Go raibh maith agat, a LeasCheann Comhairle. I support the motion and thank its proposer for bringing it to the House. It is obviously an emotive issue, and I welcome the debate, which needs to take place here and in the communities that will be affected.

Clearly, there are public concerns about hydraulic fracturing. It is banned in France, the United States, Germany and South Africa, as Anna Lo mentioned. An independent report published in Britain said that it is highly probable that fracking resulted in tremors in Blackpool. Of course, on the other side of the coin, there are many energy-dependent countries that see it as an opportunity, regardless of the risk. The question for us, however, has to be this: what is the potential cost of hydraulic fracturing? That is where residents and communities are coming from, as well as many professionals and researchers who have looked into the issue.

I agree with the proposer of the motion that there should be an environmental impact assessment. That should be carried out as a priority, and the public need to be across the full facts of the situation, as do Members of the

House. That goes for communities right across the North. There has been a particular focus on Fermanagh, but communities in other areas such as north Antrim may be affected and need to be aware of what hydraulic fracturing could cause. Tourism could also be affected by noise pollution. There could also be an impact on the landscape, on traffic and on road damage, all of which need to be taken into account.

There have not been many issues on which we have received such a plethora of e-mails and other correspondence from constituents as well as professors from UCD and people who live in Australia. This is a big issue. I want to read an excerpt from an e-mail that I received from a GP in Tempo, County Fermanagh:

*"Five hundred wells are planned and some will be repeatedly fracked. In order to pump millions of gallons of water with sand, plus or minus other chemicals, up to a mile vertically down a borehole and then horizontally for up to another mile with enough force to shatter and fracture the formation, immense power will be needed. Banks of huge diesel compressors will be kept running day and night for weeks at a time on each of the 500 wells. The incessant noise will be extreme, and plumes of diesel fumes will be pumped into the air day and night with resultant smog. The roads will be torn up with huge trucks ferrying water, sand and chemicals to the rigs and contaminated water away from the rigs. Millions of gallons of water will be forced down each of the 500 wells and between 20% and 80% of this will come back to the surface as severely contaminated waste water and will have to be disposed of."*

That does not paint a pretty picture. There has also been correspondence from a professor in UCD's school of chemistry and chemical biology noting extreme concern about the proposal. We should be cognisant of those voices and opinions, and we need to focus on the wording at the end of the motion about renewables, because we should not forget that we are one of the only countries in Europe that has great potential in wind energy, hydro-energy and tidal energy. Scotland is light years ahead with that, whereas we are going too slowly.

The fact of the matter is that the party across the way has held the enterprise, trade and investment portfolio for a number of years. It also held the Department of the Environment portfolio, which deals with planning, for a number of years, and this issue is not going fast enough.

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

**Mr McKay:** Yes.

**Mr Ross:** Will the Member accept that this is a debate about the potential to lower energy prices and that one of the contributing factors to lowering energy prices in Northern Ireland will be the interconnector? Will he not acknowledge that his party's opposition to that could end up costing households across Northern Ireland much more through higher energy bills?

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

**Mr McKay:** I agree with the Member that there is clearly a need for infrastructure that allows us to get energy from renewables on to the grid. However, I want to discuss this issue and the controversy around it. The DUP has a policy of embracing every energy opportunity regardless of the consequences. In the previous Assembly, we had a debate on nuclear energy, and the DUP would not rule out building nuclear power plants across the North. The DUP is willing to take risks regardless of the impact that they will have on the environment, our waterways and our communities. Before we do anything, we have to carry out environmental impact assessments and be across the detail before we even consider undertaking the process that is proposed.

**Mr Frew:** This is a very important debate, although I do not feel that the timing is right. There is a lot of concern out there about the issue, and there have been — it is not nice to say it — scaremongers among us, even during today's debate. The horror stories and the extremes that we have heard in the Chamber go some way towards explaining why there is so much public concern at present.

It has been said that we need explanations and clarity. I have taken it upon myself to seek that clarity and to ask the Minister of Enterprise, Trade and Investment a series of questions on hydraulic fracturing. I will outline some of the answers that I have received. I hope that they provide clarification for Members. In response to a question for written answer, the Minister said:

*"The drilling of an exploration borehole involving hydraulic fracturing will require planning permission under the Planning (Northern Ireland) Order 1991 and the Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 1999".*

So, first of all, the licences are not for hydraulic fracturing; they are for exploration and boreholing, and people will have to seek planning permission to frack hydraulically.

People have been coming to me to ask for information, and, in another response, the Minister told me that the company in Fermanagh that is involved in fracking:

*"have stated their intention not to use any chemicals ... in their fracking fluids."*

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

**Mr Frew:** Go on ahead, yes.

**Mr Agnew:** I appreciate that the Member has done his own research into the matter, but, for his interest, the chief executive of Tamboran has now admitted in an interview in the Republic of Ireland that chemicals would be required.

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

**Mr Frew:** This is what it comes down to: where is the information? Give us the information on what chemicals are being used. Let us have a proper debate about this, and let us find the information instead of scaremongering among our people. I am from north Antrim, and I know the concerns that people from north Antrim have about lignite. I know the difference between lignite mining and shale gas exploration and mining, which were compared earlier. There is a world of difference between the two, and I do not support lignite mining in any shape or form. However, we need to ensure that we explore every avenue that is open to us so that we can have the fuel to fund and run this country, to produce food for this country and to produce food for the world. It is all tied up, and some of the contributors to the debate have not helped to assuage the concerns of our people. It is about legislation —

**12.15 pm**

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

**Mr Frew:** Go ahead.

**Mr Swann:** The Member mentioned the concerns of people in north Antrim about lignite mining. Has he received any correspondence from residents in north Antrim who are concerned about the fact that fracturing may take place off the Rathlin basin as far down as Ballymoney?

**Mr Frew:** To date, I have received no such correspondence from people in north Antrim. I have received many pieces of correspondence from Fermanagh, but I have received none from County Antrim. Although people are concerned about and interested in the subject, they realise that we have to worry about the security of our energy.

Sometimes, I have to laugh at Sinn Féin's stance on some issues. They are in danger of becoming the "no" men of Ulster: if it is not hydraulic fracturing that they are against, it is the North/South interconnector, which we need badly, and nuclear fuel. It should be realised that we already benefit from nuclear fuel in Northern Ireland. So, people have to be careful about how they take the debate. Let us talk about the fact that Sinn Féin is so opposed to Rose Energy. When will Sinn Féin say yes to the people of Northern Ireland around fuel and around energy?

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

**Mr Frew:** Sorry, I will not give way any more. I have already given way twice.

This is about keeping Northern Ireland's options open. It is about ensuring that our people have the best choice available to keep their fuel costs down. Sometimes, it is easy to complain and to protest about things, but, when you are in a position of leadership, it is about how you inform yourself, take things forward and legislate. That is where the US failed, although only a small number of the 50,000 wells failed there. It is about legislation, restrictions and ensuring that we control the process to the best of our ability. There are risks. Every day there are risks, but it is about managing risks. I oppose the motion.

**Mr Kinahan:** As many of you will understand, I am pleased to speak in the debate, particularly as the Ulster Unionist environment spokesman. There are some, not many, in the Chamber who are more environmentally conscious than me. It is our job in the Assembly to find balance and to use common sense, and today is a perfect example of trying to find balance.

We need the resources from another power source. We are told that gas will run out some time around 2068, and we know that petrol, which is getting more and more expensive, will run out. We know how important it is to the cost of everything that we do. So much of what we do

is based on fuel, whether it is the heating of our houses or the fuelling of cars. As an Assembly, we must find the balance between looking for that power and protecting the environment.

Most of us have been lobbied on the issue, and, as the previous Member who spoke said, we have to get the emotion out of the debate. We have to find the right information and the right way forward for Northern Ireland. The mere fact that France has banned it probably means that it is the right thing not to ban it, as there are always other interests. Some countries have banned it, and others have allowed it, which confirms my point that we have to ensure that we have all the details and make the right decisions.

We are told that it may cause an earthquake —

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

**Mr Kinahan:** Not just yet; I will in a minute.

We are told it may cause an earthquake; we are told it may pollute our rivers; we are told we are not sure what it will do to greenhouse gases. There is a mass of unknowns. Look at the earthquake: if I may hesitate for a bit of humour, in Blackpool we know of one person whom the earth moved for that night. Maybe there were many more, and it was not due to fracking.

Look at pollution of rivers. Something I have always pushed for here is the proper sampling of our rivers. That should be happening all the time, and we should have checks in place. We should be monitoring our rivers and looking at water treatment. As far as greenhouse gases go, we do not understand that. We will keep looking and checking. We do not know our way forward. I will give way now.

**Mr Byrne:** I thank the Member for giving way. Does he accept that France has had a very diverse energy source policy for many years, including a well-developed nuclear energy policy, and that the states in America that urge a cautionary approach must have some reason for doing so?

**Mr Kinahan:** I welcome what you said, and I do not fully know everything that France is doing. However, you have just really made my point: we need to know more. We need to look at all the different matters that are behind this. Our party feels that we should have had a different amendment today, and we will table a motion on this subject in the new year.

As I said, the Northern Ireland economy is driven by the freight industry and the use of oil. We can look and must keep looking at all the alternative forms of energy. Solar struggles here. We are still in the very early days of finding our way forward with wind and hydro. There are many others. We must keep looking for the alternatives and trying to find the way forward, but not at the cost of stopping ourselves finding what my colleague called the Holy Grail for Northern Ireland.

The problem for us is the wording of the motion. It calls for a moratorium and a withdrawal of the licences. We would like to have seen it calling for an environmental impact assessment. We do not feel that a moratorium will work for Northern Ireland, and we know that there will be legal and cost issues in withdrawing the licences.

I hate seeing anything in the Assembly being delayed. It is a habit of ours that causes much damage to many of our decisions by being too slow. Today, however, we have to wait until we know more detail on the subject, debate it again in the near future and find the right way forward. We must not stop ourselves finding the right sources. At the same time, however, we must protect the environment. We will abstain today.

**Mr Lynch:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I also welcome the opportunity to speak on the motion. Only six months ago, very few of us knew of the term “fracking”; today, it is common currency, particularly in my area and county and the counties of Leitrim and Cavan. That is due to a high-profile campaign by concerned citizens from the region, some of whom have travelled here today to listen to the debate.

The issue of fracturing has already created opposing opinions. Supporters will argue that shale gas could resolve the energy crisis for the next 100 years and that the method of extracting that gas from deep in the earth is safe and environmentally friendly, with a minimal footprint. To understand more about the process and what the company had to say, I attended a public meeting in Enniskillen last July. The spokesperson stated that fracturing had no negative impact on the local communities and that we all should embrace the new technology as progress for the economy and society and in the creation of much-needed jobs.

Concerned citizens were subtly accused of scaremongering, living in the past, blocking

progress and failing to understand what was in their interest. However, opponents who attended that meeting pointed to the catastrophic environmental and health costs that fracking caused, particularly the potential impact of hydraulic fracturing on drinking water. Fracking has been most vigorously criticised for the damage caused by its waste water, which includes chemicals and radioactive elements such as radium. Those toxins have, according to reports, polluted rivers, streams and lakes. That would be devastating for the county that I and the Minister come from, a region that has many rivers and streams.

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

**Mr Lynch:** I will give way in half a minute.

A study commissioned by the American petroleum industry, which was leaked to 'The New York Times', concluded that radium in waste water dumped off the coast of Louisiana posed a significant cancer risk to people who ate fish from the Gulf of Mexico. Throughout the US, there have been other nightmare stories. As somebody else mentioned, those were highlighted in the film 'Gasland', which tells the stories of many Americans whose water supplies have been polluted by fracturing. Such stories may be passed off as nonsense, but France, as other Members have said, was the first nation to ban hydraulic fracturing after the Government there came under heavy pressure from concerned citizens.

**Mr Newton:** I thank the Member for giving way. I am sure that, like myself and many other Members, he is concerned about the rising cost of energy. I am sure he is concerned about the finite energy resources. Is it not the case that shale gas has the potential not only to stabilise the energy supply but to stabilise the cost of gas in particular and energy sources in general?

**Mr Lynch:** I thank the Member for his intervention. I am not against the use of energy for society, but that should not be at any cost.

**Ms Gildernew:** I noted with interest the talk from the opposite Benches about how shale gas will encourage cheaper energy. I have not heard any guarantee of that. Yet, in the meantime, we could destroy our agriculture industry, our tourism industry and the water quality that we enjoy. There are too many things that we know can go wrong and no guarantees about cheap energy.

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

**Mr Lynch:** I thank the Member for her intervention.

These gases could be taken from the earth in many generations' time, when they are safe to the community and society as a whole. The motion states that a moratorium should be placed on the onshore and offshore exploration development of shale gas. In light of all the serious questions about fracturing, the Minister should immediately take the same course of action as places such as Pennsylvania, New York, New Jersey and, as I mentioned, France. In response to Mr Newton, I say that we should not have fuel at any cost to society.

**Mr Principal Deputy Speaker:** 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 after lunch will be Question Time. The last Member to speak in this debate before the Minister responds will be Mr John Dallat.

*The debate stood suspended.*

*The sitting was suspended at 12.28 pm.*

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

**2.00 pm**

## Oral Answers to Questions

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

**Mr Deputy Speaker:** Question 10 has been withdrawn.

#### Equality Legislation

1. **Mr McClarty** asked the First Minister and deputy First Minister to outline the timescale and plans for bringing Northern Ireland equality legislation into line with the equality legislation in Great Britain. (AQO 928/11-15)

**Mr M McGuinness (The deputy First Minister):** We are considering the options for legislative reform here. However, we continue to legislate to meet our commitments under the Programme for Government, EU obligations, case law requirements and emerging issues.

Since the restoration of devolution, we have introduced legislation to strengthen and improve the rights of individuals in a number of areas. For example, we have introduced changes to disability discrimination legislation to improve the lives of people with disabilities. We have amended the definition of disability so that people with progressive conditions are deemed disabled from the point of diagnosis, and we have made it unlawful to treat a disabled person less favourably than others for reasons of disability in the disposal or management of residential, commercial and other premises.

We have also imposed new duties on public authorities and private clubs to make reasonable adjustments for disabled people and have made it unlawful for transport operators to discriminate against a disabled person. In addition, one of our commitments in the draft Programme for Government is to extend age discrimination legislation to the provision of goods, facilities and services. We need to ensure that our citizens enjoy the same protections as others across the European Union, and we will therefore consider the

implications of these developments in deciding the future direction of equality legislation here.

**Mr McClarty:** I thank the deputy First Minister for his response. He will be aware that there is a significant shortfall between the single Equality Act 2010 in GB and Northern Ireland equality legislation. New businesses will not be encouraged to establish themselves in Northern Ireland if they face challenges regarding differing legislative frameworks within the United Kingdom. How does the Office of the First Minister and deputy First Minister intend to address the inconsistencies faced by employers and service providers operating in both Northern Ireland and GB regarding, for example, discrimination legislation?

**Mr M McGuinness:** No decision has been taken on a single equality Bill. We continue to keep the broad spectrum of equality legislation under review and are committed to the principle of equality for all people here. Our officials continue to assess and keep the First Minister and me informed of developments elsewhere in relation to proposals for equality legislation. We continue to review legislation on an ongoing basis to ensure that we meet all requirements.

It is clear, given the backdrop of the very successful period of foreign direct investment that we have seen over the past couple of years, that we have an attractive proposition to put to potential investors, no matter where they come from. That has been a great success. I do not need to outline all the companies that have come here recently, but it is quite a number, and the investment has been very substantial.

This issue was aired on countless occasions during the previous Assembly mandate and no doubt will be again in the course of this term. We must go forward on the basis of understanding that there are different opinions about this, not just in the Assembly but among the different interest groups. It is important that we continue to strive to ensure that we put in place the proper support and protections that citizens require. That is why the proposals put forward by the Equality Commission in a number of areas are under serious consideration in regard to further legislation.

**Mr Elliott:** I thank the deputy First Minister. What impact does he believe the recent decision by the Belfast Lord Mayor not to present a Duke of Edinburgh's Award to a local young female in the community will have on equality issues?

**Mr M McGuinness:** This has been a sizeable story in the media in recent times and has generated a lot of heat. I welcome the fact that the mayor has apologised for what undoubtedly was a mistake. There is a clear commitment that it will not be repeated. However, people should resist the temptation to inflame the situation, and I think that there was some of that in the past couple of days. When someone makes a mistake, the important thing is that they put their hand up and apologise. As far as I am concerned, the mayor was big enough, in the first instance, to attend the Duke of Edinburgh awards presentation. Moreover, he acknowledged his mistake, put his hand up and made it clear that he should apologise, which he did, and I believe that it was a full apology.

It is sensible for all of us not to make a meal out of it but to move on and understand that, in certain circumstances, all of us will be challenged on issues that concern our constituents. However, we all have to continue to stretch out the hand of friendship to one another and not make life difficult for one another. I am afraid that, in this circumstance, we saw that happen.

**Mrs McKeivitt:** In reference to other equality legislation, will the deputy First Minister give a timetable for when the legislation to eliminate age discrimination in the provision of goods, facilities and services will be brought before the House?

**Mr M McGuinness:** No decisions will be made on the scope of age goods, facilities and services legislation until the proposals have been developed and consulted on. We will consult on the scope of age goods, facilities and services legislation as part of the policy development process. That will consider which age groups should be covered by the legislation. In addressing the issue of age, we are dealing with the only major equality ground where people do not have protection from discrimination in the provision of goods, facilities and services. The commitment in the Programme for Government to address that issue fills one of the major gaps in equality legislation here.

## **A5 and A8 Road Projects**

2. **Mr Doherty** asked the First Minister and deputy First Minister for an update on their meeting with the Irish Government in relation to the A5 and A8 road schemes. (AQO 929/11-15)

**Mr M McGuinness:** We met the Taoiseach on Thursday 17 November in advance of the North/South Ministerial Council plenary meeting on 18 November. We told the Taoiseach that the A5 project was of great importance to the people of the north-west and would be of benefit to both jurisdictions. We noted that the Irish Government will now provide £25 million per annum in 2015 and 2016 towards the project. Development work has been going well, and £40 million has already been spent. We also agreed that a further payment of £3 million will be made by the Minister for Transport, Tourism and Sport to the Northern Ireland Consolidated Fund in accordance with the agreed procedure.

We reiterated the Executive's commitment to the project and noted the Irish Government's commitment to deliver it on a longer timescale. It was agreed that the relevant Departments will now prepare a new funding and implementation plan for the projects for agreement at the next North/South Ministerial Council transport meeting, with endorsement at the next NSMC plenary meeting. I encourage officials to work together creatively to see what improvements can be made soon to the A5, as some stretches are well below the standards needed for what is a very important route.

**Mr Doherty:** Go raibh maith agat, a LeasCheann Comhairle. I thank the deputy First Minister for his answer. In relation to the new funding and implementation plan, which, I believe, will report to the next North/South Ministerial Council meeting, will a draft of that plan be available to the Assembly and the relevant Committees before that date?

**Mr M McGuinness:** At the moment, the relevant Departments, North and South, have been charged with the responsibility of coming forward with the new funding and implementation plan. That needs to happen as a matter of urgency, given that it is a flagship issue for the North/South Ministerial Council. I think that I heard the Minister for Regional Development say during Question Time yesterday that the relevant officials will meet in January. If that is the case, they must be taking a very long Christmas holiday. I would like to see them meet this month so that, when we come back in January, we can hit the ground running and take the final decisions that are required to ensure that we know the direction in which the reprofiling of the project is going. That is essentially where it sits at the moment.

We all fully understand that the serious economic difficulties with which the Irish Government are dealing at the moment have impacted on us in respect of those flagship projects, not just the A5 but the A8, which is an important route to Larne from Belfast and for the eastern seaboard. I hope that officials, North and South, will move with all speed and that, in January 2012, we will have a good sense of how the projects will progress.

**Mr Dickson:** The deputy First Minister referred to the A8. The Republic of Ireland's contribution to funding the A5 is somewhat on the long finger. What effect will that have on the A8 project in east Antrim?

**Mr M McGuinness:** The two projects are joined at the hip, and they are flagship projects for the North/South Ministerial Council. The funding decisions that have been taken by the Irish Government have impacted on the timetable for moving forward. We are seeking as much certainty as we can not only for the £25 million in 2015 and the £25 million in 2016 but for the Irish Government's long-term commitment to providing the funding that is essential to build both those important roads.

I have a clear understanding, as, no doubt, do the Minister for Regional Development and others who are dealing with the issue, that we in the North were to front-load our financial commitment to the construction of the two roads and that the Irish Government's funding would come in the later years. We need certainty. We need to know from the Irish Government that they will fulfil their end of the bargain not only for the £50 million in 2015-16 but for longer-term funding. If we proceed with the road, we need an absolute guarantee that they will come in on their side of the bargain.

**Mr Byrne:** George Osborne made a statement on infrastructural funds last week. Does that have any implications for the A5, perhaps to ensure that the A5 and the A8 can be progressed as outlined and envisaged by Roads Service?

**Mr M McGuinness:** I have no doubt that, when Members heard the Chancellor's statement last week, their thoughts turned immediately to the prospect that some of that money could be moved in the direction of important infrastructural projects. The Executive will need a report from the Minister of Finance to outline our spending priorities for whatever extra money might come. The Executive will have to decide

how those funds will be spent. I have no doubt that people, including the Minister for Regional Development, will look at all that and at the fact that there are other major road projects in the North that require attention.

In this question, we are dealing specifically with the A5 and the A8. As I said, those are flagship projects for the North/South Ministerial Council. At its last meeting just a few weeks ago, the North/South Ministerial Council made it clear that Departments are charged with the responsibility to come in with a new funding and implementation plan; that is a very significant decision. How that will be funded over a number of years is now the subject of decisions between the relevant Departments and, more importantly, a final decision by the North/South Ministerial Council.

## 2.15 pm

**Mr Deputy Speaker:** The Member is not in his place for question 3.

## Military Sites

4. **Mr Swann** asked the First Minister and deputy First Minister for an update on the transfer of military bases from the Ministry of Defence to their Department. (AQO 931/11-15)

**Mr M McGuinness:** Four sites were gifted to the Executive under the Hillsborough Castle Agreement. St Patrick's Barracks in Ballymena, parts of St Lucia Barracks in Omagh and the Shackleton Barracks site at Ballykelly have been transferred to OFMDFM. The Lisanelly site in Omagh was transferred to the Department of Education for development as a schools campus. Specialist advice on the options for those OFMDFM sites is being developed with the help of the asset management unit, and we will consider the most appropriate way forward for each of them in due course.

**Mr Swann:** I thank the deputy First Minister. In keeping with the spirit of the military covenant, what discussions have been held with the Ministry of Defence to ensure that serving or former military personnel have preferential opportunities to purchase any homes that are transferred on those sites, for example in St Patrick's Barracks in Ballymena?

**Mr M McGuinness:** The Member is aware that this issue has come up a number of times in the past, particularly in relation to

the fact that there are 47 houses there. We have agreed in principle with the Minister for Social Development that the 47 former military homes at St Patrick's Barracks will be made available for conversion to social housing. The Department for Social Development plans to make those properties available to a housing association that will manage the conversion so that the houses are available to help address the identified need for social housing in the area. Our officials are currently completing the necessary due diligence required under public expenditure guidance and relevant legislation to enable the transfer to take place. The properties will be transferred from OFMDFM to DSD as soon as possible.

I am not aware of the demand in the particular specialist area of which you speak, namely people formerly associated with the military who want access to those sites. However, I have no doubt that that will be dealt with by the Department for Social Development and the housing association when that transfer from our Department to DSD takes place.

**Mr Lyttle:** Will the deputy First Minister tell the House why official advice with regard to a bid on the Shackleton site was declined by his Department?

**Mr M McGuinness:** The issue at Shackleton is clear from our perspective. We had a sales process for the site under which receipts would have been passed to us. That was undertaken by the Ministry of Defence. However, we concluded that none of the bids received by the Ministry of Defence was satisfactory, given the size and scale of the site. We, therefore, decided that our Department should take control of the site, and we issued a direction to that effect.

We had particular concern about the advice we had been given by officials. On decontamination costs, no detailed specific survey work had been done on the site at the time of the direction, and, in our view, no figure given to us had any basis in regard to the site. There are buildings on the site that could be used, so there was a question about whether decontamination costs were a real factor. We were also concerned that the value of the site was based on it all being sold as one site. No consideration had been given to how parcels of the site might bring a greater return. That is an issue that the First Minister and I discussed in the aftermath of

his visit to the site some time ago. So we are determined to obtain the best value out of this substantial asset, and we have asked that a full assessment be made of its potential.

**Mr Campbell:** The deputy First Minister is aware of the Shackleton site that he has just outlined and the transfer process that has now been completed. He will also be aware of the ongoing significant maintenance costs that will be incurred over the next year or two. Would it not be a productive idea for him to liaise with his colleague the Minister of Agriculture and Rural Development to ensure that, if she decides to proceed with the relocation of DARD headquarters, a site such as Shackleton would be considered in order to ameliorate the ongoing costs, as well as to utilise a very worthwhile site?

**Mr M McGuinness:** We are determined to keep the holding costs of the sites to the minimum necessary while ensuring adequate security and health and safety. However, some costs are unavoidable. Security arrangements at the site are being reviewed, and other steps are being taken to ensure that we spend no more than is necessary. To date, the holding costs of the three Hillsborough agreement sites owned by OFMDFM are expected to be £765,000, of which £165,000 has been spent to date. Expenditure on St Patrick's Barracks was £139,000 up to 31 October.

I admire the Member's pitch for the relocation of the DARD site to his constituency. Given the fact that there might be boundary changes in the next while, it could also end up being my constituency, depending of course on who the DUP and Sinn Féin decide will be their candidate at the next general election. However, no doubt, DARD will give serious consideration to the location of its headquarters when the decision-making time comes.

**Mr Sheehan:** Go raibh maith agat, a LeasCheann Comhairle. What are the Minister's views on the recent Audit Office report?

**Mr M McGuinness:** I thank the Member for his question. It affords us the opportunity to clarify some issues that have arisen out of the reporting of the report's content. The Audit Office report on the transfer of former military and security sites relates to assets that were transferred under direct rule Ministers, even though the report refers to OFMDFM. As the report could be the subject of a future Public

Accounts Committee hearing, it would be inappropriate for me to comment any further at this time.

**Mr Deputy Speaker:** Question 5 has been withdrawn.

## Institutional Abuse

6. **Mr Givan** asked the First Minister and deputy First Minister for an update on the progress made in establishing the inquiry into historical institutional abuse. (AQO 933/11-15)

**Mr M McGuinness:** With your permission, Mr Deputy Speaker, I will ask junior Minister Martina Anderson to answer that question.

**Ms M Anderson (Junior Minister, Office of the First Minister and deputy First Minister):** Go raibh míle maith agat. Following consultation with victims and survivors over the summer and considering the recommendation of an interdepartmental task force, the First Minister and deputy First Minister called a special Executive meeting to agree the establishment of an inquiry and investigation into historical abuse from 1945 onwards, and the chair can take account of reports of incidents before then.

We are considering potential legislative options that will provide the necessary statutory powers to the inquiry to enable the chairperson to call for and compel any person or document as required to be made available to the inquiry. Victims and survivors will have the opportunity to recount their individual experiences to the inquiry in the confidential environment of an independent acknowledgement forum. That should be established early in the new year. The inquiry and investigation will conclude within two and a half years of the recommendation date, and the Chairperson will be required to provide a report to the Executive within six months of its conclusion.

We have also committed to the establishment of an advocacy service that will provide support to victims and survivors before, during and after the inquiry. Work is well under way to progress all the aspects that I detailed, and we will continue to liaise with victims and survivors of historical institutional abuse about their needs and the steps that we are taking.

While we are working towards the full implementation of the inquiry and advocacy service, we are very conscious to ensure that

the needs of victims and survivors are catered for in the short term. We have introduced and instructed officials to explore ways in which an interim support service can be provided.

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

**Mr Givan:** I welcome the progress that is being made on the issue. The Minister will be aware of the recent diocesan reports that were produced by the Roman Catholic Church this week. Will the reports that are relevant to Northern Ireland be included in this inquiry? Can the Minister assure us that the needs of the victims and survivors will be given the most important privilege and preference in all of this and not the needs of the legal profession?

**Ms M Anderson:** When we were talking to the victims and survivors, they asked us to ensure that the inquiry was not over-lawyered. We are very aware of the recent reports from the national safeguarding boards, two of which relate to dioceses in the North. The reports did not deal with abuse; they looked at how the Church authorities dealt with allegations of abuse. The general theme that we have seen emerging from a number of the reports has been that the Church was more concerned with protecting its image than with protecting the children who were being abused. That is a totally unacceptable position. Those in the Church hierarchy will need to examine their conscience on that and, obviously, the way in which they obsessively concealed the abuse. The reports indicated that procedures are now in place to ensure that allegations of abuse are reported to the proper authorities. That is something that we will be constantly monitoring.

As part of the consultation on historical institutional abuse, Minister Jonathan Bell and I met Ian Elliott of the national safeguarding board, and we intend to keep in touch with him as he reports on other dioceses in the North. In establishing the inquiry here, we have ensured that the chair of the inquiry, once appointed, will be able to make recommendations to us if he feels that there are other steps and issues that the Executive have to take account of.

**Ms Boyle:** Go raibh míle maith agat, a LeasCheann Comhairle. I, too, welcome the progress that has been made to date on the issue. Can the junior Minister inform us whether the task force or the Executive were aware of the situation at Lissue House and Forster Green when they were

making their deliberations with regard to an inquiry into historical institutional abuse?

**Ms M Anderson:** The simple answer is no. As the Member will be aware from answers given in the Chamber, the task force was cross-departmental and included officials from the Health Department. When discussions were taking place at Executive level, the Health Minister at that time did not flag up the issue. We were not aware that abuse had taken place and that there had been reports on those institutions until the press coverage emerged. We are at a loss as to why that information was not shared with the office or the Department. The current Minister has made it clear that he was not aware of the issues relating to Lissue House and Forster Green until they were made public by a newspaper. The previous Health Minister has asserted that he was not aware of the issues. However, the Department has attested that he did and contested his assertion, claiming that he was informed.

The scrutinising Committee for the Health Department may want to look at the issue. We assure the Assembly that Lissue House and Forster Green Hospital will be included in the inquiry and investigation. The Assembly should be aware that through the consultation events, which the interdepartmental task force held, 23 institutions were reported as places where abuse had occurred. Neither Lissue House nor Forster Green was included in those 23. We cannot be sure of the level of the abuse in the institutions or the number of victims until the inquiry concludes its work.

**Mr McDevitt:** Given the way in which the events around Lissue House and Forster Green so vividly illustrate the seriousness of the issue across so many sectors, will the Minister give an absolute guarantee to the House that the inquiry will take place on a statutory basis? Will she tell the House when we can expect to see legislation before us that will give the necessary statutory powers to the inquiry?

**Ms M Anderson:** We can assure the House that the inquiry will have a statutory element to it. The Office of the First Minister and deputy First Minister is looking at a number of legislative options for how that should be taken forward. Once we decide on the legislative powers to ensure that the chair and the team will have the power to compel, we will report back to the

House and the Committee with regard to the time frame.

We are working very closely with victims and survivors. Junior Minister Bell and I met victims and survivors last week, and we intend to keep in regular touch with them. They are very satisfied that we are doing all that we can to make sure that we get this right.

**2.30 pm**

## Social Development

**Mr Deputy Speaker:** Questions 1, 3 and 7 have been withdrawn.

### Energy Costs

2. **Mr S Anderson** asked the Minister for Social Development what analysis he has carried out of the impact that rising energy costs are having on the most vulnerable in our society. (AQO 944/11-15)

**Mr McCausland (The Minister for Social Development):** In April this year, my Department launched its new fuel poverty strategy, which places significant emphasis on the partnership approach required to tackle fuel poverty and on the cross-departmental nature of the whole area of poverty. Professor Christine Liddell from the University of Ulster has also published the report, 'Defining Fuel Poverty in Northern Ireland: A Preliminary Review'. That work was commissioned by my Department as a key element of our new fuel poverty strategy. The report states that of the 44% of households in fuel poverty, 13% are in severe fuel poverty. That equates to some 75,000 households that are spending at least 20% of their income on energy bills. To prioritise those most in need, it is proposed that that 13% of households become the primary focus of Northern Ireland's new fuel poverty strategy in the medium term.

I have commissioned Professor Liddell to undertake further research to help us identify households, and my officials are viewing how we should deliver energy efficiency measures to those households in future. I have recently announced an exciting and innovative pay-as-you-go option for oil heating for vulnerable households. A pilot scheme will begin early in the new year, and the technology could see significant savings for those who use

drums rather than have oil delivered in larger quantities.

**Mr S Anderson:** I thank the Minister for his answer. What is the Department for Social Development (DSD) doing to help maximise incomes for vulnerable households?

**Mr McCausland:** As part of the 2011-12 benefit uptake programme, the Social Security Agency (SSA) is writing directly to 25,000 existing customers who may have additional benefit entitlement to offer them a full and confidential assessment. The SSA's Outreach to Older People campaign promotes a free phone benefits advice line. Anyone who contacts that number will receive a full benefits assessment, which includes information on warm homes, and also be offered further help if that is required. The advice line is being heavily promoted, and the Make the Call campaign began on 14 November and will run until March next year. To date, over 3,000 calls have been received. The SSA is also working with community and voluntary sector partners to test new ways of reaching those harder to engage who could have additional benefit entitlement. Those projects will run for 12 months, and evaluation will inform future benefit uptake programmes.

**Mr Brady:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his answers. What is he doing on the back of the Committee for Social Development's fuel poverty event in the Long Gallery, which could provide a longer-term strategy for dealing with fuel poverty?

**Mr McCausland:** I was speaking earlier today to the Committee Chairperson and the Committee Clerk. I understand that the report is being written up, and I look forward to receiving it.

**Mr Gardiner:** I thank the Minister for his response. Will he detail whether he intends to make a bid for additional resources from the social protection fund to tackle the growing rate of fuel poverty?

**Mr McCausland:** The social protection fund is under the remit of the Office of the First Minister and deputy First Minister (OFMDFM), and my Department has been working closely with it in that regard. I hope to hear an announcement in the near future.

**Mr A Maginness:** I thank the Minister for his answer. He has expressed a lot of sympathy for the problem and has highlighted the nature of

it. When will he take effective action to deal with those who are in serious difficulty?

**Mr McCausland:** I do not know where the Member has been for the past while. There has been announcement after announcement about addressing fuel poverty. It is not a case of talking about it; it is a case of doing things. We have in place our warm homes scheme and our boiler replacement scheme. We have the ongoing improvements. The Member can shake his head as much as he wants. He can shake it until it falls off if he wants. The fact is that, when people are doing something and delivering, he should at least acknowledge that it is happening. Nodding your head in the corner of the room will not do much to address fuel poverty, but the actions that are being taken by my Department week after week are delivering.

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

### Queen's Parade, Bangor: Regeneration

4. **Mr Weir** asked the Minister for Social Development for an update on the progress being made on the regeneration and development of Bangor town centre, and in particular, the Queen's Parade area. (AQO 946/11-15)

**Mr McCausland:** I visited Bangor in July to launch the Bangor town centre master plan, which identifies a range of regeneration projects that should be taken forward in the town centre over the next 15 years. North Down Borough Council has agreed to establish a project board comprising the main public and private sector stakeholders to oversee delivery. My Department will participate in the project board and consider relevant projects for funding from its regeneration budget. One such project is a proposed public realm improvement scheme for Abbey Street. Subject to the completion of positive project appraisal and the availability of the necessary budget cover, that project could start in 2013.

My Department and the developer are in the process of negotiating a development agreement for a major development on the site at the Queen's Parade area of Bangor town centre. That agreement will set out the nature of the development that is to be delivered and the timescale for implementation. I anticipate that the agreement will be signed in April or May 2012. Due to the scale and complexity of the

project, it is estimated that it will take the developer between 18 months and 24 months to draw up detailed plans, secure planning permission and assemble the site. My Department has established a project board to manage the regeneration scheme. The board includes representatives of North Down Borough Council, Roads Service and the Planning Service. My Department has also established a community engagement partnership to liaise with the local community throughout the entire process.

**Mr Weir:** I thank the Minister for his response. Will he indicate whether he is content that Karl Greenfarm Properties Limited is a suitable development partner given the perceived financial problems of Mar Properties Limited?

**Mr McCausland:** Three partners make up Karl Greenfarm Properties Limited: Karl Construction, which holds 50% of the shares, and Greenfarm Properties Limited and Mar Properties Limited, both of which hold 25% of the shares. The decision to appoint Karl Greenfarm Properties Limited as the preferred developer followed financial due diligence that concluded that the proposed scheme is viable and that the developer has the professional and financial capacity to deliver it. My Department is satisfied that that remains the case.

**Mr Cree:** Minister, have any moneys have been guaranteed for the scheme? What will the likely expenditure period be? You mentioned the overall scheme, but I am particularly interested in the seafront scheme.

**Mr McCausland:** Taking forward the proposals that are contained in the master plan will certainly require a significant financial commitment by the private sector and some investment by the public sector. Since the master plan proposes a 15-year programme of regeneration projects, it will run over a number of public funding cycles. It is not possible to commit or ring-fence funding for all the public sector projects in it at this time. However, my Department has included £2.5 million for a public realm scheme in its forward programme of works to be delivered between 2013 and 2015, subject to all approvals and funding being available.

**Mr D Bradley:** Go raibh maith agat, a LeasCheann Comhairle. Arbh fhéidir liom a fhiafraí den Aire tuairisc reatha a thabhairt dúinn ar scéim athnuachan na gcomharsanachtaí? I ask the Minister for an update on the neighbourhood renewal scheme.

**Mr Deputy Speaker:** I believe that question is not relevant to the substantive question. Therefore, we will move on.

**Mr Lunn:** Approximately how many town centre regeneration schemes is the Department looking at? Can the Minister confirm that the Bangor scheme will not receive any priority over the others?

**Mr McCausland:** Perhaps I can satisfy the Member by saying that Lisburn's scheme is very much on the agenda. I will give him full details in writing of all the schemes, which are, indeed, spread right across the Province and are treated fairly and equitably. Nobody gets preferential treatment, but I assure him that I have not forgotten Lisburn.

**Mr F McCann:** In the last mandate, an inquiry into town centre regeneration was carried out and a number of recommendations came out of it. Where do those recommendations sit at the minute in respect of priority?

**Mr McCausland:** Over the last while, we have been very much driven forward by delivering the work that is under way right across the Province in quite a number of areas. Since coming into the Department, I have been going through all the different areas of the Department's work, from housing to welfare reform, and so on. We are working through those areas consecutively and will be bringing forward a new and, I hope and believe, better approach to all of them. Town regeneration is one of the areas that we will be looking at, and I am happy to write to the Member with details of that.

## Benefits: Make the Call

5. **Mr A Maskey** asked the Minister for Social Development for an update on the Make the Call benefits uptake campaign. (AQO 947/11-15)

**Mr McCausland:** My Department, through the Social Security Agency, provides a wide range of services to make people aware of their entitlement to benefit, including outreach services, the production of specific publications, participation in local community-level promotional activity, use of the NI Direct website, an online benefits adviser service, and general assistance and information available through the network of local and centralised benefits offices.

Since 2005, specific actions have been undertaken annually as part of the benefits uptake programme. Activities included on an ongoing basis are, for example, direct invitations to existing customers offering a full and confidential benefits assessment, involvement of the independent advice sector, assistance with making a claim and a free phone benefits advice line. Those are only examples. That work has generated an additional £27.1 million in unclaimed benefit for older people since it began in 2005.

The 2011-12 benefit uptake programme consisted of four separate but complementary strands of work, whereby 25,000 existing customers, the majority of which were over 60, who may have additional benefit entitlement were written to directly to offer them a full and confidential benefits assessment. That assessment is provided by the independent advice sector.

There has been promotional outreach to older people through the Make the Call campaign, which has been extremely successful in identifying potential recipients of additional benefit. The Social Security Agency is also working with community and voluntary sector partners to test new and innovative ways of trying to reach out to those who have been more difficult to engage with in the past. A total of £375,000 from the innovation fund was allocated to seven projects to do just that.

The Make the Call campaign began on 14 November, and in the first two weeks there were over 3,000 calls. Over 2,500 callers availed themselves of a full benefit assessment. I am particularly encouraged to report that more than 40% of those calling the freephone number have had potential additional entitlements to benefits, services and support identified. I have also received some responses from individuals saying —

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

**Mr McCausland:** — “Thank you very much for the offer, but I have more than enough money. I am quite happy the way I am.”

**Mr A Maskey:** I thank the Minister for his fulsome response and the recent launch of the benefit uptake campaign and the Make the Call campaign. Given the widespread view that the implications of welfare reform will be rather negative, can the Minister advise us what strategy he has in mind for giving wider support

to advice services, which may be even more necessary in the time ahead?

**Mr McCausland:** Support for advice services comes not only from my Department but from the Department of Enterprise, Trade and Investment as well. As we move forward into welfare reform and all of its implications, the concern that every Member of the Assembly — at least, most Members — shares is that we need to be very conscious of the demands that will be placed on advice services.

## 2.45 pm

We are looking at regional infrastructure support, and the advice sector is one of the themes in that area. So, that will be very much to the fore of our thinking over the next while. It is important that we not only get the right structure but that we have enough funding to support it.

As the Member will be aware, we put in additional support in recent days for mortgage advice, as that is a very pertinent issue for folk at the moment.

**Mr I McCrea:** In his initial response, the Minister referred to the generation of £27.1 million of unclaimed benefit for older people. The Minister will no doubt also be aware that a lot more money could be claimed by many other people. Is he content that enough is being done to ensure that the people who are entitled to those benefits get them? Does he see the advantage of using organisations such as Access to Benefits to ensure that people get adequate benefits?

**Mr McCausland:** In the earlier part of my answer, I mentioned that certain groups are particularly difficult to reach. That is why we introduced this programme, and through it, we are working with the community and voluntary sector to test new ways to reach people. As we see the effectiveness of those new ways, we will certainly feed that into future planning for benefit advice.

**Mr Copeland:** For the second day in a row, I find myself in agreement with Ian McCrea, so there will be a similarity in what we say, for which I apologise. Does the Minister agree that, although figures for benefit that is claimed fraudulently quite rightly receive a fair degree of publicity, the value of benefit that is not claimed but lawfully entitled is liable to exceed the

amount that a substantial proportion of people claim fraudulently?

**Mr McCausland:** I think that it is difficult to put an exact figure on, or even to make a guess about, the amount of benefit that is unclaimed. That figure is certainly very substantial, and we have an indication of the amount of money that has been gained for people through the advice services. I assure the Member that we are doing all that we can by using those new and innovative approaches to complement the ongoing regular, mainstream services. We are doing all that we can to reach out. I have been impressed by the feedback that is coming in. There is huge potential to draw in additional money, particularly for those who are most in need.

**Mr P Ramsey:** It is a good news story that so many older people in our community are receiving the benefits that they have been lacking for years. Would the Minister consider extending the campaign throughout Northern Ireland to other vulnerable groups so that they can have the benefit of the Make the Call campaign?

**Mr McCausland:** The innovative approaches that we are adopting are focused on a number of specific sectors. We said to the community and voluntary sector, "You come back to us and tell us how you might do this". It was in response to that that we provided the funding to them. We will be in a much better position to see what can be done in the future when we get a proper evaluation and have actually seen at the end of the year how that has worked out. If there are gaps, they will certainly need to be considered.

### Housing Executive: Double Glazing

6. **Mr Moutray** asked the Minister for Social Development when he expects the double glazing programme for Housing Executive homes to begin. (AQO 948/11-15)

**Mr McCausland:** I expect the double glazing programme to begin as soon as possible. The Housing Executive installs double glazing as part of its external cyclical maintenance programme. Extra funding of £2 million that was secured through the October monitoring round has enabled that activity to increase already. The Housing Executive is working to identify the additional properties that still require double glazing. Once that information is available, which is required by March 2012 under the

draft Programme for Government, the Housing Executive will prepare a programme for the installation of double glazing to all its homes by the end of 2015.

In the current financial year, the Housing Executive identified 18 schemes throughout Northern Ireland that will install double glazing to 2,700 properties. The Housing Executive has also completed external cyclical maintenance schemes to 3,650 dwellings during this financial year. Those schemes would have included the installation of double glazing where required.

**Mr Moutray:** I thank the Minister for his very welcome response. How confident is he that any additional moneys that have been reallocated in the October monitoring round and that may be reallocated in the February monitoring round can be spent before the end of the financial year?

**Mr McCausland:** The installation of double glazing is a matter of considerable public interest. It is of particular interest to tenants, but it is also of particular interest to the construction industry. It is important that the message be put out clearly that I do not anticipate, nor will I accept, any failure in that regard. It is absolutely imperative that the Housing Executive ensure that the £2 million that has already been allocated be spent in time and that it is, therefore, able to come back for the second tranche of £2 million to make up the total of £4 million. That is the position that I agreed with the Minister of Finance and Personnel.

That message will go out clearly. I will meet the chairman and the chief executive of the Housing Executive on Thursday 8 December. If there are issues that need to be addressed quickly, they will be discussed. The issue very much at the top of the agenda will be ensuring that all of the £4 million is able to be drawn down and spent. Companies out there in the construction industry are seeking work. Tenants are waiting for double glazing. We cannot consider, and I will not allow, any possibility of failure.

**Mr Byrne:** I thank the Minister for his efforts. It is a very good scheme and very much welcomed.

I want to ask the Minister a technical question. Will 25 mm vacuum double-glazing units be used? Double glazing in existing housing stock has only 12 mm units. I have been advised by a senior Housing Executive manager that they are not as effective as 25 mm vacuum units.

**Mr McCausland:** I have asked the Housing Executive to bring forward a programme of work. As I said, I will meet the chairman and the chief executive on Thursday. I am waiting to receive the programme of work as soon as is possible. I am sure that all technical details will be included in it.

**Mr Deputy Speaker:** Question 7 has been withdrawn and requires a written answer.

## Social Housing and Social Deprivation

8. **Ms P Bradley** asked the Minister for Social Development how he intends to integrate social housing development into his Department's wider approach to addressing social deprivation. (AQO 950/11-15)

**Mr McCausland:** My Department is responsible for both urban regeneration and housing. There is a strong correlation between areas of multiple deprivation and areas of concentrated social housing. The problems that characterise both are intertwined. I want regeneration and housing plans and resources to be better integrated in future.

Although housing alone cannot sustain communities, it can lay foundations. It plays an important role. However, for communities to survive, access to training and employment is equally essential. In spring 2012, I will introduce proposals for a new urban regeneration and community development policy framework, which will set out how all my Department's policies and programmes to address deprivation will be better co-ordinated in future.

I recognise that that has not always been the approach, which is why I have asked my officials and the Housing Executive to form a working group to look further at how best to integrate housing and regeneration. We are piloting that new approach already. I have also tasked my Department with bringing forward a new Northern Ireland housing strategy that draws together the many different strands of work. I intend to launch it early next year.

**Ms P Bradley:** I thank the Minister for his response. Can he tell me why the working group was set up and how it will work in practice?

**Mr McCausland:** If Members want to see an example of blight that is caused by poor housing and the impact that it can have on a community, they need look no further than the lower Oldpark area in my constituency. Derelict and abandoned

homes have severely blighted the local community. Colleagues from the Housing Executive, housing division and urban regeneration division are working with the local community to deliver a more holistic approach to tackling the deprivation and blight that was allowed to continue in that area for far too long. I hope that the approach that we are piloting in the lower Oldpark can be implemented in other areas.

One thing that I want to say in addition is that, in carrying out such work, it is important that the workmanship is of a very high standard. I want to work with communities not just to improve housing but to introduce a wider range of regeneration interventions that can increase employment and training opportunities. For example, in the Shankill area, the construction of 170 new homes is either under way or due to start and 2,718 existing homes are to be improved. That work represents an investment of approximately £37 million in housing in that area. Urban development grants of £1.5 million have helped to improve community facilities, and my Department will pump over £1.7 million into the Shankill area to support 37 full-time and 19 part-time posts in the local community. You have my undertaking that no community will be forgotten in this type of work.

**Mr McCarthy:** The Alliance Party fully supports integrated housing across Northern Ireland. However, the Minister may be aware of the practice of trying to force social housing into established and settled private developments. Has the Minister and his Department learned any lessons to try to overcome those problems?

**Mr McCausland:** Mixed tenure housing is the best approach. We should not concentrate all social housing in one area, because that only brings together a huge concentration of disadvantage. Mixed tenure is a good thing. How it is handled is another matter, and it requires care, thought and sensitivity.

## Housing Executive: Maintenance Contracts

9. **Mr Hilditch** asked the Minister for Social Development to outline how contractors were assessed for suitability as part of the tender process to award maintenance contracts for the Housing Executive. (AQO 951/11-15)

**Mr McCausland:** The Public Contracts Regulations 2006 and Northern Ireland public

procurement policy determines how the Housing Executive decides on the suitability or otherwise of contractors by way of pre-qualification questionnaires. Those test the final capacity and the technical and professional ability of contractors to carry out required works or services. The criteria for the selection of suitable tenderers may include, for example, construction line category value, annual turnover, experience, management structures, and health and safety procedures. Those criteria may be tested by way of a pass/fail mechanism or scored with relevant thresholds attached. Those contractors that are deemed suitable will then be invited to tender by the Housing Executive.

**Mr Hilditch:** Like other Members, concerns have been raised with me by constituents. Will the Minister tell the House how the Housing Executive monitors the quality of the work that is undertaken by contractors?

**Mr McCausland:** That is a very pertinent question, and it goes to the heart of the recent issue of maintenance contracts in the Housing Executive. We recently appointed ASM to undertake a forensic examination of Housing Executive response maintenance contracts, and I expect that report to be completed by June. It is vital that we get to the heart of how those contracts are managed, monitored and delivered.

There was an issue some time ago with one particular contractor, but I have received complaints — I am sure that most MLAs have — from constituents about the problems that they are facing with other contractors. I still have reservations about the quality of some of the work that is being undertaken, particularly in light of the refurbishment of just four homes in lower Oldpark last month by a Housing Executive contractor. I mentioned that as an area that we are focusing on. The quality of the work that was initially undertaken was simply unacceptable, but more worryingly, it went under the radar of the Housing Executive until the local community invited my officials to see the homes for themselves. Although immediate work was undertaken to put right the many faults once my staff had identified them, that poor workmanship should never have been allowed to happen in the first place, and it should not have been left to the local community to inspect and report back after it had been allowed to happen.

Another example was brought to my attention yesterday of a house in another estate that was about to be handed over to a tenant. Officials told her that everything was well and that the house was in order to move into. However, photographs that were taken of the house yesterday show a heater in one room without a knob on it. I would have thought that it is a good idea to have knobs on heaters so that they can be switched on, but perhaps that does not occur to some Housing Executive contractors. There are a lot of questions still to be addressed about Housing Executive contractors.

**Mr Swann:** The Minister mentioned that some contractors had gone under the radar and said that they are being reviewed. The Housing Executive currently works with Egan contracts. Does the Minister have any intention of reviewing how those contracts are awarded? If contractors are managing their own contracts and assessing their own work, that will allow them to slip under the radar.

### 3.00 pm

**Mr McCausland:** The Housing Executive has completed an evaluation process for the selection stage to procure new contractors. It has selected the companies that will proceed to tender and hopes to issue tender documents this week, for return by 16 January 2012. I can assure the Member that major changes have been made to the current tendering process. A gateway review health check late last year contained 14 recommendations in relation to procurement and contract management, and, as a result, the Housing Executive set up a project team to put in place the health check recommendations. Those have been incorporated into the procurement strategy and the tendering process that is now under way. A further health check was completed in October 2011, confirming that the procurement process had made considerable progress. It is considered that that will proceed to a successful completion.

**Mr Deputy Speaker:** That ends questions to the Minister for Social Development. I ask Members who wish to leave the Chamber at this stage to do so quietly. Members should keep conversations in the Chamber to a minimum and not distract other Members who are trying to listen.

## Assembly Commission

**Mr Deputy Speaker:** Questions 3 and 11 have been withdrawn and require written answers.

### Engagement and Outreach: East Londonderry

1. **Mr McClarty** asked the Assembly Commission to detail the number and type of engagements and outreach initiatives that have been undertaken with organisations that are based in East Londonderry, since May 2011. (AQO 958/11-15)

**Mr McElduff:** Go raibh maith agat, a LeasCheann Comhairle. I thank David McClarty for his question, which seeks information on engagements and outreach initiatives that the Assembly has undertaken in his constituency. David may refer to it differently; I refer to it as East Derry, but you say “tomato” and I say “tomayto”.

Between May 2011 and November 2011, three post-primary schools from the Member's constituency took part in the education programme here at Parliament Buildings. Those were Coleraine High School; Dominican College, Portstewart; and Loreto College, which I understand is in Coleraine as well. In June 2011, the Assembly's education service delivered an education outreach programme to Coleraine College.

In October 2011, the education service organised an education outreach programme for five school councils from the Roe Valley learning community: Limavady Grammar School, Limavady High School, Rossmar Special School, St Mary's High School and St Patrick's College. That external programme was followed up by an event in the Senate Chamber on Friday 18 November 2011 at which school councils and local MLAs took part in an inter-school council meeting.

There were other events that took place involving the Member's constituency. Four community outreach events have included attendees and organisations that identified themselves as being from East Derry. Thirty-seven events have taken place in Parliament Buildings involving local groups, and four events run by the Assembly and Business Trust since May 2011 have been attended by local organisations or businesses from the Member's area. I know that the Member has a strong and positive attitude to engagement, for which I commend him.

**Mr McClarty:** I thank the “tomayto” — sorry, the Member — for his answer. Has the Assembly Commission explored any new initiatives for future engagements that will positively promote the work of the Northern Ireland Assembly?

**Mr McElduff:** I thank Mr McClarty for his supplementary question. There needs to be increased take-up of the existing initiatives and opportunities. We have outlined that, in the Member's constituency, quite a lot has happened, much of which is down to the MLAs from that constituency who are positively engaging and promoting those opportunities. If the Member has any particular suggestions for new and innovative ways of engaging with the Assembly, the Commission will, obviously, want to hear about them. I encourage individual Members to speak directly to me or Gareth McGrath, the director with responsibility for information and outreach, if there are particular suggestions that we would want to take on board.

**Mr Dallat:** I seize this opportunity to pay tribute to the education and outreach programme. I encourage other MLAs to become involved because, like David McClarty, I have been involved. Those young people from Coleraine and Limavady —

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

**Mr Dallat:** The question is: how can the Commission encourage greater activity that might impress upon the Members of this Assembly how to really move forward?

**Mr McElduff:** I thank Mr Dallat for his question. Individual Assembly Members could involve themselves more in assisting businesses and community organisations to understand the work of the Assembly, particularly with the Assembly and Business Trust, which has organised a number of breakfast initiatives and other events, including visits to Brussels to understand the European system. I encourage the message of helping business to understand the Assembly and the Assembly to understand business, and each and every one of us, as MLAs, should become involved in that type of work in our constituency. However, I also thank Mr Dallat for his proactive role in this matter.

## Northern Ireland Youth Assembly

2. **Mrs Dobson** asked the Assembly Commission for an update on the establishment of a Northern Ireland Youth Assembly. (AQO 959/11-15)

**Mr McElduff:** Go raibh maith agat, a LeasCheann Comhairle. This question falls to me as well, given that I have the information and outreach portfolio in the team of commissioners. I thank Mrs Dobson for her question. Between March 2010 and March 2011, a panel of young people assisted by the Assembly's education service developed proposals for a Youth Assembly. The Youth Panel gathered the views of young people and other interested organisations and carried out research into other youth parliaments, and it was supported in that work by the Assembly's Research and Information Service. The Youth Panel activities included residential meetings, regional workshops with young people and research visits to London, Dublin and Edinburgh, as well as an online survey. The Youth Panel's proposal for a Youth Assembly was presented to the Commission in March this year, and the Commission agreed in principle to the establishment of the Youth Assembly and to a public consultation on the Youth Panel's proposals. That consultation took place between May and September, and the consultation responses are being considered.

**Mrs Dobson:** I am glad to hear that plans are moving quickly, and I reiterate my party's strong support for the creation of a Northern Ireland Youth Assembly. Does the Assembly commissioner agree with me that Youth Assembly members have the potential to become ambassadors for the schools, young people and youth groups across their constituencies?

**Mr McElduff:** I thank Mrs Dobson for her supplementary question, and I know that she, as a Member, is a champion of youth engagement. The idea of a young person's assembly will allow the Assembly to demonstrate its commitment to engaging with young people and to giving them a voice. It offers a practical way of listening to their views and encouraging them to participate in the democratic process. It is hoped that the Youth Assembly can be formally established in spring 2012. So, in a few months' time, we want it to become live in that form.

**Mr McCrea:** As someone who is happy to be a younger MLA and as a father of a teenager, I am more than aware of the issues that young people have and of their ability to form opinions. Will the Commission continue to engage with the youth parliament and ensure that the issues that it brings forward are listened to and, if necessary, put into practice?

**Mr McElduff:** I thank Mr McCrea for his question. In its early stages, real work and real delivery is expected of the Youth Assembly. For example, in early 2012, it will be asked to select, organise and conduct two campaigns, respond to a minimum of two consultations and work with Assembly Committees as required. There is a real enthusiasm on the part of the Assembly Commission to develop that in a way that will work. It will carry a cost initially, but we hope that the cost will dramatically decrease in successive years once it has been formally established.

**Mr Byrne:** I thank Mr McElduff for his answers. Can Barry outline whether there are any proposals on further connection and interaction with youth councils, as we have in Omagh and Strabane?

**Mr McElduff:** I am aware of Mr Byrne's strong support for youth councils, particularly in the Western Education and Library Board area, which covers west Tyrone, including Omagh and Strabane. Part of the process for arriving at the Youth Panel involved engagement with the youth councils, and the Youth Panel remains in situ, effectively advising on the formation of the Youth Assembly. One young man from the Omagh area, Matthew Garrity, came from a youth council background and found himself a member of the panel. As they say around here, all politics is local, Mr Byrne.

**Mr McCarthy:** Commissioner McElduff, we have a Youth Assembly and an assembly for senior citizens or elderly people. Has the Commission any plans to introduce an assembly for middle-aged people?

**Mr McElduff:** Apart from that, I hope that Kieran is keeping well. I am a supporter of the Youth Assembly, and the question is principally about that. Participatory democracy is essentially a good thing. It would be a very bad thing if we were to expect people to elect us and leave it totally to us for the ensuing four or five years. You make an interesting suggestion, which I am inclined to dismiss. *[Laughter.]*

**Mr Deputy Speaker:** I am not sure whether the Member was trying to reposition himself in a different category. Question 3 has been withdrawn and requires a written answer.

### Assembly: Staffing

4. **Mr McDevitt** asked the Assembly Commission for an update on how the outcome of the comprehensive spending review is impacting on staff numbers. (AQO 961/11-15)

**Mr McDevitt:** I ask that on an exceptionally serious note, Mr Deputy Speaker.

**Mr Weir:** I thank the Member for his question. In the context of the comprehensive spending review, the Assembly Commission is committed to maintaining an appropriate level of service to Members while continuing to exercise prudent financial management. A reduction in staff numbers over the four-year period of the comprehensive spending review is planned, and it is anticipated that that reduction will be achieved through the control of vacancies and through natural wastage. At present, a freeze on external recruitment is in place. As of 1 April 2011, the number of staff in post in the Assembly secretariat was 409.5 full time equivalents. As of 1 December, that number has been reduced to 397.1 — I am not quite sure who the 0.1 is. That includes 4.3 full time equivalent agency staff and three on attachment from other organisations.

**Mr McDevitt:** Given the importance of continuing to properly resource the House, will Mr Weir outline what he expects to be the staffing requirement for the Assembly during the current mandate?

**Mr Weir:** We have a plan rolled out for the reduction of staff until April 2014, which will cover the current comprehensive spending review. It aims to reach 375 full time equivalent staff as the final position. I suspect that the challenges will get a bit harder towards the end of the programme, but we are ahead of target. We had aimed to be at the level of 400 full time equivalent staff by April 2012, at 390 by April 2013 and reaching the figure of 375 by April 2014. As the Member can see, we are slightly ahead of target.

**Mr Allister:** With the Assembly staff complement being reduced, is there any sense of embarrassment that the Assembly still continues at its bloated level of 108 Members?

Is there any sense of embarrassment that, whilst many staff are subject to a pay freeze, there are those who are currently considering an increase for Members?

### 3.15 pm

**Mr Weir:** With respect, the Assembly Commission's role is to look at the staff complement. So it is probably inappropriate for me to comment on much of what the Member has said. The Assembly took a view, which I think was the right view, that Members' terms and conditions — their pay, office costs, for example, and all related issues — were not appropriate for this House to decide on. I challenge any Member to disagree with that. It is not for this House to set its own terms and conditions for its own Members. Therefore, an independent panel was set up as a result of legislation that went through the House. That panel is yet to report, so any indication of the implications on Members' pay and related issues is pure speculation at this stage.

**Mr A Maskey:** Go raibh maith agat, a LeasCheann Comhairle. Will there be compulsory redundancies in securing the target of reducing the staff complement to 375?

**Mr Weir:** No. We are committed to there not being any compulsory redundancies. As I indicated, we are looking to meet those through control of vacancies and natural wastage. The figures would seem to suggest that we are on target to do that. Clearly, the Assembly Commission is limited in its remit and budget, so we have a limited range of options. If we are not able to make targets, we would then have to look at a degree of reduction in other activities in the Assembly and to try to be as efficient as possible in other budget lines. That is something the Assembly Commission is already embracing. However, if we were unable to meet those targets, we would have to dig deeper into that side of it to meet them.

### Ormiston House, Belfast

5. **Mr Swann** asked the Assembly Commission to provide an update on the sale of Ormiston House, Belfast. (AQO 962/11-15)

**Mr P Ramsey:** I thank the Member for his question. Obviously, Ormiston House has been a hot potato for some time. However, it has been for sale on the open market since January 2011 and there has been a recent healthy interest in

the site for a wide range of uses. The current highest bid is within the range indicated by market sounding advice, carried out in advance of the sale. The Assembly Commission is simultaneously pursuing planning permission for limited development of the site and a decision on that proposal is expected early in the new year.

**Mr Swann:** I thank the Member for his answer. Considering that Ormiston House is costing us £400 a day in maintenance, security and all the rest of it, how soon can you bring forward some of those proposals?

**Mr P Ramsey:** Ormiston House has been on the agenda at Assembly Commission meetings over the past two years that I have been a member of the Commission. There has been much more interest in the site, so, hopefully, within a short period of time, we can conclude business on it. The Member is quite right: the maintenance costs and security on the site alone is estimated at £130,000 a year. If we can get that sale activated, there would be accrued savings. Certainly, it is the desire of the Assembly Commission to conclude business, hopefully very soon.

### **Committee for Social Development: Fuel Poverty Event**

6. **Mr Eastwood** asked the Assembly Commission how many people attended the fuel poverty event hosted by the Committee for Social Development in the Long Gallery on Wednesday 16 November 2011, and what was the cost of the event. (AQO 963/11-15)

**Mr Cree:** The fuel poverty event of 16 November, hosted by the Committee for Social Development, was an innovative approach to the consideration of the pressing issue of fuel poverty in Northern Ireland. Stakeholders from the public and private sectors, as well as non-governmental organisations, joined with officials from the eight Departments represented on the interdepartmental group on fuel poverty, which is chaired by the Minister for Social Development, to clarify the progress made in addressing fuel poverty in Northern Ireland, and to identify additional innovative solutions.

In recognition of the importance of that problem, the discussions at each table were hosted by a representative of the eight Statutory Committees, whose Departments are represented on that interdepartmental group on fuel poverty. That

included the seven Chairs of the seven Committees. I believe that it was the first event of its kind convened by a Committee of this Assembly to address a cross-departmental issue on a cross-Committee basis.

The event attracted significant interest from stakeholders, with 32 organisations representing 53 stakeholders. In addition, the eight Departments referred to were represented by 14 officials. Twelve MLAs attended, including representatives of the Statutory Committees, and each one hosted one of the tables. Four members came from the Committee for Social Development. In addition, 15 members of the Assembly secretariat were present for all or part of the meeting. In total, 94 people attended the event, which cost £895·86p.

**Mr Eastwood:** I thank the Member for his very accurate answer about the cost. Is the Commission aware of any positive outcomes from this very welcome event, given the weather outside and the immediate issue of fuel poverty, which a lot of people in this community are facing?

**Mr Cree:** Thank you for that. There were good outcomes. The event focused on solutions to fuel poverty. This issue spans the eight Departments that I referred to. The cross-Committee approach was novel and, coupled with the representation, it was a truly collaborative event, where the collaboration itself was an achievement. However, it was not meant to be a talking shop, and a report based on the solution to fuel poverty, proposed and agreed at the event by the stakeholders, is being prepared and will be considered by the Social Development Committee at a future meeting.

**Mr Brady:** Go raibh maith agat, a LeasCheann Comhairle. The Member has answered my question. I was going to ask what was achieved by the event, but that has been answered.

**Mr Copeland:** I had hoped, and I now know, that there was not a sceptical motive behind the question. I attended the meeting and want to stress how useful, interesting and beneficial it was. Will the Commission detail how it encourages events in Parliament Buildings that bring together various stakeholders?

**Mr Cree:** I thank the Member for the question. As I said, this was innovative in the sense that it was the first of its kind. It was a success on this

occasion, which should encourage other events in other areas.

In addition, a video was produced in-house, which provides information on the extent of the fuel poverty problem in Northern Ireland and explains where people can get advice on dealing with fuel poverty. That has been circulated to a number of organisations, and it is also on the website.

### **Assembly: European Engagement Strategy**

7. **Mr D Bradley** asked the Assembly Commission to outline how the European engagement strategy is progressing. (AQO 964/11-15)

**Mr Cree:** Towards the end of the last mandate, the Commission agreed a draft strategy for making sure that the Assembly, in carrying out its work, is fully aware of European issues. Therefore, it instructed that a member of the secretariat should be assigned full-time to carry out that important work. Recruitment for the European scrutiny co-ordinator post has concluded and an appointment is imminent. Among other duties, that officer will look at how the Assembly can influence the formation of policy.

In the meantime, the focus on European issues has been maintained in a number of different ways. A comprehensive training programme has been delivered to Clerks, researchers and Hansard staff to ensure that available information from Europe is given to Members and to the Committees that need it. Although the Committee for the Office of the First Minister and deputy First Minister (OFMDFM) takes the lead in respect of the scrutiny of European issues, other Statutory Committees have a clear role. They need to support and scrutinise how and when their Departments become aware of European issues.

Clerks of Statutory Committees have, therefore, been asked to highlight European scrutiny in drawing up the forward work plans for their Committees' consideration. Members will also be aware that the OFMDFM Committee has established an advisory panel to help scrutinise departmental engagement with EU issues and to better inform debate and discussion in the Assembly. The panel consists of members of the OFMDFM Committee as well as European representatives on other Statutory Committees, with stakeholders becoming involved when

issues under consideration are relevant to them. The panel met yesterday to discuss a variety of significant European issues, including the proposed reform of the common agricultural policy, the common fisheries policy and EU Commission proposals around the cohesion fund.

**Mr D Bradley:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Chomhalta as an fhreagra sin. Are there any plans for the official appointed by the Assembly to liaise with existing Northern Ireland representatives in Brussels?

**Mr Cree:** Yes; as I said, we will have that person in place shortly. Their brief will be to make themselves aware of all that is happening. The staff member will be assigned full-time to carry out this important work. Recruitment of the co-ordinator has, as I said, concluded. They will help to prepare a business case for handling the substantial costs involved in the project, regardless of whether they are here part time or in Brussels part time or whatever, and to look at whether we need to have a full-time officer in Brussels. The costs involved are quite significant. The groundwork and business case will have to be developed first.

### **Parliament Buildings: Energy Consumption**

8. **Mr Agnew** asked the Assembly Commission to outline the total energy consumption of Parliament Buildings in the last financial year. (AQO 965/11-15)

**Mr P Ramsey:** I thank the Member from North Down for his question. The Assembly Commission has developed an environmental management scheme, which gained ISO accreditation in September this year. To achieve such recognition, the Assembly has been working hard to continually improve environmental performance and has set challenging objectives and targets in relation to energy efficiency. Staff engagement has been key to driving forward a reduction in energy consumption. Mandatory awareness sessions were completed for staff and building users. Most recently, we enlisted staff volunteers from across the building to act as environmental champions. Clearly, champions have a key role to play in raising colleagues' awareness of environmental issues and, ultimately, in helping to increase energy efficiency in Parliament Buildings.

**Mr Agnew:** I thank Mr Ramsey for his response. Obviously, as well as being environmentally beneficial, energy efficiency reduces costs. Is there any estimate of the reduction in costs due to energy efficiency?

**Mr P Ramsey:** In 2009, a detailed review of energy consumption in the previous four years — covering 2006-07, 2007-08, 2008-09 and to the then present — was undertaken to establish the total energy consumption, energy costs and CO2 emissions of Parliament Buildings. The data was used to help to identify measures to reduce energy consumption, such as increasing staff awareness of energy consumption, as I said previously.

I will give details of the consumption over the past number of years. For example, in 2008, we used 5,655,120 kilowatt-hours at a cost of £402,709. From April 2009 to March 2010, we used almost 5,500,000 kilowatt-hours at a cost of almost £280,000. From April 2010 to March 2011, the total energy consumption reduced again, to below 5,500,000 kilowatt-hours, at a cost of £100 shy of £300,000.

### Public Attitude Survey

9. **Mr Nesbitt** asked the Assembly Commission to outline the measures it has taken to address the key findings of the 2009 Public Attitude Survey. (AQO 966/11-15)

**Mr McElduff:** Go raibh maith agat, a LeasCheann Comhairle. The Public Attitude Survey concluded that the Assembly needs to further improve its engagement with a number of specific groups, including 16- to 24-year-olds, women and people from lower and middle income family backgrounds. The Assembly Commission's engagement strategy has been implemented to improve engagement with those key groups. I will outline some of the measures taken.

Between January 2009 and November 2011, the education service delivered programmes to almost 48,000 participants from almost 1,700 groups. The education service launched the Outreach to Schools programme in 2010. To date, more than 40 schools have taken part in the programme. That initiative is a particularly good example of outreach activity. In addition to the standard education programmes, 12 events were held specifically to target younger people, including care experienced young people. Almost 400 young people attended those

events. A whole range of other initiatives has been developed to deal with the specific groups identified, but I do not think that time allows me to go into that today.

### 3.30 pm

**Mr Nesbitt:** I thank Mr McElduff for his answer. Will he give an assessment of the negative impact in the perceptions of those key groups due to the lack of legislation since the Assembly elections in May, which was a long time ago?

**Mr McElduff:** The Member knows fine well — at least he ought to know, which is what David Trimble used to say around here — that this is a matter for the Executive rather than the Assembly Commission.

## Private Members' Business

### Hydraulic Fracturing

*Debate resumed on motion:*

*That this Assembly believes that a moratorium should be placed on the onshore and offshore exploration, development and production of shale gas by withdrawing licences for hydraulic fracturing (fracking), at least until the publication of a detailed environmental impact assessment into the practice; notes that hydraulic fracturing can put local water sources at risk of contamination; further notes that, amongst a variety of adverse environmental impacts, the process of fracking can cause serious well blowouts, which put both workers and local communities at risk; considers that the production of hard-to-reach fossil fuels is not compatible with efforts to achieve carbon reduction targets; and urges the Minister of Enterprise, Trade and Investment to give greater support to the generation of energy from renewable sources instead. — [Ms Lo.]*

**Mr Hamilton:** I had not expected to be called, but I will do my best to whip myself up into a frenzy after the two-hour break in the debate. It is sometimes difficult for Members to be humble and accept that there are things that we do not know. I have sometimes exhibited the characteristics of that problem, as have others. Part of the problem in the debate is that a lot of people have been speaking on this difficult, complex issue as if they were world authorities, when it is clear from their contributions that they are not. Some people should accept the fact that they are not experts or authorities on the subject.

*(Mr Speaker in the Chair)*

My party and I support a precautionary approach precisely because we do not know everything about fracking, hydraulic fracturing or whatever one wants to call it. Everyone should be able to get behind such a precautionary approach, which is exactly what the Department has been bringing forward. If the hyperbole and partisan point scoring were taken out of some earlier contributions, the message would be that everyone wants a precautionary approach. Although the debate has been divided, we can all unite behind that thought.

The motion is flawed because everybody subscribes to a precautionary approach and because of the issue of licences. Whatever about the legal and cost ramifications should the Minister withdraw what licences there are,

there are no licences for hydraulic fracturing in place at present. As I understand it — I stand to be corrected if I am inaccurate — there are licences for geographical mapping exercises, which could lead to drilling at a later stage. If we get to that stage, my understanding is that planning permission and an environmental impact assessment will be required.

This is not a done deal that is definitely going to happen; there are huge processes to go through. As other Members pointed out, we have a fairly strict environmental regime here in comparison with other places in which fracking is already happening. Scare stories from those places have already been mentioned today. It is little wonder that there is concern in the community about what fracking involves and that people are scared of what might happen, given the hysteria that has been whipped up in the Chamber today. If I had never heard about the issue or had not done any research, the words of some Members would leave me feeling deeply concerned. What we heard today is in no way a balanced argument. It does not take into account the fact that a precautionary approach is being taken.

There is also the question of whether we should do this sort of thing on principle. I find it confusing that there is a belief that we can suddenly give up our virtual dependence on fossil fuels for energy and move to some sort of renewable Utopia. People who believe that most countries will not depend on fossil fuels as part of their energy mix in the short to medium term are kidding themselves. Rather than looking for alternative sources for fossil fuels and other forms of energy, people argue that security of supply does not matter. They say that it does not matter whether you are at the end of a pipeline, that you can be held hostage by a madman in the Middle East or that a Russian oligarch can turn off the tap or put up the prices. People here are encouraging us to do that.

What maddens me even more is that it is not just this issue. There is a problem with all the other alternative energy sources as well, according to some of the people who brought the motion forward. If it is wind energy, they do not want the wind turbines in certain places. If it is wave power, they want somebody put on seal watch to ensure that seals are not massacred in any way. If it is energy from waste, they are against that as well. I do not even want to touch

on nuclear power, not least because I do not have the time to do it. It seems to be that, with every single alternative energy source that is put forward, the very people who would preach to us about moving away from fossil fuels are against it.

A cautious steady approach is what the Minister of Enterprise, Trade and Investment is putting forward. I listened to the SDLP Members speaking about opposing it as well. I do not know whether they do not have confidence in the planning system, they do not have confidence in the planning officials, or they simply do not have confidence in their own planning Minister. That Minister will play a key role in the process, but I would not be surprised if they do not have confidence in him, given what we have seen played out in the media in recent months. A cautious steady approach, the very approach that the Minister and the Department are taking forward —

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

**Mr Hamilton:** — is exactly what we should all be united around today.

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

**Mr Hamilton:** The motion is a silly one, intended only to divide rather than to accept the facts of the situation.

**Mr McGlone:** Go raibh maith agat, a Cheann Comhairle. In rising on behalf of my party to support the motion, I thank Ms Lo for introducing the motion earlier. I realise that a lot of feelings run through every community. The reason I say that is that I represented a community for 16 years, and I am glad that Mr Frew mentioned it. Although we seek to rationalise such things and present details around them, deep-seated feelings run through communities, as in the area that I represented, where there was lignite open-cast mining. I have heard the arguments from the other side about fuels, but, ultimately, we must take cognisance of and listen to the communities that it is happening in, and treat them with the respect and sensitivity required.

**Mr Givan:** I am grateful to the Member for giving way. I note the comments about listening to the community and taking on its concerns. I absolutely agree that we should do that, but is it not also incumbent on those political

representatives not to exploit communities' fears to score political points against people but to be informed about the issue and then provide leadership to those communities so that hysteria is not whipped up unnecessarily?

**Mr McGlone:** I could not disagree with that at all. In fact, I am glad that the motion has been brought before us today because that is precisely the sort of thing that we wish to avoid through the debate. We want to make it informed, so as to make people aware, inside the House and outside it, of how the process works.

Over a number of years, we have sought to look at fossil fuels. I have heard the arguments from the other side of the Chamber. The development of more efficient mining technology has resulted in a rash of applications by private companies for a licence to use, in this case, hydraulic fracturing, commonly referred to as fracking, in the extraction of previously hard-to-reach and, consequently, unprofitable shale gas. I have to put it on record that I do not oppose private companies making a profit, but the Assembly has a duty to ensure that the pursuit of short-term private profit does not come at any long-term public cost. I will expand on that later.

We now know that the European Commission has commenced three major studies in response to concerns about environmental, social and health problems that may arise as a result of the process. Those studies can help to allay fears in the community, and I would like to hear from the Minister about the recognition of that by her Department and other Departments, because I am also aware that other Departments will play a role in the process as it works its way through. It is very important that Departments send out a message to communities that their interests are also being considered.

I spoke to a gentleman here today from Pennsylvania in the United States who lived quite close to one of those mining areas where fracking had been taking place. He was deeply concerned. Indeed, the reason he was here today was to highlight those concerns to Members involved in the debate. I thank him for being here with us.

There are issues around what are referred to as —

**Mr Newton:** I thank the Member for giving way. Mr Hamilton already referred to the inaccuracy

of the motion, which states that: “the process of fracking can cause serious well blowouts”.

We know that all drilling can cause blowouts. Indeed, the very fact that fracturing is singled out gives cause for concern. When hydraulic fracturing takes place, the gas is at a much lower pressure than in conventional oil and gas drilling, in which such events are rare. The main reason is that shale gas is typically at a much lower pressure than that produced in conventional gas drilling.

**Mr McGlone:** I thank the Member for his intervention, which was more of a speech than an intervention. He will appreciate the concern about the issues that arise from hydraulic fracturing. Millions of gallons of water are used in the process of hydraulic fracturing, hence the need for an environmental impact assessment. Up to 40% of that water, together with the chemicals added by the industry, namely the heavy metals, salt and volatile petroleum compounds, will potentially come back into the water system as a blowback. If there is any sort of seismic shift as a consequence of, or simultaneous to, that fracking process and it permeates the underground or overground waterways, we will have to give that serious and major consideration.

**Mr Speaker:** Draw your remarks to a close.

**Mr McGlone:** There are 500 chemicals commonly used in the process of hydraulic fracturing. There has to be a requirement on the industry to declare what those chemicals are —

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

**Mr McGlone:** — and for us to hear what those are.

**Mrs Foster (The Minister of Enterprise, Trade and Investment):** Today's debate offers me an excellent opportunity to clarify a number of issues surrounding the process of exploration for shale gas and to set the record straight on a number of allegations that have been made today, all of which are incorrect. It is the role of responsible Ministers to seek to take full advantage of any indigenous natural resources that Northern Ireland has and to support those who are willing to invest not inconsiderable sums of money in Northern Ireland. Nevertheless, I take very seriously the many concerns that have been raised about the potential risks of trying to exploit potential oil and gas reserves here. Those concerns are

genuine for the most part. I appreciate that the many people who have written to me or e-mailed me about the issue have deeply held views.

Let me make one or two things abundantly clear at the outset. The premise of the motion is fundamentally flawed. There is no licence for fracking in Northern Ireland. No hydraulic fracturing licence has been issued. I do not know how many more ways I can say that. Today, Members in the Chamber and, indeed, the motion asked me to withdraw licences for hydraulic fracturing. There are no licences for hydraulic fracturing. Indeed, no one in Northern Ireland has a licence to extract oil or gas by any method.

My Department has issued licences to four companies in three counties in Northern Ireland, which permit them to explore for oil and gas. It is important to emphasise that, should those explorations prove fruitful and lead to a wish to go further and try to extract the valuable commodity, the necessary application for drilling and developing oil or gas will be subject to the full rigour of the planning system and associated environmental impact assessment processes. To respond to Mr McGlone's point: DETI and other regulators, notably the Department of the Environment (DOE), will undertake detailed scrutiny of any proposals in the context of the rigorous international engineering protocols that are emerging. That point was made clear to me by Ms Lo outside the Chamber as well. We will take into account all the international engineering protocols that are now emerging.

**3.45 pm**

So, no fracking licences have been issued by my Department, and therefore —

**Ms Lo:** I thank the Minister for giving way. As I said outside the Chamber, within the planning policy framework, do you think that we have the competence in DOE to have a full, rigorous and independent impact assessment?

**Mrs Foster:** Obviously, that is a matter for my colleague in DOE, but if he does not have the competence internally, he will have to look outside of DOE for that international competence. Under European regulations, we will have to carry out an environmental impact assessment that satisfies the European Commission. Therefore, the rigorous

international engineering protocols will have to be met and dealt with.

The licence to explore for shale gas which has been issued in County Fermanagh — that seems to be the area that people are looking at most closely — does not permit the operator to do anything more than undertake desk studies and similar preparatory work. Construction works, deep drilling, fracking and similar major activities must and will be subject to planning and many other safeguards. I would not have that any other way.

We can hardly impose a moratorium on hydraulic fracturing, because no permit has yet been issued, and it is unlikely that an application will come to the Department for at least another 12 to 18 months. During that period, we will reap the benefit of several in-depth scientific and engineering studies currently in progress, notably in the United States.

When Members listen to the debate and look at the Hansard report for today, they will find that we are dancing on the head of a pin. We all want to see environmental impact assessments carried out in respect of fracking. We all want to see that the regulations that have been put in place in Northern Ireland are carried out fully and competently, and I would not have that any other way in County Fermanagh for the obvious reason.

Developing a more diverse, sustainable and secure heating market is, however, a key priority for my Department. Northern Ireland, as we hear many times in the Chamber, is overly dependent on home heating oil and that leaves consumers vulnerable to price fluctuations beyond our control and has a direct impact on levels of fuel poverty. Moving from our current dependence on fossil fuels and maximising our renewable resources in a cost-competitive way is, of course, a challenge, but a move to renewables will bring many benefits. Renewables can be a key player in creating the investment, exports and jobs that the Northern Ireland economy needs, and Members referred to that today. Renewable energy is no longer a fringe industry but very much a part of the mainstream, and we should look to shale gas to be the same. Not only might domestic shale gas production help to provide energy independence, it could also play a significant role in job creation.

I have read Bill Clinton's new book, 'Back to Work: Why We Need Smart Government for a

Strong Economy', in which he says clearly that, as we develop other sources of clean power, we should use natural gas a bridge fuel. It is the cleanest fossil fuel — more than 50% cleaner than coal in terms of greenhouse gas emissions, 25% cleaner than oil when used in transportation and only one fourth as expensive. Bill Clinton sees it as one of the ways to put America back to work. People can look up that reference in his book.

Environmental concerns can and have been raised about all forms of energy production, and Mr Hamilton referred to that. However, we are all aware of the robust planning processes that are in place to protect the natural environment and those same measures will apply to shale gas extraction and the fracking process. Those operations will be regulated under a wide range of petroleum, environmental protection, pollution prevention, planning and health and safety legislation.

I firmly believe that Northern Ireland needs to explore the potential that shale gas offers. Even to consider imposing a moratorium at this early stage would reek of a missed opportunity. That view is reinforced by the findings of a recent United Kingdom study carried out by the House of Commons Select Committee on Energy and Climate Change. The Committee took evidence from a range of scientific, industrial and environmental organisations and concluded that:

*"There is no evidence that the hydraulic fracturing process poses any risk to underground water aquifers provided that the well-casing is intact before the process commences."*

Moreover, the environmental and climate risks posed by shale gas need to be balanced against its potential contribution to energy security. On balance, we feel that there should not be a moratorium on the use of hydraulic fracturing in the exploitation of the UK's hydrocarbon resources, including unconventional resources such as shale gas.

Members should look beyond the negative headlines from the United States — and I accept that there are many — and be mindful of the fact that more than 50,000 shale gas wells have been successfully developed in the United States, and that that source of gas now provides 20% to 30% of US domestic gas supply.

The well-publicised instances of water pollution arising from fracking operations in the United States undoubtedly resulted from poorly engineered wells constructed and operated within a fragmented and weak regulatory regime. Nobody can say that Northern Ireland has such a regime; it has a very strong regulatory regime. Indeed, the regulatory authorities would have oversight and control of all drilling operations.

Members also voiced their concern that fracking can put local water resources at risk of contamination, despite the fact that fracking was used in County Fermanagh in the early 2000s and there were no huge problems, even though we did not have as much regulation at that time. Therefore, let me clearly state my confidence in the extensive regulations governing this area to ensure that the operation can be safely managed. All the processes will require consents from the Department of the Environment and will be monitored in practice. The operation in County Fermanagh — Tamboran Resources — plans to undertake the fracking process without using chemicals, thus further mitigating any risk of contamination.

Mr Agnew said that it uses chemicals in other areas. However, it uses other chemicals, as, indeed, do other companies, in ordinary drilling processes, but it does not use chemicals in this fracturing process.

In Northern Ireland, perhaps even more than elsewhere in the United Kingdom, we benefit from a regulatory regime run by central government, where the lines of communication are open and easy. My Department has established a regulators' forum, which brings together representatives from DETI, DOE, the Department of Agriculture and Rural Development (DARD) and the Health and Safety Executive, together with officials from Northern Ireland Water. The group is collating existing regulations, monitoring developments, noting gaps in legislation, and thus compiling an integrated process to regulate those new engineering processes well before they begin.

We also enjoy considerable support from our colleagues in the Department of Energy and Climate Change in Great Britain, which has been controlling and monitoring oil and gas exploration in Great Britain for decades. Indeed, the United Kingdom has always been a world leader in energy development, and all that experience is at our disposal.

Members also raised the issue of possible well blowouts, which, of course, is a very serious concern. However, I must point out — I think that the point was made by Mr Newton, who was called the Minister; I can understand why, as he was very well informed — that almost all blowouts occur in conventional exploration where gas and oil are at high pressure in a geological trap. That is not the case in shale gas wells, where gas flows slowly to the surface for collection, so the high pressures of conventional exploration are not developed. Blowouts from fracked wells have been recorded, but they are extremely rare. Again, it is a matter that will be assessed at the planning stage and covered in detail by operating protocols.

Turning to the question of the carbon footprint of shale gas development, the Department of Energy and Climate Change has said that it expects the carbon footprint for shale gas to be similar to other onshore natural gas fields. Shale gas provides a valuable opportunity for increasing the security of energy supply and stabilising gas supplies over the medium term, during which time we shall reduce the overall energy carbon footprint by increasing the proportion of renewables and promoting carbon capture and storage.

I am aware of the argument that developing shale gas may defer the development of renewables. However, any local shale gas production should substitute for necessary imported coal, oil and gas rather than increase the percentage of fossil fuels in Northern Ireland's energy supply. Therefore, rather than have an impact on the slowing-down of renewables, it would, in fact, displace coal, oil and gas.

I could go through in some detail my commitment to renewables, which, I understand, is proposed in the last part of the motion. I have set out that commitment on many occasions in the House during debates on the strategic energy framework, so I do not believe that there is a necessity to do so again, save to say that, when all the initiatives are taken together, I suspect that there is no other area in the United Kingdom the size of Northern Ireland or with its population that can boast such a diversity of renewables under development.

To conclude, I ask Members to face some stark facts.

**Mr Allister:** I have been listening carefully to the Minister and to the debate. She has provided some useful clarification on a number of issues that were raised. Can she further clarify a couple of things? First, the Minister said that the present licence does not permit for any drilling. One of her colleagues referred to it as a “desktop exercise”. Is there not even, within the licence, permission for exploratory drilling? Secondly, what are the criteria by which the current licence was judged? Did it have any test to pass? What are the criteria that must be met before you get a licence such as this? Can the Minister explain that?

**Mrs Foster:** The licence was granted after a competitive process, which was carried out in a legislative way in consultation with the Department of Energy and Climate Change (DECC) in London. A panel was set up comprising officials in DETI and officials in DECC. They set up a procedure, and that is how the process was carried out. The process has been set out in some detail to the Committee for Enterprise, Trade and Investment. I am happy for the Member to see the process and to send him a copy of it so that he is informed in that regard.

I will move now to the drilling. Shallow boreholes can be drilled to take rock samples, but drilling down into the substructure to try to get gas out is not allowed. Drilling can be done merely to look at the rock structure at the shallow boreholes. Anything else is subject to permission from DETI. Permission must be given by DETI to drill the shallow boreholes as well. It is not a full licence, but permission from DETI is needed.

I will finish by saying, yet again, that there are no licences for fracking at present. If applications come in for licences for fracking, they will go through the whole panoply of regulatory procedures that will happen.

I hope that I have answered some of the questions that have been raised today, because there has been a lot of confusion about the procedure. I hope that it is now clear to everyone in the House.

**Mr Agnew:** I thank Mr Allister for his contribution, because he finished where I mean to start. I have in front of me the licence that was granted to Tamboran. It is available on the internet, so anybody can check whether what I am saying is accurate. As was pointed out, the licence allows for some drilling. To suggest that drilling is desktop research is misleading

at best. The licence allows for a second exploration well to be drilled in years 4 and 5.

**Mrs Foster:** The Member is wrong. Tamboran has to apply to the Department for a licence to frack in years 4 and 5. It also has to submit a planning application and undergo an environmental impact assessment.

**Mr Agnew:** It is outlined in the licence, as the Minister said. There may be further permissions necessary, but it is within Tamboran’s licence. It is a licence that includes fracturing, multiple horizontal legs, flow testing and seismic monitoring. It is on public record, and people can check it if they wish.

For technologies such as hydraulic fracturing, there is a distinct lack of standards. Standards are needed in the UK and internationally to ensure the consistency of safety measures and to guarantee that environmentally damaging or dangerous practices, such as those that have been recorded in the US, do not occur in the UK. Those are not my words but the words of the Institution of Gas Engineers and Managers. Much has been made in the debate of the fact that we have sufficient regulatory provision to ensure that shale gas fracturing is safe. The Institution of Gas Engineers and Managers would not agree.

#### 4.00 pm

In fact, Northern Ireland is the only region of these islands that does not have an independent environmental protection agency. So, I am not convinced that we have sufficient regulation. I have a lot of respect for the Northern Ireland Environment Agency and the work that it does, but it is an under-resourced part of the Department and it is open to political interference on operational decision-making because it is not an independent body.

When I was elected to the Assembly, I said that I would judge policy on the basis of whether it was good for the economy, good for people and good for the environment, and that is the basis on which I judge the proposals for the extraction of shale gas. Much has been made in the House today of the potential economic and energy benefits to Northern Ireland. With regard to economic benefits, the CEO of Tamboran said that there were 700 jobs in three counties — north and south, one county being Fermanagh — over 20 years and 500 to 800 wells. If we take Fermanagh’s proportion of that out — I

accept that these are crude figures — it would equate to approximately 10 jobs a year being created in Fermanagh. Many of those jobs will be temporary, and there is no guarantee that they will be provided to local people. This is a high-tech industry, and I do not know whether we have the skills in Northern Ireland to benefit from those jobs. *[Interruption.]*

**Mr Speaker:** Order.

**Mr Agnew:** We will put at risk our tourism and agriculture industry in the area. Tourism alone accounts for £25.9 million of economic activity in Fermanagh every year. I know that the Northern Ireland Tourist Board seeks to double tourist revenue by 2020. Fifty-two per cent of businesses in Fermanagh are agriculture-related. Fermanagh boasts nine nature reserves, over 56 areas of special scientific interest and the Marble Arch caves, the first UNESCO-designated geopark in the UK. All that will be put at risk if we allow fracking to take place in Fermanagh. I know that we need jobs, but we do not need so few jobs at such a high cost.

The social impact has been highlighted by the petition that I handed in today, which was signed by almost 2,800 people. Some have dismissed the health concerns and the water security concerns as scaremongering, but I will give some facts. On average, 20 million litres of water will be required for the fracking process to take place, and it is estimated that there is the potential for around 200 wells in County Fermanagh, which is 200 wells needing 20 million litres of water. I said earlier that Tamboran said that it will require to use chemicals in the Republic, and I do not see why there would be any difference here. I asked the Minister whether she would make it a condition of its licence that it did not use chemicals, and she said that that will not be happening.

Mr Frew asked for some facts, and I think that his points were relevant. It has been mentioned that between 500 and 600 chemicals have been used in different processes in the United States. Common chemicals used in the frack fluid include benzene and formaldehyde, both known carcinogens — they present the risk of causing cancer. Even if those chemicals are not used in the fracking fluid, the produced water that comes back will pick up many chemicals underground, including benzene and ethyl benzene — both known carcinogens. It has been confirmed that there is radon

under Fermanagh, so there is the potential for radioactive waste. In response to a question, the Environment Minister confirmed to me that we do not have the facilities to deal with that in Northern Ireland. *[Interruption.]*

**Mr Speaker:** Order.

**Mr Agnew:** Mike Nesbitt referred to the concerns of GPs in Fermanagh and suggested that, because there was a template letter, GPs in Fermanagh were not capable of conducting their own research and making their own decisions on whether they should send on those letters. He does an incredible disservice to GPs, who have gone through so many years of education and research to become doctors. I think that they are capable of making up their own mind.

Finally, moving on to the environmental impact of this activity, there has been some discussion about whether shale gas is a clean form of energy. Let me make it clear that it is not. In the full life cycle of shale gas, from the drilling to the burning of the gas, there are as many greenhouse gas emissions as from hard coal. It is not a clean form of energy. Joe Byrne asked about the potential for controlling the gas. Dr Ingraffea — I hope that I have pronounced his name correctly — who is from the United States and works in the gas industry, estimates that between 2% and 6% of methane is lost into the atmosphere during the process. Methane is between 20 and 25 times more harmful than CO<sub>2</sub> in its impact on climate change. Indeed, the Tyndall Centre for Climate Change Research — *[Interruption.]*

**Mr Speaker:** Order.

**Mr Agnew:** Thank you, Mr Speaker. The Tyndall Centre for Climate Change Research has indicated that the extraction and use of shale gas is not compatible with UK climate change targets. It was on the Minister's watch, when she was Minister of the Environment, that Northern Ireland signed up to the UK Climate Change Act 2008. We have responsibility, as part of the UK, to meet our climate change targets.

**Mrs Foster:** We are.

**Mr Speaker:** Order.

**Mr Agnew:** The Tyndall Centre for Climate Change Research, with its experience and research, does not believe that we can if we start using shale gas.

Many Members, including Stephen Moutray and Gordon Dunne, talked about the need for alternative energy. As Mr Flanagan pointed out, gas is not an alternative to gas. We have gas in Northern Ireland, and we use it. This is not an alternative. Mr Newton referred to — *[Interruption.]*

**Mr Speaker:** Order. The Member must be heard.

**Mr Agnew:** Thank you, Mr Speaker. Mr Newton referred to the potential for shale gas to stabilise prices. The fact is that shale gas is economically viable only because gas prices are high. That is why the technology is coming to the fore.

There is a sense that shale gas will somehow bring energy security to Northern Ireland. It will not be our gas; we do not have a nationalised gas industry in Northern Ireland. The UK Treasury will receive royalties; there is no guarantee of benefits to Northern Ireland. That gas will be sold on the international market, like all other gas.

I move on to the Members who were in favour of the motion. I thank the many Members who contributed to the debate. As Anno Lo and Phil Flanagan pointed out, the people of New York, the people of New Jersey, the people of North Rhine in Germany and those in France and an area of South Africa were all considerably concerned. All have either moratoria or bans on fracking because they were duly concerned. Water pollution and health concerns were touched on by Anna Lo and Joe Byrne. As we have heard today, shale fracturing is safe as long as nothing goes wrong. America has shown that things can go wrong. It has been pointed out that things go wrong with oil as well. That is why I want us to go full steam into renewables. Scotland has a much more progressive renewables agenda. We should follow its example and seek to have 100% renewable electricity by 2030.

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

**Mr Agnew:** A warning has come from across the Atlantic: we should heed it. It is time to put a moratorium on fracking.

*Question put.*

*The Assembly divided: Ayes 49; Noes 30.*

## AYES

*Mr Agnew, Ms M Anderson, Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mr W Clarke, Mrs Cochrane, Mr Dallat, Mr Dickson, Mr Doherty, Mr Durkan, Mr Eastwood, Dr Farry, Mr Flanagan, Mr Ford, Ms Gildernew, Mrs D Kelly, Ms Lo, Mr Lunn, Mr Lynch, Mr Lyttle, Mr F McCann, Ms J McCann, Mr McCarthy, Mr McCartney, Mr McClarty, Mr McDevitt, Dr McDonnell, Mr McElduff, Mr McGlone, Mr M McGuinness, , Mrs McKeivitt, Mr McLaughlin, Mr McMullan, Mr A Maginness, Mr A Maskey, Mr P Maskey, Mr Murphy, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr P Ramsey, Ms S Ramsey, Mr Sheehan.*

*Tellers for the Ayes: Mr Agnew and Ms Lo.*

## NOES

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

*Tellers for the Noes: Mr S Anderson and Mr Dunne.*

*The following Members voted in both Lobbies and are therefore not counted in the result: Mr Allister, Mr Copeland, Mr Cree, Mrs Dobson, Mr Elliott, Mr Gardiner, Mr Kennedy, Mr Kinahan, Mr McCallister, Mr McGimpsey, Mr Nesbitt, Mrs Overend, Mr Swann.*

*Question accordingly agreed to.*

*Resolved:*

*That this Assembly believes that a moratorium should be placed on the onshore and offshore exploration, development and production of shale gas by withdrawing licences for hydraulic fracturing (fracking), at least until the publication of a detailed environmental impact assessment into the practice; notes that hydraulic fracturing can put local water sources at risk of contamination; further notes that, amongst a variety of adverse environmental impacts, the process of fracking can cause serious well blowouts, which put both workers and local communities at risk; considers that the production of hard-to-reach fossil fuels is not compatible with efforts to achieve carbon reduction targets; and urges the Minister of Enterprise, Trade and Investment to give greater*

*support to the generation of energy from renewable sources instead.*

**Mrs Foster:** On a point of order, Mr Speaker. I want to reflect on the incident that happened earlier in the debate and pay tribute to the security staff of the Building, who acted swiftly to deal with it. For the record, I understand that it was not caused by a member of the group who came to the House to engage with and, indeed, observe the debate on fracking. I want to thank the security staff for the way in which they dealt with the incident. *[Interruption.]*

**Mr Speaker:** Order. There should be no applause from the Public Gallery on any issue in the Chamber. Let me say to people in the Public Gallery that, should they continue, I will have the Public Gallery cleared very quickly.

I thank the Member for her point of order. I know that we do not normally refer to the Public Gallery, but, on this occasion, I can understand why she has. Our security staff dealt with the issue very promptly. It is now with the appropriate authorities, and we await their response.

I ask the House to take its ease as we move to the next item of business.

## **EU Welfare of Laying Hens Directive**

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

**Mrs Dobson:** I beg to move

*That this Assembly notes that the welfare of laying hens directive is to come into effect from January 2012; recognises that the introduction of a ban on the use of battery cages has led to significant modifications on many farms; notes with concern that one third of Europe's egg industries will not be compliant with the new regulations by January 2012; and calls on the Minister of Agriculture and Rural Development to detail how she will ensure that Northern Ireland's egg producers will not be disadvantaged by cheaper imports which derive from non-compliant producers.*

I am grateful to the Business Committee for selecting this important motion for debate. The timing is rather apt given that the new European regulations will come into effect in just over three weeks' time. I am aware that my party leader brought a similar motion to the House last year, and it was an intentional decision to bring the issue to the Assembly once again.

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

The Ulster Unionist Party has not seen any agreements on how the directive will be enforced, and it has received no assurances that our egg producers will not be disadvantaged. Therefore, I hope that the Minister of Agriculture will at least be able to provide greater clarity on what will happen next month, if not a total guarantee. Either way, it is regrettable that our egg producers have had to wait until such a late stage to receive that.

Members will most likely be aware of what the welfare of laying hens directive entails. Therefore, I do not propose to labour the detail of it too much. However, what I will say is that the directive — to be precise, 1997/74/EC — came into force on 3 August 1999, so everything that we are discussing today has been well known for some time. Northern Ireland, the rest of the United Kingdom and most of the other member states of the European Union have had a transition period of 12 and a half years to ensure that their egg

producers change their systems. Therefore, member states who make excuses about not having enough time or not having the information readily available or claim that there was never really an imperative to modify their systems are just talking plain nonsense.

The production of eggs in Northern Ireland can be broadly divided into two categories: caged and uncaged systems. Although it is not uncommon to see flocks of hens running around the yard of many farms here, that picturesque rural scene is completely different from the reality of egg production. Most of our eggs are produced either on large-scale free range farms, in barns, in new enriched cages or, until recently, in the old conventional cages. The rationale behind the EU directive is well known, and it was widely accepted that keeping hens in the older cages was detrimental to their health and welfare. We should remember that conventional battery cages, containing on average five birds each and with a minimum cage area of 550 sq cm, allow less than a standard A4 sheet of paper of space for each animal.

In the 21st century, no other agricultural animal would be allowed to be kept in such conditions. Therefore, it is easy to see why the directive was thought necessary.

#### 4.30 pm

The directive was the first piece of European legislation to phase out a method of food production as a result of concern for animal welfare. Not only has it significantly improved welfare standards, it has shifted consumer practices, with more and more people recognising the benefits of buying free-range products. In 1999, when the directive was confirmed, only 19% of the eggs that passed through UK packing stations were free range. By the end of last year, free-range eggs accounted for nearly 45% of that number. However, it is also worth noting that, before the directive was even finalised, animal welfare standards across Northern Ireland and the rest of the UK were already relatively high in European terms.

Before I talk about what other member states have not done and what will not be met, I want to refer to all the efforts that have been made up to now. Our producers have prepared themselves well to comply with all legal requirements when the directive comes into full force on 1 January 2012. That was no easy task in itself, and it is estimated that complying with

the directive will have cost egg producers £400 million across the UK. In fact, considering the oversupply of eggs in the market at the moment, which is putting many producers under severe financial pressure, and in light of the negligent attitude that other EU states are adopting, some of our producers believe that we may have prepared ourselves too well and too eagerly. I do not think that that is the case, but I can absolutely understand why some of them may believe it.

Although most producers in the EU have changed their production systems to comply with the directive, many — unfortunately and unacceptably, in my opinion — will not have completed the process by the January 2012 deadline. Figures from the European Commission indicate that approximately one third of the entire EU production will not comply with the directive. Indeed, Spain has admitted that it will still have 20 million hens in conventional cages next month. Given that the Spanish are one of Europe's biggest egg producers, the fact that they are able to stand up after having 12 and a half years to plan and say with little or no humility that they will not meet the target is, frankly, deplorable. My party's motion calls on the Minister of Agriculture and Rural Development to detail how she will ensure that this Province's producers are protected from cheaper imports from non-compliant states. There is a real fear that, as a result of so many member states not meeting the January 2012 deadline, illegal, non-compliant produce will continue to be allowed to be sold, putting our producers in an almost impossible situation.

The British Egg Council estimates that around 30% — 103 million — of the hens across Europe will still be in conventional cages on 1 January 2012. There will be in excess of 80 million eggs a day, which, in theory, will no longer be marketable in the EU. I say in theory, however, because we all know that those eggs are not simply going to be destroyed. The non-compliant producers would not tolerate that, and the market could not cope with it. Therefore, the dilemma will arise of what to do with those non-compliant eggs. Although the member states that are to blame for the delay may like to see the principle of the free market remaining, in my and the Ulster Unionist Party's opinion that would be the equivalent of giving any member state the green light to do what it likes and disregard future directives if it so wishes. The

European Commission must take decisive measures to ensure that non-compliance will not be tolerated and that member states should have to face the consequences of their deliberate decision not to comply with the directive.

Over the past six weeks there has been a hive of activity, with rumour and speculation at every turn. Nearly every possible outcome has been given consideration by the Council of Ministers, the European Commission, the poultry industry and respective member state Governments. However, some things should already be taken for granted. No shell eggs or liquid or powder eggs should be imported into the UK from non-compliant member states. It may, perhaps, be the most difficult to police, but no food products that have egg ingredients should be imported from non-compliant member states.

It is gratifying that the four main UK supermarkets have taken a positive stance on the issue, but will the Minister give a commitment to put pressure directly on the Government of the United Kingdom to impress on them the urgency of the matter? What the EU countries that have failed to deliver the directive want to do with their own eggs is not a matter for this House or even the British Government. However, the Commission will be judged on its actions over coming months. If non-compliant eggs in whatever form are allowed to move freely across the EU, the Commission must act swiftly to bring that to an end. Of course, it goes without saying that the EU must initiate immediate infraction fines for non-compliant member states next month.

This is a serious matter that needs urgent resolution. Either the Commission will look weak and be walked over or it will show authority and discipline. Either way, farmers in Northern Ireland are watching closely. I have been speaking to many of them in the run-up to today's debate, and they are eagerly anticipating the Minister's response. I sincerely hope that she does not disappoint them.

**Mr Frew (The Chairperson of the Committee for Agriculture and Rural Development):** The Committee supports the intention of the motion, and I will support it, as will the majority, if not all, of the members who were present when we debated the matter in Committee today.

This is a serious issue for our farming industry and, in particular, our egg producers. The whole industry will agree that it had to happen. It was

going to happen at some point, and the industry has shown spirit through the fact that it is nearly 100% compliant. It is reassuring that we can say that with surety. Although the industry has experienced a lot of pain and invested a lot of money in trying to step up to the mark, it has got to a point where it is compliant. It has put in a lot of effort. The industry is now telling me — I speak as an individual MLA with constituents — that, after all that effort, pain and cost, it finds that a lot of member states in Europe do not comply and have had no intention of complying.

**Mr Poots:** I concur with the Member that, here in the United Kingdom, we have a sense of fair play and seek to observe the rules. However, it appears that the same repeat offenders defy the EU rules over and over again and get away with it. Does he agree that our national Government need to pursue that vigorously to ensure that fair play applies in the European Union as opposed to allowing one state to do what it wants with environmental legislation, animal welfare legislation or whatever the case may be?

**Mr Frew:** I thank the Member for his intervention. I agree with him 100%. The list of countries that are non-compliant at present comprises Spain, Poland, Italy, Belgium, Portugal, France, Romania and Bulgaria. Sweden, Austria, Germany and Luxembourg have already banned conventional cages and are therefore compliant, and Denmark, the Czech Republic, Britain and the Republic of Ireland have indicated that they will be in a position to comply with the legislation by January 2012. That shows the challenges that our egg producers and farming industry face at this time. They now face completely unfair competition in the coming years. It is incumbent on us and DARD and DEFRA at a UK level to do something about that, and I impress on the Minister the fact that we should put pressure on the Commission. On this issue, I have a lot of sympathy for the Department because we can see how Europe works. It is a complete mystery to us and even to the people who work in Europe.

When it comes to fines and infractions for non-compliance, Europe does not mind bringing the hammer down. It can enforce whatever it likes, and it can come down heavy on any member state; namely the UK, and, in particular, Northern Ireland. So, I have a certain degree of sympathy for the Department and the

industry, but I urge the Minister to pressurise the Commission where she can to enforce the regulations on the member states that have not complied and to proceed with infractions to punish the states that do not comply or that openly defy the Commission.

I ask the Department to speak to DEFRA to try to implement some sort of trade ban on non-compliant eggs. That is important, and it would provide protection for our industry at UK level. Although it is something that we do not want to do, it is something that we have to do to protect our industry from the evil of the uncompetitive market that has been produced by Europe. It is fair to say that I am a Euro-sceptic. I visited Europe not long ago, and that visit did nothing to assuage my concerns, fears and scepticism. This is only one issue that makes that scepticism even deeper. Our farming community and our egg producers are being punished to the extent that some of them, after all the money and pain that they have gone through to get to this point, could face extinction because of unfair trade and the uncompetitive nature of the market.

**Mr McMullan:** Go raibh maith agat, a LeasCheann Comhairle. I agree with the motion. The European Commission wants laying hens to be kept in enriched cages. That directive goes back to 1999 —13 years ago — and it was mentioned again in December 2004.

The first thing that I have to say on the subject concerns the total hypocrisy of Europe. This is a classic case of hypocrisy, and I am sure that everyone here today will agree with that. On the one hand, local producers are being made to be compliant while, on the other hand, producers in other parts of Europe are doing what they want to do. Members have already alluded to the fact that, on current figures, 13 countries are expected to comply, seven refused to comply and the remaining seven did not even bother to produce any data on their egg industries. It is quite evident why they have not produced any data.

What law governs all of this in Europe? I am not being flippant when I say that the law governing the whole scheme is based on a gentleman's agreement. There is not even a law to make them comply. Europe has got to be real on this. In Northern Ireland, as the previous Member who spoke mentioned, we have seen what we have had to suffer on compliance issues and the money that was levied on us. Here we have

a classic case of non-compliance, and it is costing the non-compliant states nothing.

**Mr Elliott:** I thank the Member for giving way. He indicated that there is no law to make them comply. Can he clarify that position? I thought that a European directive was in place to make member states comply.

**Mr McMullan:** The law that I am talking about is what I am reading out regarding the lack of enforcement of the directive. It is there. I have not had time to dig it all out, but you will find that it is there. It is ludicrous in the extreme, and, when I say that it is a gentleman's agreement, I literally mean that there is a gentleman's agreement on the whole issue.

What is it costing the home producers here? I talked to producers this week, and it would not be financially feasible to run a business based on a shed of anything fewer than 40,000 birds. It is an outlay of over £700,000 for 40,000 birds. Indeed, one gentleman told me that he spent £1.9 million putting up one shed for his hens.

#### 4.45 pm

What can we do? I am calling for a total ban on eggs from non-compliant European countries. We have to protect what we have here. Our agrifood industry is growing. Even in today's market, it is one of our gems because of the amount of money that it generates annually. A fear for the whole scheme is that non-compliant countries will be able to put their illegal eggs back into the market here through the agrifood, baking and other industries, which will bring the whole thing down.

As was said, we are expected to spend nearly £400 million UK-wide. For compliance, that is £25 per bird. It is still not mandatory to comply, and one third of the EU population will not comply. We talk about labelling eggs from illegal non-enriched cages and enriched cages, but how can we expect someone who is producing eggs illegally to stamp them legally? It is an absolute nonsense and simply will not work.

There are some 85 million eggs from non-compliant countries in Europe each day. There should be no leeway on the time factor for non-compliant countries. They have had 13 years to get ready. The producers who went to the bank to take out money to build sheds and improve their business are now paying bank charges, and all authorities must protect them.

The only protection we can offer here is a total ban on eggs deemed illegal from non-compliant countries. We must congratulate the companies that have backed not using eggs from non-compliant countries. If we allow eggs from non-compliant countries into our local market, we will undermine the price that local producers receive. We must protect our agrifood industry.

**Mrs D Kelly:** I congratulate the Members who tabled the motion. I want to pick up on Mr McMullan's concern about cheap imports. The Ulster Farmers' Union has issued a press release about a meeting with Minister O'Neill and how she may handle the issue. It would be useful to hear whether Minister O'Neill can share her discussions with farmers' representatives with us.

This is legislation, not a gentlemen's agreement. It is the first EU legislation intended to improve animal welfare. The welfare of laying hens directive is a challenge to the EU about how serious it is about animal welfare. The ignorance of the member states that have chosen not to comply with the directive should be a standpoint for the Commission.

I ask Members to reflect not only on the needs of egg producers but on the reason for the legislation. The reason is that a caged hen has a space of 550 sq cm, which is equivalent to an A4 sheet of paper. Farms here have invested in enriched cages, which cost an additional £25 per cage. However, a hen's welfare improves because it has a space of 750 sq cm in those enriched cages, which must include a nest, a perching space, litter to allow pecking and scratching and unrestricted access to a feed trough. When members of the public see things in that context, they will hopefully make a decision on what eggs they buy. In a survey that the EU Commission undertook, 57% of all EU citizens said that they would prefer to purchase eggs laid by hens that were free range or were in enriched cages than those from hens kept in poor animal welfare standards.

I note that, in a debate in the House of Commons, the British Government said that they would issue buying standards across all their Departments. I do not know whether Minister O'Neill will be able to tell us whether she has discussed that with her Executive colleagues. There is substantial procurement of eggs in all the catering facilities across government Departments. For example, hospital and health

authorities alone would procure substantial amounts. That solution might go some way to allay concerns, and it is something proactive that the Minister can do to give confidence to producers that we take this very seriously. Members are right to point out how the producers here have invested so much money and are rightly concerned about the impact it will have and the disadvantage that their industry —

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

**Mrs D Kelly:** Yes.

**Mr Copeland:** Does the Member agree that there is something amiss when our poultry and egg producers are, to comply with the legislation, having to sell their cages and, instead of being purchased by the authority that is requiring the change in legislation, those cages are going to non-compliant EU states, which may well further disadvantage home producers? Does that not suggest that those who are imposing the legislation should purchase the old cages to assist the farmers in the transition?

**Mrs D Kelly:** I welcome Mr Copeland's intervention; he made a very valid point. There are other examples in the farming community across the EU when the Commission has stepped in to help with transition. That ought to be the case if the EU is serious about ensuring that the legislation is to be complied with.

The time by which compliance has to be enforced is fast approaching. We see that the Commission is reneging on much of its commitment on enforcement action, and I note from the information supplied to us that it is talking about how it will have inspections and commence infringement and infraction proceedings against non-compliant states. Mind you, if it came down on those states as hard as it did on farmers here in relation to the single farm payment, we would have some level of confidence in those plans. We will monitor very closely actions on compliance and infraction proceedings against member states that do not comply and compare them with the way in which our farmers have been treated in relation to the single farm payment.

I urge the Minister to take whatever steps are at her disposal. I recognise that the Minister has to rely a bit on DEFRA and other EU member states and will be constrained, but I hope that she will take whatever opportunities

are available to her to stand up for poultry producers in the North.

**Mr Lunn:** I support the motion and congratulate Jo-Anne Dobson on tabling it. I am rapidly becoming as Euro-sceptic as Mr Frew. It looks like the tendency of the UK to do its best to comply with directives is once again going to result in our producers being penalised for their own compliance.

There is a depressing inevitability about what is happening. In the history of EU directives, some of which are very worthy and some of which are completely daft, this is a good one. The impression is that countries with a tradition of fair play and respect for the law, such as the UK, Sweden, Germany and Austria, will comply, whereas others, whom I hardly need to name but they certainly include France, will not. When did the French Government ever stand up to the farming lobby? That will be a first, some day. They will delay things, ask for extensions or a reversal of the policy or, more likely, just ignore it. We will have to see what Europe does about that. That is happening again, and our producers stand to lose out if Europe does not take decisive action to ban the use of eggs produced by what will be, from New Year's Day, illegal methods.

I understand that it is up to individual member states to monitor their own compliance in these areas. There will be a problem in some countries where perhaps an effort has been made but is not quite enough and producers are partially compliant. It seems to me — others have said the same thing — that the only effective action would be to totally ban the export of eggs or egg products from any country whose Government cannot certify 100% compliance until such time as it can be certified. I then ask this question: what are the chances of that happening? We are talking about Europe, so, frankly, in my opinion, there is no chance. The EU authorities will fudge the issue, delay and procrastinate in order to satisfy their vested interests in France, Spain, Italy and elsewhere.

I note that the UK Government have considered a unilateral ban. However, in their words, they feel that it is fraught with legal difficulty and is perhaps challengeable in the European court. Frankly, I say, "So what?". If it suits the French to encourage illegality, why should the UK not stand up for its own interests for once? Quite simply, if the EU tries in some way to bypass its

own ban, which is being put into force with 12 years' notice, the UK should unilaterally ban the import of these products.

The ban has been flagged up for 12 years. It is an important animal welfare issue. Anybody who has ever visited a battery egg-laying house of the old style — in my previous life, I visited quite a few of them — would feel uncomfortable about the way that hens were caged and treated inhumanely over the years. I am encouraged by the attitude of the major UK supermarkets, which seem to be taking a firm line on this. I looked at the list of supermarkets and cannot see that any are missing. That is good. However, government action is required. I await the Minister's response to the motion and for her to detail what she, in co-operation with her UK counterparts — it requires joint action — intends to do to ensure that our producers can operate on a level playing field.

**Mr Buchanan:** I, too, support the motion. This is a serious issue for the farming community, and I commend those who brought it to the Floor of the House today. While the introduction of the new directive to ban the use of battery cages and have them replaced with the new enriched cages is welcomed by animal welfare groups and many others, there is no doubt that it has placed a huge financial burden on producers in Northern Ireland, who have made the appropriate investment in order to comply with the legislation as it comes into effect on 1 January 2012. Approximately 80% of our producers are already compliant, and the majority of the others have indicated that they will meet the deadline. Unfortunately, there are a few who will cease production as it seems to be unviable for them to comply.

For many years, farmers in Northern Ireland have led the way on animal welfare reforms at their own expense. This is another typical example of the farming community in Northern Ireland having to spend millions of pounds of its own money to comply with EU legislation, when we already know that there will be large-scale non-compliance in other EU member states such as Spain and all the countries that the Chair of the Agriculture Committee mentioned. Let us look at France, for example. France has admitted that 6 million hens will still be housed in conventional cages on 1 January. Italy and Spain will still have some 65 million hens in non-compliant cages at that time.

If appropriate action is not taken to put in place the proper safeguards to prohibit the importation of non-compliant eggs to Northern Ireland, it will spell further disaster for our producers. They will be placed at a serious commercial disadvantage and will not be able to compete with cheaper imports from non-compliant member states.

### 5.00 pm

Remember, our producers are already at a serious disadvantage to their southern counterparts, who received £14.4 million to help them meet the new standards. Northern Ireland producers were more or less hung out to dry by the Minister and her Department. They completely failed to meet the needs of the sector or to seriously tackle the issue of an alternative funding stream, whether through the farm modernisation or rural development programmes or some other scheme, to help people with the financial burden of compliance.

This situation has already created an anti-competitive market for our producers that could be further distorted by cheap imports unless a ban on conventional production is equally enforced across EU member states. Producers across Northern Ireland who have made substantial investments and financial sacrifices must now be protected from cheap imports and assisted by the Department in the further growth of their business. There is a real concern that, now all our producers have fully complied with the legislation, the old position that we have witnessed over many years, whereby imports will still be readily available from non-compliant EU member states, will still exist. Should that particular situation remain, I believe that we are in real danger of legislating our farming industry out of business.

Minister, the responsibility now lies at your door: you must use all your power and do all you can to protect this arm of our farming industry and our agrifood sector. I await your response to the House today, which I hope will give confidence, reassurance and protection to our egg producers.

As the Member who spoke previously said, I am relieved that the supermarkets appear to be taking a stand by saying that they will only sell eggs of a compliant nature. That is to be welcomed, but a close focus must be kept on that. I would like the Minister to inform the House of what meetings she has had with

various bodies as she seeks to move forward to give the required protection to our producers here in Northern Ireland. I support the motion.

**Mrs Overend:** I thank my colleague Jo-Anne Dobson for tabling the motion. The House has known for some time that this issue was coming. Egg producers across Northern Ireland, including many in my constituency, have spent considerable amounts of money on preparation for this directive. The fact that we are standing here less than four weeks before the new ruling comes into effect, noting that one third of European eggs produced will technically be illegal, is a very unfortunate state of affairs. Given that 20% of the UK's total egg requirement is imported, it is difficult to see how the demand will be addressed.

There is a very real danger that the importation of non-compliant eggs could undermine the market and distort prices. I understand that the egg industry is in a unique position here in Northern Ireland, in that 90% of all eggs sold in Northern Ireland are produced by the Northern Ireland industry. The Northern Ireland egg industry has received some real support, from not only local supermarkets but large retailers. I briefly met industry representatives this afternoon, who informed me that the new legislation is increasing the cost of a dozen eggs by 15p. We are duty bound to support our local producers.

I had a tour around a poultry farm in my constituency in the early summer, and I was impressed by the dedication of that farming family in complying with the new legislation. However, they pressed home to me exactly how that additional financial outlay has affected their business.

I believe that it would be entirely wrong and misjudged of the European Commission to sit back and accept that this directive will not be met and that nothing can be done about it. If the Commission appears weak on this issue, how can it genuinely expect to implement future directives and have them strictly adhered to? Member states should have no excuses about not meeting this directive: they have had 12 years in which to do so. However, I accept that some states have had more incentive to comply than others.

The sector in the Republic of Ireland benefited from the poultry welfare scheme: a pot of money totalling €16 million, which was made available

through the rural development programme to help prepare for the laying hens directive. It meant that anyone investing a minimum of €10,000 per holding in new structures, investments, conversions or upgrades could avail themselves of a 40% grant.

The NI farm modernisation scheme operated by the Department of Agriculture and Rural Development (DARD) did not provide such targeted support to the sector here. The Republic of Ireland's targeted agriculture modernisation schemes also included a package of support to improve welfare standards for sows.

The fate of the UK's pig sector, in which the breeding herd fell sharply after the sector invested some £323 million to comply with the UK's unilateral ban on tethers and close-confinement stalls, has been cited by many as a template of what could happen to our egg producers if they have to complete with illegal eggs and lower welfare standards.

Taking all those factors into consideration, you can understand why many in the sector feel that the odds are stacked against them. For once, where the implementation of EU directives is concerned, the UK is not on its own. Countries such as Germany, Sweden, Austria and Luxembourg banned un-enriched cages, and those countries plus others also face the prospect of many millions of hens producing illegal eggs in the EU after 1 January. The Commissioner for Health and Consumer Policy, John Dalli, has repeatedly said that it is primarily the responsibility of member states to implement EU legislation properly, even when it was abundantly clear that many member states have been dragging their feet.

In addition to knowing that several member states will be non-compliant — and non-compliant on a grand scale — we are also in the bizarre position of not knowing the scale of the problem in Greece, Hungary, Italy and Latvia. There is a lot of concern in the industry across the European Union about that. However, we must start taking seriously the potentially detrimental effects that it could have on our producers. Farmers in Northern Ireland have been given little or no assurance by DARD or the Commission. I call on the Minister to provide clarity urgently on that issue. I await her response with bated breath.

**Mr Irwin:** It has been over a year since this matter was discussed in the Chamber, with a

similar motion in October 2010. It is clear that the only thing that has changed in the intervening period is the fact that our producers are out of pocket by preparing for that expensive European directive. One other important element that has not changed is the fact that non-compliant producers remain non-compliant. In the next few weeks, no one envisages a situation whereby all producers across the EU will suddenly become compliant. We are therefore staring in the face of a situation whereby our law-abiding producers here in Northern Ireland will be at a direct disadvantage to those who have not put in place the necessary compliant changes. That presents difficulties for the sector in the days and weeks ahead.

The industry is under enough pressure already, even setting this issue to one side. However, the immense expense incurred by producers here in attempting to comply with the directive has put an even greater strain on the sector. Although the welfare of livestock, whether it is cattle, hens or pigs, should be a priority for any developed nation, the European Commission has not given the matter the close compliance scrutiny that it deserves, given the expense incurred by our producers and the apparent unwillingness of some member states even to attempt to comply. In fact, some member states appear totally uninterested.

Based on recent parliamentary exchanges in the European Parliament, I am alarmed that so many countries appear to be uninterested in the looming deadline. That makes a mockery of the directive; it also makes a mockery of our industry in Northern Ireland, which has rallied to be compliant by the deadline. That is European law-making at its expensive worst, and our producers will be placed at a competitive disadvantage unless Europe bares its teeth towards those who have little hope of — or interest in — compliance by 1 January.

I am interested to hear how our Minister intends to block the importation of produce from non-compliant producers in order to protect the investment made by our producers and to enable a fair trading environment. I am also keen to hear whether she intends to work in tandem with the Secretary of State for Environment, Food and Rural Affairs in enacting any UK-wide legislation that seeks to safeguard our industry here from competitive distortion with non-compliant member states. The matter has worried me for many months, and my

reservations about other member states' lack of interest in compliance are proving to be correct as we approach the January deadline.

The House cannot permit a situation to develop in which a vital part of our agrifood industry suffers financially in the name of breaking its neck to meet yet another EU directive. The issue needs urgent attention. I urge the Minister of Agriculture and Rural Development, the Executive and our MEPs to ensure that Northern Ireland producers are not placed at a disadvantage. I support the motion.

**Mr Allister:** This is a preposterous situation. Our farmers and poultry producers, in good faith and without any state help, expended a great deal of money to put themselves in a compliant position, to find that their parallel farmers across Europe, in many cases in utter bad faith and with the compliance of their Governments, did nothing to comply with the requirements. Indeed, the situation is so preposterous that there are reports that one producer in Greece received €6.8 million from the EU to help buy old-style cages between the years 2000 and 2006, even though the directive was made in 1999.

Farmers in the rest of Europe were tooling up to continue to be non-compliant, while farmers in the United Kingdom were tooling up to be compliant. They tooled up at their own expense, and that is an added dimension of the scandal. The Administration here utterly failed the farming community in the poultry sector.

There was the opportunity under the rural development programme to give funding to assist on welfare grounds, as the Irish Republic did. None was given. The Minister told me, maybe last week, in response to a question, that funding was given under the farm modernisation scheme. I think not. The funding that was given under the farm modernisation scheme was not to buy enriched cages. It was to buy water drinkers and things such as that. As I understand it, not a penny of funding was afforded to make the transition to enriched cages. Maybe the Minister would like to take the opportunity to correct the position that she stated in the House last week.

The situation is made all the more ridiculous given that the two reasons that Europe gave for the introduction of the directive in 1999 were to avoid distortion in the internal market and to avoid a loss of confidence among consumers. Where now is the distortion in the internal

market, when we face a situation in which compliant eggs will be traded equally with non-compliant eggs? Where now is the confidence among consumers, when we face a situation in which they do not know what they are buying?

What do we do in this situation? It is quite clear to me that there is one effective answer: a total ban on the export of any eggs from within non-compliant countries. We do not need to get into the business of marking compliant eggs and non-compliant eggs. We need Europe to visit a penalty upon non-compliant countries. That penalty should be an absolute ban on the export of any of their eggs, whether compliant or non-compliant. That will be the quickest thing to concentrate their minds on being compliant. In tandem with that, there should be infraction proceedings. My goodness, our farmers in Northern Ireland have suffered the imposition of fines on this Administration for getting a line wrong on a map. Yet we seem to be poised in a situation in which great swathes of Europe will be given some sort of concession or by-ball. The least that the House should do is to cry foul and say that that is not on.

Minister, I suggest that we need a fortress UK policy on egg importation. Let us take a stand with the Department for Environment, Food and Rural Affairs (DEFRA) and its Minister. Let us do something significant and worthwhile to show that we are on the side of our hard-pressed poultry farmers.

**5.15 pm**

**Mrs O'Neill (The Minister of Agriculture and Rural Development):** Go raibh maith agat, a LeasCheann Comhairle. I thank Jo-Anne Dobson and Robin Swann for tabling the motion, which raises the important issue of the ban on conventional cages for laying hens from 1 January 2012. It calls on me to outline the steps that I have taken to ensure that the North's egg producers will not be disadvantaged by cheaper imports from non-compliant member states. I welcome the debate.

I will outline the representations that I have made to Westminster, through my ministerial counterparts, and to Brussels to protect local producers' interests. I also want to outline the discussions that I have had with the industry, as it came up a few times in the debate, and my discussions with Minister Simon Coveney. I will then apprise Members of the actions that I have taken and the measures that will be

in place from 1 January 2012 to enforce the ban and prevent producers here from being disadvantaged through the actions of those member states that have failed to comply with the new directive.

The ban on conventional cages was introduced as a result of scientific evidence that the welfare of hens kept in such battery cages is inadequate. Members referred to that throughout the debate. In a separate piece of EU legislation, the EU egg marketing regulations, the marketing of class A eggs produced in conventional battery cages in the EU is prohibited from 1 January 2012. Class A are the highest grade of eggs and are sold as shell eggs.

Based on the information that we hold, the vast majority of our producers will be compliant on 1 January 2012. However, as many Members picked up on, 13 of the 27 member states will not be compliant by then. That accounts for about 50 million hens, as a Member said, that will still be in conventional cages across the EU on that date. Given that level of non-compliance among other member states, I am very concerned that our producers, who have converted and met the directive, will be set at a disadvantage as a result of having to compete with cheaper eggs from non-compliant conventional cages in other member states. Illegal production could adversely affect economic stability and fairness in a sector that is very important to our economy. As I said in the Chamber last week during Question Time, I will continue to do whatever I can to protect local producers, who invested millions of pounds in making sure that they became compliant and met the EU directive.

Regarding recent developments in Brussels, I share the industry's frustration at the lack of action by the European Commission. My ministerial colleagues and I tried to convince the Commission, many months ago, that simply relying on a gentleman's agreement would not be enough to deal with the negative impact that non-compliance would cause and that additional enforcement measures needed to be put in place. We put the case strongly that such measures were needed to prevent market disturbance.

The implementation of the directive has been hugely challenging for the Commission, but that is for it to deal with. It has had to balance its desire to take a tough enforcement stance on

a flagship welfare issue against the economic and political background in a number of the non-compliant member states. However, putting a large number of producers out of business or destroying huge quantities of eggs are not practical solutions. At last October's agriculture council, the Commission definitely ruled out the option of an intra-community trade ban, and hence any legislative solution that would protect our compliant producers.

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

**Mrs O'Neill:** I will let you in a wee bit further on; I just want to make a few initial points. The Commission then proposed a gentleman's agreement that would give non-compliant producers longer to comply, allow eggs from illegal cages to be processed only in the originating member state, and require an action plan to be produced, showing when each member state would reach full compliance.

A committee of experts, which met on 29 November in Brussels, was a last-chance effort by the Commission to find a workable solution; however, no progress was made on the gentleman's agreement, which has now effectively been dropped. At that meeting, the Commission requested non-compliant countries to produce action plans, which are being considered by the Commission in Brussels today. It was made very clear to the Commission that safeguards need to be in place whether or not there is a gentleman's agreement. In the discussions to find a workable solution, I, together with my ministerial colleagues in Britain and the South, took the view that although we were disappointed that no legal solution has been found, we did not want the 2012 deadline delayed. We want it to move forward because we need to prepare to explore the idea of a practical solution that would give some protection to us and to other compliant producers by ensuring that eggs from non-compliant cages do not leave their country of origin.

Members raised the possibility of taking unilateral action and bringing in a ban on all imports of eggs and egg products that have been produced in conventional cages in other member states, and that is being considered. At last week's committee of experts meeting, the Commission strongly warned member states against adopting unilateral trade bans, but, only this afternoon, I met delegates from the British Egg Industry Council, and they raised with me

the possibility of a trade ban. They also told me that they have legal advice that suggests that that is possible, which is contrary to what the Commission is saying. They have agreed to forward that on to me this afternoon, and I am going to look at it because it is important that I am as robust as possible. However, I need the legal backup to be able to take action. Therefore, that is what we are currently exploring, and, hopefully, I will be able to tell Members more about that when I have sight of that legal advice.

In respect of the enforcement strategy, my officials are working with their counterparts to ensure that there is a practical enforcement solution to help manage the conditions across this island and in Britain. In the absence of agreement at EU level, and as I emphasised to the industry delegation this afternoon, I will take forward the most robust enforcement strategy that is within my power. I have to act within the legal constraints that exist to deal with non-compliance, but if the legal advice that the industry believes it has allows us to take a more robust approach, I am very open to that, and I will look at that positively and take it forward. However, I need to get that legal advice so that I can make a decision on the way forward.

In respect of the measures to prevent illegal imports from arriving here in the first place, it is worth noting that the vast majority of imported eggs come into England, and DEFRA's actions there also protect the markets here. Less than 3% of our eggs arrive here directly from Europe. Having said that, we have to deploy the same approach as England in respect of any direct imports that come into the North.

DEFRA will have risk-based surveillance in place from 1 January 2012 to ensure that imported class A shell eggs from other member states have been produced in compliance with the cage ban. Surveillance on imports of shell eggs will include the use of ultraviolet light analysis to identify batches of caged eggs that are not from an enriched cage environment. That technique has been used successfully to identify caged eggs in batches described as being produced in alternative systems, for example, free-range systems.

**Mr Lunn:** I am curious to know when the directive becomes effective on 1 January 2012, will it be legal for the UK to import eggs that have been illegally produced?

**Mrs O'Neill:** I am not sure if I picked up what the Member was asking me. I will happily give way again if he wants to ask the question again.

**Mr Lunn:** Thank you for giving way again. After the directive comes into force on 1 January 2012, will it be legal for the UK to import eggs that have been produced illegally under that directive?

**Mrs O'Neill:** Yes, that is the legal basis on which we will have to move forward.

In respect of the UV light system, if eggs are found to have come from any sort of illegal or non-compliant system, they will be prevented from being marketed as class A eggs and will be sent for processing and treated as class B eggs. If the eggs are then found to be from a compliant system, they will be released. That scrutiny will mean that importers will make a greater effort to ensure the source and integrity of the eggs that they import, given the economic disadvantage that would follow if they were to import illegally produced eggs.

While we have no desire to disrupt trade or disadvantage compliant producers wherever they are in Europe, DEFRA Ministers and I will continue to press the European Commission to request that member states share the list of compliant producers, so that we can check those against any import consignments. That would mean that those consignments will be less likely to be held up, and trade will not be disrupted. Therefore, if we know that they are compliant, there will not be as many checks involved. However, if we know that they are coming in from a non-compliant producer, more directed action can be taken.

**Mr Copeland:** I thank the Minister for giving way, and I apologise for rising twice in one debate. Is there any evidence to suggest that the authorised and unauthorised environments have a different effect on the health of the flock? Is there a difference in the level of antibiotics that have to be fed in each case? Does one or the other have a preferential effect on the end product, that is, the eggs, in terms of public health and safety?

**Mrs O'Neill:** I thank the Member for his question. However, it is a bit too technical for me, so I need to speak to the veterinary service. I am happy to respond to the Member's question about the effect of the antibiotic, and I will do so quickly after the debate.

I want to pick up on an issue that was raised in the debate around the British Retail Consortium. It has come out publicly in support of egg producers and has guaranteed that the conventional caged eggs will not be bought by the major retailers or used as ingredients in their own-brand products. That is a positive development. If there is anything that we can do locally with major supermarkets, we should be doing so to make sure that we get the best for our local industry and those who are compliant.

I will deploy the same methods of enforcement that DEFRA has outlined to stop illegally produced eggs from entering the North. The ultraviolet light analysis combined with the sharing of the lists will be key to our being able to do that. We are going to have to monitor the situation very carefully in the new year.

I am not going to hesitate in communicating with the Commission on any further issues that arise early in the new year. The Commission has consistently stated its position that the directive requirements will be law and that member states must comply, but, as many Members have said, that does not appear to be the case. We need a stricter, stronger legal framework to be able to pursue that.

The ban on conventional cages is an important welfare measure, and producers have had a good lead-in time to prepare for the transition. I want to make every effort to ensure full compliance with the ban. I will also support compliant producers here by taking robust action against all those producers whom we find to be non-compliant after 1 January. Based on the information that we hold, the indications are that 95% of our local producers will be compliant. That is a very high percentage. There are about 222 production sites here, and that is what will be compliant come 1 January. A number of the remaining producers are in the process of amending their systems to ensure that they will be compliant in the next few weeks. I am pleased to say that the majority of our local egg producers are compliant, and I intend to take action against the small number that are not.

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

**Mrs O'Neill:** Sorry; I meant to give way to you earlier.

**Mr Elliott:** I thank the Minister for giving way. I had a number of issues, but I will curtail them

somewhat. It seems hugely ironic that the Minister and the Department will be willing to take enforcement action against a small number of our producers in Northern Ireland who are non-compliant, but were not prepared to take on the non-compliant EU member states that were producing millions and millions of eggs. I have heard nothing in the Minister's speech that will support and protect the egg producers in Northern Ireland. That is shameful. I support the Department banning the importation of eggs from all non-compliant countries to Northern Ireland.

**Mrs O'Neill:** The Member is trying to make a political point. I have clearly laid out what I intend to do and the enforcement action that we intend to take. We will be taking action against any non-compliant producers of the 3% of our eggs that come from Europe. I have outlined the processes that are going to be in place. The industry came to me only today to talk about the legal advice. If, having seen that advice, I see that I can take stronger, robust action within the legal framework, I will, as I said earlier, do so. The Member needs to listen more carefully to what I am saying. I said earlier that we are thoroughly investigating the possibility of taking unilateral action and about looking at the intracommunity trade ban. We need to look seriously at that. If I have the legal framework to do that, I will do that. I will be as robust as I can.

Dolores Kelly raised the issue of government buying standards. That was a good point, and I intend to write to our Central Procurement Directorate, which looks after all procurement for the Executive. It would be a good point for the wider Executive to consider. The funding that was made available to the poultry sector to help them to convert to enriched cages was also raised. Last week, I made the point to the Member during Question Time that the Department brought forward a funding programme under tranche 2 of the farm modernisation programme. The point was raised about what Dublin had done and the €16 million that it brought forward. Dublin was able to bring that forward because it ended its installation aid scheme and early retirement scheme.

The additional funding was announced as part of the package that arose —

**5.30 pm**

**Mr Deputy Speaker:** The Minister will draw her remarks to a close.

**Mrs O'Neill:** Go raibh maith agat, a LeasCheann Comhairle. The most important thing is that DARD is determined to take action. We have had numerous meetings with the industry, and we will continue to have. We will be raising the issue and working in tandem with our colleagues where we need to, and we will be as robust as we can to protect our local producers —

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

**Mrs O'Neill:** — to make sure that they are not competitively disadvantaged.

**Mr Swann:** I thank the Members who contributed to today's debate, and I thank the Minister for her participation and for staying to the end.

The issue impacts on many constituencies, and it was useful to have a wide range of input. We heard many Members voicing their concern about the potential impact on local egg producers of cheaper, illegal eggs. The headline figure of £400 million being invested in enriched colony cages by the industry as a whole is somewhat hard to comprehend, and that was highlighted by my party colleague Jo-Anne Dobson. However, breaking that industry-wide figure down into individual businesses, which comprise farmers and their families who often employ local people in those industries, perhaps makes the impact of the legislation not being fully implemented across all the EU member states easier to understand. In many cases, individual farmers have spent several hundred thousand pounds — in some cases, millions of pounds — improving welfare standards ahead of the welfare of laying hens directive, which will come into effect on 1 January. Those producers have invested for the future but have done so on the justifiable assumption that producers in all EU member states would live up to the same obligations with regard to hen welfare. Sadly, as we heard today, that has not been the case.

I will give an example of a constituent in North Antrim who is typical of many in the sector. He invested £15 per bird to convert his existing poultry houses and fit them out with the enriched colony cages. In addition to that significant outlay and because of the reduced stocking density, that farmer has had to reduce his stock from 30,000 birds to 27,000 birds per house. Like so many in the industry who have planned for the future, that farmer has made a large investment and, given the production costs, that is difficult enough to justify, especially when the cost is to be spread across

fewer birds. That farmer now has to face the real threat from cheaper, illegal eggs, produced to a lower welfare standard, that will erode his already slim profit margin. Eroding profit margins even further puts increased pressure on the egg sector in Northern Ireland.

The directive has also resulted in producers, particularly those without successors willing to take over the poultry houses, deciding to leave the sector early, which will further reduce our domestic capacity. I understand that questions to the Commission have been tabled by the Agriculture Committee for this month's Strasbourg sitting. According to my colleague in the European Parliament, Jim Nicholson, those questions seek clarity on a number of issues, including the true extent of production in unenriched cages across the EU, what action has been taken to fully comply, the legal situation with regard to restricting the trade of illegal eggs and, crucially for the future, what lessons have been learned about the implementation of directives.

With regard to some of the Members' contributions, I thank my party colleagues Jo-Anne Dobson, Michael Copeland and Sandra Overend for their support. Jo-Anne highlighted very clearly that the directive initially came in on 3 August 1999 and that member states had had 13 years to comply. She said that non-compliant countries can manage what they want to do with their eggs and that that was not a matter for this House, except for one thing, Minister: they should not enter our market.

Michael Copeland, our new poultry expert from east Belfast, asked for the Government to come forward and buy out those cages for the large industry that he represents.

**A Member:** The KFC industry.

**Mr Swann:** Possibly the KFC.

Sandra Overend highlighted the costs incurred. With only four weeks to go, one third of the EU is non-compliant. Member states have received the incentives that she referred to — £16 million from Ireland's rural development programme — while our Department and its rural development programme failed to support our farmers in any way.

We are lucky to have the full support of the Committee for Agriculture and Rural Development here today, and that shows the

testimony and the detail that the motion brought forward. Not only did it show that the House is united behind the poultry industry, it showed the number of Euro-sceptics in the House. The regulation also brought forward some of the absurdities evident in EU legislation. I think that Mr Lunn said that this is not one of them. However, it seemed that he was moving from the pro-European Alliance Party slightly towards UKIP.

**Mr Lunn:** Never.

**Mr Swann:** You are on the wrong side of the House for that quote.

Mr McMullan highlighted the total hypocrisy of Europe. Mr Frew agreed and spoke about his recent experiences of Europe. I ask the Minister for one thing that, I think, my party leader, Tom Elliott, raised: will you clarify in writing for the House the gentlemen's agreement that is behind the legislation? Mr McMullan seemed to imply that the legislation and the technicality of the enriched cages was the gentlemen's agreement. Will you clarify to the House and our industry that the enforcement of the regulation is the gentlemen's agreement that you referred to? It is a dangerous message to send out from the House to our producers and our egg industry that the legislation could be perceived as a gentlemen's agreement rather than European legislation.

Mrs Kelly referred to the animal welfare challenges that lie ahead. She said that this is one of the first pieces of animal welfare legislation from the EU. She also suggested that the UK Government should investigate buying-out standards for Departments, whether it be for schools, hospitals or even the MoD. I think that the Minister agreed to take that forward. Jim Allister highlighted the missed opportunity under the farm modernisation programme and said that we needed to supply confidence to our consumers. He also said — I paraphrase slightly — that we should tool up for a fortress-UK approach.

Minister, we called for confidence, reassurance and the protection of our egg industry. I understand that you are seeking legal advice and looking for clarity. As the deadline is 1 January 2012, which is less than four weeks away, and taking into consideration holidays etc, we really need you to take guidance on that legal advice as a matter of urgency in support of our agriculture industry, especially our egg industry.

The possible enforcement options that have come forward from the Commission have been highlighted. Five options were listed. One was a derogation from the implementation directive for a period for non-compliant countries. Minister, I appeal to you that that must be resisted at all times. It must be fought against because it would be disproportionately unfair to our UK and Northern Ireland producers, as all other member states have had 13 years to comply with the regulation. To take Mr Allister's example one step further, I have been made aware of cages being taken out of hen houses across the UK and going to another EU member state within the past two years. That was not outside compliance with the directive. I think that Mr McMullan mentioned briefly the possibility of a new code 4 to distinguish illegal eggs. Do we truly expect somebody who produces eggs illegally to comply with legislation that would mark them as illegal?

The Commission also suggested an official list of non-compliant producers. The Minister said that we could stop purchasing eggs from producers on that list. It is a big threat from Europe to have your name put on a list, but what would happen to the second-party and third-party sellers? Anybody could end up on the supply producers' list. I have seen that happen with the application of a number of EU regulations. They have been bent as well.

Increased inspection was also highlighted. The Minister referred to ultraviolet inspection. Given the poor state of the data available from the Commission — we already know the countries that will not be compliant — we seriously doubt that any enforcement method that relies on that sort of inaccurate data would be effective. The Minister is taking legal advice, but the only option that is truly available to us is an intra-community trade ban. We support the calls for such a ban on the export of shell eggs. More importantly, we should not forget about egg products from non-compliant egg producers. We ask you, Minister, to call on and work with the Commission to initiate infraction proceedings against member states whose cage egg producers will be non-compliant once the directive comes into force on 1 January.

We had to face fines of over £80 million for infractions and non-compliance with EU regulations. Let the law apply to all EU states. Time is of the essence, and I encourage the

Minister to do all she can to protect our egg industry.

Question put and agreed to.

Resolved:

*That this Assembly notes that the welfare of laying hens directive is to come into effect from January 2012; recognises that the introduction of a ban on the use of battery cages has led to significant modifications on many farms; notes with concern that one third of Europe's egg industries will not be compliant with the new regulations by January 2012; and calls on the Minister of Agriculture and Rural Development to detail how she will ensure that Northern Ireland's egg producers will not be disadvantaged by cheaper imports which derive from non-compliant producers.*

Motion made:

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

## Adjournment

### Portavogie: Regeneration

**Mr Deputy Speaker:** I remind Members that the proposer of the topic will have 15 minutes to speak. The Minister will have 10 minutes to respond, and all other Members who wish to speak will have approximately six minutes.

**Miss M McIlveen:** I have been a passionate advocate for the people of the Ards peninsula since being elected to the Assembly in 2007. I am a regular visitor to all parts of the peninsula and have an office and surgeries there. I am particularly struck by the condition of Portavogie village and the concerns of its inhabitants. I have always felt a warm welcome from the people of Portavogie, despite my being a townie from the northern part of the constituency. They are a proud, hard-working people who want nothing more than to earn a wage from an honest day's labour.

I tabled the topic for debate because of my serious concerns about the prospects for future generations of residents in Portavogie, given the decline in the fishing industry in recent years as a result of the fishing quotas that have been imposed on the Northern Ireland fishing fleet. According to figures from the Department of Agriculture and Rural Development, the Northern Ireland fleet comprises 376 vessels. According to the Anglo North Irish Fish Producers' Organisation (ANIFPO), 140 vessels sail out of the three main commercial ports of Portavogie, Ardglass and Kilkeel, fishing mainly for prawns. Two vessels seasonally target Irish Sea herring, while a small fleet of semi-pelagic trawlers target white fish, and a small boat targets herring on the Mourne shore. That is a significant drop, given the numbers that operated in 1985, when the fishing fleet was at its peak in Northern Ireland. There has been a 25-year wind-down of the industry, which was imposed by Brussels after 12 years of significant investment by the then EEC.

There has been some good news this year for Northern Ireland and Portavogie's fishing industry. Quayside prices are up for the

prawn catch, which means that fisherman have been able to keep pace with increases in overhead costs such as fuel. Given the careful management of resources, a 12-month fishery will be maintained for most species except, most notably, cod. There has been some investment in the industry, assisted by the DARD-administered European Fisheries Fund (EFF), although there is quite a degree of frustration in the industry about the fund's administration. Local fishermen have voluntarily introduced a range of technical conservation measures that are designed to reduce discards, thereby answering unjust criticism.

I want to mention the work of the Royal National Mission to Deep Sea Fishermen, which continues to deliver practical assistance to all fishermen. In Portavogie, the mission will soon be opening a facility to help immigrant fishermen. Those proactive steps, delivered with the help of the fishing industry, should be recognised and applauded. However, it is not all good news.

The debate is timely because this is the time of year when the EC annually undermines confidence in the industry. There are proposals to reduce total allowable catch (TAC) for, in particular, prawns by 19% and haddock, plaice and herring by 25%. Such cuts in quota combined with a further reduction in days at sea will have a devastating impact on the fishing industry in Northern Ireland. The proposals flow from the EU's long-term cod recovery regulation that, according to EC scientists, has failed to deliver, and yet the EC continues with even deeper cuts. The problem could be further exacerbated, as the EC is seeking to claw back additional effort from the UK/NI fleet over and above the 25% cut that it wants to impose in 2012. It argues that the UK allocated too much effort as part of article 13 buy-backs, which is why additional technical measures were adopted by the fleet to avoid cod.

The EC argues that the UK was too generous with the additional days allocated to the fleet and now wants to take them back. I know that the Minister travelled to Brussels with other UK representatives yesterday to meet the commissioner, and I would welcome an update on that in her response.

**5.45 pm**

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

**Miss M McIlveen:** I really do not have the time.

Obviously, all of that is very relevant to the issues around Portavogie.

The EC has proposed a zero quota for cod in 2012 despite acknowledging that there are data gaps in the science. Those data gaps cannot be filled unless fish can be landed to provide positive evidence. There are also proposals from the EC to impose emergency technical conservation measures to reduce discards. The industry shares the wish to minimise discards, but it is opposed to measures being imposed on Northern Ireland's and Portavogie's fishermen that have not been proven to work in our fisheries. Rather, the industry wants to trial ideas that have been developed specifically for fisheries in the Irish Sea. It is another sore point that an EFF application for such trials was with DARD for more than 12 months. After many delays, the application was approved on 9 November. However, it took DARD nearly four weeks to draft a letter of offer for the project, despite the urgency of the problem and especially in the light of the latest EC proposals. For the industry, that situation highlights a growing perception that DARD is trailing behind in promoting and assisting the local industry.

Additionally, during 2011 we have seen English-based proposals for a series of marine conservation zones in the Irish Sea. We are glad that the Minister shares local industry concerns that decisions on the English proposals should not be made in isolation from other management measures, as those proposals would effectively remove 20% of the local fleet's main prawn fishing ground in the Irish Sea. A job of work remains to be done on that.

Can the Minister advise when she will make an announcement on a fishing vessel decommissioning scheme, discussions on which have been dragging on for a considerable time? That would be a positive announcement that the fishing industry in Portavogie and along the rest of the County Down coast would welcome. Can the Minister also advise what discussions her Department has had with the Northern Ireland Fishery Harbour Authority about progressing harbour works around Portavogie harbour? Recent problems with the delivery of ice from the harbour authority's ice plant underscore concerns about the infrastructure at the harbour.

The fishing industry faces challenges from a variety of points, but, where there are

challenges, there can be opportunities. The fishing industry in Portavogie has always evolved in response to developments and challenges, and it always will. Fishing is at the heart of Portavogie's fabric, and, as it changes, so does the village. What plans can the Minister announce under axis 4 of the European Fisheries Fund about investment in the development of Portavogie? Although the debate is not about the fishing industry but about the regeneration of Portavogie, such is Portavogie's utter reliance on the industry that it is impossible to discuss regeneration without first putting into context the problems that the village's primary employer faces.

The area was first settled in and around 1555. As part of the James Hamilton estate of 1606, it was settled largely by fishermen from the Solway coast. In 1955, a new harbour was constructed that was developed further in 1975 and 1985. Given that rich history and the significant investment that went into the fishing industry in Northern Ireland from 1973 until the mid-1980s, it is not surprising that there is a generational reliance on the industry in the area.

In 1991, the number of fishermen in Northern Ireland stood at 1,369, but, by 2009, that number had collapsed to 654. Portavogie, as Northern Ireland's second largest port, undoubtedly bore a huge proportion of that fall. The impact of that was felt beyond those on the boats, including not just those who worked in fish processing but those involved in marketing, harbour jobs, boat building and chandlery supplies. Unsurprisingly, the numbers employed in the industry continued to fall during the recent recession, and that has been compounded by increasing overheads brought about by the rapid rise in the price of fuel, for example. Portavogie's historical link to the fishing industry is such that the village has grown up around it, and it could be argued that there is an over-reliance on it that is not seen in any other of the commercial ports in Northern Ireland. The fishing restrictions that have been imposed and the reductions in the size of the fleet have had a devastating impact on the village and its surrounding satellites, such as Ballyhalbert.

Earlier in 2011, it was announced that the Euro Shellfish plant in the village would close, with the loss of 30 jobs. That factory had supplied the wholesale and food service sector for more than 25 years. The announcement followed job losses in the sector in recent years following

the closure of other fish processors, such as Middleton's and Navatal.

Although takings on the catch cover recent increases in overheads, they still start from a low point as regards profit. That has hit deckhands hard, with reported earnings being around £150 per week. Figures from NISRA for 2011 show that there are 110 people on jobseeker's allowance in the ward. That represents an increase from 29 in 2008. There are 138 people on income support, 165 on incapacity benefit and 66 on employment and support allowance. It is worth noting that those who are still employed in the industry are on very low incomes. NISRA figures for other benefits paid show that there are 570 recipients of DLA, 181 receive carer's allowance and 153 receive attendance allowance. In the area, 795 people are in receipt of multiple disability benefit, and 20 receive severe disablement allowance. Unemployment is particularly prevalent in Portavogie among males between 16 and 34 years of age.

I will put those figures into context. The village of Portavogie has an estimated population of around 2,042, with the ward having around 4,826 inhabitants. Therefore, we are talking about a significant proportion of the population either surviving on benefits or on a very low income. With greater restrictions on fishing to come, it is envisaged that the situation will only get worse. In 2010, only 19 jobs in Portavogie were notified in jobcentres. On a slightly brighter note, there were eight participants from Portavogie in Invest NI's enterprise development programme, of whom seven started new businesses. That is an increase from one participant in the previous year. Unfortunately, however, we are unaware of the location of those businesses, the number of employees or their proposals for and prospects of survival.

There is no escaping the fact that Portavogie needs regeneration. It is not simply a matter of giving it a lick of paint and erecting a few nice signs. Business diversification is needed. I am in the village weekly. It strikes me that it is a village that has had the wind taken out of it. It has not come to terms with restrictions placed on it by the EC. It needs investment and guidance. A vibrant, successful Portavogie can have knock-on benefits for the rest of the peninsula's towns and villages, such as Ballyhalbert, Cloughey, Ballywalter, Kircubbin and Greyabbey.

According to a survey commissioned by Ards Borough Council, retail provision in the village consists of one general shop, a pharmacy and a post office. Incredibly, there is no bakery or fruit and veg shop. That is totally insufficient for a population the size of Portavogie's. It suggests that there is doubt about the sustainability of businesses in the village and that there has been historical lack of diversity in businesses.

Although there is significant tourist traffic along the Ards peninsula, Portavogie does not seem to capitalise on it in the same way that other towns do, such as Greyabbey. I was pleased to hear that an application has been submitted for work on the Portavogie promenade, a scheme for which I have pressed for some time. Hopefully, it will be a success and prove to be beneficial to the village. However, there is a need for Portavogie to tap into its natural attractions and benefit from potential tourism spend. For that, there needs to be a co-ordinated approach and a focused vision for the village. It is not possible for matters simply to be left to develop in the hope that there will be a positive outcome. Strategic vision needs to come from DARD.

Although there has been significant development in housing in the village, there are many vacant properties and a number of boarded-up homes. It was hoped that there would be most activity on the Harbour Road, which could become the heart of the village. However, unfortunately, there are many boarded-up properties there. It is indicative of the lack of vibrancy in the village, a fact that has been acknowledged by many local people. There is an evident, almost palpable need for action to be taken. Indeed, if any other centre of population had lost in excess of 60 businesses, a task force would be set up to look at and address the problem.

I thank the Minister for attending the debate. I know that she has been busy already this week with negotiations on fishing that will impact on Portavogie. I welcome any views that she has on the regeneration of the village, particularly with regard to a task force to assess options for diversification and to take the lead in developing a vision for the village to create sustainable jobs, rejuvenate the village and tap into its tourist potential, which would have wider benefits for the entire Ards peninsula.

**Mr Nesbitt:** I thank the Member for bringing a focus to Portavogie this evening. I very much welcome being able to say a few words. I offer,

as I did on the day of the election, to work with colleagues in the House who represent the Strangford constituency to do all that we can to regenerate and revitalise villages such as Portavogie.

I will come to Portavogie slightly circuitously, if I may. I begin by suggesting that Northern Ireland's economic success has always been built on picking sectors. In our golden era, those sectors were shipbuilding, agrifood, fisheries, the linen business and the rope works. I was glad that, when the Minister of Enterprise, Trade and Investment published the draft economic strategy two weeks ago, there was once again a focus on the need to pick the sectors that are most likely to boost our economy and a focus on upskilling our workforce. Picking the sectors and upskilling go together; they are two halves of one whole.

We need a modern spin that will benefit the likes of Portavogie. If I may, I want to reference Harland and Wolff for one moment. The modern spin there is the Paint Hall, which has reinvented itself as a centre for the creative industries, a modern spin on manufacturing. Of more relevance to Portavogie is the huge investment by Danish Offshore Natural Gas (DONG), the Danish company that will be getting involved in offshore renewables here. The Belfast Harbour Commissioners are to build a multimillion-pound logistics terminal to service DONG when it gets up and running, and it would be to the benefit of Portavogie and the whole Ards peninsula if we were to create a renewables corridor, running from Belfast harbour down through Newtownards and along the Ards peninsula. On the way through Newtownards, you pass the South Eastern Regional College campus, where they have an environmental skills centre, and I was delighted to learn that the college had attended a recent supply chain event run by DONG. That has led to a liaison and, hopefully, the potential for skills training and new jobs in Portavogie, as we try to cash in on the rich vein that renewables will offer Northern Ireland in the future. We have an opportunity to revitalise the fishing fleet and to transform it, to some extent, into a logistics fleet that will be part of the supply chain that services DONG in the Irish Sea.

That is not to say that we do not need to keep a fishing fleet. Indeed, I would like to thank my colleague Councillor Angus Carson from Ards Borough Council, who will attend the first

meeting of the Fisheries Local Action Group (FLAG) tomorrow. That is an initiative that has come from the Minister's Department, and I wish them well in their endeavours as they look at new possibilities that will perhaps include an enhanced fishing opportunity for boats of less than 10 m in our inshore waters.

We also look forward to the review of the EU common fisheries policy. I was struck by the profession by the Commissioner for Maritime Affairs and Fisheries, Maria Damanaki, who is from Greece, of her knowledge of and sympathy for small-scale fishermen. She also expressed a desire for regionalisation as the common fisheries policy moves forward; in other words, she realises that there is no one-size-fits-all solution. I was also struck by an article that the commissioner wrote, entitled 'Learning from our Mistakes'. In it, she describes having visited a small Greek island where there had once been a significant small-scale fishing fleet, which has now been scrapped. She wrote that that had followed the adoption of the latest reform of the EU common fisheries policy in the 1990s, hence the title of her piece. We must not repeat the mistakes of the past. The Commissioner writes:

*"I believe that small-scale fishermen greatly contribute to the economic progress and the preservation of distinctive social and cultural characteristics of European coastal communities."*

She goes on to write that she is committed that:

*"the new reform of the common fisheries policy shall provide the framework to safeguard their role and reward those who value sustainability".*

Most encouragingly of all, she writes that:

*"We have to turn from building bigger and bigger vessels to the care of our fisheries communities."*

I very much welcome a renewed focus on communities as well as actual vessels.

## 6.00 pm

I also welcome, and commit myself to working for, social cohesion in Portavogie. I want to address the real concerns of the people there. One of the benefits of a debate like this is that constituents contact us. One contacted me to ask me to raise the issue of the long-promised walkway from The Quays towards Ratalla and Cloughey, which was proposed a few years ago by the council but opposed by environmentalists. The constituent said:

*"Trail bikers and scramblers are churning up the area, wrecking the ecology of the area. We have foxes, badgers and many ground-nesting seabirds here. The scramblers will ensure they leave the area and bikes will cause distress to walkers too."*

Again, there is praise for my colleague Councillor Carson, who intervened last spring, but it appears that the bikers are back and have destroyed age-old paths used by fishermen and walkers for over 100 years. It seems to me that that is the sort of initiative on which MLAs and councillors can work together to develop solutions and joined-up politics that will make a real impact. As my colleague Miss McIlveen said, there is every need for intervention. She has defined the problems, and, hopefully, tonight we will start looking at the solutions.

**Mr McCarthy:** I am grateful to Michelle McIlveen for bringing this problem to the Assembly.

Unfortunately, she has said all that I was going to say, so I will cut my speech down a wee bit as far as I can. I am also grateful that we have a Minister, Michelle O'Neill, present to hear and, hopefully, respond positively to the needs of a small community which is situated on the Irish Sea coast on the Ards peninsula. I do not know whether the Minister has been down in Portavogie, but I extend a very cordial welcome to her and invite her to join us at her earliest convenience to see what we are talking about this evening.

I am the third contributor to the debate this evening, and there is not a great deal left to add to what has already been said. However, I give my wholehearted support to any initiative that would return economic prosperity to what was once a real, lively, busy, thriving and proud fishing village, where the men were out on the boats and the women and young people had work in the various processing plants in the village, all contributing to a good economic community in Portavogie. I was born and reared a wheen of miles fae Portavogie and know local people through family, work and sporting connections. It was in that environment that I gained my football skills, playing with Frankie Mahood, Joe Mawhinney, Bert McMaster, the Cullys, the Coffeys, the Keenans and the McCormacks, all of whom were born and reared in the village of Portavogie.

I can tell Members that fishing is a hard and tough life, but in times past there was money to be made, and families did well until a number of years ago when, as Michelle McIlveen said,

restrictions, rules and regulations from outside, probably from the EU, were forced on the industry, and it has been in a downward spiral ever since. Indeed, it continues in that direction. God only knows what further decimation will come from the December discussions in Brussels.

I am sure that other Members will join me in wishing Michelle O'Neill every success in her upcoming talks in Brussels as part of the delegation that will fight our corner. I was part of a Department of Agriculture and Rural Development (DARD) delegation recently in Brussels, where I met officials, including Commissioner Damanaki. We got a good hearing and sympathy, but very little optimism about the future. Again, very recently, our Committee met our equivalents from across the border. They expressed sympathy for our plight; they also have to fight for a decent industry. They offered to help and co-operate where that was possible.

I pay tribute to the local Portavogie community through its action group and others, including Dick James and Alan McCullough, who represent the fishing industry. They are all working, hopefully, to make a better life for the people in the village. I also pay tribute to Ards Borough Council, of which I am a member. Through its development committee, it looks at ways and means of securing sustainable development for Portavogie.

I have said on many occasions, and with the support of local people, that immediate action and support is required urgently; otherwise, we will lose our fishing industry altogether. The industry is heading in that direction as we speak and will continue to do so unless something is done.

Portavogie is a unique little place. It does not have a high street or a main street, just a number of roads leading in and out of the village. It has very little retail activity. Thankfully, as Michelle said, it still has a well-run post office and pharmacy. Let us hope that those basic facilities remain. We do not have a GP surgery and things that other communities have, but the pharmacy and post office provide an excellent service for the community. We have a supermarket and a very popular restaurant, the Quays, and I encourage anybody who is in the village to frequent the Quays and you will be assured of an excellent supper, dinner or whatever you go in for. In days gone by, we had three or four drapery shops, three or four

grocery shops, and a hardware store. They are all gone.

*(Mr Speaker in the Chair)*

We all know that the rural transport budget was reduced recently because of cutbacks, and people have to travel to other villages. Young people in Portavogie see little or no future in the fishing industry, and they go off to colleges and universities never to return. I pay tribute to the Agriculture Department, along with Ards Borough Council, for its support for Portavogie some time ago through the fishing village initiative, and to the IFI and other funders for supporting the provision of a modern community centre with a park and play area. However, work and training need to be directed into Portavogie to compensate for the loss of the fishing jobs. All our peninsula villages have suffered. We never had a huge factory, but we had a very vibrant and busy construction industry until the banks pulled the plug; and the sooner we get back to building new homes, for which there is demand, the sooner we can get skilled tradesmen back to work.

In conclusion, I am prepared, as representative, to work with others from Portavogie along with Assembly colleagues, council colleagues and the Department at Stormont to regenerate Portavogie and all the other areas, and I hope that that is done sooner rather than later.

**Mr Hamilton:** I begin by thanking and congratulating Michelle on securing the Adjournment debate this evening and for the opportunity that it has presented to her and her colleagues to highlight the need for the multifaceted regeneration of Portavogie.

As Michelle said, this debate is not about the fishing industry per se, but fishing is inherent in any discussion about Portavogie, which is so tied to the industry that you cannot talk about the village and its future without discussing the fishing industry. The decline in the fishing industry, which we all know all about, is much more marked in Portavogie than it is in Northern Ireland's other fishing towns and villages. I know a lot about Ardglass because that is where my mother's side of the family is from, and whilst its fishing industry has declined over the years as well, it has managed to use its tourism potential, capitalised on through the development of a small marina in the village, to weather some of the worst aspects of the decline in the fishing industry. Kilkeel is another

matter altogether. If Jim Wells were here, he would probably lament many aspects of its decline, but it is much bigger in area, and it had other industries on which it was dependent.

As Members, including the proposer of the debate, have said, Portavogie, on the other hand, has very little beyond fishing to depend on and to gain income and a sense of community spirit from. The whole decline in the fishing industry has been much more marked there, and it is not just about the loss of boats and fishing and the direct impact on those in the fishing industry and those out on the seas. It has an impact on those in engineering, supplies, local shops and in the processing sector as well.

There are two parts to the regeneration of Portavogie, the first being the regeneration of the fishing industry.

I do not want to go through all the problems that other Members rehearsed about the crippling impact on Portavogie of the restrictions that the EU has placed on the industry. I look forward to any update that the Minister can give us about what the future may hold, although, at this time of the year, there is always a fear of a bleak future for the fishing industry in the Portavogie area and, indeed, other ports.

The Minister will be aware that there is a real sense of frustration among fishermen in Portavogie and elsewhere that what is regarded as their Department is not always seen to stand up and fight for their interests as much as they believe it should. That perception is widespread across the industry; fishermen have not always viewed the Department as being on their side. I appreciate that the Department is tied in much of what it can do and that Europe hands things down to it that it must implement; however, the Department needs to get behind the industry.

There is an industry to get behind. Many people will talk about the fishing industry in Northern Ireland as having seen better days and as, to use that awful phrase, a "sunset industry". I know, and others should appreciate, that there is huge potential in the fishing industry in Northern Ireland. Our fishermen are catching produce that is exported around the world and which has massive potential. There is a niche market for it. It is sold to restaurants in London and other cities around the world, including in the Far East and elsewhere. Europe produces many threats to the fishing industry, but, through the huge market with which Europe provides us,

there is also an opportunity. I have pestered the Minister and her predecessor about protected geographical indications. It strikes me that the produce that comes out of Portavogie, not least prawns, is ripe for seeking such a designation, which would give it an additional marketability around the world that could provide at least something to bolster, underpin and show a confidence in the industry that it should have.

As Michelle outlined, there is also a need for a physical regeneration of Portavogie, and the two are interrelated; the decline in the fishing industry has led to a decline in the physical infrastructure around Portavogie. That has been seen in the closure of shops and other businesses and the decay in many parts of the village. It is sad to see how it has declined over the years from the vibrant town that Kieran McCarthy outlined to what it is today. It is as if the confidence has been sapped out of the town.

The people of Portavogie are looking for their Department and all of us in Stormont and, indeed, in local government to get behind the village and fight for it. There is an industry there that can be salvaged. It may not get back to what it once was, but there is the potential for something, and there is a requirement for the clear decay in the village to be addressed. I appreciate that physical regeneration in the sense of what the Department for Social Development (DSD) does is not DARD's first priority, but, as much as we want to fight for the regeneration of the industry, you must have physical regeneration as well. The rural hinterland around Portavogie depends on the town; if the town is strong and vibrant, the hinterland will thrive as a result.

I welcome the opportunity to talk about these issues, and I hope that, in the Minister's response, she can highlight how she sees her Department playing a role, how, no matter what Europe throws at us, we can bolster and support the industry and, by doing that, how Portavogie can be regenerated.

**Mr Bell:** I add my congratulations to my DUP colleague Michelle McIlveen for securing the debate on this vital issue. I welcome the presence of the Minister and her attention to detail, not only on this matter but on the fishing industry in general. That builds on the work of Michelle Gildernew before her.

Minister, from wearing another hat, I understand and appreciate that you rearranged your diary

considerably to allow you to be in Brussels in the past few days. The debates there run to 3.00 am, and you are dealing with hundreds of millions of people across the European Union. It is vital that you take to Europe a local issue that affects just over 2,000 people. The 2001 census showed that 1,594 people lived in Portavogie, so there has been an increase of between 450 and 500 people in the past 10 years. It is small in comparison with what some of those commissioners are dealing with in Europe, but I can tell you that the fishing industry is absolutely massive for local people and those in secondary industries whose livelihoods depend on it. In many cases, there is a single breadwinner involved in the fishing industry, so entire families and extended families are dependent on it.

### 6.15 pm

Portavogie has a rich history. If you go back to 1555, Stable Hole, just north of what is now Portavogie, was the first settlement there. The Ulster-Scots tradition there has made a huge contribution not only there but right across the Ards peninsula and further afield.

I do not believe that it is all doom and gloom. However, the fishing industry there has suffered in not only the ways mentioned but also with the cost of fuel and the cost of running the industry. That has put huge pressure on fishermen and their families and has had a huge impact on their mental health as they worry about their future and whether they will be able to sustain their livelihoods. Many people are entirely dependent on the fishing industry and do not have a secondary skill to fall back on. Fishing is what they saw they were going to do, what they saw their fathers doing and what they wanted to do themselves.

I appreciate, as was mentioned, all the Christian work that has been undertaken by not only the missionary societies but also St Andrew's. Mind you, Portavogie was known as a Presbyterian village because of all the fishermen who were Covenanters. Portavogie was a strategic defence area because of the Ards peninsula and its rich supply of food.

I congratulate the Minister on what she, and Arlene Foster in the Department of Enterprise, Trade and Investment (DETI), have been doing in the push for the agrifood industry, which is actually outperforming all other areas. It is a huge growth area and one that we would like

to see progressed. Portavogie has a key role to play in the agrifood industry, and hopefully we can buck the trend of economic recession that is there.

With some 20% of its young people under 16 years of age according to the last census, we have a big job to do to make sure that people have not only the skills needed if they choose the fishing industry but the skills needed to match the new industries. In our Programme for Government, the tourism industry is absolutely key. Portavogie has it naturally. It has the breathtaking views and the restaurant on the quays, where, the last time I attended, you could not get a table on a Saturday night; it was just booked out completely. It is hugely successful. So Portavogie has a lot to offer. There are the royal links from when Princess Anne opened the harbour and, subsequently, the community centre.

We need to ensure that the young people there have real and viable opportunities. I am going to go slightly off the subject of the fishing industry and into the environmental sector. I recently looked at South Eastern Regional College's new facility that can take cold air and operate almost like a refrigerator in reverse to provide heating. Key new industries are being developed and it is important that our young people in Portavogie get the skills for employment and to make them employable into the new year.

I met representatives from the Northern Ireland Retail Consortium today and asked them specifically about Portavogie, because we have large retail associations and they are contributing. We want to see them contributing and developing the smaller businesses, and that was their golden opportunity as I showed them where their work could have real effect.

Every crisis is an opportunity because the tourism market is opening. When I was in Asia over the summer, they were looking at some 300 million who want to travel to Europe. If we can encapsulate some of that into Northern Ireland, particularly in the next year with the Titanic and everything else, we could bring it all through into the tourism industry.

The greatest asset any place has is its young people. I have a real hope for Portavogie. I saw what even two disabled young people who are now young men did to overcome disability to show what they could do. I was speaking to one of their aunts when doing a surgery on Friday.

I have every belief that Portavogie can develop and ride out the crisis to become once again a vibrant town. The motto of the Trinity Free Presbyterian Church, Hebrews 6:19, states:

*“Which hope we have as an anchor”.*

**Mrs O’Neill (The Minister of Agriculture and Rural Development):** Go raibh maith agat, a Cheann Comhairle.

I thank Michelle McIlveen for securing the debate and all the Members who contributed. Thanks to Kieran for the invite: I am sure that I will get along to Portavogie in the very near future. I even know where to eat, because you have told us where we should be eating, too. I hope that I will be able to address all the points that have been raised, but if I have left out anything, I will pick up on it afterwards and write to Members.

As has been said, Portavogie historically has had a very strong dependency on the fishing industry for its employment opportunities. Over the past two decades, the industry has faced severely difficult and challenging times as a result of the dwindling fishing opportunities and the increase in operational costs, both of which have led to a contraction in the number of vessels that operate from Portavogie.

Fishing opportunities are not as varied as in the past, and we are now very heavily dependent on our prawn fisheries. We must ensure that that stock continues to be fished sustainably so that it can support the fleet in the years ahead. We must also improve the profitability of the fleet so that our fishermen can have confidence to invest in their futures and so that young people will also feel attracted to the industry as a career.

My Department has been involved in a range of programmes since the early 1990s. As I only have 10 minutes, I will not go into them all. There has been the fishing villages initiative, the Fishing Villages Task Force and a number of other different initiatives down through the years. The main opportunity, looking to the future, will be through axis 4 of the European Fisheries Fund (EFF). That will be the best opportunity for community-based regeneration support over the next four years.

Axis 4, in many ways, is similar to the previous Fishing Task Force programme. It is a bottom-up initiative, and a fisheries local action group, to which Mike Nesbitt referred, will comprise a

range of social partners and will be established to develop and oversee the implementation of a sustainable development strategy. Hopefully, that is a move towards what Michelle McIlveen outlined when she talked about a task force and moving forward. That group will be key to Portavogie, which is an area that is very dependent on the fisheries.

That approach will involve people who are best placed to know the needs of the area and how to maximise the benefits for the community from the funding that is available. I have earmarked a total of £3 million of European and matching funding for the strategy, so at least there is funding to take a strategy forward. Hopefully, that is a good starting point.

My Department is working with council officials on setting up the fisheries local action group and establishing a lead partner. Progress is being made, and it is hoped that a meeting will be convened very soon. As Mike said, that is happening over the next number of weeks. That will be a good opportunity to commence the process of developing the sustainable development strategy, and it is anticipated that axis 4 will open for applications early in the next financial year.

It is also vital to the success of axis 4 and the wider regeneration of Portavogie that all stakeholders express their ideas and opinions as part of the consultation process associated with developing the strategy. I take this opportunity to appeal to all stakeholders to make sure that they fully participate in the process and make sure that their views are known.

We are very fortunate in central government that local government and the private and voluntary sectors have experience in delivering socio-economic programmes dedicated to fishing-dependent communities. Their continuing participation is required to ensure the benefits from EFF and other funding be maximised in our fishing communities.

The initial proposals for European funding for the fishing industry post-EFF have just been published, and the Commission is providing a strong focus on the continuation of community-led, socio-economic support through the new European and Maritime Fisheries Fund. The process that is currently being earmarked through axis 4 will therefore continue into the next round of European funding.

As Members said, I was in Brussels yesterday. I urgently sought a meeting with Commissioner Damanaki. I went out with Richard Benyon from the Department for Environment, Food and Rural Affairs and Richard Lochhead from Scotland, because the Commission was proposing a regulation that would have had a devastating impact on Portavogie and all our fishing industry.

Thankfully, that regulation has now been taken off the table to allow for more conversation and for me to work with the industry here. I will have to keep engaging with the Commission on that, because if the regulation were to go ahead, it would be catastrophic for our industry. So, we are fighting very strongly with the Commission on that. We got some positive vibes. We will have to work with the Commission to make sure that we get that right.

We are back in Brussels next week for the December Fisheries Council meeting — a dance that DARD has to take part in every year with the Commission in respect of our next year's quotas. It will be very challenging; there is no doubt about that. We are starting off with very deep cuts. The Commission is proposing a 19% cut for the nephrops fleet. Our fleet could not sustain that. We are fishing sustainably, and the Commission needs to recognise that. We have a big job ahead to get the Commission to think our way. We will be putting the case strongly that there should be a rollover in respect of the catch, as opposed to the 19% that the Commission is proposing. We also have concerns about the proposed 25% cut in respect of our sea herring. Those are all the issues that will be under intense negotiation next week when we argue our case. We have been to date, but, next week, it gets to the intense stage where we have the opportunity to get the best deal that we possibly can for our local industry.

The decommissioning scheme was raised. I want to move that forward as quickly as possible, but it is certainly a complex issue. On the one hand, the fishing industry wants the decommissioning scheme to be moved forward; on the other hand, the processing sector is worried about how that will impact on the stocks that it has coming in. Therefore, you have to get a balanced approach. That is what I have been doing and that is why the decision on the way forward has been delayed. However, I am pleased to say that the business case is well advanced, and I hope to be in a position to

make an announcement on the way forward at some time in the next four weeks. We had to have it cleared by the Department of Finance and Personnel. Hopefully, that will be resolved in the next four weeks.

I think that it was Michelle who raised the point about the delay on the EFF trial of gear. I appreciate the fact that there has been a delay in approving the project. There have been issues around clarifying the project's objectives and putting in place scientific project management to ensure that results can be used to persuade the Commission that that was a good way to go. So, at least, we can say now that the matter has been resolved and the project is going to proceed.

You asked about the timescales for implementing axis 4 of the EFF. I am glad to advise that the evaluation that we were taking forward has now been completed. It will be a valuable source of information when the new fisheries local action group is established, and it will give the group a focus for moving forward. That is positive.

Renewables potential was also raised. Absolutely — the offshore energy potential is there. It is the responsibility of DETI, but, obviously, it will impact on the fishing industry that I represent. I hope that the fishermen will take up those opportunities. I know from discussions that I have had with them that they are up for that and are actively involved. That is all good potential for the future that we are looking towards for the industry.

Some concerns about the operation of Portavogie harbour were raised. If you have anything particular or specific there, you might want to raise it with the harbour authority initially. I am happy to be part of any correspondence on that.

I hope that I have picked up on the main points raised in the debate. If there is anything else, officials will have picked up on it, and I am happy to write to Members. It is a very challenging time for the fishing industry. The December Fisheries Council meeting is a key time. It is a really worrying time for fishermen. They are worried about what their catch for next year will be and their days at sea and effort and all the rest of it. We have to keep working with the industry. We have to keep going to Europe, and we have to keep putting the strongest case possible.

*Adjourned at 6.30 pm.*







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Published by Authority of the Northern Ireland Assembly,  
Belfast: The Stationery Office

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ISSN 1463-7162

Daily Editions: Single copies £5, Annual subscriptions £325

Bound Volumes of Debates are issued periodically during the session: Single copies: £90

Printed in Northern Ireland by The Stationery Office Limited

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ISBN 978-0-339-50517-9



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