

# **Official Report (Hansard)**

**Tuesday 9 April 2013  
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# Northern Ireland Assembly

Tuesday 9 April 2013

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

*Members observed two minutes' silence.*

## Ministerial Statements

### Economic Inactivity: Baseline Study

**Dr Farry (The Minister for Employment and Learning):** Thank you, Mr Speaker. With your permission, I wish to make a statement about the outcomes of the baseline analysis of economic inactivity undertaken by my Department and the Department of Enterprise, Trade and Investment (DETI).

The Executive's Programme for Government included a commitment for both Departments to address the issue of inactivity through the development of a strategy to help those most in need to re-engage with the labour market through skills and training programmes, targeted incentives and job creation. The baseline study is the first step in the development of that strategy. It provides a detailed analysis of inactivity in Northern Ireland that will underpin the draft strategy that will be presented to the Executive for agreement later this year. This statement is, therefore, an opportunity to provide the Assembly with an analysis of our starting point, to give an initial indication of potential actions and to receive feedback from MLAs.

I wish to begin by outlining what we mean by "economic inactivity". It is a labour market classification referring to those who are neither in work nor unemployed. Employment encompasses many forms of work, including self-employment and work undertaken in a family business, while to be unemployed, an individual must be actively seeking work and be available to start immediately.

Unemployment has traditionally dominated the labour market debate. Although the current unemployment rate of 8.5% in Northern Ireland is higher than the UK average of 7.8%, the current disparity in the employment rate, which stands at 66.3% compared with the UK average of 71.5%, can be explained only by Northern Ireland's higher rate of economic inactivity, which currently stands at 27.4% of the working-

age population. That rate compares with a figure of 23% in Scotland, 24.6% in Wales, 25.4% in the north-east of England and 23.8% in the north-west of England. The overall UK average is 22.3% and is at the lower end of the spectrum for inactivity across Europe, while Northern Ireland's rate is similar to many southern and eastern European countries and the Republic of Ireland, whose rate currently stands at 31.1%.

Unlike the trend for unemployment, which was gradually decreasing before 2008, the level of economic inactivity in Northern Ireland has remained within a stable range between 26% and 32% since the mid-1980s. A higher inactivity rate reflects lower levels of economic participation, which in turn can hinder growth. A healthy economy should have a participation rate above 70%, as has been recognised in the European Commission's Europe 2020 targets, which seek to increase the proportion of 20- to 64-year-olds in employment to 75% by the end of the decade. In the Northern Ireland context, maximising labour participation is crucial to increasing the productivity of the region. In addition to helping people find work, my Department's role in increasing the skills of the working-age population is also key to achieving this outcome. However, in seeking to reduce inactivity, there is a risk that inactive individuals may simply be recategorised as unemployed, without progressing into employment. In order to prevent that outcome, the key measurement of success for the strategy will be increased economic participation.

The first step of the analysis was to recognise the variety of reasons for disengagement from the labour market. Given the criteria for unemployment, there is a proportion of the economically inactive who are able to work but are either discouraged from active jobseeking or are unable to look for work due to a short-term injury or illness. These groups are not a critical factor, however, together accounting for only 8% of the total inactive figure. The four other major classifications of inactivity are students, those with family commitments, the long-term sick and disabled, and early retirees.

Students, the largest single group, account for approximately 31% of the inactive, a higher proportion than the UK average and the highest of any UK region. This is a benign form of economic inactivity, as students are investing in their education and training and contributing to the upskilling of the current workforce.

Therefore, there is a significant productivity gain to the economy from the investment in skills. This finding also helps to account for the higher rate in Northern Ireland but not completely. Northern Ireland also has a higher proportion classified as inactive due to long-term sickness and disability.

In contrast to students, early retirees account for only 12% of the total inactive figure — the lowest of any UK region. The inactive with family commitments or a long-term illness or disability each account for 24% of the total figure. Unlike students or early retirees, individuals in those categories are more likely to be dependent on out-of-work benefits. They are also the categories in which disengagement from work is less likely to be voluntary or beneficial, and, therefore, they are the groups who would benefit most from additional support. For those reasons, these categories will be the focus of the strategy.

The baseline study analysed several key characteristics of the economically inactive: gender, age, location and level of education. The stable inactivity rate concealed different trends for men and women. Female inactivity rates are higher but have been falling, while male rates have been rising. In the target categories, there are more men than women in the long-term sickness and disability category, but women account for the vast majority of those with family commitments. Any intervention will, therefore, have to take account of gender issues. The analysis of age found that students account for most of the 16 to 24 age group. However, sickness and disability dominate older age groups, highlighting the need to consider attitudes towards older workers. In terms of location, inactivity is neither limited to one region nor evenly distributed across Northern Ireland. In general, western and rural areas have higher rates than eastern and urban regions. However, some of the highest rates occur in urban centres. For example, the Belfast City Council area recorded one of the highest rates, at 31·3% of the city's working-age population. That means that factors other than job availability drive inactivity. In urban communities with high deprivation levels and a poor skills base, an individual's circumstances and employability come into play. Currently, only 18% of those classified as inactive want to work. The findings are

reinforced by the education levels evidenced in the economically inactive. Over one third of inactive people of working age have no qualifications. Focusing solely on the target groups, that figure rises to 42%. Action is therefore required to address the skills gap.

The analysis included an assessment of previous interventions designed to tackle inactivity. To date, the main initiative targeted at the inactive is Pathways to Work, a programme of incentives and support designed to help people with health conditions return to employment. Other interventions include the Local Employment Intermediary Service (LEMIS) and Step Ahead. My Department has also utilised the European social fund mechanism to finance projects focused on inactive groups. Those initiatives have delivered some positive outcomes.

Some recent reforms to social security and aspects of the current Welfare Reform Bill before the Assembly will also provide a context to promote re-engagement with the labour market. It is important that we fully incentivise work for those for whom work is appropriate and ensure that government support can assist people in recognising that employment works for them. Equally, we must be mindful of the scale of the challenge. For instance, as of February of this year, over 23,000 incapacity benefit claimants migrated to ESA or jobseeker's allowance. However, of that group, only 139 have left benefits and moved into work.

Nevertheless, there is more that we can do. As I have indicated, the central recommendation of the baseline analysis is to focus the strategy on those who are inactive due to family commitments or a long-term illness or disability. Regarding the latter group, I recognise that there are some who will never be able to work due to the severity of their health conditions. However, there are many people with work-limiting conditions who, with the right support, may be able to participate. The results have suggested that interventions should focus on those individuals, and, given their age profile, the analysis recommended developing initiatives to help older workers improve their skills and overcome barriers.

Within the family commitments category, the analysis recommended focusing on lone parents, as they account for approximately 10% of the overall inactive figure. They are also among those most in need of support, as, in addition to employability barriers, they often face difficulties in accessing transport and childcare. The childcare strategy will play a key

role in assisting this group. That strategy is currently being developed by the Office of the First Minister and deputy First Minister, following the conclusion of a consultation period.

In developing measures to help these groups, the analysis also recommended more extensive research and a widening of the scope of the strategy to involve stakeholders such as other Departments and health professionals. The first stage of the research — a literature review — is complete and will help to inform the strategy and further projects. The strategy is being developed in line with these recommendations, with the overall aim of tackling inactivity by increasing economic participation. I look forward to updating the Assembly on the development of the strategy over the coming months.

**Mr Swann (The Chairperson of the Committee for Employment and Learning):** I thank the Minister for his statement and for providing the pre-briefing for the Deputy Chair and myself before this. He made it clear in the briefing and the statement that this is a starting point. He definitely laboured that point, so we can be under no illusion that it is a beginning. Given the categories that the Minister has targeted for his focused attention, has he considered how the changes to DLA and other proposed welfare reforms will impact on the economically inactive? Also, figures in the report show economic activity to have been almost stagnant in Northern Ireland since the 1980s. Will the Minister enlighten the House as to what he believes will work in tackling the problem?

**10.45 am**

**Dr Farry:** I thank the Chair for his comments and formally welcome him to his post. I know that he has been in office for the best part of a month, but I think this is the first time he has been before the Assembly in that role. I look forward to working with him alongside the rest of the Committee in the future.

First, the Member is right to highlight the fact that this problem has been with us for a considerable period. Economic inactivity in Northern Ireland has stood at between 26% and 30% for the best part of 30 years, irrespective of the ups and downs of other factors in the economy. That points to the fact that there are much more fundamental problems at play here.

We should have no doubt that this is a fundamental structural problem in our economy.

What is new is that there is a clear focus from the Executive on the issue. It is in the Programme for Government, and I know that the First Minister and the deputy First Minister have been keen to ensure that we tackle the issue and bring forward a strategy.

The Member is also right to say that welfare reform will create a particular context around all this, and there are different aspects to that which are of relevance. We are moving to a situation in which we are trying increasingly to incentivise people to work. It is not about forcing people into work, but where people want to work — at times, the welfare system has acted as a barrier to that — that will hopefully be one of the positive aspects of the reforms that will be taken forward.

New categories will emerge in light of the full move to universal credit. Different modes of conditionality will replace the old distinctions between those who are unemployed and those who are inactive, with people being on full conditionality through to those on low conditionality. That will take a lot of effort to change. It will not happen overnight, but, for sure, we have to close the gap between us and the rest of the UK and, indeed, with what is happening in other parts of the European Union. Today is a starting point, and we need to have a real engagement around the programmes that will really make a difference in incentivising people to move forward and make that leap.

**Mr Buchanan:** I thank the Minister for his statement. It is worrying that economic activity in Northern Ireland stands out from the rest of the UK, with 27.2% of the working-age population between 16 and 64 economically inactive compared with the UK average of 22.3%. I note from the Minister's statement that —

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

**Mr Buchanan:** — his targeted approach to the problem seems to be focused on older, disabled men in urban areas with low skills and on single mothers. In targeting those sectors, I ask him not to forget the others who may well benefit from a focused approach. What is the timeline for the strategy, and when are we likely to learn of its success?

**Dr Farry:** I thank the Deputy Chair for his comments. Officials in my Department and in DETI are working on the strategy, and we are in discussions with other relevant Departments.

We hope to bring a draft strategy to the Executive within a matter of months, which, I imagine, will then go out for public consultation. I hope that a final strategy will be agreed by the Executive before the end of this year.

The Member is also right to highlight the fact that Northern Ireland stands out from the rest of the UK. We have to accept that and face up to it but also use that fact to spur us on to greater action. It is important that we seek to target our interventions where they can make the biggest difference.

First, we have to recognise that we have a higher number of students in Northern Ireland than in other parts of the UK. Students are counted as economically inactive because they are not immediately available for work. That is a good thing, of course, because they are investing in their skills. We know that the Northern Ireland economy will have a greater demand for higher-level skills in the future, so we are making ourselves more competitive and those students, in turn, will be much more adaptable workers in the modern economy.

Nevertheless, there are areas of economic inactivity where there are problems. For some people, their family commitments are a lifestyle choice, and we do not want to interfere with that. Equally, however, some are trapped in a situation where they have been discouraged from entering the world of work or where work is not viewed as being of benefit to them.

Those who are long-term sick or are disabled comprise a major category, within which there are some people whose health conditions mean that they are simply not able to work, and, of course, we accept that as well. However, within that, there are also those who are capable of working but have not been properly supported by the system up until now. The welfare reform changes that are under way may actually make it easier for them to receive some benefits and to be in employment. The overall thrust must be that we target the strategy on where the greatest problem lies and where we can make the biggest difference and get results. We will not change this overnight, but, for sure, we have to join the journey rapidly.

**Ms McGahan:** Go raibh maith agat. I thank the Minister for his statement. I have a question on economic inactivity that concerns rural areas and lone parents. Minister, what measures are you taking to redress the imbalance for lone parents living in rural areas?

**Dr Farry:** I thank the Member for her question. She is right to identify that there is a

geographical nature to economic inactivity. It is not universal or uniform across Northern Ireland. There is undoubtedly an issue of rural disadvantage, and we will be very mindful of that when we take forward the strategy. She asks about lone parents, and, of course, the two will overlap in some cases. She will be aware that, under the auspices of OFMDFM, the Executive are moving ahead with a childcare strategy. Members right across the House have rightly identified that as a key enabler to empower people, particularly women, who have been excluded from the labour market to return.

We are aware of the issues regarding lack of capacity in Northern Ireland relative to other parts of these islands. So, in parallel to the strategy, work will be conducted to address that. Equally, there are things that we can do with employers to encourage employers to adopt more family-friendly hours and practices that take into account some of the particular circumstances and challenges being faced, particularly by women returners.

**Mr P Ramsey:** I welcome the Minister's statement. This is a very challenging period for the Minister and his Department. It is also the most distressing and worrying period for all those who are on disability benefits. As chair of the all-party group on learning disability, I ask the Minister to outline to the House how much additional funding the Department has to help the many tens of thousands of people who are expected to come off disability benefits? How many more specialised disability advisers are in place to look at the range of complicated disabilities that people have?

**Dr Farry:** I thank Mr Ramsey for his questions and comments. He touches on a particularly important area. Delivering on the strategy will involve resources. That is still to be scoped out, and I stress that we are at the first stage of the process. There is a clear interface between what we do to address economic inactivity and what is happening with welfare reform. That is a much wider debate. The Assembly has had that discussion on many occasions, and it will have it again in the very near future.

Where my interest and responsibilities flow is in assisting those who have a degree of disability to engage with the labour market. It is important that we stress the message on every occasion that there are people with some degree of either mental health or physical health issue who are capable of engaging in the workplace. There are people with learning disabilities who are capable of engaging with work. It is important that we recognise their

particular and specific circumstances and put in place support mechanisms for them. The Member will be aware that we have the disability employment service, which is a subsection of the wider employment service. We have a range of programmes that are designed to help people to return to work, whether it is Access to Work, Workable or Work Connect. We keep those programmes under constant review. I anticipate that we will look to review them again in light of the wider economic inactivity strategy to see how we can support people in those circumstances even better than we have up until now.

**Mr McCarthy:** Like others, I welcome the Minister's statement. Isn't the Assembly grateful that we still have a very active and dedicated Department for Employment and Learning headed up by a very active Minister? We want to get as many people as possible off the dole and into employment, and we have the right people in the right place to do that job. What is the relationship between economic inactivity and a skills deficit in Northern Ireland?

**Dr Farry:** I thank the Member for his question. He points to an important issue. There is a clear relationship between economic inactivity and skills deficits, levels of deprivation and a lack of labour mobility in sections of the population. The geographical spread of inactivity is not linked to the availability of jobs. There are areas of Northern Ireland where jobs are available and people are trying to recruit, yet, in parallel, those areas have some of the highest levels of economic inactivity. That clearly points to much deeper problems and other dynamics in our economy that have to be addressed.

We have a skills strategy in place for Northern Ireland, and we know that there is a strong requirement to upskill the workforce across a very broad front. The profile of skills that we will require over the next 10 years will have a much higher requirement for higher-level skills. At the same time, the opportunities for those with low or no qualifications will diminish, perhaps to 10% of available jobs by 2020. So, in parallel to the strategy, we have to continue to do what we are doing on skills to ensure that, as we empower people to engage with the labour market, they have the skills to take advantage of opportunities that will be there for them in due course.

**Mr Ross:** The Minister has the lead on skills and training, but he also has a role to play in job creation. Obviously, the Assembly has identified the devolution of corporation tax

powers as a key tool in job creation. In the absence of a decision on that until after the Scottish referendum, what is the Minister doing to make it easier for employers to take on new jobs and, in particular, to ensure that employment law in Northern Ireland is not seen as being less attractive than that elsewhere in the United Kingdom?

**Dr Farry:** The Member asked a number of far-reaching questions. He mentioned corporation tax, and virtually everyone in the House — there are a few exceptions — supports and understands the real opportunity that would arise from a lower level of corporation tax and is frustrated by the failure of the UK Government to enable that to be taken forward at this stage.

Nevertheless, we can do things that are relevant to preparing the ground for a lower level of corporation tax and, in parallel, will make our economy more efficient in any event, irrespective of whether we have a lower level of corporation tax. It is important that we continue to do those things because they are important for our economy, irrespective of our future with corporation tax. They include changes to employment law, as the Member specifically referenced, and it is important that we take that forward. I am preparing a draft consultation paper on some of the legislative changes that will go to the Executive in the near future. Work is under way in the Labour Relations Agency to better promote alternative dispute resolution mechanisms. We also want to review the tribunal rules to make them better for respondents and claimants in the small minority of cases — hopefully — that make their way to tribunals.

Beyond that, to make our economy more efficient, we must continue to invest in skills, promote more STEM subjects, identify the priority growth sectors for the economy and make sure that there are no skills shortages and mismatches in those areas. Those actions are well under way in my Department, and I intend to intensify efforts in that respect over the coming months.

**Mr Ó hOisín:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as a ráiteas. I thank the Minister for his statement. Will he agree that these figures are terrible and that there is a distinct geographical disparity? Will he agree that we should go back to the effective methods of getting people back to work and encouraging the decentralisation of jobs?

**Dr Farry:** The Member is right to highlight the fact that there is a geographical disparity with the figures.

That is the reason for the baseline study; it is important that we drill down beneath a very simplistic headline figure and gain a proper understanding of what is going on. Job creation is absolutely critical, and I certainly recognise that my Department has a role to play in that. However, the entire Executive — every Minister and Department — have a role to play. I stress that the Executive should continue to place the economy as their top priority. Major efforts are under way to assist local companies to create additional jobs and to attract investment into Northern Ireland. The decentralisation of jobs is a much wider debate, and one for other Ministers and the Executive as a whole to consider.

**11.00 am**

**Mr Hilditch:** The Minister highlighted the use of the European social fund mechanism by the Department. He has indicated some positive outcomes, but will he give the House some more detail on that and how the fund could be used to work with the target groups?

**Dr Farry:** The European social fund has been of major benefit to Northern Ireland. As a supporter of the European Union, I should take this opportunity to stress that the UK's continued membership of the EU is very much in the interests of Northern Ireland, particularly in assisting people who are unemployed or economically inactive. The social fund provides us with additional resources beyond those that we have through the block grant and allows us to delve in and create different types of projects. A whole range of organisations currently benefit from the European social fund.

The Member will be aware that the future European Union budget is being negotiated. It is important that the next phase of the European social fund is sufficiently flexible to ensure that it works for the particular circumstances in Northern Ireland, whether that is through supporting apprenticeships or putting in place measures to work with people who are economically inactive. My officials are taking forward those points in the planning of programmes. We recognise that the fund can make a huge difference. We continue to make our case as strongly as possible to ensure that we have that money available. Certainly, we welcome the fact that the UK Government have backed away from very significant potential cuts

in the structural funds available to Northern Ireland.

**Mr F McCann:** Go raibh maith agat, a Cheann Comhairle. I welcome the Minister's statement. As he knows, I have raised the issue of the migration of people on incapacity benefit a number of times. Does the Minister agree that the migration of 23,000 people in receipt of incapacity benefit to ESA and jobseeker's allowance has more to do with forcing people off benefits rather than a serious attempt to get them into work? The fact that only 0·6% of people have left benefits points in that direction.

**Dr Farry:** I will pick up on the final point that the Member made. To be quite blunt and open about where we currently stand, we are not placing huge numbers of people who have gone through that migration into employment. There is clearly a whole host of dynamics at work that we have to drill down into and understand. We need to significantly improve that situation, perhaps through taking a different approach as part of the strategy.

I do not want to see a situation where people are being forced off benefits or perceive that they are being forced off benefits. However, it is important that we understand that people being in work should be viewed as beneficial. It is beneficial for the individuals themselves and their ability and opportunities to develop and support themselves and their families. It is also important for wider society.

The statement mentions the percentage of our participation rate as being in the mid-60s. In the European Union, a healthy participation rate is above 70%. At present, in our economy, we are not properly mobilising all the talent available to us or the human capital in our potential labour market. That is a major structural problem for the Northern Ireland economy. We have to confront that, one way or another. Where people do want to engage in work, but perhaps have been held back by a range of barriers, which can, at times, include the particular nature of the benefits system, we should try to enable and facilitate them to re-engage with the labour market. At the same time, for those for whom work is not suitable, we should continue to provide a proper safety net.

**Mr Douglas:** I thank the Minister for his statement. Will he outline what his Department is doing to ensure that we are educating our young people in the skills that the workforce needs?

**Dr Farry:** I thank the Member for his question. The issue starts with careers advice on what are the most relevant and high-growth sectors in our economy. The Member will be aware that we are planning a joint review of careers policy with the Department of Education early next year. This is a joint responsibility between the two Departments.

In the meantime, I very much welcome the inquiry that the Committee is undertaking, and I look forward to taking on board the results in future work in due course. We are significantly investing in science, technology engineering and mathematics (STEM) subjects, and there is an expansion of those subjects at undergraduate level. We have also extended by 60% through to 2015 the number of PhD places that are publicly funded in Northern Ireland. We are also undertaking a major review of apprenticeships in Northern Ireland, and we want to ensure that apprenticeships are viable and have parity of esteem as an alternative pathway to higher education. In doing so, we want to ensure that we are training young people in skills that are highly relevant to employers' needs. That is good for employers in the sense that they get people with the right skills for their organisations. It is also good for the people concerned, because they know that they have skills that are marketable in our economy and that will give them a much greater chance of having sustainable employment.

**Mr Flanagan:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as a ráiteas. Most people agree that these are shocking statistics that demonstrate the need for a radical change in how we do things in creating jobs here. We heard that 34% of people are not in employment and that, of the 66% people who have a job, many are underemployed and do not have enough money to live on. However, taking into account the high rate of economic inactivity here compared with the rate in Britain and the recent announcement —

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

**Mr Flanagan:** — on the failure to devolve corporation tax powers to the Executive, does the Minister agree that there is a need for us to have the necessary tools to grow our own economy through the transfer of a full range of fiscal powers to the Executive?

**Dr Farry:** I thank the Member for his questions. In some respects, we could be having a much wider economic discussion. Let me first

endorse some of the Member's comments: yes, it is a fairly shocking picture that I set out to the Assembly this morning. We have had that for the best part of 30 years, and it has been a fairly persistent problem. It is not something that we will change overnight, but, for sure, we have to begin the process of tackling it and to be creative in how we address it. He is also right to point to underemployment among those who are in the labour market. So, we need to maximise productivity across the board in Northern Ireland.

Where his wider point is concerned, my party certainly believes in tax-varying powers for the Assembly, and we have pushed that on a number of occasions. Of those powers, a lower level of corporation tax is by far the most significant and central lever that the Executive and Assembly will want to obtain in the immediate future. In saying that, however, I stress that we are talking about modifications to a much wider fiscal situation in the UK as a whole and that we obviously do not have the resources to be financially independent, given the huge scale of the current subvention. So, we support tax-varying powers for sure, but they have to be limited in the context of a much wider picture.

**Lord Morrow:** There is a lack of provision in the Dungannon and south Tyrone area for young adults with disabilities who leave special needs facilities at the age of 19-plus. What will the Minister do to change that and to ensure that those people are valued, as, indeed, they are?

**Dr Farry:** I thank Lord Morrow for his question and concur with his last comment that those people are very much valued. I certainly believe, and I know that everyone else does, that they have the potential to make a contribution to the world of work and that it is important that we provide them with support.

In answers to previous questions, I have mentioned the current work of the disability employment service and the various programmes that are on offer. However, I am aware of some wider unease and the fact that the Employment and Learning Committee, the Health Committee and the Education Committee have all raised issues around that point of transfer from school into what happens thereafter. It is something that we will have to pick up as part of this strategy as well as part of other efforts and considerations that other Departments are making. There is not an immediate answer available to Lord Morrow in

that respect, but I recognise that it is an issue that we will have to get to grips with.

**Mr Allister:** The historic and continuing levels of economic inactivity are clearly quite shocking, but, in this statement, I see no reference to the black economy. Why is that? Does the Minister think that nobody who officially is economically inactive is in fact involved in the black economy? In this analysis, will there be any study of that, or are we just going to close our eyes to that?

**Dr Farry:** I concur with Mr Allister at the beginning, in terms of the acknowledgement that this is a major challenge facing society as a whole. If we have problems with the black economy, it is important that enforcement is taken through the various mechanisms that are available for that, whether that is through HMRC or through people losing their benefits. We are happy to have those discussions with the Department for Social Development (DSD) to get an idea of the scale of that.

I am sure that there is a degree of a black economy in Northern Ireland, but it is important that we do not over-egg that. We certainly do not have a black economy of anywhere near the scale of some other European Union countries and, indeed, of some other parts of the world. That is not to diminish it as an issue, but it is important that we place it in proper perspective but, in doing so, acknowledge it and see what further steps can be taken. On the back of the question, I am happy for my officials to discuss that issue with DSD and other relevant agencies such as HMRC.

**Mrs Overend:** I thank the Minister for his statement. The Minister said that changes cannot be made overnight, but he also said that the childcare strategy will play a key role in assisting those who are inactive due to family commitments. The childcare strategy has been in the making for quite a considerable amount of time. Can the Minister outline how detrimental it has been that a childcare strategy is not yet in place, and can he outline any actions that he might be taking to urge that process along?

**Dr Farry:** The Member is right to say that this will not be changed overnight. We certainly can rise to the challenge of putting in place new policies and programmes fairly swiftly on the back of the strategy itself, but, on the figures, this has been 30 years in the making. I will not suggest that it will take 30 years to unpick it, but we will not be able to unpick it in a major way overnight.

In terms of the scale of what we are trying to achieve, there will not be any immediate targets for how we will bring it down, but I have very clearly stressed that we need to have a participation level in excess of 70% in Northern Ireland before we can say that this is a healthy economy and that we are addressing the major structural problems that exist.

The issue of the childcare strategy has been a source of frustration for Members, but it is a high priority for the Office of the First Minister and Deputy First Minister (OFMDFM). In particular, the junior Ministers are keen to take it forward. The consultation has just closed, and, no doubt, officials in that Department will be closely analysing the responses that have come in to that. I and my officials are very happy to work closely with OFMDFM on the finalisation of that strategy and to see what more we can do as a Department and, indeed, what synergies can be created between the childcare strategy and the forthcoming economic inactivity strategy.

**11.15 am**

#### Department for Regional Development: Response to Severe Weather

**Mr Kennedy (The Minister for Regional Development):** With your permission, Mr Speaker, I wish to make a statement on the handling of the winter weather incident.

The purpose of the statement is to present to the Assembly details of my Department's handling of the recent severe weather incident. Members will be fully aware of the significant snow event that affected Northern Ireland on 21 and 22 March 2013 and the subsequent period of very cold weather that continued until last weekend.

Heavy snow and strong winds disrupted the lives of thousands of people and caused significant hardship to many, particularly those in many rural areas, including the farming community. The scale of the problems encountered by some isolated communities is something which we have not experienced for decades and, I hope, we will not see repeated in the foreseeable future.

In many areas, the wind, coupled to the weight of the snow and ice, brought down power lines, and that, at one stage, affected thousands of homes. In addition, over 1,000 homes lost their water supply for a short period. Many roads, particularly minor roads in upland areas, were blocked by large snowdrifts. Areas of the

Sperrins, the glens of Antrim, the Mourne Mountains, the Dromara hills, the Castlereagh hills, upland areas around Lisburn, Craigavon, and high ground stretching from the north of Belfast to Antrim were particularly badly affected. I witnessed snowdrifts almost 20 feet high in the Mourne Mountains and the glens of Antrim — something that I have never seen before.

I would now like to turn to the response by the staff of my Department. On Thursday 21 March 2013, after a multi-agency conference call organised by the local government emergency management group, all agencies including Roads Service, NI Water and Translink were put on standby to deal with any issues arising from the anticipated severe weather. Regular conference calls were held throughout the height of the emergency. Those were particularly effective in ensuring that relief efforts were directed quickly to the point of need.

My Department was represented at meetings of the Civil Contingencies Group (Northern Ireland), which was convened by OFMDFM and chaired by the head of the Northern Ireland Civil Service. That group met daily from Sunday 24 March until Good Friday to ensure strong leadership in co-ordinating relief efforts. I visited the operations centre to lend my personal support to the operations.

The permanent secretary subsequently decided to convene a meeting of my Department's emergency management group. The major emergency response plan was activated in support of the Civil Contingencies Group (Northern Ireland) to ensure that the resources of the Department and its arm's-length bodies were being deployed to deal with the impact of the severe weather. The Department's emergency management group met regularly to discuss and review our response to the very challenging conditions.

My Department also maintained a full-time presence at the PSNI's gold command centre, which allowed the various agencies to prioritise and co-ordinate our efforts with the other responder organisations. I will say more about that later.

I want to commend front line staff in Roads Service, NI Water and Translink who, despite very challenging circumstances, worked tirelessly to improve conditions for those affected by the snow. I also want to pay tribute to the contractors, farmers and plant-hire companies who assisted the clearance operations.

Roads Service teams worked round the clock, initially to clear the main traffic routes and then the minor roads in upland areas. It is fair to say that the scale of that task was huge, and, even with the help of contractors, farmers and hired plant, it took nearly a week to get all areas back to near-normality. In some areas, snow is still lying at the sides of roads. Once main roads were cleared, Roads Service teams continued to work throughout the Easter weekend and over the last week on the minor roads to ensure that the high snow banks, left as a result of the initial clearance operations, were made safe and windblown snow was cleared to keep roads open.

I visited Roads Service staff in the worst-affected areas during that period. I pay tribute to front line staff, having seen on the ground and at first hand the work they did. They worked through the night in the most atrocious and dangerous conditions to clear roads that were impassable.

Staff worked long shifts, went home briefly and came straight back out again. They gave up time with their family in order to help those living in the worst affected areas, and that included the additional staff who were called in over the weekend to provide the public with information on road conditions and to handle incoming calls for assistance.

I heard many stories about how individual workers and the emergency services made a difference to some of our most vulnerable neighbours; how a side road off the gritting route was cleared to allow the delivery of oxygen to a housebound patient; how they helped to clear roads to enable NIEA staff gain access to damaged power lines; and how farmers also volunteered to help assist stranded motorists. Mr Speaker, we have many unsung heroes. Their dedication and commitment to their work should be commended by all of us.

Let me give you a flavour of the work involved. Roads Service used almost 10,000 tons of salt from 21 March to lunchtime on Wednesday 27 March, whereas the five-year average for salt usage, which includes the severe winter of 2010, is 60,000 tons for an entire winter from the start of October until mid-April. So, in virtually a week, we used 10,000 tons against 60,000 tons for a winter. The entire network was treated almost 12 times during the period, and that equates to approximately 1,100 runs by gritters and 84,000 kilometres of salting in a week. Early estimates put the cost of my Department's response to this incident in the region of £3 million.

It is also important to recognise the major recovery work of NI Water. Severe weather conditions caused disruption to water supplies from Friday 22 March to Tuesday 26 March 2013. The impact on water services was mainly as a consequence of lost electricity to water and sewage pumping stations. However, snow drifts in many areas prevented access to pumping stations and water treatment works and delayed the restoration of water supplies to customers in affected areas.

NI Water staff and contractors were placed on alert in response to an amber severe weather warning on Thursday 21 March. The company's major incident plan was activated and incident teams were in place from early Friday morning to manage the situation as it unfolded over the days that followed. Those arrangements remained in place over the weekend until all affected customers were returned to supply on Tuesday 26 March 2013.

The majority of NI Water's water-production facilities are equipped with on-site standby generators that automatically activate when mains power supplies fail. Those standby generators maintained water supplies to approximately 427,000 properties where the power supply had been interrupted. NI Water also maintains a contingency stock of mobile generators that can be deployed to sites where on-site backup generators do not already exist. In some cases where access was impossible due to road conditions, restoration became dependent on the recovery of NIE mains electricity or snow clearance by Roads Service to allow mobile generators to be connected on site. Where power supplies had been interrupted for even brief periods, NI Water technicians had to attend the affected sites to reset tripped switches as NI Water power supplies came back on line.

NI Water received over 2,500 mains-failure alarms through the company's monitoring centres, which affected approximately 680 NI Water installations between 22 March and 26 March. By Sunday 24 March 2013, the majority of sites had been returned to service, but several significant areas remained problematical, primarily due to the continued loss of mains power and inaccessibility for mobile generators. The main areas affected were in counties Down and Antrim. A 16,000 litre tanker was deployed to Straid village to provide a local source of alternative water supply for customers in the area affected in the Larne, Ballyclare and Carrickfergus triangle. Bottled water was made directly available to an estimated 250 customers who remained without a water main supply for more than 24 hours.

The Red Cross was also extremely helpful in providing assistance with delivery of bottled water to customers in remote areas. In total, NI Water estimates that 10,000 litres of bottled water were distributed to customers.

Over the course of the event, it is estimated that under 1,500 customers were without water supplies due to electricity failure at water installations. On Saturday 23 March 2013, NI Water received its highest number of customer calls, with 1,161 operational calls answered. Some 34 call centre staff — four times the normal weekend staffing levels — were available to answer calls. During the incident, the call centre was also actively contacting approximately 150 customers on its critical care register in affected areas. On Monday, the call centre reverted back to normal staffing levels.

The primary objective was to restore interrupted water supplies by maintaining water production from water treatment works, restoring water pumping stations to operation and to recover levels in service reservoirs where interruptions to power supplies had caused depleted storage.

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

NI Water staff and contractors worked continuously through extreme and dangerous conditions to access remote sites, reset tripped switches, connect mobile generators and supply bottled water to customers. Over 230 staff and contractors were engaged over the main five-day period of the incident. Costs for the incident are estimated to be in the region of £120,000.

By Tuesday 26 March 2013, normal operational status had been restored in all areas, albeit with some installations continuing to run on emergency generators, and incident management teams were stood down.

Turning to Translink, despite the extreme weather, Northern Ireland Railways maintained its service throughout the period, and no weather-related delays occurred. In addition, the vast majority of Metro and Ulsterbus services operated to timetable. Some bus services were impacted locally due to the prevailing road conditions at the time. However, nearly all bus services were soon operating to timetable.

I want to put on record my thanks for the hard work and dedication of all those involved in what was a relief effort. While it was a collective effort on behalf of a large number of individuals, it is worth highlighting, for example, the joint effort of Northern Ireland Water and

NIE to transport a generator to Boghill service reservoir in the mountains north of Belfast. That took 18 hours of continuous working to 3.00 am, digging through 12-foot snowdrifts to ensure that upwards of 3,000 customers in north and west Belfast experienced little or no interruptions of supply. Two staff members in the south Down area drove for two hours in hostile and dangerous conditions but could go no further by road, so they continued for another hour on foot to restore a remote water pumping station to full operation. Water treatment plant managers in the Antrim hills and in the Mourne mountains remained on site without a break from Friday to Monday to maintain water production throughout this difficult period. That was well beyond the call of duty.

I have mentioned the efforts of staff from my Department, but it would be remiss of me not to make reference to others who provided vital leadership and assistance. As I alluded to earlier, the efforts to clear roads, provide help to vulnerable people and reconnect electricity and water supplies were co-ordinated from the gold command centre at PSNI headquarters. Senior officials from Roads Service, NI Water, NIE, the Department of Health, Social Services and Public Safety (DHSSPS), the Department of Agriculture and Rural Development (DARD), Land and Property Services (LPS), PSNI and councils worked together to co-ordinate the relief efforts. Vulnerable people were identified, and search and rescue teams were deployed to provide urgent medicine or to evacuate those in need of assistance to hospital, some by helicopter.

I want to pay tribute to the PSNI, who skilfully co-ordinated the exercise, Mourne and North West mountain rescue teams and the Ambulance Service who battled their way to those in need of help. In some cases, they walked for many miles in snowshoes, as that was the only feasible way to travel.

### **11.30 am**

On Monday 25 and Tuesday 26 March, it was clear that a humanitarian relief effort was required to provide basic provisions to many families trapped in the glens of Antrim. That, too, was co-ordinated through PSNI gold command. Also co-ordinated by the PSNI, and with the help of mountain rescue teams, helicopter support and the Red Cross, much-needed supplies were delivered to those stranded. Red Cross volunteers worked quietly and efficiently in the background to assist with that effort and were vital to its success — a truly excellent effort.

As I am sure that my Executive colleague Minister O'Neill will reflect on, staff in my Department worked closely with DARD officials to ensure that roads were cleared to allow access to farms. I also pay tribute to the local government emergency management group, which co-ordinated numerous multiagency conference calls during the period to identify local issues and instigate action. That was important and ensured that the response was effective and co-ordinated.

In the face of that relief effort, there was, however, criticism in the media about snow not being cleared from footways in cities and towns. A small number of elected representatives were also critical of my Department, particularly in relation to clearing snow from footways and estate roads.

In a prolonged period of severe weather, Roads Service has agreements with 23 out of the 26 councils, enabling councils to clear snow on a number of designated town centre footways to aid the retail sector. Councils in the affected areas, and others, helped to clear snow from town centre footways and assisted Roads Service in other ways during the snow clearance operations. I want to acknowledge their work.

However, it is simply not possible to clear every footway in every housing development in Northern Ireland. Roads Service resources were concentrated on clearing main roads and minor roads, with efforts on the latter concentrated on areas where humanitarian aid was required or where there were animal welfare issues. I fully accept that footway conditions can be difficult, especially for elderly and vulnerable people. In situations such as this, it is the spirit of good neighbourliness that can come to the assistance of those in need. There were many examples of people helping themselves and others, and I commend all who did so.

The Department's major emergency response plan was stood down on Friday 29 March 2013. The civil contingencies group was stood down on Wednesday 3 April 2013. Both groups will review the response to this weather event to ensure that lessons can be learned. The collective response to this weather emergency was a good example of how Departments and agencies can work together effectively.

**Mr Spratt (The Chairperson of the Committee for Regional Development):** I thank the Minister for his statement. I also place on record the Committee's thanks to departmental officials, Northern Ireland Water,

Translink, other government officials, the emergency services and the scores of volunteers for their immediate and selfless actions in ensuring that the core networks and the worst-affected areas were opened as quickly as possible, often at great risk to themselves. It was a supreme effort in exceptional circumstances. I saw many Roads Service staff working alongside contractors and, indeed, farmers who volunteered to help. I also thank the Minister for briefing the Deputy Chair of the Committee and me during the period.

Although the operation was extremely well co-ordinated, will the Minister tell the House whether there were any failures or lessons to be learned, and whether he believes that there may be a need for investment in specialist equipment that may be needed in the future, given the scale of this incident?

**Mr Kennedy:** I am grateful to the Chair of the Committee for his comments, particularly those in relation to all the efforts by Roads Service, NI Water, Translink and the many other agencies that were involved. I pay tribute to the collective team effort of other agencies, such as the Rivers Agency from DARD, and, indeed, NIE. Although NIE is a privately operated company, its staff performed sterling work, and it is right that we recognise that.

Of course, we will be reviewing the operation, as we would normally expect to review an operation of that nature. Although I believe that the overall operation was effective, there will, undoubtedly, be lessons that we can learn and which we can apply for future reference.

With regard to additional equipment or plant hire, I can inform the Chair of the Committee that I have already begun to make the argument to Executive colleagues for the need to invest further in our winter preparation plant, such as snowploughs, etc. Hopefully, I will have his support in that. To modernise that plant would not only be useful, but necessary, as we approach winter conditions later this year. I very much hope that the Executive will recognise the need for that, and I know that he and the members of the Committee will give their support to that.

**Mr Ó hOisín:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a ráiteas. I thank the Minister for his statement.

It was indeed a very intense storm. Even those of us in the Sperrins area of County Derry, who are used to snow, had not seen anything like it in a long time, if ever. Along with the Chair, I

pay tribute to Roads Service for the work that it did. I lost count of the number of times I contacted it over the period and received a prompt and efficient service. I also pay tribute to the local contractors, who, even when they were out on a contract, went in and cleared private lanes and the like. I also mark the self-reliance that was shown and the preparatory work that was carried out by local communities. In the long term, such actions probably reduced the losses that they suffered during that period.

However, Minister, I do have one issue, and it is a year-on-year one, particularly along such routes as the A6 Glenshane Road. It concerns the practice of ploughing snow into the sides of roads, thus blocking off many private driveways and lane-ways, which, perhaps, would not be cleared for quite some time.

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

**Mr Ó hOisín:** Will the Minister address that? Will he also look at the criteria for the clearing of private lane-ways, particularly in humanitarian cases?

**Mr Kennedy:** I am grateful to the Member for his positive comments, particularly in relation to staff involved in the snow clearance operations. It is important that I restate that, initially, the priority is to keep the main routes open, and then to address the secondary routes. That was possible only through what became almost superhuman efforts, not only by Roads Service, but by private contractors, who were brought in especially, and local farmers. They all played their part in assisting during the operation.

I have not witnessed the likes of it before. I think I was four in 1963, so I can scarcely contend to seriously remember the conditions then, and I was not even heard of in 1947. I think that the conditions that existed over this period were almost unparalleled. In many cases, it was akin to driving through a wedding cake. It was astonishing that huge banks of ice and snow had to be cleared by the snowploughs.

Inevitably, that caused ditches and hedges to become banked up. Undoubtedly, it added to problems with fencing and hedges for local farmers. Of course, we will seek to address those issues. Processes are in place to do that.

I hear what the Member says on addressing the issue of private lanes. However, I have outlined the considerable resources that this particular episode has cost already and the mammoth task that was before us to keep main routes

open and, then, address secondary routes. Other issues come into play; not least resources, but insurance issues and other aspects, to which I am unable to respond in the way in which, perhaps, the Member would like and other elected Members have indicated. I think that the logic of the operation was good. In those circumstances, should be continued.

**Dr McDonnell:** I thank the Minister for his statement and, indeed, all the officials and staff who performed above and beyond the call of duty. Has the Minister considered, or will he consider, how the DRD response could have been improved? Although it worked well in most cases, I know there were still gaps and a need for improvement. I have been horrified by local stories of vulnerable, mainly elderly, people, living alone, who were trapped in their homes without food for days. I am thinking of places such as Glenarm or those above Glenarm that face down the Braid, the glens generally and, indeed, many other areas across Northern Ireland that received heavy snow. In many cases, health and social services staff were unable to gain access.

**Mr Clarke:** Is there a question?

**Mr Deputy Speaker:** Sorry. Is there an interruption over here? Could we have a question, please?

**Dr McDonnell:** Could the Minister not create a better or more efficient network of local emergency-response people, like farmers and others, who might be triggered to cope with emergencies such as those that we had with the snow? I observe how countries in middle Europe respond rapidly to snow and keep roads open.

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

**Dr McDonnell:** Is there anything that we can learn from them?

**Mr Kennedy:** I am grateful to the Member for his initial positive comments that reflected on the work of staff. He raised a number of additional points. I am not sure how practical he would find them if he, perhaps, looked at the situation more objectively. I have explained to the House that the system is to prioritise keeping main routes open and, then, address secondary routes. That, in turn, assists other agencies, such as NIE and NI Water, to gain access to address some of the faults that have occurred in their systems.

The emergency hotlines were an important aspect. I think that issues of humanitarian aid or health emergencies were quite well addressed. Many emergency situations were identified at the earliest possible time so that help and relief could be given. That is how the system should work properly. I have said that we will, of course, review the operation extensively. We will look at areas, perhaps, where improvements can be made. I am happy to give that undertaking.

There was a huge self-help response in local communities that gave help to neighbours and friends, particularly in rural areas. I know how important that became. It is right that we acknowledge that and that we continue to encourage it. There are limitations to what Government and their agencies can do. By working together collaboratively and collectively, and involving self-help from local communities, we can, in large part, address many ongoing issues.

**Mr Deputy Speaker:** Order. Although it is very important that Members have an opportunity to pay tribute to those who were involved in the crisis, I encourage them to, please, come to their questions a little bit more quickly so that more Members can be heard.

**11.45 am**

**Mr Hussey:** I, too, would like to pay tribute to all those involved in this exercise, particularly the volunteers who did it for no financial reward.

The Minister, in his statement, for which I thank him, referred to the handling of future winter conditions. Given the fact that the Finance Minister denies that climate change actually exists, does the Minister believe that that will make it difficult for him to secure additional funding to counter extreme weather conditions in the future?

**Mr Kennedy:** I am grateful to the Member for his helpful and warm comments to all the staff and agencies involved. I outlined that I have already indicated to Executive colleagues, not least the Finance Minister, how additional resources, through the upgrade of plant and machinery, would certainly give assistance and perhaps even comfort as we approach winter conditions later this year. I will not engage in a debate today on climate change or, indeed, Members' or Ministers' attitudes to it, except to say that it is inevitable that winter conditions will prevail again in parts of Northern Ireland.

**Mr Lunn:** Unlike the youthful Minister, I vividly remember 1963. In my opinion, it was a lot worse this year than in 1963.

**Mr Kennedy:** What about 1947?

**Mr Lunn:** No. *[Laughter.]* I join the Minister in congratulating everybody in the statutory sector and voluntary sector who were involved in the response effort. Everybody performed magnificently, and we owe them thanks and praise, so I would not want to say anything remotely critical. I would, however, like to comment on the last section of the Minister's statement about the relationship between the Department and councils. Is he satisfied that that relationship is now secure and clear in respect of funding and liability? If not, does he think that, down the line, we may need legislation similar to that which was enacted in England, Wales and Scotland for emergency planning in the past few years?

**Mr Kennedy:** I am grateful to the Member for his comments about the staff and the work of agencies. I accept his point about further co-operation with local government. As Minister, I have made — I think that the Member and the House know this — strenuous efforts to improve that relationship and to put in place memorandums of understanding with the councils in Northern Ireland, to which 23 out of the 26 have signed up. I think that that represents progress. I do not discount the fact that we can make further efforts to improve that. Whether that involves or need involve legislation, I remind the Member that, strictly speaking, neither local councils nor, indeed, Roads Service in the Department for Regional Development have a statutory obligation, as it stands, to clear footpaths.

Clearly, it is in the public interest and in the interest of the health of our citizens to do that, and there is an expectation that it should happen. However, that has resource implications and perhaps legal implications, too, and we have tried to address those through the memorandums of understanding. I was very pleased with the co-operation that we received during this period, but I am happy to engage further with NILGA as well as other local government bodies and agencies to see whether we can improve that further.

**Mr I McCrea:** I, too, join the Minister and other Members in commending everyone who helped, in any way, the people affected by this. I was not born in either of the years that the Minister mentioned, but I have no doubt that it was bad then. However, from the pictures and

footage that I saw, it certainly was not good at all on this occasion.

The Minister referred to the work of the local government emergency management group. Is the Minister content that the local government emergency plans that are in place worked effectively in this case? Is he content that those councils affected by the snow put plans in place for the clearing of footpaths?

**Mr Kennedy:** I am grateful to the Member for his question and for indicating his youthfulness. He asks largely the same question as Mr Lunn did previously about whether things can be improved further among local government, DRD and Roads Service. The answer to that is probably yes, and we will try to do that. However, I was very satisfied with the reports that I received through local government on the work that was happening in local estates and on local footways and pathways, but it is simply not practical or possible that every single footway and area on every estate can be cleared immediately of snow and ice. It is unrealistic to raise that expectation.

I also want to pay particular tribute to the many voluntary organisations and individuals who used their resources to help clear estates, footways or, indeed, church car parks. I was aware of church car parks that were snowbound in areas around north Belfast. I know that the minister of Ballyhenry Presbyterian Church, Rev Niall Lockhart, was very grateful for the efforts of local people and local contractors who carried out that public service on a voluntary basis, and I am encouraged by that. Of course, we will continue to work with local government and other agencies in a positive manner.

**Mr McAleer:** Go raibh maith agat, a LeasCheann Comhairle. Minister, I want to draw attention to page 2 of your statement, which refers to the excellent work that was provided by contractors. Will you provide some clarity on the small number of cases of liability where fences were damaged as a result of snow being cleared from the network? Also, will you clarify how the invoicing of this work will be processed for the contractors, what the timescales will be and matters such as that?

**Mr Kennedy:** I am grateful to the Member for his comments. There may well be an issue around damage to fences or whatever, and there is a process whereby compensation can be claimed. I have had some preliminary discussions with representatives from the farmers' union on the issue. We are still in the

slow thaw and huge banks of ice and snow are still melting before our very eyes. Once that situation clears, literally, we will be in a better position to assess how that can be addressed.

There has been an impact on fences and hedges because of the sheer volume of snow that fell and the drifting that occurred as a result of the wind patterns. There was also an impact on fences and hedges in the snow-clearing operations, so distinguishing the differences there will be a task for officials and others involved. However, we will certainly attempt to resolve all issues as amicably and quickly as we can.

**Mr Easton:** I thank the Minister for his statement and offer my praise to him and his Department for the efforts made in the rural community. Did DRD help to clear any farm lanes at all because of the severity of the conditions? How many cars and people had to be rescued from the roads?

**Mr Kennedy:** I am grateful to the Member for that. Obviously, emergency situations evolved and had to be dealt with on the ground. It was not necessary for me to give approval to certain actions, except to know that people who found themselves in an emergency situation would be assisted, and I am content with that. So I do not have the detail on either aspect of the situation that the Member seeks. If such detail is quantifiable and available, we will provide it to him.

**Mr Lynch:** Go raibh maith agat a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a ráiteas. I thank the Minister for his detailed statement to the House this morning. Fortunately, where I come from, there was absolutely no snow, so it was like looking at a different continent.

Many lessons were learned from two years ago. From talking to colleagues, I know that there was a fairly effective response, but the Minister will know that the call centre was one of the big difficulties two years ago. Did the call centre pass the litmus test on this occasion?

**Mr Kennedy:** I am grateful to the Member for his question and comment, which derived, I think, from comments of colleagues. He may have thought that he was in a different continent, but let me assure him that he was in the same jurisdiction — snow or no snow.

On NI Water's operation and responses, my statement indicated that quite a considerable number of staff were deployed over and above

the normal number. It is clear to me that the responses were adequate and dealt with the volume of calls that came in. That represents significant progress from previous episodes.

**Mr Rogers:** I join the Minister and other Members in congratulating all who made a difference at that time.

I want to ask the Minister about the emergency response unit, particularly in rural areas. We know that primary roads are the main responsibility, but might there have been a case for bringing in contractors and farmers more quickly to work on secondary roads? When 30 centimetres of snow has already fallen and, as happened in my area, more snow falls and quickly becomes 2 metres, that is hard to deal with.

**Mr Kennedy:** I thank the Member for his question. I am satisfied that additional resources, comprising something like 135 pieces of equipment, either snowploughs or additional machinery, were pulled in at the earliest point. I want to place on record that we had considerable help from the Rivers Agency, which provided not only resources but plant. All things being equal, through responding to the weather warnings in place and having the agencies on high alert, there were significant benefits this time in our being able to get out on the front foot, starting the snow-clearing operations to keep main roads open and then addressing secondary roads as soon as possible.

**Mr Beggs:** I, too, would like to pay tribute to Roads Service staff and contractors for working long hours and taking risks on behalf of the community. Indeed, I also pay tribute to Northern Ireland Water and NIE staff for renewing power and water supplies, along with the actions of councils, the police and volunteers.

The Minister said that Roads Service was reviewing the winter equipment available to it. Does the Minister agree that it would also be appropriate for Northern Ireland Water to review its emergency backup systems, particularly in isolated pumping areas, where, as a result of loss of power and even difficulty placing emergency generators, water supplies were lost for a considerable period?

**Mr Kennedy:** I am grateful for the Member's preliminary remarks, which paid tribute to the staff in all the agencies. As part of the review, we will task NI Water to look at how successful

its operations and backup operations were and whether improvements can be made.

### 12.00 noon

**Mr Dunne:** I thank the Minister for his timely statement. I also want to place on record our thanks to the Minister for coming to the North Down constituency. He came to Craigantlet and was active with his shovel. Obviously, every little helps. The Minister will have seen an example there of real community spirit. Roads Service — we have paid tribute to the north Down section — local farmers and local contractors worked together to deal with the snow.

Does the Minister have any plans to utilise readily available modern farm machinery, in conjunction with local framers and contractors, in a more structured manner for future periods of heavy snow? Will the Minister consider that for the future?

**Mr Kennedy:** I am grateful to the Member for his question and his very positive comments about my work. My shovelling technique was, I felt unfairly, criticised by a local broadcaster. Nevertheless, although it was important for me to see the operations at first hand, it was more important that that work was ongoing. I pay tribute not only to Roads Service staff who were involved in that work but to the private contractors and the local farmers whom I met on that day in the Craigantlet hills. They played their part and used their own machinery.

The Member raised an interesting proposal. As part of the overall response, we will look at that and see how contractors and local farmers can continue to assist Roads Service. I am not a prophet nor the son of a prophet, but I am pretty sure that there will be further wintry conditions later this year. We need to prepare for those.

**Mr Clarke:** I join with others in thanking the Minister for his statement. Like others, I also pay tribute to the performance of the services during the bad weather.

Minister, weather forecasts and reports may not always be accurate, but, in your statement, you said that you had received a warning about the bad weather. From conversations that I had with Road Service staff, I learned that, in some cases, contractors were brought in only belatedly. Will you assure the House that if there is another event such as this, you will do whatever you can to ensure that Roads Service does not hold off in calling the contractors in and that it will bring them in at their earliest

convenience. I see that the Minister of Agriculture and Rural Development is now in the Chamber. She belatedly brought in the army. Perhaps if we have the services of the army in Northern Ireland, they could be used to clear roads if we have another such event in the future.

**Mr Kennedy:** I am grateful to the Member for his question. Let me say that the weather warnings that were given in advance were absolutely heeded, and preparations were made and put in place at the earliest point. However, it was only after we got into the incident and assessed the almost unparalleled volumes of snow in some areas and the resultant winds that caused the drifting that we saw that it was so necessary to call in additional help at the earliest point. It was a proper response. I said that we will review the incident and the operations. If lessons are to be learned, we will continue to apply those.

**Mr Byrne:** I welcome the Minister's statement and recognise the sterling work by DRD staff over the period of the incident.

What consideration will be given to the future use of snowploughs or snowblowers in those areas where roads are not on the gritting routes? Certain inaccessible roads were closed for a number of days, and McKelvey Brothers contractors did excellent work on behalf of DRD. What about those farmers who contracted privately with plant hire people to try to relieve access to their properties?

**Mr Kennedy:** I am grateful to the Member for his question. I hope that I have paid adequate tribute to the independent operators and the people who assisted. Their deployment in any emergency situation obviously remains an ongoing issue, and we will continue to look at that to see how we can further improve things.

### Farming: Severe Weather

**Mrs O'Neill (The Minister of Agriculture and Rural Development):** Go raibh maith agat, a LeasCheann Comhairle. I am grateful for the opportunity to make a statement outlining the consequences for the farming sector of the severe weather event that took place over the weekend of 22 to 24 March.

Members will be aware that this was an extreme weather event, with the worst conditions experienced in many decades, particularly in the glens of Antrim, County Down and the Sperrins. I emphasise that it was not exclusively in Antrim and Down but also in the

Sperrins area. The Rivers Agency had been on high alert in the days leading up to the adverse weather, and heavy rainfall had occurred, which led to flooding, primarily in south Down throughout Friday, Friday night and Saturday morning, when the agency's operational resources were fully deployed on flood response.

At noon on Saturday 23 March, the Rivers Agency received a call for assistance from Roads Service, and within two hours, it had personnel, machinery and equipment en route to Larne to assist with the snow crisis. Rivers Agency participated daily in frequent conference calls with Roads Service and other responders, and stepped up levels of support as guided by Roads Service colleagues. Throughout the remainder of the weekend and into the early days of the following week, it continued to provide a significant level of support.

I take this opportunity to pay tribute to my Rivers Agency staff, who had to deal with the aftermath of the flooding on 22 March, and to those who were engaged in snow clearance and putting in place preparations for a possible thaw, which, had it materialised, could have caused significant flooding. That preparation included engagement with the Met Office and others through a series of conference calls, as well as making practical arrangements, such as assessing catchment areas, setting up temporary sandbag stores and monitoring watercourses.

Members will also be aware that, as a result of the extreme weather, the Executive's central contingency group convened, and co-ordinated a multiagency response to what presented as a humanitarian crisis. Quite properly, the initial focus was on people needing urgent food, water and medical supplies. It is important to remember that NIE estimated that over 35,000 homes were off supply at some stage over that weekend. As I said, our role at that point was to support Roads Service in improving access to affected areas.

It became clear only on Sunday 24 March that there was an emerging animal welfare issue. I was alerted on Sunday morning and my permanent secretary attended the central civil contingency group that afternoon. Very difficult humanitarian issues were clearly being faced by those in rural areas. However, there was also developing intelligence to suggest that farmers were experiencing significant difficulty in accessing stock and getting feed to them on the hills. The priority was, rightly, to ensure roads to the most affected areas were cleared

as quickly as possible. Minister Kennedy and I spoke about the problems that were being experienced by rural dwellers, particularly those off the gritted network. I emphasise that, at that juncture, it was difficult to obtain intelligence on what was happening. Members will fully appreciate the difficulty that farmers faced under these extreme weather conditions in communicating with the outside world.

Officials were present at events attended by farming industry representatives on the evenings of Friday 22 March and Saturday 23 March, and at neither event was there a sense of the scale of the developing crisis. The Department of Agriculture and Rural Development (DARD) helpline was available throughout the weekend. It was checked on the Sunday evening for any communication, but the only recorded call related to flooding that had been experienced on the Friday. However, throughout Sunday, a picture of the severity of the crisis being faced by farmers emerged. I spoke with the head of the Civil Service to seek assurance that all necessary resources available to the Executive were being mobilised and I then requested to speak to the Regional Development Minister.

On Monday 25 March, an early analysis of the situation on the ground was made through College of Agriculture, Food and Rural Enterprise (CAFRE) development advisers contacting farmers; farmers contacting DARD; and contact with other stakeholder organisations. That indicated the scale of the problem and particularly the fact that accessing stock was the major difficulty.

Accessibility by road was impossible in the areas worst affected in the early stages of this crisis, which compounded issues of access to livestock in more isolated areas. At that point, I requested that the British Secretary of State make helicopter assistance available. After speaking to Justice Minister Alan Shatter TD, I also obtained airborne resources from the Irish Air Corps. I also ensured that Forest Service soft-track vehicles were available to provide ground support to assist farmers in moving fodder to stock that had become isolated and inaccessible due to the adverse weather. The complementary air and ground support programme that I deployed benefited numerous farmers in the most affected areas. That first phase of our response concentrated on access to fodder, farmers running out of fodder, access to livestock and the consequences of blocked roads and lanes. As I said, the first assistance to farmers using Forest Service soft-track vehicles began on Monday 25 March. Those vehicles continued to be deployed throughout

the period. In total, 90 farms were assisted by soft-track vehicles — 33 in Down, 54 in Antrim, and three elsewhere in the North of Ireland.

During that period, the DARD helpline was manned 24 hours a day. In total, from Monday 25 March to Sunday 7 April, we received 350 calls about the severe weather; although from Sunday 31 March, fewer calls were received in connection with the weather and most calls were in connection with the fallen stock scheme. An incident room was operational in Dundonald House. Using the information gathered from the helpline, my staff at Greenmount contacted farmers, and using air reconnaissance in the glens of Antrim area on Tuesday 26 March and in the Slieve Croob area on Wednesday 27 March, DARD prioritised and planned its distribution of feed. Informed by the information we gathered, fodder was airdropped to the worst affected areas over the three-day period Tuesday 26, Wednesday 27 and Thursday 28 March. In total, 46 airdrops were made, of which 21 were in Down and 25 in Antrim.

I welcome the fact that the Ulster Farmers' Union (UFU) has stated that it was supportive of the actions taken by DARD. I would also like to use this opportunity to thank the UFU for its assistance and efforts to ensure that much-needed fodder was located and made available.

Based on the analysis of the information gathered from the helpline calls and local intelligence, the improved road access situation and the success to date of the use of the Forest Service soft-track vehicles, by close on Thursday 28 March, the assessment was made that the immediate priority needs in relation to access to fodder had been addressed by the airdrops, meaning that further helicopter support was not required at that time. The Forest Service soft-track vehicles continued to be deployed to assist with delivery of fodder to livestock in hard-to-reach farms. I have kept under review the option for further aerial drops, but they have not been found necessary at this stage. The focus of calls to the helpline over the Easter weekend shifted to issues around fallen stock.

On 28 March, I sought and secured the agreement of the Executive to hardship funding to assist farmers in the areas worst affected by the snow storm in the North of Ireland. The first element of that is that DARD will pay for the costs of collection and disposal of fallen stock that has died as a direct result of the snow storm. That relieves those farmers of a potential cost to their business and will protect

the environment and animal health by encouraging the proper disposal of fallen stock.

The primary criteria for eligibility for the hardship funding is that farmers must have been severely affected by livestock losses arising from the recent snow storm and have fallen livestock collected by approved renderers between 2 and 15 April. From my contact with farmers out on the ground, it is obvious already that the thaw is taking longer and the farmers' losses are greater than anticipated. I can, therefore, announce that the collection and disposal arrangements will remain in place until at least 19 April.

All those farmers severely affected by the recent snow storm event are potentially eligible for that hardship scheme. So that those who were potentially hardest hit would have immediate help, a list of postcodes was identified from those calls for urgent assistance to the DARD helpline, and all farmers in those areas will have their fallen stock collected and disposed of by those arrangements. However, whether part of the published postcode list or not, any farmer who considers that they have suffered livestock losses as a result of the snow storm may be eligible for the scheme. I appreciate that there are smaller discrete areas in other locations in the North of Ireland where farmers have been equally affected by the snow storm and I have made arrangements in my Department to confirm the eligibility of any farmer calling the DARD helpline and requesting that fallen stock is collected under those arrangements.

The collection and disposal scheme opened on 2 April and collection of fallen stock has commenced to those farmers considered eligible, whether part of the published postcodes or otherwise. As of 4.00 pm yesterday, carcasses had been collected from 440 farms. A total of 8,153 sheep had been collected, of which 6,246 were lambs. Additionally, 240 cattle were collected. The vast majority of calls received from farmers to date, including a number from around the Sperrins and other affected areas in the west, have been confirmed into the scheme on the basis of the information provided. In fact, 140 applications have been approved to date and only 10 have not been accepted.

In due course, I will bring to the Executive proposals for the second element of the hardship measures, which will seek to mitigate the costs of livestock losses that have been sustained by farmers arising from the snow storm. The hardship payment will be specifically for livestock losses. The hardship

scheme will be linked to the collection and disposal scheme and will be framed in light of the information gathered on the extent and nature of losses, which we will build as farmers have stock removed and disposed of by the approved renderers.

The details of the scheme and how to apply to it will be made public as soon as possible.

### 12.15 pm

The overall hardship funding will be up to the maximum that is allowed under the EU state aid de minimis rules of €7,500 per farmer, including the costs of collection and disposal of the fallen animals. It is envisaged that the hardship payment will be based on a proportion of loss at individual farm level.

The scheme will require subordinate legislation. Before making my statement, I had intended to ask the Chairperson and the Deputy Chairperson of the Committee for Agriculture and Rural Development — I will do it in due course — for the support of the Committee to enact the legislation as quickly as possible. My officials plan to discuss scheme proposals with the Ulster Farmers' Union (UFU) and NIAPA later this week

I will now turn to the processing of single farm payments and other subsidy payments to affected farmers. I am pleased to report that, because payments were made more quickly this year than last year, most farmers in the affected areas will already have had their payments, whether single farm payments (SFP) or less favoured areas compensatory allowance (LFACA) payments.

As of the end of March, 95.1% and 94.5% of SFP and LFACA payments had been processed with forecast outturns of 96% and 96.5% respectively by mid-April. In addition, the countryside management scheme payments are expected to commence this month, as opposed to October last year. A small number of farmers in the affected postcode areas remain to be paid, and we will process those payments as quickly as possible.

One critical issue arises with regard to LFACA payments and claims for the 2014 scheme year. Those claims are made on the 2013 single application form and require the farmer to have the appropriate stocking density between 1 April and 31 October 2013. Farmers who cannot meet the required stocking density between those dates as a result of force majeure associated with snow conditions need

to write and tell the Department at the earliest opportunity that that is the case. The Department will accept letters up to but not beyond the single application form submission deadline of 15 May. If farmers neglect that and, as a result, do not obtain an LFACA payment in 2014, it will then, in all probability, be too late to claim under force majeure provisions. Therefore, it is vital that farmers take action on this matter now and write to the Department to explain why the stocking density has fallen below the required level.

I am concerned about the problems ahead for the sector. The poor growing conditions of last year, a prolonged winter, poor grass growth because of low temperatures and difficult conditions could compound the practical difficulties for some farmers. I am also conscious of the cash-flow demands arising from this crisis and restocking. I will be inviting representatives of the National Sheep Association, the UFU and NIAPA to a meeting to discuss the way forward.

In the past two weeks, I have visited farms in the glens of Antrim, south Down and the Sperrins and have witnessed first-hand the problems that have been faced by farmers. I acknowledge the true community spirit that has been demonstrated in those areas, as farmers and the wider agrifood industry, including the banking sector, worked together to procure and deliver much-needed fodder to affected farms.

The hay and concentrates that were donated in the glens and south Down were very much appreciated by the local farmers. I commend the work of local farmers and volunteers who have battled the worst of the elements to assist their neighbours. I know that people will continue to do what they can to be good neighbours and to assist the vulnerable and elderly in their area.

In conclusion, I commend the work of my staff, many of whom worked long hours alongside farmers and the voluntary sector in very difficult conditions.

**Mr Frew (The Chairperson of the Committee for Agriculture and Rural Development):** I thank the Minister for her statement on this tragic crisis in the farming community.

Will she agree that it is fair comment to suggest that she was too slow in dealing with this crisis — some 24 hours too slow — and that she was too quick to withdraw the Royal Air Force's Chinook air support — at least 24 hours too soon — at a time when it was needed the most in my constituency of North Antrim and the

neighbouring constituency of East Antrim? Although the roads were cleared, the snow was still on the hills, lane-ways and farmyard drives. Will she assure the House that, because stock is still buried on the hills of North Antrim and East Antrim, she will extend the carcass collection scheme beyond 19 April if it is needed?

**Mrs O'Neill:** I do not agree that we were too slow to respond. As I said in my statement, the initial issue was a humanitarian one, and that is how it had to be dealt with. The priority over the Saturday and Sunday was to get food, water and medical supplies to people, and that had to be the initial response.

Over the weekend, it became more apparent that there was also an animal welfare issue that needed to be dealt with, and we put plans in place quickly.

Let us be very clear: Rivers Agency staff were out dealing with flooding issues in County Down on Wednesday, Thursday, Friday and right into Saturday morning. As soon as the call came from Roads Service to say that it needed some assistance to clear roads, staff were completely deployed to take on that challenge, and they did so happily. They worked very well over those days and continue to do so after the crisis. Were we slow to respond? No, I do not agree with that claim. We acted promptly and took the measures that were appropriate at that time.

I was very grateful to be able to secure the helicopters. They were necessary. Anybody who saw the conditions from the media coverage or when they visited any of the affected areas could see how difficult it was to get any sort of land access, particularly to livestock on high ground. The helicopter assistance was fantastic and played a very key role over the next number of days. I am grateful to the British MoD and the Irish Air Corps for providing that service when we needed it. Over 90 drops were made, and, from speaking to farmers, I know that they were very grateful for that approach.

Were the helicopters taken away too early? No, I do not agree with that assertion. The information that we had was that the calls to the helpline requesting feed had basically been dealt with. We had approached all the people who had requested our assistance. At that stage, we were very confident that the rest of the people who needed to be reached could be got to using the soft-track vehicles that we had on the ground. That was the assessment that we made.

I also remind the Member that we still had that air assistance on standby. Right over the Easter break, they were sitting ready to come again if needed. They were not dismissed; they were kept on standby to help if needed. We made a fair assessment at the end of the week that we had met the needs of the farming community that we needed to meet and that the rest could be reached by ground. I am content about that.

I have extended the date for collecting the animals because, even as late as last Friday when I was in the Sperrins, I could see how deep the snow still is on the hills. Unless that situation changes, we will have to come back to that date. I have extended it to 19 April to reflect the current situation. We will make another call on that closer to 19 April.

**Mr McAleer:** Thank you, a LeasCheann Comhairle. I thank the Minister for her efforts in resolving this and acting decisively. I also thank her for coming down to visit the Sperrins on Friday to meet some of the affected farmers. One of the concerns that farmers raised during that visit, which my colleague Oliver McMullan will also have found in the glens, is the impact of the reduced stocking densities on their LFA payments. Will the Minister be specific and tell us what we should advise the farmers who think that they might be affected by that?

**Mrs O'Neill:** I thank the Member for the question. I was delighted to visit the Sperrins and talk to the farmers, because there was a bit of misinformation or confusion on the postcode issue. I was delighted to be able to reassure the farmers in person on Friday that they are, in fact, included in the scheme. It is fair to say that the situation in the Sperrins was different from that in Antrim and Down. We witnessed pockets of sporadic snow in the Sperrins whereas there was more of a blanket coverage in Down and Antrim.

You are right: one issue that was raised by the group of farmers that I met was around stocking density and their concerns about losing LFA payments. I really want to encourage all Members to assure farmers that there is provision within the LFACA scheme to be able to waive the required stocking density under the force majeure criteria. Under that regulation, that can be applied only if farmers request it themselves. I encourage all Members to talk to farmers to make sure that they get that request in before 15 May, which is the single farm payment application deadline. We need to get that message out very strongly. I also intend to contact farmers to encourage them to do that. I will also use other avenues, such as the UFU

and NIAPA, to get that message out. We can deal with the stocking density issue under the force majeure, but the onus is on the farmer to come forward and ask for that provision; I cannot just apply it.

**Mr Byrne:** I welcome the Minister's statement. Does the Minister accept that DARD officials were very slow to get out to visit farms? I appeal to the Minister to make sure that the Department has field officers who go out and liaise directly with farmers. In those areas where there is great concern, how likely are we to have some sort of local clinics where affected farmers can go to have their queries addressed? There was great confusion because the helpline did not deal directly with farmers' requests. Lastly, I commend the work of the Forest Service, particularly in those areas of north Antrim where many farms were cut off.

**Mrs O'Neill:** I thank the Member for his question. I assure him that field officers are on the ground and that staff are liaising with the farming community. It is unfortunate that some farmers felt that there were confusing messages on the helpline. We sought to address that very quickly, and I made the public statement on Friday to make sure that farmers in the Sperrins did not feel that they were being treated any differently, because they were not. It is very important that that message is very clear to all of the farming community.

As I said, it has been a very difficult period. The crisis has been unique and extreme due to the weather. Over the past number of weeks, not just staff from the Departments but people from voluntary organisations and the farming community themselves have worked particularly hard and really have helped each other out. I commend them all for that work. We have shown that when Departments work together there can be positive differences on the ground. That was very evident in the approach to this crisis. We will continue to do that.

As regards clinics, I am regularly out and about meeting farmers through different forums. I have received a request from Declan McAleer to come into the Sperrins area to meet the farming community, and I would be happy to honour that. We will continue to do more of that in the time ahead, because it is important that we engage with all of the farming community and that they all feel that they have a voice and are being listened to.

**Mr Elliott:** I thank the Minister for her statement. I also praise the staff on the ground and the resilience of the farmers.

On page 2 of your statement, Minister, you indicate that:

*"94 farms were assisted by soft track vehicles".*

You also state that 46 were assisted by airdrops, which comes to a total of 140. There were 350 calls to the DARD helpline in one week alone, so I am assuming that, overall, it only assisted 30% or 40% of the farms that made requests. Is that accurate? What has become of the farms that did not get that assistance?

**Mrs O'Neill:** I assure the Member that the calls to the helpline were for varying reasons, such as the weather, people being stranded and enquiries about the fallen stock scheme. So, there was a variety of issues. I assure the Member that 440 farms have been visited as part of the fallen stock scheme. As I said, the queries were varied and were all responded to. I am confident that people have all been replied to and that their issues have been dealt with.

As I said, there were farmers ringing about a lack of access to fodder and requesting our assistance and requesting the soft-track vehicles. People called the helpline for a variety of reasons, but we made sure that we responded to them all.

**Mr McCarthy:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for her statement.

I have to support our Agriculture Committee Chairman's comments that it looked like there was a slow start by the Department. On the day we had the special meeting with the officials, I asked why it was not until the Monday that full effort was put into operation. It seemed strange because we were warned on the Monday that the severe weather was coming. It seems strange that it took so long for the Department to respond. The Minister will defend what has been done, but are there lessons to be learned? If there is a warning of severe weather, will action be taken there and then rather than waiting for almost three or four days?

In the last paragraph of her statement, she mentioned the wider agrifood industry. I heard the Ulster Farmers' Union guy this morning —

**Mr Deputy Speaker:** Will the Member please come to a question?

**Mr McCarthy:** Yes, Mr Deputy Speaker. I heard him say how satisfied they were. However, the agrifood industry includes horticultural people who have lost produce. Is there any compensation or hardship fund for those people who lost produce in the tragedy that unfolded last week?

**Mrs O'Neill:** Again, as I have said in previous answers, and the Member would not expect me to say anything different, I do not agree with the assertion that there was a slow start. I do not know how many other ways you would like me to put it. There was a humanitarian issue that needed to be dealt with. Surely you are not saying that people should not be dealt with first? Surely you are not saying that the priority should not have been to get water, medical supplies and food to people?

I am quite sure that that is not what you are indicating, but you can clarify that for yourself.

**12.30 pm**

Over the initial days of the crisis — on the Wednesday and Thursday, before the snow came — the Rivers Agency was on the ground because of the weather and flooding in the Down area. As soon as the agency was required on the ground because of the snow, which came over the Friday and Saturday, all the resources were deployed by lunchtime on Saturday. We had over 50 Rivers Agency staff on the ground clearing snow. Unless you clear the roads, you are not getting to anybody. So, that was the approach at the start, and I am content that the Rivers Agency and DARD were on the ground carrying out the role that they needed to carry out.

When the humanitarian issue was being dealt with over the Saturday and Sunday, as the figures started to emerge and as we started to get more contact, we could clearly see that an animal welfare issue was emerging. That is when DARD again stepped up and started the discussions. We got involved in the civil contingency group, and we made sure that we started to work towards securing helicopter assistance — all the things that needed to be done. So, I am very confident that DARD responded to the crisis in an appropriate manner, when it should have and how it should have. Are there lessons to be learned? In any crisis, you will always learn a lesson. We are not at the end of this; it is still ongoing. There is still a lot of hardship out there, and we have still not collected all the dead animals. However, when we get to the end of this, we will of course sit back and take a look at whether there is

anything that we need to learn. If that is the case, we will learn lessons from it.

**Mr Clarke:** I thank the Minister for her statement. The weather was unprecedented, and hard work was done. We have to recognise that. I appreciate what the Minister has said about the lessons that we could learn.

The statement identifies postcode areas and states that those who are not included in the postcode areas "may be eligible" for assistance. Is the Minister aware that, on the day that the Department came to the Committee, I asked about the Department's own stock on the Glenwhirry hills, where, of 350 sheep, it had accounted for only 80? That postcode is not included on the list. What assurance would that give a farmer on similar hills? If the Department cannot account for 270 of its sheep and is not included on the list, how on earth do farmers on similar hills have a chance?

**Mrs O'Neill:** I do not think that you should get hung up on postcodes. It is a difficult enough situation for the farming community without trying to mix and cause an issue that is not there. The postcodes were issued for one reason: to enable the scheme to move quickly. People could call up, say that they were in a certain postcode area and get things moving and get stock lifted. That was the purpose. I also said that, if you are not in those postcode areas, you may also be included. For example

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**Mr Clarke:** May.

**Mrs O'Neill:** Would the Member suggest that any farmer should just be able to ring up and say that they can claim? If you are dealing with a hardship scheme, you need some way to verify the data. The postcodes used were based on Met Office statistics and information from staff on the ground. The Member should stop mixing. I have made it very, very clear to farmers who are outside a postcode area that, if they can verify that they experienced loss and the weather was bad in their area, they are in the scheme. Quite a number of people came forward and have been put into the scheme as a result; I think that the figure for people outside the postcode areas is around 140. Let us not make this any more confusing or difficult for the farming community. It is a hard enough time.

**Mr Ó hOisín:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buóchas leis an Aire as an ráiteas agus fosta as an chuairt a thug sí orainn i láir na Speiríní an Aoine seo caite. I thank the Minister for her

statement and the visit that she paid to us in the heart of the Sperrins last Friday. That gave great succour and reassurance to the farmers of the East Derry and West Tyrone constituencies. On the back of that, Minister, how many farmers in the Sperrins have applied for and been included in the scheme?

**Mrs O'Neill:** As I said, the Sperrins were slightly different in that there was not a blanket coverage of snow. Even within some postcode areas in the Sperrins, some areas were severely affected and some to a lesser extent or not at all. So, it was definitely sporadic and patchy. When I was up there on Friday, I could see for myself that the hardship those farmers experienced was no different to that of any other farmer in Down or Antrim. I can confirm that 69 farmers have applied to the scheme and all have been accepted at this stage. Other applications are being processed. I am confident that those farmers are more content now that they are being included in the scheme and being treated no differently.

**Mr Campbell:** The Minister has been at pains to point out the issue with the postcode scheme. If similar issues pertain on future occasions when we have extreme weather conditions, will she ensure that, in the midst of the crisis, some farmers in areas of East Londonderry, whom she did not visit on her recent visits, will not be made to feel as if they are an appendix to the main scheme? Will she dispense with the postcode scheme and ensure that farmers who are affected, wherever they are, can understand that they are being treated equally by the Department and can be assured of emergency assistance from the Department, irrespective of where they live?

**Mrs O'Neill:** I assure the Member that equality is at the core of everything that I do. There is never an intention to leave anybody out or to make any farmer feel that they are being treated less equally. If they do feel like that, I will always set out to rectify it. I was in Antrim, the Sperrins and Down, and maybe the Member should have asked me to come along to visit some of the affected farmers in his constituency. I would have been happy to do that. I spent a number of days on the ground, meeting farmers and witnessing their experience at first hand. I informed all MLAs when I was going into their area, and I was happy to meet Members. The experience of farmers was very difficult, and, in quite a lot of areas, MLAs were on the ground providing practical and physical support. I am content that I got out and about and met as many people as possible, but, if the Member felt that I

should have visited some people in his constituency, he should have requested a visit.

**Mr Hazzard:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buóchas leis an Aire as a ráiteas. I thank the Minister for her proactive, flexible and balanced approach to the crisis that unfolded last week. Indeed, as has been outlined, the Minister joined me and my colleague from South Down John McCallister in the Kilcoo and Mourne area, listened to the farmers who were affected and acted upon those concerns. When the emergency meeting was called last week, I was delighted to hear that the Minister had directed officials to engage with insurance companies that were perhaps coming across as more rigid than they should have been. We have heard about the great flexibility of the Rivers Agency, which dealt with flooding in Rostrevor one minute and was quickly into action again to address the snow problem. I am coming to the question now.

**Mr Deputy Speaker:** A very good idea.

**Mr Hazzard:** It is very important to praise the air support from both the British MoD's RAF Chinook and —

**Mr Deputy Speaker:** The Member really must do as he promised and come to a question.

**Mr Hazzard:** — the Irish Air Corps. Could the Minister give her assessment of the significance and value of such support?

**Mrs O'Neill:** The air support was vital in getting to hard-to-reach people, particularly on Tuesday, Wednesday and Thursday, when it was nearly impossible to get to people by road. I very much welcome their input and thank them for it. When the Irish Air Corps was called to an emergency, it had to rescue two mountain climbers. It did not just deal with the crisis in the farming community but ended up, because of the snow, having to rescue two people who decided to climb a mountain. The 90 drops were very effective, and I know that the farming community welcomed that input. That sets a precedent that if we ever find ourselves in such a situation again — hopefully, we will not — we will have that assistance to call on.

**Mr Rogers:** Thanks to the Minister for her statement. Like other Members, I acknowledge the help that has been given by the various agencies. The snow might have gone away, but the problem has not. If you are a sheep farmer, the highlight of your year is the lambing period. At the moment, we have breeding

flocks decimated, sheds demolished and insurance policies proven to be useless. Too many farmers can see the back wall of the silo; in other words, they have no feed. I ask the Minister to do two things: take the onus off the farmers and get DARD officials out to visit those who have been severely affected and work with her colleagues in the Executive to bring forward a comprehensive compensation scheme.

**Mrs O'Neill:** I have already done that. I was delighted that I secured Executive agreement for a hardship package. It was twofold: first, lifting the fallen stock and, secondly, looking towards hardship. It is not compensation, and it will not compensate for all people's losses, but it will work towards some sort of hardship payment. We are talking upwards of £5 million under the de minimis rule.

I know that the farming community has called for that, and, when I was out on the ground meeting people, the key issues were about how they would get the stock lifted and how they would pay for that and that their insurance may not cover their sheds being down. All those issues were really difficult, and I know that some farmers' heads are totally down. So, I am committed to making sure that we work with them in the time ahead. The hardship package will go some way to helping them, providing practical advice. As I said, I will enter into discussions with the farming unions and all those key people on the approach in the year ahead. It has been such a difficult 18 months for the farming community, so we need to plan for the period ahead. I will continue to do that over the next number of months.

**Mr Beggs:** I too express concern about the proposed deadline of 19 April for the fallen animals scheme. My daughter was in the Antrim hills at the weekend and reported walking through 3-feet snowdrifts. The dykes above Larne and Carrick still show sizeable drifts of snow in many places, and, from them, many fallen animals are likely to emerge. Therefore, will the Minister ensure that undue pressures are not put on farmers who have already suffered extensive losses and that that scheme will be extended? It is physically impossible for many of them to recover their stock at this time.

**Mrs O'Neill:** For the very reasons that the Member has outlined, I have extended it to 19 April. I will keep that under review, because I saw for myself as late as Friday the depth of the snow and the difficulties that are still being faced. I do not want farmers to put themselves in any danger or difficulty by going up and trying

to take the livestock down until it is safe to do so. I will keep that position under review. 19 April is the date for now. Let us work towards that, and we will just watch how the thaw happens.

**Mr G Robinson:** Can the Minister explain why postcodes BT47 and BT49, which include the farming communities in the Limavady and Dungiven areas, were excluded from her Department's compensation scheme in 2010, despite the loss of approximately 1,200 animals? Thankfully, those areas have been included in the current carcass-lifting scheme and compensation scheme, which I welcome.

**Mrs O'Neill:** I cannot speak to the 2010 scheme, but I assure the Member that, regardless of whether or not you are listed on the postcode scheme that was initially set out, if you have been affected by snow and you have lost livestock, you can be included in the scheme. I give the Member that assurance. I cannot compare the two, because, in 2010, I was not in the Ministry.

**Mr Allister:** Is it a correct understanding of paragraph 25 that the Minister intends to cap the assistance under the hardship scheme to any farmer, no matter how extensive his losses are, at €7,500 and that the cost of the recovery of the fallen animals will be deducted from that? There will be no assistance for restocking and no assistance for restoring infrastructure in farms. She seems to have closed down the possibility of considering what she should be considering: a proper scheme approved by Europe under state aid approval that would actually meet the need, not simply make a token contribution that might come nowhere near meeting the need. Will she put in place a proper compensation scheme?

**Mrs O'Neill:** As I said in previous answers, I have secured Executive agreement for a hardship scheme. That had two elements: first, lifting the fallen stock and, secondly, a hardship payment. Farmers are telling me that they do not want this put on the long finger. They need support, and they need it as quickly as possible. So, I looked at a number of options, and the hardship scheme under the EU de minimis rules seemed to be the most appropriate scheme. It allows us to get money out to farmers in a speedier manner.

I looked at three areas for possibilities that we could look at. The first was the European Union solidarity fund, and the second was the Commission regulation under the state aid block exemption. Those take a long time, and,

after going through the process, we might not necessarily meet all the requirements. The EU state aid de minimis provision allowed me to introduce a scheme as quickly as possible. Farmers need to be able to restock come autumn. This allows me to get the money out as quickly as possible.

### 12.45 pm

The limits are set down by Europe under EU state aid de minimis rules. The Member will be aware of that. It is a €7,500 limit. You cannot look at blanket compensation. You have to look at the scheme that we can take forward on an individual farm basis up to the de minimis level per farm business. We cannot compensate for the full value of the loss: this is a hardship scheme, not a compensation scheme. As to the farm businesses that have lost buildings and sheds, in many instances people are arguing with insurance companies. I know that that is an ongoing issue with insurance companies because they are not covering those losses. That is a particular issue that needs to be addressed, and I have asked officials to take that up. I intend to meet the NFU in the time ahead to discuss that, because it is an issue. Farmers are feeling cheated because their insurance is not covering them for what, they feel, they were paying a premium for. That is another issue.

I will look towards the hardship payment. I am delighted that we have Executive agreement on it. It is the best scheme that we could bring forward speedily. I know that it is welcomed by farmers. There has been a mixture of losses. Some have lost a few stock, some quite a large number. The hardship payment will be based on the level of loss, but, as I said, it is a hardship payment, not compensation.

**Mr McCallister:** I welcome the Minister's statement. Indeed, I was grateful that she visited the South Down constituency, accompanied by Mr Hazzard and me, to see at first hand the damage that had been done.

Like my colleagues, I am concerned about the lack of information in the statement about the structural damage on farms. That is one of the key elements that we have to address. I know that the farms that the Minister visited in South Down had suffered extensive structural damage. We must find a way of bringing forward some sort of package, possibly in conjunction with insurance providers. More farmers will be put out of business simply because the cost of restoring farm buildings is too high.

**Mrs O'Neill:** The scheme that I am bringing forward allows me to look at hardship as a result of losses to livestock, not losses to farm buildings. However, that is a particular issue. As the Member said, when we visited a number of farms, we could see the sheds that had been brought down. We could see the frustration of the farmers, who asked why they had been paying a premium if they were not going to be covered in the event of something like this. That is an issue for insurance companies, and I am happy to challenge them on their role on behalf of the farming community. That is a key area that we need to address in the time ahead. I agree: if you insure your house and you are not covered, you have right to challenge the insurance company. The farmers who have lost their sheds as a result of this weather deserve to be compensated where they have been paying insurance. That is an issue. However, the scheme that I am bringing forward is for the loss of livestock, not the loss of buildings.

**Mr Irwin:** I thank the Minister for her statement. In relation to the hardship scheme, there are de minimis rules, whereby €7,500, which is in the region of £6,500, is the maximum amount payable. As has been touched on by Mr Allister, a farmer who has lost a large number of animals will need almost the whole of that de minimis sum to remove the fallen stock from his farm. I ask the Minister and her Department to look at ways in which the costs of fallen stock might be covered under a scheme outside the de minimis rules, thereby giving the farmers some room for manoeuvre.

**Mrs O'Neill:** You cannot calculate it at this stage. I can give you a rough cost. What we are talking about for lifting fallen stock, particularly lambs, is £1.54 for a lamb of up to two months old. The number of sheep lifted to date is 8,153, of which 6,246 were lambs. We are talking about early lambs. So we are talking roughly about £1.56 as the cost. So, if someone has lost 200 lambs, calculate that. We are not talking about a massive amount of money up to the limit of the de minimis rules. Do not scaremonger; let us work it out. Let us get the fallen stock lifted. Let us work towards getting that done first, and then I will bring back a scheme to the Executive. You are very welcome to talk to Ministers about their response to that in the Executive when I bring back the scheme. The scheme that I will bring forward seeks to give some sort of hardship payment as quickly as I can to the farming community, which is asking for some money to help it to restock. This is a way to do it. Therefore, I am content that we take that forward. Do not scaremonger. The scheme

that we brought forward is the most appropriate at this time.

**Mr Wells:** The Minister hides behind the issue of insurance. The reality is that in South Down there are at least seven farmers who have lost sheds and either could not get storm damage insurance or did not have it. Therefore, the consequences of what happened are extremely serious — even more serious, perhaps, than losing stock. Can she devise some way of assisting those farmers to enable them to rebuild their outbuildings in order to keep whatever livestock they can afford to have in the future? Without doing that, it could be the end of the road for some farmers.

**Mrs O'Neill:** I know that it is a devastating time for farmers. I have met them, and I can see it. Their heads are down, and it is very difficult. However, the scheme that I am bringing forward has to be around verifiable loss and, in this instance, it has to be around verifiable loss of livestock. That is the scheme that I am bringing forward. I will bring it to the Executive table, and it will be up for discussion. As I said to the Member who spoke previously, talk to your own Ministers about the discussion that we will have in the Executive. I believe that the scheme is the most appropriate one at this moment, and it allows us to get some money out to farmers. It will not fully compensate their loss, but it will be some sort of hardship payment.

Why should we run away from insurance companies? Insurance companies are there to do a job, and people pay a premium for a reason. They should be covered if they pay insurance. If insurance companies are not paying out, I am happy to challenge them on that. That is the issue as I see it at this minute.

**Mr Deputy Speaker:** Order. That concludes questions on the statement.

**Mr Campbell:** On a point of order, Mr Deputy Speaker. I wonder if you could draw to the Speaker's attention the fact that there is a well-established protocol when ministerial visits take place to constituencies that MLAs and Members of Parliament are notified in advance of the visit, so that the Speaker might send a reminder to Ministers to avoid any accusation of a sectarian visit from a Minister. Having made a check at each of my constituency offices in the course of the present statement I have established that no such notification was given to either my office or my colleague's office.

**Mr Deputy Speaker:** Order. That is really a matter for the Minister.

The Business Committee has arranged to meet immediately after the lunchtime suspension. I propose, therefore, by leave of the Assembly, to suspend the sitting until 2.00 pm. The first item of business when we return will be Question Time.

*The sitting was suspended at 12.52 pm.*

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

**2.00 pm**

## Oral Answers to Questions

### Regional Development

#### A6: Dungiven Park-and-ride Scheme

1. **Mr Ó hOisín** asked the Minister for Regional Development why a site for a park-and-ride scheme on the A6 at Dungiven has not yet been identified. (AQO 3730/11-15)

**Mr Kennedy (The Minister for Regional Development):** In response to a supplementary question that he asked in the House on 12 February, I wrote to the Member on 24 February 2013 regarding this issue. In 2009-2010, my Department's Roads Service explored the possibility of acquiring part of the former controlled secondary school site to provide a dedicated park-and-ride site. However, it became clear in initial consultations with local residents that there was strong opposition to the proposal, and it was not developed any further. As part of the development, including the public inquiry on the dualling of the A6 between Londonderry and Dungiven, opportunities to provide a number of park-and-ride sites have been considered. One of those is located on the eastern side of Dungiven in the Magheraboy townland and would provide approximately 100 park-and-ride spaces. That facility would be developed along with the construction of the Dungiven bypass element of the scheme.

My Department has already provided formal park-and-ride and park-and-share sites along the A6 at Drumahoe, Maghera, Magherafelt and Toome. In addition, informal park-and-ride facilities using existing on-street and off-street parking have been developed at Dungiven and Claudy. In February, I opened a major extension to the park-and-ride site at Drumahoe, and plans are being developed for a significant extension to the existing site at the Castledawson roundabout, Magherafelt.

Over 1,000 additional park-and-ride and park-and-share spaces have been provided in the past two years, which is an increase of over a quarter in the total number that are available. At the end of 2012, there were 5,863 park-and-ride/park-and-share spaces throughout Northern Ireland, and my Department's park-

and-ride programme aims to deliver a further 1,000 spaces between 2013 and 2015.

**Mr Ó hOisín:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buóchas leis an Aire as an fhreagra sin. I thank the Minister for his answer. The Minister will know that I asked a number of questions on this matter in the past, which he alluded to. Dungiven is one of the last areas on the A6 that is not served by a formal park-and-ride system. That has resulted in on-street parking and parking at health centres and on private properties, which is far from satisfactory. You mentioned the Magheraboy site, which I drive past every day and which I think is unsuitable. A number of sites have been identified, but has any effort been made to acquire a site that is perhaps within the town curtilage, given the amount of dereliction that exists there and the size of some sites that might be suitable there?

**Mr Kennedy:** I am grateful to the Member for his supplementary question and, indeed, for his interest in this issue. He will know that various sites that I outlined in response to his question have been identified but that no action has been taken on them. We are, of course, open to further suggestions, and if the Member has any that he wishes to make, we will have them assessed and I will ask Translink to carry forward that work.

**Mr Campbell:** The Minister outlined the success of the park-and-ride schemes, and he included the Drumahoe site, which had to be expanded very shortly after it opened. In the preparatory work for any future schemes, such as that at Dungiven and others along the A6, given the sooner than expected construction of the road scheme there, will he ensure that sufficient space is acquired to ensure that a proper, adequate site is prepared that does not require expansion within two years of provision?

**Mr Kennedy:** I am grateful to the Member for his question and for his welcome for the additional facilities that we have provided, particularly at Drumahoe. One of the costs of success of park and ride is that we have seen an expansion in various sites. As you plan and prepare for these things, every attempt is made to identify an area of ground and proper space for the most available number of spaces. Obviously, we will continue to do that as we develop other sites.

**Mr Dallat:** I thank the Minister for his answers so far, and I encourage him to continue to invest in park-and-ride schemes. Does the

Minister agree with me that, given that Dungiven lost its rail link many years ago and is totally dependent on bus transport, this really should be a priority for his Department?

**Mr Kennedy:** I am grateful to the Member for his supplementary question. Of course, he is his usual coaxing self in an attempt to persuade me to spend money in his area. There is no harm in that, of course; all politics is local. We continue to seek to identify opportunities for park-and-ride schemes. I am pleased with the progress that we have had over recent years and hope that we can continue to develop sites, including sites in and around Dungiven.

[*Interruption.*]

**Mr Hussey:** I thank the Minister for his responses so far. Will the Minister provide figures for how much his Department has spent on park-and-ride schemes over the past two years?

**Mr Kennedy:** I am grateful to the Member for his supplementary question. I am happy to confirm that the Department spent some £2.1 million on the provision of park-and-ride facilities in the past two years. That has delivered over 1,000 additional spaces throughout Northern Ireland and represents an increase of over a quarter in the number of available spaces.

A draft delivery programme for 2013-15 is being prepared by my Department's park-and-ride programme board. The programme is a prioritised schedule of the park-and-ride projects to be delivered within this Budget period, with clearly defined responsibilities for funding, implementation, maintenance and operation. The programme, which is based on the report of the strategic review of park-and-ride, will propose to develop park-and-ride and park-and-share sites at several locations, including Lisburn, Bangor, Portadown, Newry, Omagh — which the Member will be interested in — Cullybackey, Dundonald and Templepatrick.

### Roads: Gritting

2. **Mr Hazzard** asked the Minister for Regional Development whether there is any evidence that the increase in the number of road accidents in recent months has been due to the type of grit or salt applied to the roads. (AQO 3731/11-15)

**Mr Kennedy:** Roads Service sources its rock salt from mines in Carrickfergus, County Antrim. That remains the primary material used for de-

icing roads, and Roads Service did not acquire or use any new types of rock salt for that purpose during the recent winter period.

With regard to any increase in road traffic accidents being caused by the type of salt being used, I can advise the Member that investigations into the cause of road traffic accidents are carried out by the PSNI. However, Roads Service has no evidence that there has been an increase in the number of road accidents in recent months or that the type of salt being applied to the roads is contributing to road traffic accidents.

**Mr Hazzard:** Go raibh maith agat. Question answered, thanks.

**Lord Morrow:** Mr Deputy Speaker, when I am on my feet, may I apologise for my indiscretion with my phone?

I just draw the Minister's attention to the A4, and the gritting programme there. It seems that we have that problem almost resolved, and I have no doubt that that is due in great degree to the part that he has played in it all. However, I draw his attention to another matter on the A4, which is the lack of compensation or completion of —

**Mr Deputy Speaker:** I remind the Member that the question is about the type of grit.

**Lord Morrow:** Yes, that is right, but I already spoke about that. [*Laughter.*] I said that it was working, and I was going to ask him whether he could speed up the compensation for those whose land was taken in relation to the A4, which is now open for nearly three years.

**Mr Deputy Speaker:** That is clearly not relevant to the original question, no matter the ingenuity attempted by the Member. We will, therefore, move on.

**Mr Kennedy:** I thank the Member for his question and for his apology for his mobile phone going off. I did not take that personally at all. I am aware of the issue that he raised in relation to the A4. I will look at it and see whether I can improve time factors involved in it, and I will write directly to the Member about it.

### Car Parking: Residential Areas

3. **Mr Newton** asked the Minister for Regional Development what plans he has to alleviate car parking and traffic problems in housing estates

which were designed when there were fewer cars. (AQO 3732/11-15)

**Mr Kennedy:** The Member has raised this issue with me in the past. As I stated in my response previously, many social housing estates were designed and built when the level of private car ownership was much lower. As such, roads were primarily intended to provide access rather than parking. Given the level of parking provision in those areas, some residents may be unable to park immediately outside their property. I am aware of the difficulties that that can cause, especially for those with mobility issues.

Regrettably, Roads Service does not have the remit or, indeed, the resources to provide parking at private residences for social or amenity reasons. However, I can advise that Roads Service policy recognises that the level of car parking may, in certain circumstances, significantly affect road safety or traffic progression on through routes. In such instances, Roads Service may take appropriate action. Under that policy, Roads Service has introduced a range of schemes to provide additional parking spaces or to introduce parking and waiting restrictions to ensure the safe movement of vehicles along main through routes in a number of social housing estates. Further requests for the introduction of additional parking measures will continue to be assessed in accordance with that policy. The policy was reviewed recently to take account of the emergence of housing associations and the fact that many houses have been purchased by tenants.

**Mr Newton:** I thank the Minister for his response and the fact that he recognises that there is a problem. The problem leads to neighbour-to-neighbour disputes, a plethora of accidents, albeit relatively small, but which turn out to be expensive, and to high levels of frustration.

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

**Mr Newton:** Will the Minister consider a relaxation, perhaps in areas in which there are parking problems for the disabled, to accommodate them and allow them to park closer to their home?

**Mr Kennedy:** I am grateful to the Member for his supplementary question. I understand fully and sympathise with his point. Part of any solution, perhaps, would be better neighbourliness. Relationships can sometimes

be very strained in housing estates, and I have had that experience in my constituency. However, we will continue to work at the issue, which was never intentional. It is an unintended consequence of building those housing estates, many years ago in some cases. They have caused subsequent parking problems, particularly for those with a lack of mobility. Greater consideration by neighbours and people living in such places would go a long way towards assisting with the problem.

**Mr McDevitt:** The Minister will know that many streets in the south Belfast area are from an age when the number of cars that are parked in them today was never expected, and he is well aware of the requirement for residential parking schemes in areas of the Holylands, Stranmillis and the Windsor area of the Lisburn Road. Has he any update on such schemes since his visit to some of those areas last year?

**Mr Kennedy:** I am grateful to the Member for his supplementary question. I know that he is aware that there is a slight difference between those who experience parking problems in settled housing estates and residents' parking schemes, which are primarily designed to take account of the parking difficulties of extra commuter traffic, not population traffic, coming into an area. The Member is right; I was in areas of south Belfast seeing at first hand some of the problems being experienced there. Unfortunately, progress has been slow and continues to be slow, not only in that area but in a range of areas. However, I very much hope that, at an early date, we can get a scheme under way that will prove to people who live in that general area, and in other areas, that such residents' parking schemes can work if they are given a proper chance.

**2.15 pm**

**Mr Deputy Speaker:** Question 4 has been withdrawn and requires a written answer.

Roads Service: Budget 2012-13

5. **Mr Clarke** asked the Minister for Regional Development what additional funding has been made available to Roads Service in this financial year. (AQO 3734/11-15)

**Mr Kennedy:** Roads Service has submitted bids for additional resources in each of the three monitoring rounds in the financial year. As a result, Roads Service was successful in securing an additional £57.7 million in total: £15.7 million in resource funding and £42

million in capital funding. However, although I very much welcome those additional allocations, this issue highlights my view that spending performance should be a more significant factor in Budget processes. Recently, not for the first time, my Department responded positively to a request to absorb resources — some £1.3 million of capital — very late in the year. Indeed, had the request come sooner, I would have been able to absorb more, with a consequent positive impact for both the construction sector and the wider economy. We need to move away from continually allocating funding to Departments that then fail to spend it, thus relying on late adjustments such as this. In that context, I hope that DRD's strong performance in delivering planned spend is given appropriate weight when the Executive next consider Budget allocations.

**Mr Clarke:** I thank the Minister for his answer. Perhaps it proves the underinvestment that DRD has had. That is not a direct criticism. I am sure that you appreciate that you are bidding for particular resources to carry out programmes of work. However, given the state of roads — in particular, to be parochial, I suppose, in South Antrim — the maintenance programme over the past couple of years and the safety programmes that have had their budgets cut, how confident are you that additional money will be found to tackle safety in particular and the lack of maintenance spending on roads?

**Mr Kennedy:** I thank the Member for his supplementary question. Although I am pleased about the additional resources that we have been allocated over the past couple of years, involving record levels of spend for maintenance, I want to take that uncertainty out of the equation and put maintenance on a proper basis. I have to say, following the recent wintry weather, that my expectation is that, as with any freeze-and-thaw cycle, it will have a damaging effect on the road network, causing, perhaps, carriageways to split and potholes to form, particularly on minor roads. I am happy to serve notice of that. I hope that the Member and his colleagues will support the provision of additional resources to the Department for Regional Development so that roads can be maintained properly and safety remains the predominant concern at all times.

**Mr McAleer:** Minister, £330 million of your budget has been set aside for the A5 project. Can that scheme or parts of it progress at this stage?

**Mr Kennedy:** Are we still on supplementaries to question 5, which is on the budget? That is a very good try.

The Member will know that the A5 situation is still reasonably fluid in a legal sense. I am still considering the outcome of the judge's decision yesterday. I hope to consider further the legal advice that is open to me and, indeed, engage in conversations with Executive colleagues over coming days.

**Mr D Bradley:** Go raibh maith agat, a LeasCheann Comhairle. Will yesterday's judgement on the A5 have any further impact on the Department's budget?

**Mr Kennedy:** Again, I am grateful to the Member. It is a valiant effort to introduce that topic when we are talking about structural road maintenance. Nevertheless, I need to be cautious in my responses to the House today, not out of any courtesy to any Members. I will simply say that we are looking closely at the judgment, its implications for the A5 scheme and the legal ramifications that will flow from it. I want to take the time to carefully consider it before coming to a considered view.

### Railways: Waterside Station

6. **Ms Maeve McLaughlin** asked the Minister for Regional Development whether any progress has been made on the provision of a suitable train station at the Waterside terminus. (AQO 3735/11-15)

**Mr Kennedy:** This is an operational matter for Translink, and it has completed an initial feasibility study that has identified four options for further consideration. The options are as follows: to refurbish the existing station; to provide a new Ebrington station; to relocate to the original Waterside station; or to provide a new Waterside link station. Translink has commenced a public consultation regarding the location for the renewed or redeveloped station, and it is due to conclude on 24 May 2013. Translink plans to develop an economic appraisal to finalise the decision.

I am aware of the local interest in the matter. Indeed, in May 2012, I met a cross-community/cross-political group to hear its views. I must emphasise to the Member that there is no funding in the current capital programme to 2014-15 for a station to be built or refurbished. We will need to consider all relevant costs for each option.

It is also worth pointing out that plans are being progressed for phase 2 of the Coleraine to Londonderry track relay, which is due to start during the Budget period. It will be important to ensure that funding is in place to take that and other rail projects forward. It will, therefore, be important to consider any potential funding streams once the final decision is taken on the preferred option.

Finally, the Member will be aware that I officially reopened the Coleraine to Londonderry line on 22 March. That was a very successful event, and it clearly demonstrates my commitment to improve train services to the north-west.

**Ms Maeve McLaughlin:** Go raibh maith agat. I thank the Minister for his response. Is it not the case that the preferred option is the former terminus? Will he outline whether any or all of the options have been costed at this point?

**Mr Kennedy:** I am grateful to the Member for her supplementary question, which is another very good attempt to tease an answer from me. However, it would be very unwise for me to give an answer at this stage because of the public consultation; it would be wrong for me to predetermine or pre-empt the outcome of that in any way. I have no doubt that, when representations and assessments are made, the financial aspects will also be looked at.

**Mr Durkan:** I congratulate the Minister on the vital role that he played in the refurbishment and reopening of the Derry to Belfast railway line. I was delighted to greet him upon his arrival on the first train.

The Minister said that there was no funding available in the current budget. I know that the Minister was in Europe recently enough, and I wonder whether there was any indication that funding may be available under the Trans-European Network scheme.

**Mr Kennedy:** I am grateful to the Member for his supplementary question and for the warmth of his welcome in Londonderry that day. I was in Londonderry, I am not sure where he was. [Laughter.] It was a very enjoyable day, and there was a great atmosphere. I was very pleased to be at the opening in Londonderry that day because it represented such a significant landmark day for public transport and rail travel between Belfast and Londonderry and, indeed, Coleraine and Londonderry. I will now move on to your real question.

**A Member:** The rail question.

**Mr Kennedy:** Very good.

I have no difficulty with continuing to encourage my officials to seek every opportunity for European funding under TEN-T or any other appropriate measure. The Member may know that we had some success in relation to the works that are being carried out to Portadown railway station. I certainly believe that my officials have a very good record in chasing grant aid from Europe, and that will continue to be the case if there are opportunities there.

#### Northern Ireland Water: Non-domestic Charges

7. **Mr Cree** asked the Minister for Regional Development for an update on non-domestic charging rates for NI Water. (AQO 3736/11-15)

**Mr Kennedy:** Northern Ireland Water has advised me that, with effect from 1 April 2013, all water and sewerage charges will decrease by an average of 2.7% and, as a result, all non-domestic customers will see a reduction in the amount they pay for water and sewerage services. This is particularly welcome news given the difficult economic climate, as it will benefit all sectors of our economy. The reductions are possible in part due to the significant sustainable cost efficiencies that have been delivered by Northern Ireland Water over the price control 2010-13 period (PC10) and the further savings that NI Water have committed to making best endeavours to deliver in 2013-14.

**Mr Cree:** I thank the Minister for that statement; it is certainly good news for business. Will he press his colleagues on the Executive to follow this lead to soften the financial burden on local businesses generally?

**Mr Kennedy:** I am grateful to the Member for his supplementary and his warm welcome for the news, and I am happy to lead the way in providing benefits to all sectors of our economy as we move forward. That is the challenge for the Executive and, on behalf of the Ulster Unionist Party, I am happy to be playing an important role in that.

**Mr Spratt:** I thank the Minister for his answer. Does he agree that those savings are partly down to the very efficient management structure that there has been in Northern Ireland Water over the past number of years? Does he think that that should be encouraged in other areas as well?

**Mr Kennedy:** I am grateful to the Member for his supplementary question, and I agree entirely: we have seen significant progress in management structures and streamlining efficiencies. I pay tribute to the chief executive and the senior executives involved in that process, which can be difficult and challenging. Nevertheless, I think it is very welcome and will be welcomed by the wider population, particularly the business community.

## A5: Environmental Safeguards

8. **Mr Boylan** asked the Minister for Regional Development whether environmental safeguards will be put in place to allow the A5 project to proceed. (AQO 3737/11-15)

**Mr Kennedy:** I want to assure the Member that my Department continues to pursue this scheme — we are now talking about the A5 scheme — and I remain focused on achieving the important benefits that will flow from it, including the important cash flow to the hard-pressed construction sector and the much needed improvements to the road network in the west of the Province.

It is right to say that my Department successfully defended 11 of the 12 grounds on which the legal challenge was brought, and we are proactively working with our legal team to navigate through the issues flowing from Mr Justice Stephens's judgement. Revisiting the form of assessment under the habitats directive will inevitably result in delay to the construction phase, which is difficult to quantify at this time. I should add that the judge provided a one-week stay to the decision to quash, and this will permit full consideration to be given to the merits of an appeal.

**Mr Boylan:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as ucht an fheagra sin. Two Members have asked questions about whether the A5 will go ahead: if it does not, are there other projects that could absorb the moneys that you have already bid for in the budget?

**Mr Kennedy:** I thank the Member for his supplementary question. In the same way as I approached the earlier questions, I am afraid that I have to show some caution as we continue to consider the legal advice and seek to chart a way forward on all these issues. You are aware that the judge has provided a one-week stay to the decision to quash and that, during that week, we have to give full consideration to the merits of an appeal and the implications that would flow from that.

2.30 pm

## Social Development

### Deprivation: Strabane

1. **Ms Boyle** asked the Minister for Social Development what discussions are taking place to ensure that there is a proper strategy to deal with deprivation in the Strabane District Council area. (AQO 3745/11-15)

**Mr McCausland (The Minister for Social Development):** In terms of a strategy to deal with deprivation, my Department provides a wide range of support to individuals, families, households and communities. Support for individuals and families includes the provision of decent and affordable housing; action to address fuel poverty; the delivery of child maintenance arrangements; and comprehensive social security provisions, including the delivery of a major welfare reform agenda. Support for communities includes the neighbourhood renewal strategy, support for the community and voluntary sector and a range of measures that are aimed at improving town centres. Those are all key to addressing poverty and social disadvantage and will help individuals and families in the Strabane district, as they will help those throughout Northern Ireland.

I recognise that my Department must work with others to tackle deprivation effectively. To that end, my officials are in constant contact with officials in other Departments and public bodies, district councils, community and voluntary groups and the business community. I will also point out that my Department's remit for tackling spatial deprivation is limited to urban areas. In the Strabane District Council area, that means that my Department's funding is limited to Strabane town. The responsibility for tackling spatial deprivation in village and rural areas rests with the Minister of Agriculture and Rural Development.

**Ms Boyle:** Go raibh maith agat. I thank the Minister for his answer. He will be aware that, as he stated, Strabane is among the most socially deprived communities in the North. Just today, the oil stamp saving scheme funded by the Public Health Agency was launched in Strabane. Do the Minister and his Department have any intention of supporting or funding such projects to further help to address fuel poverty in the Strabane district?

**Mr McCausland:** The Member will be aware of the work that we already undertake to tackle fuel poverty, whether through the warm homes scheme or the boiler replacement scheme, both of which have been extremely successful. We also seek to tackle fuel poverty through our benefit uptake campaigns, which put people in a better position to meet the cost of fuel bills. Our primary way of funding areas of high deprivation is through neighbourhood renewal, and there is already significant investment in the Strabane area through that strategy.

**Mr Byrne:** I thank the Minister for his answers thus far. Will he indicate whether his Department is having discussions with any other Department about having some sort of joined-up approach so that there could be infrastructure improvements for Strabane? I welcome some of the correspondence that I have had from the Minister in the past.

**Mr McCausland:** The word "infrastructure" is quite expansive and can cover many different things. Of course, any major infrastructure work would be the responsibility of the Department for Regional Development (DRD), and other Departments would contribute to other aspects of infrastructure. The Member will be aware, I am sure, of the work that is ongoing in town centres across the Province to improve their general appearance — I am just looking through my notes for examples. Certainly, in the case of Strabane, I am happy to come back to him with more details of the full programme of works, although all that information is available on our website.

**Mr Hussey:** Ms Boyle referred to the fact that Strabane is one of the most deprived areas — I believe that the council ranks second in Northern Ireland. So, will the Minister detail how the total resource that his Department invests in Strabane's regeneration compares with the average that is invested in other Northern Ireland council areas?

**Mr McCausland:** Over the past four years, my Department has delivered 27 projects with a total value of over £3 million in the Strabane neighbourhood renewal area. As I said, details of the projects that are funded in Strabane and elsewhere are available on the Department's website.

2. **Mr McGlone** asked the Minister for Social Development for an update on the success of the boiler replacement scheme. (AQO 3746/11-15)

15. **Mr Wells** asked the Minister for Social Development for an update on the boiler replacement scheme. (AQO 3759/11-15)

**Mr McCausland:** With the Speaker's permission, I will answer questions 2 and 15 together, as they are about the same issue.

There has been unprecedented interest in the boiler replacement scheme, which I launched last September. As Members will be aware, £12 million has been allocated to the scheme over three years, and it is open to owner-occupiers who earn less than £40,000 and have an inefficient boiler that is at least 15 years old.

There have been 30,000 inquiries to date. Some 12,800 applications have been received, 12,500 boiler installer forms have been issued to applicants and 7,200 forms have been received and processed. A total of 6,500 formal approvals to proceed with the installation of a new boiler have been issued by the Housing Executive. Of those, 2,500 applicants have confirmed that they have completed the installation, and some are waiting on the building control certificate to send to the Housing Executive to receive payment. It is estimated that some 6,000 boiler installations were completed by the end of March. So, we are very much on target.

That has all been achieved within the first seven months of the scheme, which has an objective of assisting 16,000 households over three years. By replacing their old non-condensing boiler with a new condensing boiler, householders in an average three-bedroom semi-detached house will save in excess of £2,700 over 10 years. That figure increases the older the boiler is that is being replaced. The thermal efficiency of the homes that have replaced their boilers under the scheme will also significantly increase, with some delivering a 30% increase in fuel efficiency. The money saved will make a real difference to the most vulnerable in our community. The scheme has also helped 600 boiler installers throughout Northern Ireland to find work. At a time of economic crisis, the scheme has been of great benefit to local businesses and the local economy.

Along with the warm homes scheme and recent work with local councils on the affordable warmth pilot, the scheme further underlines my commitment to addressing fuel poverty.

## Boiler Replacement Scheme

Overall, it is apparent that the boiler replacement scheme has been a great success. The overall objective —

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

**Mr McCausland:** — of replacing 16,000 boilers will be surpassed.

**Mr McGlone:** Gabhaim buíochas leis an Aire as an fheagra sin. I thank the Minister for his comprehensive answer. Is it anticipated that there will be any change to the criteria for the boiler scheme? Will the age of the boilers to be replaced be reduced at any stage in the future?

**Mr McCausland:** We are in a situation where so many people are interested in the scheme that it is virtually oversubscribed. Therefore, it would be unwise to alter the criteria in any way. I think that the criteria are right. The older the boiler the greater the saving, and we want to target our resources at those homes where the savings will be greatest.

**Mr Wells:** Many Members will be delighted to hear of the success of the scheme and the high degree of uptake. Given that there is clearly a latent demand in the country for boiler replacement, has the Minister's Department given any consideration to perhaps extending the scheme at the end of the three-year period? Clearly, by the time it closes, there will still be many people in Northern Ireland who wish to replace their boiler, but who cannot do so because of the limited time and funding.

**Mr McCausland:** We have had significant interest, as I have already indicated. I also indicated the amount of money that we have: £12 million for the scheme over the three-year period. We have also managed to secure £5 million in additional funding from the European regional development fund, and I am exploring the possibility of securing even more funding before the scheme ends. That is clearly because of the success that we have had with it.

**Mrs Overend:** Is the Minister aware of the approximate proportion of those who have been successful in the scheme and who have transferred to gas as a more efficient method of heating their homes?

**Mr McCausland:** I do not have those figures to hand. I will endeavour to gain that information, but I do not have it at hand today.

3. **Dr McDonnell** asked the Minister for Social Development to outline where co-ownership schemes have been established since the allocation of the £7.5 million from the last monitoring round. (AQO 3747/11-15)

8. **Ms Maeve McLaughlin** asked the Minister for Social Development how many houses have been bought through the co-ownership scheme in the Foyle constituency in each of the last three years. (AQO 3752/11-15)

**Mr McCausland:** With permission, I will answer questions 3 and 8 together, as they raise similar issues.

The Member for South Belfast is incorrect and should be aware that it was not £7.5 million but £8 million that was allocated in the October monitoring round. Affordable homes delivered through co-ownership are demand-led. Therefore, the location of homes supported by the scheme is dictated by applicants to the scheme. As I outlined in a recent reply to a question for written answer, a breakdown of property purchases to date is available by district council area. I will furnish the Member with a written copy. Although co-ownership statistics are available only on a district council basis, I can report that for 2010-11, in the city council area of Londonderry, a total of 12 properties were purchased using the housing association grant. In 2011-12, the total was eight properties, and to date in 2012-13, a total of 36 properties have been purchased.

**Dr McDonnell:** I thank the Minister for his answer. It has always struck me that the co-ownership scheme is very useful. Does the Minister have any plans to further expand, encourage or promote co-ownership schemes in either size or number?

**Mr McCausland:** The Member talks about "schemes", but this is a scheme. It is incumbent on people to come forward, and it responds to demand. I am always keen to put more resources into co-ownership. I did so recently, but some members of his party were rather critical of that.

**Ms Maeve McLaughlin:** Go raibh maith agat. I thank the Minister for that detail and particularly for the constituency breakdown, but I ask him directly whether there has been —  
[Interruption.]

**Mr Deputy Speaker:** Order.

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## Co-ownership Schemes

**Ms Maeve McLaughlin:** Are there downsides or negatives to the co-ownership scheme, and, if so, will the Minister outline them?

**Mr McCausland:** In all honesty, I would be hard-pressed to find negatives to a scheme that I think is extremely good, is delivering on the ground, meeting a need and helping people to get onto the property ladder. I would have great difficulty in finding anything negative about it.

**Mr Campbell:** On the day after Lady Thatcher's passing, home ownership in deprived areas is a topical issue. Will the Minister outline some of the significant advantages of providing affordable homes through the co-ownership scheme?

**Mr McCausland:** I thank the Member for the question because that gets to the heart of the matter. There are real benefits from providing affordable homes through co-ownership. First, they cost the Government nothing in maintenance because, unlike social homes, maintenance costs fall to the applicant who purchases a home under the scheme. Secondly, it allows my Department to utilise its budget better to support more households. Thirdly, in assisting people to buy their own home, the scheme prevents those who wish to purchase their own home but cannot do so outright from having to apply to the social housing waiting list to have their housing needs met. It therefore helps to shorten the housing waiting list.

**Mr Copeland:** Is the Minister considering any changes to the quota system of applications for the co-ownership scheme in the immediate, short and long-term future?

**Mr McCausland:** A lack of money to meet demand caused difficulties in some cases in the past. That is why I have been so keen to put additional resources into co-ownership. At the moment, I am quite confident that we are meeting the need, so the issue should not arise.

### Shop Closures: West Tyrone

4. **Mr McElduff** asked the Minister for Social Development what steps he is taking to deal with shop closures in towns and villages in the west Tyrone area. (AQO 3748/11-15)

**Mr McCausland:** You may be aware that the official definition of an urban settlement in Northern Ireland is one having a population of 4,500 or more. As such, in west Tyrone, my Department is responsible for supporting urban

regeneration initiatives in the towns of Omagh and Strabane. The Department of Agriculture and Rural Development (DARD) has responsibility for the regeneration of other settlements.

**2.45 pm**

In Omagh, a revitalisation project for the town centre, with funding from my Department, is under way. It is a promotion and marketing initiative, and also involves targeted improvements to unsightly areas of the town centre. Departmental officials are also working closely with the local council to deliver a second-phase revitalisation scheme specifically tackling vacant and unsightly properties in John Street. We are also keen to work with the council on plans for a public realm scheme in the Castle Street area and the Kevlin Avenue car parks area of the town.

In Strabane, we are delivering a public realm scheme at Castle Place and part of lower Main Street, and developing a public realm scheme for the Abercorn Square, Market Street and Railway Street areas of the town centre. Work is also under way on a revitalisation scheme to improve the external appearance of shopfronts, signage and building facades in the town centre.

Through the urban development grant scheme to bring vacant, underused and derelict properties back into productive use, the Department for Social Development (DSD) has committed just over £1 million over recent years towards the total project cost of £3.6 million to fund eight commercial development schemes in Omagh and Strabane. It is hoped that those interventions, representing an investment of £1.6 million by the Department, and potential further funding of up to £3 million, will add vibrancy and vitality to those town centres, thereby increasing the numbers of shoppers and visitors, and reducing the potential for shop closures.

**Mr McElduff:** Go raibh maith agat, a LeasCheann Comhairle. I appreciate the differing remits of DARD and DSD in this matter, but, particularly in relation to provincial or county towns the size of Omagh and Strabane, does the Minister have any intention of addressing the issue of rates within the Executive, alongside the Minister of Finance and Personnel? If the issue of high business rates were addressed in those towns, it would assist their overall revitalisation. Many shop and business owners cite the burden of rates as a reason for closure.

**Mr McCausland:** There are many factors that will have contributed to decline in town centres right across the Province. We have to face the fact that many of those areas were badly hit during the Troubles. There has been an economic downturn and a whole series of factors that will have contributed to that. I cannot make any commitments with regard to rates. That is the responsibility of another Minister, and I am quite content to leave that with him. However, I am sure that the views of all Members, including the Member who raised the issue, will be passed on to the Minister concerned in due course.

**Mr Clarke:** In relation to the impact on towns, what does the Minister reckon of the overall cost of the Troubles, the destruction of towns and small villages by bombs and the destruction of businesses in the small towns of west Tyrone?

**Mr McCausland:** I would find it very difficult to put a figure on that. It would obviously be an extremely large figure, but that is reflected not just in that part of the Province but right across Northern Ireland over so many years.

### Welfare Reform Bill: Ministerial Correspondence

5. **Mr Gardiner** asked the Minister for Social Development whether he will publish all the letters that he has sent to the Secretary of State for Work and Pensions in relation to the Welfare Reform Bill. (AQQ 3749/11-15)

**Mr McCausland:** I have responded on this issue twice before, and reiterate that it is not normal practice to publish correspondence between Ministers. I can confirm that I wrote to the Rt Hon Iain Duncan Smith, Secretary of State for Work and Pensions, on 9 May 2012, following a meeting held on 13 March 2012 at which I discussed specific aspects of welfare reform, including the timeline for the Welfare Reform Bill and its potential impact in Northern Ireland.

The Rt Hon Iain Duncan Smith replied on 24 May 2012, expressing his concerns over any potential delay in passing legislation by the Assembly and highlighting that any delays in the passing of the Welfare Reform Bill could lead to increased costs to the Exchequer above planned expenditure. Those letters have been shared with Executive colleagues on a confidential basis.

**Mr Gardiner:** I thank the Minister for his straightforward explanation. I was not one of those who had asked previous questions, but I accept and appreciate his answer.

**Ms P Bradley:** How would any increased costs to the Exchequer be calculated?

**Mr McCausland:** That is very much a matter for Her Majesty's Treasury to calculate. Any adjustment to the Northern Ireland block grant to compensate for the extra costs would be made under the statement of funding policy. The fact is that, if we depart from the principle of parity and if costs are involved and there is a financial implication, we have to pay for that in Northern Ireland from our block grant. Ultimately, the Treasury will have the big say in that.

**Mr Durkan:** Obviously, there were concerns about the costs that might be incurred as a result of the delay in passing the legislation. The Bill was due for its Consideration Stage next week, but, as far as I am aware, that has been pushed further back. Will there be any cost implications as a result of that further delay?

**Mr McCausland:** As I indicated, the financial implications of all this lie with the Treasury. We had a clear indication from Iain Duncan Smith that that was the case. We knew it to be the case anyway that this was a matter for the Treasury.

Folk are concerned about delays, but the fact is that in recent days in the press members of the Member's party — one member, at least — said that a petition of concern would be used to block the legislation. We do not want to get ourselves into that position. The worst of all would be to end up with the legislation completely stymied. We need to get the legislation through the Assembly in some form, in an amended form that is suitable, fitted and appropriate for Northern Ireland. It is important that we get that right, and we will only get one chance at it. The sort of brinkmanship in which some people have engaged is not particularly helpful in so doing.

**Mr Deputy Speaker:** Seán Lynch is not in his place to ask question 6.

### Social Housing: Monkstown

7. **Mr Ross** asked the Minister for Social Development to outline the level of social

housing that is available in the Monkstown area. (AQO 3751/11-15)

**Mr McCausland:** At March 2012, the Housing Executive owned 509 properties in Monkstown, which included 66 bungalows, 250 houses, 184 flats and nine maisonettes. In the 12 months to December, 33 social housing allocations were made, 15 of which were made to singles and 12 to small families. Allocations are made to housing stress applicants, and there is a good turnover of stock in the area for single people and small families.

Connswater Homes has recently completed a scheme for six units at Monkstown Gardens, and it has an additional 12 units on site at Ards Drive. I look forward to visiting those in the near future.

**Mr Ross:** The Minister mentioned the new housing, and he will know that the local community has been very supportive of the provision of additional social housing in Monkstown. He will also be aware that there is some concern about the measures being brought in to tackle underoccupancy. Will he share any information that he has on current levels of underoccupancy in the Monkstown estate?

**Mr McCausland:** The preliminary analysis indicates that approximately 578 households in the Newtownabbey 2 district office area, which includes Monkstown, may be affected. However, detailed information cannot be provided beyond that at this stage.

**Mr Kinahan:** Given the 578 households that the Minister has just spoken about, as well as 557 in Carrickfergus, 387 in Larne and many more elsewhere, is there not a significant argument in favour of delaying the bedroom tax?

**Mr McCausland:** It is a very significant argument in favour of mitigating the worst effects of the so-called bedroom tax or underoccupancy. There are two important things to bear in mind: first, what is the best and most appropriate mitigation for Northern Ireland, and, secondly, what are the cost implications of that? Those are the two things that need to be weighed up. I have said on a number of occasions that I recognise the significance and the seriousness of the issue. I have concerns, and that is why those two things are very much on my mind.

**Mr Deputy Speaker:** Question 8 has already been answered.

## Kitchen Replacements: Limavady

9. **Mr G Robinson** asked the Minister for Social Development what kitchen replacement schemes are planned in Limavady until April 2014. (AQO 3753/11-15)

**Mr McCausland:** The Housing Executive has programmed a kitchen replacement scheme for 64 properties in the Greystone and Anderson Crescent area of Limavady in the 2013-14 financial year.

**Mr G Robinson:** I thank the Minister for his answer. Can the Minister give us any indication of what other schemes or work the Housing Executive has carried out in the Limavady area?

**Mr McCausland:** The Housing Executive commenced a number of schemes in the Limavady area in 2012-13. There was double glazing for 100 properties at an estimated cost of £200,000; external cyclical maintenance for 309 properties at an estimated cost of £779,000; heating schemes for 128 properties at an estimated cost of £577,000; and kitchen schemes for 140 properties at an estimated cost of £642,000. There has been significant investment in the maintenance of the Housing Executive stock in the Limavady area.

**Mr Dallat:** The Minister may be aware that, in previous schemes, individual tenants declined the offer of upgrades for whatever reason. Has the Minister any plans to carry out what I think was called pepper potting, whereby houses that were missed out for double glazing or other maintenance in the past are now addressed?

**Mr McCausland:** I have given some thought to the issue of individuals deciding not to avail themselves of schemes for whatever reasons. That creates a longer-term problem because, when that tenant moves or ceases to occupy the house, the next tenant suffers a disadvantage. Work is done to address that from time to time, but we need to look at the issue in a more coherent way to see what is the best way of addressing it. I have asked the Housing Executive to do that. Is it that some tenants are a bit nervous when they see a scheme starting and wonder whether they could be bothered with the upset of it? Is it that, later on, when they see how well the scheme is working, they want to change their mind and have the work done? I have raised the issue with the Housing Executive, but it really is a matter that needs to be taken forward.

3.00 pm

## DRD: Energy Efficiency Schemes

10. **Mr Hilditch** asked the Minister for Social Development whether he will consider reassessing the existing energy efficiency schemes delivered by his Department in conjunction with the Northern Ireland Housing Executive in relation to the apparent excessive management and ancillary costs of some of these schemes. (AQO 3754/11-15)

**Mr McCausland:** The warm homes scheme improves the energy efficiency of over 9,000 low-income households each year. The scheme is delivered by Bryson Energy and H&A Mechanical Services and is managed by the Housing Executive on behalf of my Department. The current warm homes scheme contract was awarded in June 2009 and will run until June 2014. The management and ancillary costs of the scheme were agreed as part of a competitive tendering process when the contract was awarded in 2009.

The boiler replacement scheme offers a grant of up to £1,000 to help householders improve the energy efficiency of their home. The scheme is managed by the Housing Executive on behalf of my Department. The aim is to replace 16,000 inefficient boilers by March 2015. The Housing Executive also improves the energy efficiency of its stock through the delivery of a heating replacement programme. The costs of delivering the schemes are always under review to ensure that the Department receives value for money.

More recently, we have also been looking at the thousands of Housing Executive properties that are around 50 years of age and have no cavity wall insulation because of the way that they were constructed back in the 1950s and early 1960s. Those homes are extremely cold and extremely energy-inefficient. I have tasked the Housing Executive with taking forward some work on those. There are at least 5,000 homes like that in one category, and I think that the number is more than that. If you have homes of various types that have no cavity wall insulation, that is also an issue that needs to be addressed.

## Private Members' Business

### EU Regional Aid

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

**Mr Newton:** I beg to move

*That this Assembly recognises the positive effect that Northern Ireland's 100% coverage for EU regional aid has had on the economy; believes that it has been significant in aiding economic growth and inward investment; is concerned that removing this automatic coverage would have a detrimental impact on the economy, jobs and growth; and calls on the Minister of Enterprise, Trade and Investment to continue to lobby the Government at Westminster and the European Commission to ensure that EU regional aid is retained for all of Northern Ireland.*

It is a great honour to propose the motion, which is on a rather important issue as far as the Assembly is concerned. It is certainly significant for the Northern Ireland economy overall. If the Government go ahead with the removal of Northern Ireland's automatic 100% coverage as an assisted area, addressing the needs of the Northern Ireland economy and its importance as part of the Government's strategy to address regional disparities will be made all the more difficult.

There are a number of critical factors that combine to set the scene for Northern Ireland's economic strategy. They include the difficulties in the world and UK economies and the immediate throwback that they have for the Northern Ireland economy; the current difficulties, which have been well rehearsed in this Chamber, that local companies have in trying to access suitable finance for their business plans; the impact on the local market of the UK-wide welfare reform agenda; the scope for the Northern Ireland Executive to support company development under revised EU regional aid guidelines; and the long-standing structural issues, which we are all very well aware of, that continue to hamper economic growth in Northern Ireland.

The economy is inevitably influenced by the downturn in the global economy, with external trade and foreign-direct investment in particular remaining a vital source of employment and wealth. We can only but appreciate the work that the Minister and the Office of the First Minister and deputy First Minister (OFMDFM) have done in that area. The slowdown in the private sector has had a significant impact on the local labour market, with the number of private sector employees in Northern Ireland falling. Particularly hard hit has been the construction and manufacturing industries, where overall falls have been dramatic. Indeed, along with other sectors, retail has faced its difficulties.

Alongside the impact of the recession, Northern Ireland continues to face long-term challenges that hamper our economic growth. Living standards have persistently lagged behind those in GB, with the main factors being lower levels of employment and lower levels of productivity. Growth in output and jobs has tended to be in relatively low value-added areas, although significant work has been done in that area in the past few years. Indeed, average wages in Northern Ireland tend to remain significantly below others in the UK. As we all know, we have an over-reliance on the public sector as a driver for economic growth. The comparatively small private sector here also contributes to a very large fiscal deficit.

The economy has, historically, been under-represented in the higher added-value sectors. A large proportion of our popular —

**Mr A Maginness:** Will the Member give way?

**Mr Newton:** I am happy to.

**Mr A Maginness:** I thank the Member for giving way, and I accept his argument on maximising coverage in regional aid. Is the need for that not further emphasised by the disappointing response that we got from Westminster on the extension to Northern Ireland of the power to levy corporation tax? That issue is probably on the long finger, which means that we should put even greater effort into trying to retain the maximum coverage of regional aid.

**Mr Newton:** I agree with the Member. In fact, he anticipated the next couple of pages of my speech, which deal with the importance of that area.

Regional aid plays a key role in attracting new foreign direct investment (FDI), as well as in encouraging local investment, and the foreign

aid companies already here, to expand and invest from the base on which Invest NI attracted them in. As the Independent Review of Economic Policy highlighted, the changes in regional aid from January 2011 have necessitated a new approach to supporting company investment. Those changes have placed an added emphasis on our determination to secure the powers that vary corporation tax in Northern Ireland. However, in securing those powers, if we are able to, that just becomes just another tool, along with regional aid, to grow and improve the economic competitiveness of the Northern Ireland base and to ensure a competitive Northern Ireland, particularly in the subregions. Competitiveness overall is going to be a significant feature for the future.

Everyone in Northern Ireland will be well aware of the economic challenges that we face and our dependence on the public sector. Those structural difficulties are not faced by other regions of the UK. Therefore, the retention of regional aid for Northern Ireland is of more significant importance than it is for other areas.

Over recent years, regional aid has been key to attracting many thousands of jobs to Northern Ireland, with many major companies locating in Northern Ireland because of the support that Northern Ireland and the job creation agencies have been able to offer through regional aid. There are a number of examples of that, including Allstate Corporation's presence in Northern Ireland, which has dramatically increased with support from regional aid, bringing many jobs to the Province. That has also been the case for many other inward investment companies. Indeed, my party colleague Diane Dodds recently met the EU Commissioner for competition to press the Commission to rethink the current proposals that would restrict the ability to offer foreign companies those incentives to invest in Northern Ireland. It is vital to Northern Ireland's economic well-being and this community that the campaign continues, and involves not just our EU representatives or contact with the commissioners but, indeed, the Government at Westminster pressing home the importance of this aid for Northern Ireland.

The proposals would prohibit regional aid support for large enterprises in areas such as Northern Ireland on the basis that there is no clear incentive to justify a continuation of this type of aid. I just simply do not accept that argument. It is not an argument that stacks up. It is not an argument that I believe any industrialist with the potential for investing in Northern Ireland would accept. It is not an

argument that would be accepted by any company wishing to expand in Northern Ireland.

I hope that the very least this motion will do is highlight the vital role that regional aid plays in the economy of Northern Ireland. Issues of corporation tax are extremely important, and we should press that as much as we can between now and the date, as is, I think, recognised by the Minister and her team. However, although that is an important issue and a key driver for change, it is also important that we press the issue of regional aid as another vital tool in the toolbox that will aid the Minister and the job creation agencies as they attract foreign direct investment and allow local companies to expand, grow, thrive and prosper.

**Mr McGlone (The Chairperson of the Committee for Enterprise, Trade and Investment):** Go raibh maith agat, a LeasCheann Comhairle. I thank Mr Newton for bringing this motion before the Assembly. I speak as Chair of the Committee for Enterprise, Trade and Investment.

The Committee is fully aware of the impact that regional aid has had on economic growth and inward investment. Regional aid has been an essential tool in the past in attracting jobs, supporting business and growing the economy. It will remain an essential tool in rebuilding and rebalancing the economy in the future. The Committee provided a robust case for the retention of our automatic 100% assisted area status during the Department for Business, Innovation and Skills (BIS) consultation on the Westminster Industrial Development Act. Although automatic 100% status has been removed, it is still within the gift of the Westminster Government to grant Northern Ireland that 100% coverage.

On 28 February, the Committee heard from officials about the difficulties that would arise from an economic perspective and a political perspective if we were to lose 100% assisted area coverage. The Committee also heard about the extensive work being done by the Minister and her officials in the EU and at Westminster to try to secure that 100% coverage.

The economic arguments are well rehearsed and stand up to scrutiny in any context. We are an offshore peripheral region in the EU. We have no land border with Britain, resulting in higher costs to businesses to access GB and mainland European markets. We have a land border with another EU member state with low corporation tax, and living standards here are 20% below the UK average. That gap is not

closing, and the unemployment rates here continue to rise.

The political arguments need to be put robustly to BIS. The importance of the political context must not be underestimated, and neither can the political impact of any decision to remove assisted area status from a geographical area. Put simply: if the Executive are put in a position in which they have to choose one or more areas and deny those areas the ability to provide assistance, it would create very serious and significant practical difficulties. Such a decision could prove highly controversial regardless of which geographical area is selected.

The Committee has been told that the case with the EU Commission has effectively been made. Competition Commissioner Almunia has much sympathy with the arguments for retention of 100% coverage, but he recognises that any decision will be made at Westminster. Continued efforts need to be concentrated on convincing the Westminster Government and the Department for Business, Innovation and Skills in particular of the case for that 100% coverage.

The original proposal from the EU was for the UK to be provided with 23.9% population coverage overall, which means that that percentage of the population could be included in the assisted area map as eligible for regional aid. The Westminster position is that the UK does not have sufficient population coverage to justify retention of the 100% area assisted status at the expense of other eligible GB regions on the basis of economic aid. It now seems that the UK will be provided with a significantly larger population coverage of 28.9%, which relates to an increase in population coverage of about three million people. Department of Enterprise, Trade and Investment (DETI) officials have informed the Committee that, in Commissioner Almunia's view, that would allow BIS to provide Northern Ireland with 100% coverage without disadvantaging any other region.

Following the briefing from the Department, the Committee wrote to the Secretary of State for Business, Innovation and Skills to highlight the economic and political reasons for 100% coverage to be retained. Regional aid guidelines allow for any region that is disadvantaged compared with the national average to be allowed special treatment by being predefined by the member state as a C region. The Committee is satisfied that such designation is appropriate. It is the responsibility of the member state — in this

case, the Westminster Government — to put forward such a proposal to the EU Commission, and that can be done without any further justification to the EU. The Committee has also asked the Secretary of State for Business, Innovation and Skills to put forward such a proposal so that we can be allocated C region status.

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

**Mr McGlone:** Certainly.

The Committee urges the Minister and the Executive to continue to press for that designation in the regional aid guidelines for 2014-2020, and we commend the Minister in doing so.

**Ms Maeve McLaughlin:** Go raibh maith agat, a LeasCheann Comhairle. I welcome the opportunity to speak in support of the motion as a member of the Committee for Enterprise, Trade and Investment.

As the Chairperson said, the Committee received an oral briefing on 28 February from the Department of Enterprise, Trade and Investment and was informed that, although it has been decided to amend the Industrial Development Act to remove the North's automatic entitlement to 100% assisted area status, the Westminster Government are still in a position to grant the North 100% assisted area coverage.

### 3.15 pm

The recommendation to amend the Industrial Development Act to remove the North's automatic entitlement to 100% assisted area status is quite simply wrong. It is short-sighted and does not reflect the fact that we have a land border, that we have issues of peripherality and that we are a society coming out of conflict. Since June 2010, there has been significant lobbying at Westminster and at European level to explore the best possible outcome and how that might be reached.

The draft regional aid guidelines have key proposals that will have a direct impact for the North of Ireland. First is the removal of large companies with 250 employees from regional aid if they are located in what is known as a 3(c) area, which the North is now classified as. Secondly, aid intensity rates will be reduced by 20% for medium companies and 30% for small enterprises. Thirdly, and importantly, there is no mention in the draft guidelines of the North

being given specific treatment as a predefined C region.

Predefined C regions are areas that fulfil certain pre-established conditions, and, as has been alluded to, a member state may therefore designate a region as a C area without the need for any further justification. As stated previously, there has been continuous lobbying involving the North's MPs in Europe and in Westminster, and there is a sense of emerging support from the European Commission. The key issue for us is to ensure focus on the Westminster decision.

An assisted area map is to be published later this month, so, if coverage is to be less than 100%, can a formula be applied in the North to target aid for objective need? I support the motion.

**Mrs Overend:** I very much welcome the motion and the opportunity to speak today. It is my desire to see Northern Ireland's economy recover fully from the downturn in recent years to support investment and job creation across the Province, which is sorely needed, as recent reports have shown. We still lag behind the rest of the United Kingdom in many areas of economic activity.

There was 100% coverage for EU regional aid with special recognition to Northern Ireland by the European Commission from 2007 to 2013. That was due to the special economic and social circumstances that we have here, including the fact that Northern Ireland's economic inactivity rate remains much higher than elsewhere in the UK. We lag behind many other EU member states in private sector employment and economic growth. In fact, as has already been alluded to, Northern Ireland living standards are around 20% below the UK average, and the gap is widening, in addition to the Province having the lowest rate of employment in the UK.

With this bleak overview of our economic situation, it is imperative that Northern Ireland retains its 100% assisted area status with regard to regional aid. It has undoubtedly had many positive impacts on our economy and encouraged job creation that otherwise might have been lost had we not had the power to use this incentive. Regional aid helps the private sector to grow and reduces our reliance on the public sector by simultaneously supporting indigenous businesses and attracting inward investment. It assists foreign direct investment, particularly through selective financial assistance (SFA) from Invest NI. Selective financial assistance is essential to

trap this foreign direct investment as SFA itself accounted for 42% of Invest Northern Ireland's total budget outturn in 2010-11 and 35% of its total budget outturn in 2011-12.

To lose our 100% automatic assisted area status will have a number of severe detrimental impacts upon our economy, jobs and growth. If we are moved to the currently proposed guidelines, only a percentage of Northern Ireland would be covered for regional aid and, importantly, companies of over 250 employees would be barred from gaining any regional aid at all.

Belfast would be excluded, due to its above-average GDP, and, as future guidelines on where aid can be given will be based on areas of low economic development and high unemployment, urban areas will be favoured. That would leave most agricultural and rural areas no longer able to be assisted through regional aid.

Northern Ireland still suffers, at times, from the negative views of outside investors, particularly given recent troubles. Regional aid acts as an incentive for them to come here. It also allows us to compete with the Republic of Ireland, which has lower corporation tax, as has already been described.

In addition, Northern Ireland still has an over-reliance on the public sector, and that means that any future public sector cuts will disproportionately impact upon us. Regional aid is a way of increasing the private sector by attracting new businesses and foreign direct investment into the Province.

Recently, the Westminster Government, in the consultation on the issue held by the Department for Business, Innovation and Skills, have said that they are minded not to press for 100% regional aid coverage for Northern Ireland and are minded to remove it. That is why I welcome the moves by the Executive and other key economic stakeholders who have strongly opposed this proposed course of action, as it fails to recognise the ongoing economic, structural and political difficulties in Northern Ireland. It is essential that the Minister, along with our MEPs, continues to press for the European Commission to allow 100% coverage for Northern Ireland, in addition to the UK's regional aid coverage allowance. Through that means, the Westminster Government would be more likely to support our calls for 100% automatic assisted area status.

I am pleased that the Ulster Unionist MEP, Jim Nicholson, has met the European Commissioner responsible for this area, Commissioner Almunia, alongside the Minister of Enterprise, Trade and Investment and our own Minister, Danny Kennedy, to lobby on behalf of Northern Ireland.

This is a motion that I am pleased to support, as I fully believe that Northern Ireland has a strong case for remaining as an assisted area post 2013.

**Mr Lunn:** The Alliance Party obviously supports the motion, and I am sure that the whole House will do so. My party colleague at Westminster, Naomi Long, and other MPs have worked hard on the issue. I agree with others who have spoken that the main target for lobbying needs to be the UK Government, given the inevitable announcement, 10 days ago, referenced by a couple of Members, that a reduction in corporation tax specific to Northern Ireland will not be forthcoming. I gather from Naomi that she is, perhaps, more hopeful about this issue. We should be under no illusions that it is an extremely hard case to make in present circumstances.

Before I continue, I would love to have clarification from some DUP Member of that party's attitude to long-term continued membership of the UK in the European Union. I would be happy to take an intervention if anybody wants to stand up. If nobody wants to —

**Mrs Foster (The Minister of Enterprise, Trade and Investment):** Our membership of the UK is pretty clear, I would have thought.

**Mr Deputy Speaker:** Order. If someone wants to take up the opportunity to make an intervention, he or she may do so, but Mr Lunn has the Floor.

**Mr Lunn:** Nobody is offering. Let me just quote the DUP's Member of the European Parliament, when she spoke in January, following the debate in Westminster on the referendum on Europe. These are her words:

*"It is clear that, for we in the UK, membership of the EU of 2013 is no longer in our national interest."*

Those are the words of Diane Dodds. She also said:

*"Our position is clear — Less Europe is good for the UK, good for the governance*

*and democracy of this country and good for Northern Ireland's businesses and householders."*

That is why I anticipated some reaction, but I am not getting it, so I will carry on.

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

**Mr Lunn:** Yes, with relief.

**Mr Newton:** I must say that Northern Ireland is not alone in Europe. It is a member of the UK Government, and the UK is a member of the EU. When the campaign for European membership came around, the DUP made no secret of its position with regard to our position within the UK and in Europe. Indeed, if I remember well, the expression that was used by Dr Paisley at that time was that it was our intention to milk that cow as far as we could. We make no apology for it. We do not believe overall, and Diane Dodds is accurately —

**Mr Deputy Speaker:** I remind Members that interventions should be concise.

**Mr Newton:** I am being concise, Mr Deputy Speaker. He asked me for an intervention. He then went on, and I am addressing a number of issues that he raised.

**Mr Deputy Speaker:** I hope that you will be concise, or I will move on.

**Mr Newton:** Thank you, Mr Deputy Speaker.

**Mr Lunn:** I got an intervention, Mr Deputy Speaker; I did not get any clarification whatsoever. I am fully prepared to accept that the DUP values continued membership of the UK; that is hardly an issue. I am talking about the European Union.

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

**Mr Lunn:** I will move on. There can be little doubt that regional aid has been significantly beneficial to our economy, particularly to the specific things that we need to do — notably, to encourage business start-ups. We have long held the view that 100% coverage is desirable precisely because those start-ups can then happen anywhere in Northern Ireland. In a relatively small place, it is less important to worry about where precisely a business starts up than to ensure that it actually does. Jobs so created are widely available to the population and have a positive knock-on effect on the

existing service industry. That is the specific case for arguing that Northern Ireland should continue to enjoy 100% coverage even though officially poorer regions, such as Wales, do not.

The days when Northern Ireland could make special pleading on purely economic grounds should have ended in 1998 when we agreed how to govern this place. They effectively did end in 2004 when the EU enlarged to the greatest extent that it ever had and brought in new countries, all of which have much greater economic needs than any region of the UK or Ireland. The case for ongoing regional aid needs to be made in a much more positive way on the basis that we are in the midst of reforms that will make our public services more efficient — education, health and local government — and that, therefore, such aid will be put to particularly good use here and can be put to best use if it is retained to the very maximum geographical extent possible.

I suggest, therefore, that we also offer something in return for the aid. We should specifically prioritise job creation, given that our unemployment is among the fastest rising in the UK. My colleague the Minister for Employment and Learning could soon put forward a raft of proposals and changes that he has made for more efficient investment in skills, for example, that could form part of a persuasive case that Northern Ireland provides good value for the aid in future, perhaps even better than in the past.

We should note also, not least given the recent announcements on corporation tax, that the UK Government should fight our corner, both in ensuring that the aid is retained and, perhaps, making a particular case to the European Commission. Finally, I suggest that it might be worthwhile to involve the Irish Government in this. It may be worth an approach, not least during its presidency, as 100% regional aid on its doorstep —

**Mr Deputy Speaker:** Will the Member draw his remarks to a close, please?

**Mr Lunn:** On balance, it does no harm to the potential for cross-border trade. I look forward to hearing what the Minister has to say about this.

**Mr Moutray:** I rise as a member of the Committee for Enterprise, Trade and Investment and speak in support of the motion that stands in the name of my colleagues. I say at the outset, especially for the benefit of Mr Lunn, that, like many on this side of the Chamber and across the nation, I feel that we

would be much better out of Europe, but we are members of the EU and are entitled to our share of the benefits. Despite the fact that the UK is a net contributor, there is —

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

**Mr Moutray:** No, not on this occasion. You will have your turn.

Despite the fact that the UK is a net contributor, there is no doubt that Northern Ireland businesses and communities have certainly benefited well from a range of important grants and other forms of EU aid. EU regional aid is a state aid directed at areas that are disadvantaged compared with the European or national average. In the past, it has been abused by some of those who have made fraudulent claims. That is one of the problems now being addressed, but, as with other types of grants and help, it is crucial that the limited funds are targeted on areas of greatest need. Northern Ireland is one such area.

Northern Ireland is still emerging slowly but surely from its dark and tragic past. We continue to bear the scars of the decades of the Troubles when some in the House appeared happy to see our economy on its knees as it was battered by ruthless terrorists. Then, just as we began to move forward into a more peaceful and normal society and as we sought under devolution to put the economy at the heart of government, reduce the public sector and grow the private sector and develop a coherent economic strategy, we were hit by the tsunami of a world financial crisis. In such circumstances, we have come to rely heavily and justifiably on EU regional aid. It also helps us to cope with the differential in rates of corporation tax in Northern Ireland and the Republic.

**3.30 pm**

My colleague David Simpson, the MP for Upper Bann, raised concerns about changes to regional aid recently in the House of Commons. He asked the Prime Minister for an update, and the Prime Minister's response is worth quoting:

*"The outcome of the budget leaves the amount of overall regional aid that Britain will receive broadly similar to the last period of around €11 billion. There are changes in the definitions of regions, partly because of the new concept of transition regions. What we now need to do is to sit down, as a United Kingdom, and work out how best to make sure that the money is fairly divided*

*between Wales, Northern Ireland, Scotland and England. There are transition regions in England that are looking to benefit, but I am sure that we can have fruitful discussions and come to a good conclusion."*

It is important, therefore, to remember that regional aid is not disappearing. The issue for us now is to ensure that we secure as big a share of regional aid as we can. The importance of regional aid becomes all the greater when we bear it in mind that, in the past five years, the amount of SFA available to local businesses has been halved. I know that Invest NI has been actively pursuing other channels of assistance that might help to reduce the impact of the fall, but I want to commend Invest for the proactive and focused way that it is going about its work.

The motion urges the Minister to continue to lobby at Westminster and in Europe, and I have no doubt that she and her officials will continue to do so. Just a few weeks ago, she informed the House that she was in discussions with the Department for Business, Innovation and Skills in London and with the European Commission. I look forward to hearing what she has to say by way of a progress report.

I know, too, that the First Minister and deputy First Minister have been lobbying the European Commission. There are concerns that certain parts of Northern Ireland could find themselves worse off than others under new EU guidelines for regional aid. I would be interested to hear the Minister's views on that.

I will conclude by quoting some words of the First Minister:

*"If they take away our ability to apply regional aid to encourage investors to come into Northern Ireland, we would be at a distinct disadvantage." — [Official Report, Vol 82, No 1, p31, col 1].*

We must do all that we can to ensure that we prevent such a situation.

**Mr Flanagan:** Go raibh maith agat, a LeasCheann Comhairle. Cuirim fáilte roimh an díospóireacht thábhachtach seo. I welcome the motion and thank those who tabled it for bringing it forward in such a timely fashion. It is an issue that was first brought to the Committee for Enterprise, Trade and Investment nearly two years ago, so it has been rumbling on in the background. At this stage, I thank all those who have been involved in efforts to retain 100% assisted area status here, especially the Minister, who is here to respond to the debate,

all her staff and other elected representatives who have been involved in the campaign. I will try not to rehash too much of what others have said. It is a fairly narrow debate, and I do not think that there is any need for me to talk for five minutes on it.

It is clear that the problem that we are dealing with here arises from the unwillingness of the British Government to allow our economy to properly prosper. Any notion of taking away 100% assisted area status now while we are trying to get our economy back into a state of growth would be a disastrous mistake, and it is clearly an example of how economic policies that are centred in London have a very negative impact on us at times and why we need to continue to seek additional fiscal levers to give us more influence and control over our economic destiny.

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

**Mr Flanagan:** Happily.

**Mr Ross:** I thank the Member for giving way. In his view, what was a greater problem for growing the economy in Northern Ireland? Was it the fact that fiscal levers remain at Westminster, or was it the 30-year terrorist campaign that bombed businesses right across this Province?

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

**Mr Flanagan:** I thank the Member for that intervention. The Deputy Speaker may wish to intervene to say that that is not exactly relevant, but all those factors —

**Mr Ross:** How is it not relevant?

**Mr Flanagan:** How is the second part of your question relevant to a motion on EU regional aid? If you want to sit here and look at the past, look at the past. This is a very sensible motion that you have taken forward, but now you want to throw out comments looking back over the past 40 years.

**Mr Deputy Speaker:** Order. Can all remarks be made through the Chair, please?

**Mr Flanagan:** All the positive work that the DUP did by tabling this motion and trying to seek consensus was just undone by the remarks that Mr Ross made. They were completely unnecessary. Prior to the period he was talking about, there was epic discrimination

in nationalist areas, where there was no economic growth, people were not allowed access to education and there was no opportunity to create employment. Were those things bad for the economy? Of course they were. You cannot simply highlight one aspect of our history and say that that was the worst part. It is good to see that the DUP has now moved —

**Mr Deputy Speaker:** I ask all Members to come back to the motion about EU regional aid, please.

**Mr Flanagan:** It is good to see that the DUP now has another argument to try to oppose the further devolution of fiscal powers here. David Cameron has enough arguments without the DUP giving him any help.

The recent decision to resist the devolution of corporation tax here was regrettable and makes me ask how genuine and sincere the British Government are when they talk about rebalancing our economy. Do they want to grow the private sector in a sustainable manner in which jobs and prosperity are created, or do they simply want to do it by taking things out of the public service and handing them over to the private sector? That is the Tory way of doing things, and that is the way that people such as David Cameron want to grow our economy. He does not want to give us the tools and the means to do it ourselves so that we can create jobs here. He wants just to move services from one sector to the other.

Returning to the debate, it is clear that continued pressure needs to be exerted on the British Government. All the evidence that we, as a Committee, have seen shows that the fault does not lie within the European Commission. Our three MEPs have done a good job at a European level trying to resolve this matter. It is clear that the Minister and all those joining her in this campaign need to put the pressure where it needs to go: onto the British Government. She has my full support in those efforts.

**Mr A Maginness:** It is time that the DUP made up its mind on Europe. On the one hand, it is calling for regional aid and, on the other, saying that it rejects Europe. You cannot have such a contradictory position. The same applies to Sinn Féin. It is not quite as overt as the DUP in being anti-European and Euro-sceptic, but the same attitude applies.

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

**Mr A Maginness:** I will certainly.

**Mr Flanagan:** I thank the Member for giving way. He drew a parallel between the position of Sinn Féin and the DUP on Europe. If the Member could contrast the position of the DUP on Europe with his own party's position on the link with Britain, does he not think the two are comparable? While we have a link with Britain and with Europe, does the Member expect parties such as the DUP simply to sit back and say that we should not try to get as much benefit out of Europe as we can or that we as a region should not try to get as much benefit out of Britain as we can in our own economic interests?

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

**Mr A Maginness:** I hear what the Member says, and it really is a very good defence of the DUP position. It reflects very much, I believe, the covert position of Sinn Féin. Previously, of course, Sinn Féin was very anti-European Union, and it has consistently opposed any serious, substantive change in relation to the Treaty of Rome and other agreements relating to the European Union. Not least, it opposed the introduction of the euro and wanted to retain sterling here in Northern Ireland. I thought that that was a huge contradiction for a so-called republican party.

If you were in the European Commission listening to this debate, you would wonder what state of politics we have here when people say, "Give us the money, let's milk the cow, but we are not going to be supportive of Europe". That is not the way to win friends and influence people in the European Union. That is such a mercenary —

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

**Mr A Maginness:** No, I am running out of time.

That is such a mercenary and cynical position. It is not even Euro-sceptic. At least a Euro-sceptic has some principles, but this is purely on the basis of "Give us the money". That is the only basis that I have heard in this argument. Indeed, Mr Allister accused the DUP of neglect in Europe and of not developing any policies or serious interest in Europe. That is true, and you really have to look at it.

The point here is that the European Commission and Commissioner Almunia are certainly supportive of Northern Ireland's position and want to help us. The indicated

increase from 23.9% to 28.9% allows us to argue very convincingly with BIS in Britain and to say to it, "There is enough wriggle room here. There is enough flexibility to extend full coverage to Northern Ireland. We need it, because you, as government, have rejected the idea, at least in the short term, of giving us a power over corporation tax because of all the issues that have been rightly raised by other Members about the land border etc, etc". So, there is a very strong argument that the Assembly should put the pressure on. I know that the Minister has put pressure on the BIS Minister, and I know that that argument will continue from officials in her Department. The Minister is to be congratulated on her approach to that.

We need the continuance of regional aid. This region is far too small to be broken up into subregions. It has a population of 1.8 million, and, geographically, it is too small to break up. You could not do that effectively without compromising yourself politically, due to the regional and, indeed, parochial interests that exist throughout Northern Ireland.

So, there is an irresistible argument for total coverage of regional aid for Northern Ireland. We must be strong and united on that point. However, I will come back to the DUP and, indeed, to Sinn Féin: you have got to get your act together on the European Union. It is here to stay, and a venal, mercenary approach to it will not win us friends. The message from here should be one of commitment to the European Union and to the European ideal.

**Mr Deputy Speaker:** Will the Member draw his remarks to a close, please?

**Mr A Maginness:** We should use the institutions and what is available in Europe to develop our economy in a constructive way.

**Mrs Foster:** I welcome the opportunity to support this important motion. Regional aid remains a key area of concern for us in the Northern Ireland Executive, particularly at this time, when we have had the decision from the Prime Minister to delay a decision on devolving corporation tax powers to the Executive until 2014. That is a major disappointment, and I do not hide that. However, we will continue with the policy, and we will look at corporation tax-plus and at what we can do in the private sector moving forward.

A number of Members made the point that we had difficulties in the Northern Ireland economy. Of course, that is from our recent past, however

much Mr Flanagan may want to deny it. We have one of the weakest economies in the UK, and low prosperity has been a long-term problem. I think that Ms Overend made the point that living standards have been around 20% below the UK average since the 1990s, with the gap widening further in recent years. In fact, living standards are the lowest in all the UK regions, except for Wales. Our economic inactivity rate remains well above the UK average, and I understand that my colleague the Minister for Employment and Learning made a statement on that earlier today. We are significantly dependent on public sector jobs as a driver of output and for jobs in the local economy, more so than any other UK region. Our private sector wages are the lowest of all UK regions and are some 17% below the United Kingdom average.

### 3.45 pm

Even in the boom years prior to the onset of the global economic downturn, we did not make significant inroads into many of those structural issues. In addition to the long-standing difficulties, the Northern Ireland economy has been significantly impacted by the economic downturn, more so than other UK regions. We have experienced a greater rise in unemployment. We have economic difficulties that are exacerbated by the peripheral nature of the economy from the rest of the United Kingdom as well as from mainland Europe and, of course, our land border with the Republic of Ireland, where we are competing to attract inward investment with a neighbour that offers a 12.5% corporation tax rate. It is because of all of those long-standing economic and structural difficulties and challenges, which, frankly, are not faced by the rest of the kingdom, that it is vital that we retain regional aid as a tool for economic growth across Northern Ireland.

We use regional aid particularly in two areas. The first, of course, falls under Invest Northern Ireland's selective financial assistance scheme and the second in the Department for Social Development (DSD) under the urban development grant programme. Regional aid is a key mechanism by which to attract inward investment and support business growth for both indigenous and foreign-owned companies. [*Interruption.*]

**Mr Deputy Speaker:** Order. The Minister is replying to the debate. I ask anyone who does not want to listen to her and wants to have a conversation of their own to, perhaps, go elsewhere.

**Mrs Foster:** In the past 10 years, Invest NI has offered over £564 million of regional aid support through SFA to over 1,700 large companies and SMEs, promoting nearly 50,000 jobs and safeguarding almost 20,000 jobs through more than 2,300 business investment projects. Examples of foreign direct investment support include Citigroup and the New York Stock Exchange Euronext, both of which are based in Belfast; B/E Aerospace in Kilkeel; Seagate Technology in Londonderry; Terex in Dungannon; Teleperformance in Newry and Bangor; and Liberty in Belfast and Enniskillen.

I think that it was Mr Newton who mentioned the Allstate Corporation from the United States; it provides an excellent example of how regional aid has worked to benefit the Northern Ireland economy. From an initial investment in 1998 that created 250 jobs in Belfast, the company has developed significantly with regional aid support for several expansion projects since that time. It has now grown to have a workforce of 1,950. It has extended its footprint in Northern Ireland to the addition of facilities in Londonderry and, indeed, in Strabane as well. Obviously, therefore, regional aid has been very important in supporting foreign direct investment.

It is also important for our local business base. Companies such as First Derivatives in Newry; Wrightbus in Ballymena; Almac Group in Craigavon; Dunbia and EDGE Innovate in Dungannon; Fleming Agri Products in Londonderry; and Mackle Snacks in Moy are just some of the many local examples which clearly demonstrate the positive impact that regional aid has had on many business sectors right across Northern Ireland. I picked those examples to show you the breadth right across Northern Ireland.

A loss of the 100% population coverage would prevent Invest Northern Ireland from offering regional aid in certain areas. That would have a detrimental impact on business growth and employment in those excluded areas. I certainly do not want to see us having to make those sorts of decisions.

Given the importance of regional aid in job creation and driving economic growth, it is vital that, post 2013, our ongoing unique circumstances continue to be reflected in the revised regional aid guidelines. The Commission is currently consulting member states to agree the state aid rules for the revised guidelines from 2014 onwards. Many members have made the point that that is a reserved matter and lies with the Department for Business, Innovation and Skills. Our

officials from Northern Ireland, along with their counterparts in Scotland and Wales, currently work very closely with BIS officials to ensure that our interests are fully and appropriately reflected in the UK's interaction with the Commission.

Of particular concern for Northern Ireland and, indeed, the whole of the UK was the Commission's proposal to prohibit regional aid support for large enterprises in C areas such as Northern Ireland on the basis that there was no clear incentive effect to justify a continuation of that type of aid. I have been very encouraged that the Commission has recently signalled that it will not proceed with that proposal in the face of very strong opposition, not just from the UK, but other member states. That is a very welcome development.

However, a potential reduction in our population coverage still exists. Members pointed out that the pressure point is at the Department for Business, Innovation and Skills. My departmental officials and I have spent a considerable time on this, together with our Members of the European Parliament, to whom I pay tribute and with whom I have worked closely, and, indeed, our Members of Parliament, who have been able to obtain cross-party support at Westminster.

Over the past 18 months, there has been and continues to be intensive engagement with the UK Government and the European Commission. In January, the First Minister and deputy First Minister raised the issue with the Commission. Meanwhile, a cross-party delegation of our MPs at Westminster met Michael Fallon, the Minister of State for Business and Enterprise. We will continue to push on the issue.

I welcome the fact that the Northern Ireland Secretary of State recently signalled that our Government have recognised the importance of the 100% assisted area status for Northern Ireland as part of their proposed economic package in the absence of a decision on corporation tax. I will obviously press to ensure that that proposal is realised. The need for special treatment for Northern Ireland is not new. Indeed, that has been recognised in the previous two rounds of regional aid, and it very much remains a key tool for the Northern Ireland Executive. It is vital that we retain every tool in our armoury to help to rebuild and rebalance our economy and the private sector.

I welcome most of today's contributions. Everybody recognises the need for us to retain 100% regional aid status. I obviously have to

comment on some of the statements about the DUP and the fact that we are anti-European.

I say to Members across the way that we welcome the debate on which powers should remain with our national Parliament and which ones should go elsewhere. We very much believe that interference from Europe needs to be lessened. I say that having met many companies around Northern Ireland. Members opposite should be aware that most of our regulation comes from Europe. Our business members feel very strongly about that and want a reduction in red tape and interference.

The fact that the UK is a net contributor means that we are looking for what the people of Northern Ireland are entitled to. I say to Members across the way that our anti-European stance does not in any way stop us from fighting for what is a right for our farmers, fishermen and businessmen, and we will continue to do that. That is why we are fighting and will continue to fight to get the best deal for the 100% assisted area status.

**Mr Allister:** Will the Minister point out to the House, given some of the muddled contributions during the debate, that we are talking about the right of the UK to distribute its own money in regional aid? This is not money that has been given to us by Brussels. Brussels is trying to restrict how we spend our own money. That in itself is an example of the unbearable restrictions that come from EU membership, when they tell you how much state and regional aid you can give. Indeed, this very motion is premised on the existence of that unbearable restraint. Will the Minister underscore that?

**Mrs Foster:** I thank the Member for his very helpful contribution. Of course, that is absolutely right. During my time in office, regional aid has been restricted even more. What we are arguing for is the ability to redistribute that money across Northern Ireland to help UK businesses to grow here. I will certainly continue to lobby very hard for that. As I said, it is a positive step that that formed part of the paper that came to the First Minister and deputy First Minister very recently. However, the fact that we are continuing this battle on regional aid should not take away from the fact that we will continue to battle on corporation tax.

I note that some Members who were initially in favour of corporation tax powers being devolved to the House have wavered. I say to them, in the words of possibly our greatest Briton:

*"You turn if you want to; the lady's not for turning."*

**Mr Dunne:** I welcome the opportunity to conclude the debate, which has, in the main, been very useful and unified. I am pleased by the strong messages of support for the importance of regional aid for Northern Ireland that were emphasised in the House today.

Northern Ireland faced many challenges in the past and continues to face challenges today. Unfortunately, the global recession continues to hit our Province economically, and the downturn has, sadly, left many here out of work. The difference in the level of corporation tax between here and the Republic, combined with high energy and export costs, continue to make growing the private sector a challenge in the current economic climate.

However, despite the challenges, Northern Ireland seeks to be a competitive place that is open for business. I know that our Executive have been leading the way in working to attract inward investment from around the globe. The First Minister and deputy First Minister, along with the ETI Minister and others, have been showcasing Northern Ireland to the world. A lot of good, constructive work has gone into various trade missions and the very recent showcase event at the European Parliament.

The need, from an economic perspective alone, for us to retain 100% assisted area coverage cannot be overemphasised. Regional aid has played a vital role in many business-related projects in Northern Ireland, many of which go unrecognised as being funded from this source. Many business support programmes operated by local councils at council level are vital to improving SME capabilities and reaching new sales. Given the current weaknesses in our economy, threatening these programmes would be extremely damaging. It is imperative that regional aid be maintained as a key tool in attracting inward investment and sustaining foreign direct investment from large overseas companies.

Regional aid, in the form of funding through DSD, has also played a vital role in improving many of our town centres across Northern Ireland. Again, this must be continued; we must not allow it to be lost. The retention of 100% assisted area status is vital to ensuring equality of application throughout Northern Ireland.

I welcome the Minister's comments today, and I commend her on all her work to date on this very important subject. I thank her for her

positive comments and commitment to continuing to lobby for the retention of regional aid for Northern Ireland.

I will now summarise the points raised by a number of Members. First, my colleague Robin Newton, in proposing the motion, emphasised the important role that EU funding has played in Northern Ireland. He spoke of how this has been an ongoing issue for some time. Continued funding is important in addressing regional disparities, and the risk to other Northern Ireland companies of not being able to get such funding is difficult to assess. The risk of not having the support of regional aid is more significant here than anywhere else in the UK.

Patsy McGlone, the Chairperson of the ETI Committee — most competent Chair that he is — mentioned how essential a tool regional aid was to support jobs and attract new jobs to Northern Ireland. I believe that he said that it was within the gift and remit of our Government to retain the 100% status. He recognised the work of the Minister and officials and said that it was important to continue to lobby for that status.

Stephen Moutray spoke of the difficult path that we have come along and the negative role that the Troubles have had on our local economy and on our reputation around the world.

#### 4.00 pm

Maeve McLaughlin at least said that she recognised that the UK Government have the power to retain 100% status for Northern Ireland, and she registered her concern that Northern Ireland is not predefined as a C region in the draft guidelines. She also said that it was important to keep the focus on the Westminster decision.

Sandra Overend registered her concern about Northern Ireland's incapacity in relation to the rest of the UK. She recognised that regional aid has helped to grow the private sector and encourage foreign direct investment. She also made the point that Belfast could be excluded, and I know that many of the Members who represent constituencies in Belfast could not tolerate that in any way. That would obviously be totally intolerable. She also made the point that large rural areas would not be eligible. It is vital that we continue to lobby for the full recognition of Northern Ireland for EU regional aid.

Trevor Lunn made various points. It seemed that his main concern was about the DUP's

attitude to membership of the EU. However, that was very much clarified by the Minister and various other Members who spoke.

Stephen Moutray also said that Northern Ireland, as a part of the United Kingdom, is a net contributor to the EU. He emphasised how we are moving out of our difficult past and how much regional aid has boosted our local economy.

Phil Flanagan thanked the Members who tabled the motion. He went as far as thanking the DUP and recognised its positive work. He had some concerns about the UK Government's commitment to rebalancing our economy, and, unusually, he registered his full support for our Minister in continuing to argue for regional aid.

Alban Maginness had many concerns. His main concern seemed to be about the DUP and Sinn Féin's attitude to the European Union. Disappointingly, he made it into a party political issue and argument. That was most disappointing. We were fighting for unity, and the SDLP obviously does not want it. I think that it is —

**Mr McGlone:** European unity?

**Mr Dunne:** Definitely not. It is most important that we continue to lobby for EU regional aid and for Northern Ireland to retain its full status. I thank all those Members who contributed to the debate. In the main, we have had a positive debate and have been very supportive of the Minister, the First Minister and the deputy First Minister in their campaign to try to get this.

*Question put and agreed to.*

*Resolved:*

*That this Assembly recognises the positive effect that Northern Ireland's 100% coverage for EU regional aid has had on the economy; believes that it has been significant in aiding economic growth and inward investment; is concerned that removing this automatic coverage would have a detrimental impact on the economy, jobs and growth; and calls on the Minister of Enterprise, Trade and Investment to continue to lobby the Government at Westminster and the European Commission to ensure that EU regional aid is retained for all of Northern Ireland.*

**Mr Deputy Speaker:** I ask Members to take their ease for a few moments while we change the top Table.

*(Mr Speaker in the Chair)*

## Civic Forum on Participative Democracy

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

**Mr McDevitt:** I beg to move

*That this Assembly calls on the First Minister and deputy First Minister to reconvene the Civic Forum to fulfil the commitments of the Belfast Agreement to participative democracy and to facilitate an all-inclusive consultative forum to help address the social, economic and cultural issues facing this region.*

Fifteen years ago tomorrow, quite a few of us who are currently elected to the House had the great privilege of being witness to arguably the finest moment in Irish and British history in recent times. The Good Friday Agreement changed everything: it changed relations between the people of Britain and of Ireland; it changed the relationship between the Republic of Ireland and Northern Ireland; and it changed, fundamentally, relationships within Northern Ireland. It is the reason we are here today.

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

**Mr McDevitt:** I will in a second.

It is the reason every last one of us has the opportunity to represent the great diversity of political opinion that exists in this part of this island. Without it, there would have been no beginning of a new beginning. Whether or not we feel wedded to every last word of the agreement, as we mark its fifteenth anniversary, I think it important that we are mature and big enough to acknowledge that it is what we owe our very existence to.

**Mr Campbell:** I thank the Member for giving way. He is starting his speech, and I do not want to delay him unduly, in what might be regarded as predictable style. Although we on this side of the House would not want to diminish the importance that he attaches to the Belfast Agreement and how significant he thinks it was, does he understand and appreciate that, in the same way, many people in Northern Ireland from our community do not

share that outlook about that document, the rationale behind it and the bringing of terror into the heart of democracy at the same time?

**Mr McDevitt:** I am a democrat. I consider myself to be a true republican: someone who believes that power and sovereignty rests with the people. The Good Friday Agreement is a sovereign document. It is owned by the people. It has a mandate only because the people of Northern Ireland gave it that mandate. It is the will of the majority of this region. It also happens to be the will of the overwhelming majority of this island, and I respect the will of the majority of this region as exercised democratically in referendum in May 1998.

It may be worth reading into the record of the House the declaration of support that was signed up to by those who concluded the negotiations. They said 15 years ago:

*"We, the participants in the multi-party negotiations, believe that the agreement we have negotiated offers a truly historic opportunity for a new beginning.*

*The tragedies of the past have left a deep and profoundly regrettable legacy of suffering. We must never forget those who have died or been injured, and their families. But we can best honour them through a fresh start, in which we firmly dedicate ourselves to the achievement of reconciliation, tolerance, and mutual trust, and to the protection and vindication of the human rights of all.*

*We are committed to partnership, equality and mutual respect as the basis of relationships within Northern Ireland, between North and South, and between these islands.*

*We reaffirm our total and absolute commitment to exclusively democratic and peaceful means of resolving differences on political issues, and our opposition to any use or threat of force by others for any political purpose, whether in regard to this agreement or otherwise.*

*We acknowledge the substantial differences between our continuing, and equally legitimate, political aspirations. However, we will endeavour to strive in every practical way towards reconciliation and rapprochement within the framework of democratic and agreed arrangements. We pledge that we will, in good faith, work to ensure the success of each and every one of the arrangements to be established under*

*this agreement. It is accepted that all of the institutional and constitutional arrangements - an Assembly in Northern Ireland, a North/South Ministerial Council, implementation bodies, a British-Irish Council and a British-Irish Intergovernmental Conference and any amendments to British Acts of Parliament and the Constitution of Ireland - are interlocking and interdependent and that in particular the functioning of the Assembly and the North/South Council are so closely inter-related that the success of each depends on that of the other.*

*Accordingly, in a spirit of concord, we strongly commend this agreement to the people, North and South, for their approval."*

As I said, I respect the right of anyone to dissent, but I want to note that, 15 years ago tomorrow, the die was cast, the people spoke soon after, and it is their decision that gives us the right to be where we are in this place today. I do not ask that everyone revise their position, but I ask that they respect the legitimacy of the institutions that they are such an important part of.

An important part of that institution was the creation of a Civic Forum. Over the past months, we have seen a breakdown in good relations in many parts of our community. We have been challenged to step up to the mark of reconciliation, of respect for the parity of esteem of all our traditions and of respect and tolerance for difference.

I think that many in the House remain concerned that we have failed and this institution has failed to live up to a better hope, to stretch beyond the differences that are so evident on our streets and to lead by placing reconciliation at the heart of everything we do. However, that this place may have failed does not mean that institutions rightly created under the Good Friday Agreement to give voice to those who do not wish to be political actors — civic society, non-governmental organisations, sporting organisations, the Churches, trade unionists, business leaders, ethnic minorities, the disabled — should not be given the opportunity to go where we have been unable to go.

The point of a Civic Forum was to create a voice that it was never possible to have in here — a voice that would go beyond narrow party politics and that would speak for people who often, if we are honest, do not feel properly represented by the politics of this place or who have issues that, for whatever reason, are not always able to be properly aired in a

Parliament. It is to widen democracy and deepen participation. It is to create a new society that is participative not just in name but in fact.

If there was ever a need for that body, I suggest to colleagues that it is today, at a time when our confidence in ourselves and in the promise and hope of Good Friday has been fundamentally challenged. Rather than sectional forums, we need a forum for all — a forum that will provide those with a legitimate stake in the future of this part of these lovely islands with a place to make their opinions felt.

We are a diverse place, and our diversity is our great strength, but we will only ever unlock the prosperity, hope and opportunity in that diversity when we give it voice and when we are able and not afraid to give diverse views, opinions, outlooks and aspirations a voice.

**Mr Ross:** I thank the Member for giving way. I am listening to him wax lyrical about how important the Civic Forum is and how great it is, but can he give us one example from when the Civic Forum was meeting of one piece of advice or report that it produced that was taken up by the Executive of the time, which, of course, his party was one of the main contributors of?

**4.15 pm**

**Mr McDevitt:** In the brief period that it operated, it produced a very important report on literacy and numeracy. That report informed education policy. I am quite certain that, had it not been killed off in 2002 and had it the opportunity to continue to work through in recent years, it would have informed many of the most difficult debates that we have faced.

The great tragedy of it is that people are refusing its opportunity to exist. They are killing something off at birth, and they are denying such a large section of our people a voice.

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

**Mr McDevitt:** I will sum up by saying that those people are undermining not just those of us who supported the agreement but, in fact, the democratic will of the majority who supported that agreement.

**Mr Moutray:** To me, this debate feels a bit like déjà vu all over again. On 3 February 2009, I moved a motion in the House on the Civic Forum. It noted that the Civic Forum had not met since 2002, that it had given nothing of

value and that the public had a total lack of interest in it. The motion also urged the First Minister and deputy First Minister not to establish a new forum but to consider other ways of interacting and engaging with the public.

The motion was passed by 44 votes to 41 but was defeated on a cross-community vote as a result of a petition of concern. I rehearse that simply because the arguments that we put four years ago against any attempt to revive the Civic Forum, which are in the public record in Hansard and elsewhere, are as pertinent today as they were then. Indeed, I was reading over my speech from 3 February 2009 just yesterday, and I could easily make the same one here today. Nothing whatsoever has changed.

**Mr A Maginnes:** Will the Member give way on that point?

**Mr Moutray:** No. The Member will have his own opportunity. I will resist the temptation. *[Interruption.]* Why on earth we are wasting time discussing this matter is beyond me. We continue to face the impact of the financial and economic difficulties, and budgets across all the Departments are under pressure. We are doing our best to preserve front line services, and people across our communities are struggling to make ends meet. However, here we have the SDLP bringing a motion to the Assembly that urges us to revive something that is not even worthy of revival. Indeed, it is completely beyond revival.

We can see from the motion that the Civic Forum is just being used as an excuse to promote the Belfast Agreement. Let us remind ourselves of the Civic Forum's background. It was set up in 2000, when the Northern Ireland Office viewed it as something that might bolster the Belfast Agreement.

Far from being a representative body, it was slanted heavily towards pro-agreement elements. It met over a two-year period, during which it expended little other than hot air. Not one of its recommendations was subsequently taken up by the Executive — not one. It was an utter and complete waste of time and resources, which cost about £500,000 per annum. That amount of money could be spent much better for the benefit of civic society.

The forum's role was reviewed in a public consultation in 2008. It was clear from that exercise that there was no widespread desire for a return to a structure of the size and

expense of the Civic Forum as it had been previously operating.

Today's motion speaks of "participative democracy" and an "all-inclusive consultative forum", but we have that. We have it here in the institutions of the Assembly. The people of Northern Ireland already have better overall representation than other regions in the UK. Another layer is simply not needed.

I want to take the liberty of quoting Lord Kilclooney, who, in April 2007, said that the Civic Forum was:

*"a luxury the people of Northern Ireland cannot afford".*

If that was the case six years ago, it is all the more so today.

Let me make it clear that I am very keen to ensure that we connect and engage with all sectors of civic society. I am completely in favour of that. Indeed, that was reflected in the motion that I moved in February 2009. However, we do not need expensive, additional formal structures. We must make greater use of existing democratic structures including not only the Executive, the Assembly and its Committees and so on but structures at local council level, at Westminster and in Europe.

There must be ongoing and meaningful two-way communication between elected representatives and the electorate. We must constantly review our effectiveness, and we must always be looking at how we do things. By way of example, we could use better social media and online interactive forums via the internet. Whatever we do, the Civic Forum has no part to play. There can be no going back to the white elephant, whether the SDLP wants us to or not. I oppose the motion.

**Ms Fearon:** Go raibh maith agat, a Cheann Comhairle. I very much welcome the opportunity to speak on this motion. I pledge my support, and that of my party, for the motion and congratulate its proposers.

Sinn Féin has always been supportive of the Civic Forum. The re-establishment of the Civic Forum would only enhance our decision-making process and promote inclusion. There appears to be — and I do not think that anyone can argue with this — a growing sense of apathy in our communities. Anything that encourages engagement must be viewed as a positive step. That is particularly true given the recent events witnessed across the North.

Being on the ground and engaging with people should be one of the most important aspects of politics. However, sometimes it is not enough. The Civic Forum would give a collective voice to civic society, namely the business sector, the unions and the voluntary and community sector, in order for them to discuss, as the motion puts it, the various social, cultural and economic issues facing the North. I very much welcome the use of the phrase "all-inclusive" in the motion. I sincerely hope that it actually means all-inclusive.

I will just, for a moment, take for granted that the re-establishment of the Civic Forum will go ahead. There would need to be room for people to voice the opinions of children and young people and the older people's sector. It would also be highly important for the views of rural communities to be represented. The Civic Forum would be useful in tackling some of the more difficult issues — if I can gently phrase it that way — that seem to spiral out of control in this Chamber and result in little more than finger-pointing. Furthermore, any forum must have the ability to have measured debate on important issues. That would only be enhanced by the absence of party politicking.

For democracy to work effectively, we need to encourage proper participation with all sections of society. As I stated, there is a growing sense of disillusionment out there. It would be remiss of me if I did not take this opportunity to say that, in certain respects, I do not blame people for having that opinion. The very make-up of this Chamber may be reason enough for that opinion. We need to make serious commitments to tackling the gender, age and ethnic profile of the Assembly.

This morning, I met a local school. The first comment came from a 16-year-old, who said that he does not think that devolution is working. While I disagreed with his opinions, however well-articulated they were and which he is quite entitled to have, it saddened me to hear such negativity. It only strengthened my support for the concept of an all-inclusive Civic Forum to give a young person like that a structured outlet to voice his opinion and engage. All of that having been said, I must say that I am wary of the cost and bureaucracy and of placing another financial burden on taxpayers. However, perhaps research could be done into how we could do it in a more cost-effective and innovative way.

The Civic Forum is a Good Friday Agreement commitment, so we need to ensure that it is not divorced from other commitments that were made. It is clear that the British and Irish

Governments have reneged on many of the promises that were made in the Good Friday Agreement, and we must be mindful of those. I want to take this opportunity to continue to push for the introduction of a bill of rights. That is an absolutely essential piece of work that needs to be carried forward. We must also encourage the establishment of a North/South consultative forum, which, as yet, has not been delivered.

At the end of the day, every person in the Chamber is here to take note of public opinion, listen to it and act on it in their interest. The Civic Forum would play an important role in that. It would give voice to those sections of society that currently feel muted and shut out from the daily business of the Assembly, while at the same time allowing for greater transparency and understanding. To that end, I will conclude by pledging both my own support and my party's.

**Mr Nesbitt:** I am conscious that I am in danger of prolonging Mr Moutray's experience as the lead star of 'Groundhog Day'. To try to maintain his interest and that of other Members, I ask that they reflect on this: which Department of this Executive, since the restoration of devolution in 2007, has spent £62,475 on 44 public consultations? Which other Department, which has also consulted the public on 44 occasions since 2007, has done so at a cost to the taxpayer of £280,574·62? Have a think.

I raise the issue of consultation, of course, because paragraph 34 of the Belfast Agreement states that:

*"A consultative Civic Forum will be established."*

As we approach the 15th anniversary of the agreement, I thank the SDLP for bringing the agreement to the public attention. However, the question is this: do we focus on the line-by-line detail of this document, or do we focus on the spirit of the agreement? For me, we should focus on the spirit.

The detail was always going to be imperfect. How could it be otherwise when you are trying to reach agreement with no fewer than 10 local parties and two sovereign Governments? The spirit is perfect: the spirit of consent that Northern Ireland remains part of the United Kingdom as long as the majority of people so wish; consensual politics as the way forward; mutual respect for our identity and culture; an economic peace dividend; and better politics than direct rule. In reviewing those five categories, I feel that there has been a failure — arguably, a huge failure — in delivery, and

those responsible owe the public an acknowledgement and a renewed commitment, such as the one that the Ulster Unionist Party will offer the people of Northern Ireland tomorrow.

When it comes to the Civic Forum and the public consultation, we need a broader debate on consultation. I have asked all the local Departments how many consultations they have engaged in since 2007 and at what cost. The Department that spent £62,475 on those 44 consultations was the Department of Finance and Personnel. However, it so happens that the Department of Education has also consulted 44 times with the public in the same period, and its costs were £280,574·62. Is that money well spent? Is it money equitably spent? The most expensive single consultation it undertook was a review of Irish-medium education at a cost of £46,447·65. That is more than double the amount spent by the same Department on a review of literacy and numeracy. How many people are affected by Irish-medium education, and how many are affected by literacy and numeracy? The £46,447·65 spent on Irish-medium education was around 30 times the amount the same Department spent in total on consulting on the draft Programme for Government, the draft investment strategy and the draft Budget. So, it seems that there is an imbalance that we need to look at.

The Department of Agriculture and Rural Development has engaged in no fewer than 324 consultations in the same period, with the most expensive coming in at £17,300. However, 77 of those consultations, around 24%, were done at no cost whatsoever.

**Mr Campbell:** I thank the Member for giving way. I am listening to him carefully, and he is outlining at some considerable length the degree to which various Departments go on consulting. However, I am not quite clear whether he is saying that all that money could be saved if we brought back the Civic Forum, which would presumably carry out all these consultations for less money, or whether he is saying that part of the spend is a total waste — I agree with him — in which case I am trying to understand what relevance that has to the reintroduction or otherwise of the Civic Forum.

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

**Mr Nesbitt:** Thank you, Mr Speaker. I will not delay the House and Mr Moutray by taking up the extra 60 seconds.

I am coming to my conclusion, which will answer the Member's point.

**Lord Morrow:** We knew that it was somewhere.

**Mr Nesbitt:** Well, normally when I speak, I start at the beginning and finish at the end. That is the way I like to do things.

Consultation can be done better and more cheaply, deliver value for money and inform the Assembly and the Executive better. We should look at a better way to do it, but the better way to do it is not to recall the Civic Forum.

**Mr Lyttle:** On behalf of the Alliance Party, I support the motion. I thank those who tabled the motion for giving us an opportunity to discuss some of these extremely important issues on the eve of the 15-year anniversary of the Good Friday Agreement. I reaffirm our commitment to participative democracy in Northern Ireland, a commitment that I expected every party in the Assembly to give in a slightly clearer manner today.

**Mr A Maginness:** In view of Mr Nesbitt's final remark on behalf of the Ulster Unionist Party, do you accept that, once again, the Ulster Unionist Party has departed not just from the spirit of the Good Friday Agreement but from its detail, particularly in relation to the forum?

**4.30 pm**

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

**Mr Lyttle:** I thank the Member for his intervention. He touched on a concern that is apparent even in the wider community beyond the Assembly that the Ulster Unionist Party is less than clear, at this stage, about its ongoing support for that foundational document. Perhaps the Member would like to clarify that. I would be glad to give way if that is the case.

**Mr Nesbitt:** I thank the Member for giving way. As I said, I am wedded to the spirit of the agreement, and I defined the five areas. The Ulster Unionist Party has not, for some time, been in favour of the Civic Forum. I am surprised that Mr Maginness is not aware of that fact.

**Mr Lyttle:** I will move on. The establishment of the Civic Forum is an explicit requirement of the agreement, so perhaps we need to re-examine the agreement on this side of the House. The Northern Ireland Act 1998 also sets out the

requirement for the Civic Forum. Those are two foundational documents on which this institution and, indeed, our society as we know it today are founded. It would present an opportunity to enhance the —

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

**Mr Lyttle:** I am trying to move on. If you are quick, go ahead.

**Mr Beggs:** Does the Member agree that we are in very challenging economic circumstances? Where would he take the £500,000 a year to sustain this further level of consultation?

**Mr Lyttle:** You could start with the £17 million that it cost to police the anarchy that we saw on our streets as a result of a completely folly decision at Belfast City Council recently.

**Mr Beggs:** That was an Alliance decision.

**Mr Speaker:** Order.

**Mr Lyttle:** Thank you, Mr Speaker. I hope to develop a response to that as I go on, if I have time.

I accept that the Civic Forum must be established in a more constructive and effective format. I doubt that even the Members who tabled the motion would dispute that. We should acknowledge that the previous Civic Forum was required to operate in a period of political uncertainty and instability. Devolution today, hopefully, presents a more stable context in which the forum could operate.

I have seen MLAs and Ministers work very hard to engage constituents and organisations in the political process. That work includes Assembly Committees, the Assembly and Business Trust, of which I am proud to be chair, Assembly Community Connect and a wide range of events that take place in the community and at Parliament Buildings on a regular basis. However, despite those efforts, there is clearly a demand from civic society for improved inclusion in the political process and an argument that many of our elected representatives and political parties fail to represent the aspirations and ideas of the community. The Civic Forum would be one way to include the creativity and expertise of civic society in the political process and improve democratic participation in Northern Ireland.

Executive Ministers establish advisory groups and frequently extol the virtues of collaboration to say that government alone will not be able to

solve problems. Yet, on some of the most important challenges facing Northern Ireland today, they continue to obfuscate and delay. That is perhaps nowhere more applicable than on the most important issue of tackling the cost of division and building a shared society in Northern Ireland — *[Interruption.]*

**Mr Speaker:** Order.

**Mr Lyttle:** This is becoming a bit of a habit, folks. You could learn a few manners, maybe.

Six years on from an OFMDFM review, there is still no Civic Forum; 15 years after the agreement, there is still no shared future strategy to tackle division and build a united community.

The Alliance Party made a constructive proposal in January this year that the First Minister and deputy First Minister establish an open and transparent shared future forum comprising elected representatives from the main political parties and representatives of civic society that would make recommendations on a shared future strategy by June this year. That would represent an opportunity to find imaginative and meaningful proposals that the behind-closed-doors OFMDFM working group has, in over 18 months, failed to achieve. The DUP in particular, perhaps unsurprisingly, arrogantly dismissed and misrepresented that proposal as just another working group and an abdication of responsibility. A shared future forum would involve elected representatives and civic society experts working in partnership to find solutions in an open and inclusive way. As far as I am aware, even those who tabled the motion have yet to respond to that proposal. Perhaps they would be willing to do so today as evidence of their commitment to civic participation in one of the most important social and economic challenges that we face in Northern Ireland, if not the most important.

The shared future forum proposed by my party in the For Everyone strategy is in the spirit of the Civic Forum recommended by the motion today and would increase participation in building —

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

**Mr Lyttle:** — the shared society for everyone that I believe a majority of people in this community want to see.

**Mr Ross:** First, of course, it is vital that we, as an elected legislative Chamber, listen to and

pay attention to the views of civic society. We should always listen to those views. However, we ask whether a Civic Forum is the best way to engage with civic society. It is not surprising that this is a motion from the SDLP, because this is something of a hobby horse for it. Every few years, it brings up the idea again. However, it is doing so at a time of increased pressure on public finances, when the pressure is on all of us to find savings for the public purse and not additional spending. The SDLP, as a party, is about spend, spend, spend. It supports the reconstitution of a Civic Forum at a cost of up to £500,000 a year. It supported corporation tax and the spending that would come from that. It wants to block welfare reform — where do we get the money to do that? — at the same time as supporting increased spending on health, education and roads. Given the events of the past 24 hours, I am reminded that Margaret Thatcher said that the problem with socialism is that they soon enough run out of other people's money to spend. The SDLP is playing right into that mantra.

There are two fundamental questions that Members must ask themselves when looking at the motion. The first is whether a Civic Forum, whether in its past incarnation or a future one, would deliver value for money for the taxpayer. The second is whether it would provide a valuable input into policy development. In examining the first question, we would not just be measuring crude cost but value for money, and, by doing that, we would have to look into the second question about the outputs. I asked the Member, during his opening contribution, whether a single report or suggestion put forward by the Civic Forum in its initial state was taken up by the Executive, an Executive led by his party and the Ulster Unionist Party at the time. He talked around the issue and about numeracy and literacy, but the truth is that not one suggestion was taken up by the Executive at that time.

**Mr A Maginnes:** I thank the Member for giving way. How does the Member square his rejection of the Civic Forum with the establishment by the DUP, together with the Ulster Unionists and other unionist people, of an exclusive forum for unionist people to deal with a number of issues outside the Assembly?

**Mr Speaker:** The Member has a minute added on to his time.

**Mr Ross:** We are not asking the taxpayer to put a single penny towards the creation of a Unionist Forum. The other hypocritical part of

the Member's statement is that he opposed that forum. It is remarkable stuff.

I return to the motion. Do we really need another chamber for talking, discussing and debating in Northern Ireland?

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

**Mr Ross:** I will not give way, because I want to make some progress. I have given way once.

We are already overgoverned — *[Interruption.]*

**Mr Speaker:** Order.

**Mr Ross:** — in Northern Ireland, and the public recognise that. We have 26 councils and are hoping to bring that down. We have 108 MLAs, 18 MPs, Members of the House of Lords, MEPs and everything else. We are overgoverned, and we do not need an additional chamber to give us views or decisions to be taken. I do not know where the SDLP will take the money from to create a Civic Forum, and it has not outlined that.

As Mr Nesbitt said, we already consult quite extensively with civic society. The Executive consult on every piece of legislation that goes through the House, and every member of civic society has the opportunity to comment on that legislation. Indeed, they can even write to Committees that are scrutinising that legislation and come to give evidence. The business community, unions and individuals are all afforded the opportunity to come to Committees to give their views and ask questions on any legislation that proceeds through the House. That is often time-consuming and can often be quite frustrating, but any Committee that I have been on has always found the time to make sure that it listens to those who wish to give their views.

As an Assembly corporate body, we have gone out to civic society through the Assembly roadshows. Whether they are value for money is perhaps a discussion for another time. However, they afford the opportunity for us, as a corporate body, to engage with civil society. Indeed, even within the structures, the all-party groups are a mechanism for particular lobby groups or particular interests in society to come and create an all-party group and forward their ideas. There are many examples of where that is done very successfully today without substantial additional cost to the Assembly and the public purse.

As individuals, we engage with civil society every day in constituency surgeries and through e-mails, phone calls and letters. All of that stuff goes on every day. I am particularly surprised at the Member who proposed the motion. He engages in social media and looks at modern ways of engaging with the public, but he is looking backwards to a civic forum rather than looking forward into new ways.

The Assembly hosted the TEDx event recently, and, during his speech, my colleague Simon Hamilton, who has just walked into the Chamber, talked about how Governments can find better ways of engaging with civic society. He talked about the Street Bump application in the United States of America, through which there can be a real time —

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

**Mr Ross:** — engagement between civic society and government. Let us look at new, modern ways of engaging with civil society that will not cost the public purse something, rather than looking backwards to a body that did nothing for Northern Ireland and cost the taxpayer money.

**Ms McGahan:** Go raibh maith agat. I support the motion. The Good Friday Agreement is about local representatives making decisions that affect us and the people we represent, as we understand the needs of our community here in the North of Ireland. The Civic Forum was set up under the Good Friday Agreement to engage wider civic society, and its mission statement was:

*"The Civic Forum will exercise effective community leadership and directly influence the building of a peaceful, prosperous, just, cohesive, healthy and plural society."*

This is an important method of active participation. It could bring about change where people from the voluntary, business and community sectors feel that they are making a contribution to improving the quality of life of others. This can be a very rewarding experience. Active participation opens up the process. The Civic Forum was accepted in the Good Friday Agreement as a means of ensuring transparency in the political process. It is my understanding that, while the forum existed, some good work was done, and it provided a structured approach for people to come together.

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

**Ms McGahan:** Sorry, no. [*Interruption.*]

**Mr Speaker:** Order.

**Ms McGahan:** It provided a structured approach for people to come together. However, more was to be done, that was for sure.

Democracy means the strength of the power of the people. A democratic state is one where ordinary people have a say in how it is run, and we have the key characteristics for a democracy. We have equality and fairness for all our citizens, regardless of race, religion, gender, political opinion etc. Human rights are enjoyed by all our citizens, and Sinn Féin is committed to efficient government that is cost-effective. However, equality and representative safeguards cannot be diluted in any fashion.

The setting up of the Civic Forum is an important action that we can take to make our society more inclusive. It is important that we are socially aware, that we are of the people and that we understand the problems and issues that are faced by community groups, NGOs and other groups that we are not part of. That is crucial. Different cultures and opinions exist beyond our own, and tolerance is a necessity if we are to work together.

**Mr Givan:** I welcome the opportunity to make a few comments and not to repeat everything that colleagues have brought to Chamber. I will pick up on some of the points and elaborate a bit further.

Obviously, there is a role for those in civic society. I recognise that, and, indeed, I pay tribute to those right across civic society who engage on matters that concern them and engage with politicians to try to influence change. That is a very important role, and I seek to encourage that further for those who are organised and operate in different professions to come forward more often publicly and to articulate their views and try to influence politicians. We should all welcome and seek to encourage that.

As a party, we in the DUP engage extensively with civic society right across the community, because we want to ensure that, whenever we take decisions, we represent as broad a view as possible. But, ultimately, we are the elected representatives of the public, and this Chamber represents the views of the broadest sectors of our society.

**4.45 pm**

**Mr Campbell:** I thank the Member for giving way. I am glad to hear him outline some of the ways in which all political parties, including our own, engage with civic society. Does he agree with me that, if you try an experiment, be it through the Belfast Agreement or by any other route, and it is a total, utter, unmitigated disaster — no one attends, it does not produce anything, it does not do anything, and it is widely derided — the last thing you do is reintroduce it?

**Mr Speaker:** The Member has a minute added to his time.

**Mr Givan:** I could not put it better than what my colleague from East Londonderry has intimated in respect of the track record that existed for the Civic Forum. Members who want to resurrect the Civic Forum do not seem to recognise that it was a creature of the Belfast Agreement. This party opposed the Belfast Agreement, and, as broader society changed its views on the Belfast Agreement, the electorate, particularly from the unionist community, democratically elected people who consistently opposed the Belfast Agreement. The public, despite the vote within this House, whatever it will be, can rest assured that there will be no Civic Forum re-established.

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

**Mr Givan:** I am happy to give way.

**Mr McDevitt:** This is an important point of fact: the Belfast Agreement enjoys the support of the majority of the people in this region. The DUP does not enjoy the support of the majority of people in this region. In fact, the DUP's vote is nowhere near being equivalent to the majority of people. [*Interruption.*]

**Mr Speaker:** Order.

**Mr McDevitt:** So it is just untrue, I am afraid to say, that the majority of people in this region do not support parties that support the agreement. They do. You are still in the minority. You would not be here without the agreement. The least you can do is just acknowledge that.

**Mr Givan:** The Member is in the same denial, in that he obviously seems to believe that the SDLP is still the largest nationalist party and does not seem to recognise that Sinn Féin has obliterated many of the SDLP's constituencies. That is sad, and I would much rather have a stronger SDLP than have Sinn Féin. However, we have to deal with the political reality of

today, and, in 2013, it is not what it was in 1998. [Interruption.]

**Mr Speaker:** Order.

**Mr Givan:** This party has increased its representatives by a considerable number, to the extent that, as a result of the mechanisms established by the party opposite, the SDLP and the Ulster Unionists, we can now exercise our veto, and we will certainly do that when it comes to a Civic Forum.

It is important that we listen to civic society, and I could not give a better example than the most recent example of when we heard a united position from civic society across our churches. That was on the amendment that I supported with Alban Maginness and other Members on the issue of abortion. We united civic society. We had the Presbyterian Church, the Church of Ireland and other evangelical Protestant denominations come out in favour of it, and we had the Roman Catholic Church, with which I engaged personally. I spoke to those within the Roman Catholic Church about it. [Interruption.]

**Mr Speaker:** Order.

**Mr Givan:** So, this party and I created a position and a consensus that was broadly reflective of our civic society. Chris Lyttle of the Alliance Party lectures this party about ignoring civic society. It was his party, which stands and boasts about being the party of the shared society that can unite society, that ignored and thumbed its position to civic society on the amendment that was brought to this Floor. They should go and engage with civic leaders in the churches that they attend, ask what their views are and then come back to the Chamber. Maybe then, with some principle, they can lecture other people in the Chamber about listening to civic society.

**Mr Dallat:** I am grateful for the opportunity to voice a few words, as someone who has been here since 1998 and who left a comfortable job in another element of society — the teaching profession. One of the reasons why I was attracted to this was the fact that the wider community would have a voice in it. I am old enough, much older than many of those who find this perhaps a little bit funny, to know that, for the previous 30 years, this country was in turmoil. The greatest weapon that any democracy can have is the widest possible participation of the people. The Civic Forum mentioned in paragraph 34 recognised that. For the short time that it was here, the forum produced important reports. The report on

literacy and numeracy has been mentioned. Even today, we are producing 9,000 young people a year with the lowest levels of education. Given recent events, is anyone here seriously suggesting that this democracy is now so sound and stable that we do not need the widest possible participation of the wider community?

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

**Mr Dallat:** In recent times, agriculture —

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

**Mr Speaker:** Order. The Member should not persist.

**Mr Dallat:** I will give way when I get into my speech a little bit. I am mindful that the opportunities to give voice to those in the wider community who are denied it do not happen very often, so spare me the five minutes that I have, please.

Does anyone seriously suggest that agriculture, which was recently in turmoil because of the storm, does not need some kind of voice in what the Assembly does? The budgets for the arts and sport were seriously cut, and there are health problems and all those things. Are we saying that those people should not have had their three representatives on the Civic Forum to advise the Assembly on what it might do to encourage the arts and to encourage more people to participate in sport? Unemployment is at its highest level for many years, particularly among the 16- to 24-year-olds. Is anyone suggesting that small and medium-sized businesses should not have a voice in how things might be resolved?

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

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

**Mr Dallat:** Let me move on. I am really sorry that Mr Campbell —

**Mr Speaker:** Order.

**Mr Dallat:** — did not put his name down to speak on this, because he keeps interrupting other people. Mr Campbell, would you not go and put your name down to speak, for goodness' sake?

**Mr Speaker:** Order. The Member must be heard. [Interruption.] Order. It is quite obvious that the Member has indicated that he has no

intention of giving way, and Members should not persist. [*Interruption.*] Order. Allow the Member to continue.

**Mr Dallat:** The Members have managed to leave me with just two minutes.

Nevertheless, the churches and those who are involved in community relations would have had four places on the forum. There have been difficulties recently, with £18 million being spent on policing. However, we have heard about nothing except the half a million pounds that might be spent on the Civic Forum. Does that make sense? I do not think so. Does anyone seriously believe that the Assembly, on its own, can really deliver what the people want? I do not think so.

Victims have not been mentioned so far, but they would have had a voice in the forum. God knows that we have not handled that too well.

**Mr Nesbitt:** The victims forum.

**Mr Speaker:** Order.

**Mr Dallat:** Well — [*Interruption.*] The voluntary and community sector would have had 18 places on the Civic Forum. Does anyone suggest that that sector should not have a real voice in what the Assembly does? Is that not what we promised to deliver on? No.

In my very young days, I attended debates in the Chamber when my brother was in the Civil Service, and I saw people on the unionist Benches who I think did not fully realise the trouble that they were heading into because they did not involve people in the wider community. Please do not repeat history. For God's sake, do not do it. There is an opportunity to embrace the wider community. There are people who have the expertise, the qualifications, the experience and the life to add to the Assembly at a time when confidence in it is not very high. Let us face it. I am not being party political. The Assembly has not convinced the wider community that it is performing in the way that it should. Today's motion is an opportunity to say —

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

**Mr Dallat:** It is an opportunity to say, "Look, join us; let us make a success of this as one team instead of sneering and laughing across the Floor".

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

**Mr Cree:** I oppose the motion before us today. The Civic Forum produced very little — we have heard a lot about it from all sides this afternoon — but it was worth a try. It was the brainchild of the Women's Coalition. It is vital that we embrace the need to engage with civic society. Lots of Members have highlighted that today. So, the question is this: is the forum the way to do it, or is there a better way to tackle the problem? How do we go about that?

We do not want another unelected quasi-parliamentary organisation. Our existing Assembly Committees already perform a similar function in taking evidence from the public, groups and society in general. Someone on my left has already made the point about the Committee system. More could be done to develop that system. That would avoid the costs that the forum incurred — some £700,000 — in the two years in which it operated.

The Ulster Unionist Party values the views of civic society, and we must continue to engage with it. It is now over four years since the House debated a similar motion. Little new material has surfaced here this afternoon, but, in 2009, a review was commissioned by the First Minister and deputy First Minister to examine the structure, membership and role of the forum. That review replaced an earlier review in 2002 that was never finalised. I do not think that that review has been completed either, and no report has been issued. Perhaps the Ministers could clarify the current situation with respect to the last review.

The St Andrews Agreement was referred to. Paragraph 22 provided that:

*"The Northern Ireland Executive would support the establishment of an independent North/South consultative forum appointed by the two Administrations and representative of civil society."*

Following our experience with the Civic Forum here, it is difficult to understand the rationale for continuing with a North/South forum. Again, it would be helpful to know what the situation is on that proposed body and its likely operating costs. It is clear from reading the records of the Dáil Éireann debates that it is a live issue in Leinster House.

**Mr G Robinson:** The call for the reconvening of the Civic Forum is nothing but a call to waste precious financial resources for purely party political point scoring by the supporters of the motion. No doubt, they will insist on a well-funded forum, so we have to ask how that will be paid for from a budget that is already under

severe pressure. I believe that the proposal not only is a huge waste of money but would duplicate work already being done by the Committees overseeing each Department. The Committees are regularly in formal and informal contact with all the groups covered for membership of the Civic Forum, such as businesses, trade unions and the voluntary sector.

The Assembly needs to continue with the workload that it has and not duplicate that workload. Every week, I receive letters, e-mails and literature from all sectors about their wishes for the future direction of Assembly policy. Why then do I or, indeed, any of us in the House need to hear the same thing a second time for no other reason than to assist the SDLP? The truth is that we do not even have the time for this debate today. Instead, the time could have been used for a debate addressing the numerous problems that currently exist in Northern Ireland. The Civic Forum is not going to achieve anything that the Assembly Committees do not. That is why I will not support the SDLP motion.

I also wish to remind the proposer of the statutory duty of consultation in Northern Ireland. The statutory consultation process opens out the consultation to every member of Northern Ireland society, not just the groups of the Civic Forum. The supporters of the motion must get a grip on reality and realise that the work that they say needs to be done by a Civic Forum is already being done to a very high standard by public consultation and our departmental Committees.

I cannot support a motion that does not make practical or financial sense. I see a responsibility on every Member of the Assembly to be careful when it comes to proposing additional expenditure from the public purse, and I see the motion as failing to meet any practical criteria of benefit for Northern Ireland.

## 5.00 pm

**Mr Maskey:** Go raibh maith agat, a Cheann Comhairle. Like my party colleagues, I support the establishment of a Civic Forum and, indeed, the facilitation of the establishment of an all-Ireland consultative forum. I support those for a number of very good reasons.

The Civic Forum came out of the Good Friday Agreement, and I heard people in the Chamber say that it did not achieve anything. You could say that about the first couple of Assemblies, which did not achieve very much either because they never lasted very long, and we

were up and down through suspension. You cannot benchmark the Civic Forum at that period because if you benchmark it against the success or otherwise of the Assembly, you may have to take a slightly different perspective.

I accept entirely that the DUP never accepted the Civic Forum. However, it is a bit "rich" for people such as Gregory Campbell to say that they opposed the Good Friday Agreement from day one. They have made a very good living out of it because they have not left this Chamber since 1998, including their double-jobbing. We need to bear in mind that if they do not accept the Good Friday Agreement, they should not be here. [*Interruption.*]

**Mr Speaker:** Order.

**Mr Maskey:** When we talk about the Civic Forum, my colleague made the point — [*Interruption.*]

**Mr Speaker:** Order.

**Mr Maskey:** My colleague made the point that we do not need a forum that is too costly or overly bureaucratic. I stress, on behalf of all Members in the House this afternoon, that the Assembly engages with a lot of stakeholders. This Thursday, the Committee for Social Development, which I chair, will host an engagement on housing with over 60 stakeholder organisations. So, we engage with a lot of people, which is as it should be. However, that engagement with those organisations and long-established stakeholder groups are always on a one-off and one-issue basis. It is obvious that a lot of those people would have an awful lot to offer in giving a wider view. For some, it may even be a challenge.

Groups come up here every day of the week lobbying the Assembly, as is their right and entitlement. Indeed, I would argue that it is their obligation. However, they often come up on a single issue, perhaps from a vested interest point of view. If such people were party to a Civic Forum, they would have to take a responsible view on a wider range of issues in the way that we do. Therefore, a Civic Forum is not only an opportunity to engage with people but also a challenge to some of those who may want to have only the luxury of challenging the Assembly for doing nothing. Let us give them an opportunity to contribute.

I think it is fair to say that, fifteen years on from the Good Friday Agreement, the full potential of many of its elements has not yet been realised, which is regrettable. The unionist parties

recently created a Unionist Forum, which is fair enough. Sinn Féin's position on that has always been that if you need to have a discussion with your own community and constituency, that is fine; do that. However, let us not be fooled into thinking that you can solve the problems by having a monocultural conversation. You need to have that conversation with the rest of us, and that is the Sinn Féin position.

We have never said that we are against the Unionist Forum. We are simply saying that more people have to be involved in dialogue. We have all repeatedly made the point that dialogue and engagement are the ways in which we will solve most of our difficulties. When we had successes in recent years, they have always been on the basis of engagement, including engagement between parties that are diametrically opposed on a range of matters. Dialogue and engagement have worked for all of us.

In the past day or two, I listened to a series of interviews with young people reflecting on their age group 15 years after the Good Friday Agreement. Some of them were born at the time or just afterwards. They said that they did not really understand it but were told by their parents and peers that we are in a better place. Would it not be timely to start to re-engage with a lot of those people? It is 15 years on, but we still have unfinished business, which, unfortunately, spilled out onto the streets in recent weeks and months. Clearly, we have a job of work to do finally to realise the potential of the Good Friday Agreement.

Whether one agrees with the Good Friday Agreement or the bits of the St Andrews Agreement that they may like better — if that sounds better, fair enough — the core element in the way that the Assembly and these institutions work is that they are inclusivity-based. That is the reality here. We all have to work together whether we like people or not, and that is a good thing. Why does it not logically follow that we engage people in wider civic society who have important opinions and views, and have a major, positive contribution to make? When they may not have a positive contribution, let us challenge them, but let us not be afraid of engagement.

We are political representatives and, yes, we are the people who have to make the legislation. We have to make the calls, but let us not be afraid of working with people. If we are afraid of working with those in broader society, it spells only one thing for me —

conservatism. This place should not be conservative.

**Mr Weir:** Thank you, Mr Speaker, and may I particularly thank the Member who has just spoken for making a strong case against the motion? He may not have realised that at the time. I listened to him, and I completely agree that we should be engaging with people. Indeed, we are engaging with people. However, why do we have the narrow vision that is being proposed in the motion of engaging, effectively, with 60 quango people who have been selected by various routes. Our engagement should be, and is, with 1.7 million people.

I think that it was Mr Dallat who said that there should be a voice for the business community, the Churches, the voluntary and community sector and the victims. I completely agree with him. That voice is here, day in, day out; week in, week out. There is not a day or a week that goes by when a raft of Committees are not dealing with specific topics with a range of organisations. Every week, we are receiving evidence from organisations, and we are getting letters and other correspondence. That is just the formal process. There is also the more informal process in which MLAs have a range of meetings. We are the people who are engaging. Why restrict that from 1.7 million and the wide range of groups to simply 60 named individuals, which is what the Civic Forum would put in place?

He also said that there are important issues around getting people involved in sports and the arts, and he referred to the problems in agriculture and to unemployment. I could not agree with him more. However, again, that is the work of the Assembly; that is what we are elected to do, and we cannot abrogate that.

**Mr A Maginness:** Will the Member give way?

**Mr Weir:** I will give way briefly.

**Mr A Maginness:** I thank the Member for giving way. He is very generous, as usual. There is a sense of alienation, particularly among working-class unionists and loyalists. If this institution is working as well as you have suggested, why is there that sense of alienation? If you had a Civic Forum, would you not have allowed that voice to have been reflected within it and, perhaps, avoided the demonstrations and problems that we have seen of late?

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

**Mr Weir:** I bow to the Member's superior knowledge of the working-class unionist and loyalist community. It shows, at least, that the Member is not afraid of injecting a degree of irony into the debate. If it is the case that they want to hear the voice of working-class loyalists and unionists, they should be welcoming the Unionist Forum instead of deriding it.

The idea of the Civic Forum as some sort of panacea to all these problems seems quite strange to me. The Member who has just spoken acknowledged that, given the amount of time that it had, the Civic Forum did not achieve anything. To be fair, I think there is one example of a report, but, frankly, if you tied me up in a chair and tortured me, I would not be able to write the successes of the Civic Forum on the back of a postage stamp.

There is, undoubtedly, a detachment between people and politics, not only in Northern Ireland, but across other parts of the world, but the Civic Forum is not the answer. Mention was made of Mr Dallat being here since 1998. I share in that. The Civic Forum went into suspended animation, or was abolished — whatever its fate — in 2002, but I have not received a single letter asking for it to be restored in the intervening 11 or 12 years. Is that the voice of the alienated and those who feel detached from society? Indeed, the packed Gallery that I am speaking to today shows the priority of the issue.

**Mr Campbell:** It is a burning issue.

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

**Mr Weir:** The reality is that this would be the creation of an unnecessary quango for the sake of it, when we already have much better mechanisms. If there is an argument that we are detached, it is the job of the Assembly to be out there gathering the evidence and information directly from groups, not further devolving something to some other side group that can meet in the shadows.

Mr McDevitt was very keen to highlight the level of support for the Belfast Agreement, never mind that that was 15 years ago. I suspect that it would be difficult to find, on either side, more than five people who actually voted for or against the Agreement because of the Civic Forum. Let us be honest: the Civic Forum was thrown in because one party, which is not represented in the Chamber, put it forward. It was put forward as, if you like, a sop to that party. The purpose behind the motion is not

engagement with the Civic Forum. It is the fact that, from the SDLP's point of view, everything in the Belfast Agreement must be holy writ and scripture, without one single word of deviation.

There are specific groups to deal with a range of specific issues. For example, victims have been mentioned. We have a distinguished former victims' commissioner in the House, who can indicate that, indeed, there is a victims' forum. Economics have been mentioned. There is an economic advisory group that deals with the Department of Enterprise, Trade and Investment. There is a range of organisations.

**Mr Speaker:** The Member must draw his remarks to a close.

**Mr Weir:** The fact is that the motion is simply an attempt to have slavish observance of the Belfast Agreement. It is time that people realised that it is not 1998; it is 2013.

**Mr Allister:** If I needed further reason to vote against the motion, I was supplied with it in the opening sentences from the proposer, Mr McDevitt. He reminded us that the Civic Forum, of course, is a child of the Belfast Agreement. Despite his following four or five minutes of misty-eyed reflection —

**Mr McDevitt:** It was 10 minutes.

**Mr Allister:** Despite his 10 minutes of misty-eyed reflection on the Belfast Agreement, I am afraid that, with each minute that passed, he confirmed my initial view that voting against the motion would be as right as it was to vote against — as I did — the Belfast Agreement.

**A Member:** Are you sure that you did?

**Mr Allister:** I am absolutely sure that I did. More than that: I am sure that I am still against it. Some people in the House today strain at the gnat of a Civic Forum but swallowed the camel of the Belfast Agreement. They are the people who, today, try to make a virtue out of opposing the Civic Forum because it is some tangential part of Belfast Agreement.

However, as for the Belfast Agreement itself, they are, today, its chief proponents, chief implementers and chief sustainers. All of its infrastructure, of course, remains, utterly unaltered. Its mandatory coalition, which denies people the right to change their Government; the lack of an Opposition; the terrorists in Government — all of those structures, the very things that, 15 years ago, we were told were anathema, had to be

rejected and would, for ever, be resisted — are the very things, the very camel, that they swallowed. [Interruption.]

**Mr Speaker:** Order.

**Mr Allister:** Yet, today, they strain at the gnat. If ever there were any doubt that they had swallowed the camel of the Belfast Agreement, we had it in the recent publication from the Assembly and Executive Review Committee, which is chaired by Mr Moutray — yes, the man who once said that he would sooner go back to his shop than agree to Sinn Féin's being in Government. What does the Committee that he chairs say now about the question of an Opposition?

**Mr Speaker:** Order. I know that the Member is in full flight. I can understand that. However, it is important that, as far as possible, we get back to the motion that is before the House.

**Mr Allister:** I will do my best. Indeed, I thought that, as I was dwelling on the genesis of the Civic Forum, I was very much on message. I do not think that one can divorce the Civic Forum from its parentage. Its parentage is the Belfast Agreement. I was simply gently reminding Mr Moutray that he has now moved to the point where he issues a paper which states in paragraph 3.20 that:

*"The Assembly and Executive Review Committee has agreed that any consideration of the recognition of an Opposition in the Northern Ireland Assembly must recognise the consociational framework and the principles of inclusivity and power-sharing that underpin the workings of the Assembly and the Executive."*

[Interruption.]

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

**Mr Allister:** What is that but speak for, "We must sustain the Belfast Agreement"? Any consideration of an Opposition must be in the context of underpinning the Belfast Agreement — that is what the paragraph says. That comes from the man who said that he would go back to his shop before he would agree to go into government with Sinn Féin. [Interruption.]

**Mr Speaker:** Order.

5.15 pm

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

**Mr Allister:** Yes.

**Mr Dallat:** Would the Member agree that the delivery we just had is a classic example of the kettle calling black-ass to the pot?

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

**Mr Allister:** I am grateful for the added minute at least. [Laughter.] The truth is that what the Belfast Agreement has delivered us, in all seriousness, is a most dire blot on the democratic landscape where the people cannot change their Government, vote a party out of Government or have an Opposition. We have had enough uselessness —

**Mr Speaker:** Order. I remind the Member that this is about the Civic Forum, and that is where I am trying to guide the Member. The motion is about the Civic Forum.

**Mr Allister:** Yes, Mr Speaker. We have had enough waste and uselessness out of the Belfast Agreement without adding to that with the Civic Forum.

**Mr Agnew:** Democracy has to be about more than simply turning up to vote every four years. I think that we have a democratic deficit, and the low voter turnout in the last Assembly elections should allow no party or Member to be arrogant, because, as was pointed out, even the DUP, as the largest party in the Chamber, is a minority party because it was elected by the small majority of those who chose to vote.

**Mr Ross:** I thank the Member for giving way. He makes a very good point about the problem of participation in elections and low voter turnout, but can he perhaps remind us of the turnout by Civic Forum members towards the end of its existence?

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

**Mr Agnew:** I thank the Member for the added minute and for his question. If you let me go through my speech, I will address the point. [Interruption.]

**Mr Speaker:** Order. Allow the Member to be heard.

**Mr Agnew:** So, we have to look at different ways. I heard the different views on the Civic

Forum, but I did not hear any alternatives about what we should do and how we should engage.

Mention was made of the fact that the Civic Forum's genesis was the Good Friday Agreement and that that was 15 years ago. However, the agreement was voted for by the majority, and much larger numbers came out to vote then than at the last Assembly election. We cannot simply ignore that.

Mention was also made of the St Andrews Agreement. Members across the House may prefer it, but we have to remember that the Good Friday Agreement was agreed before an election, whereas the St Andrews Agreement was agreed after an election with no commitment in advance and no prior knowledge among the electorate that it was coming down the line. So, I think that the Good Friday Agreement has legitimacy. For the Democratic Unionist Party or, for that matter, any democratic party to simply dismiss it is, I think, arrogant and anti-democratic in its stance.

**Mr Campbell:** I thank the Member for giving way. He and a number of other Members alluded to this business of the legitimacy of the Belfast Agreement, because of the democratic vote, and its contents, including the Civic Forum. Does he agree that about half the unionist community voted against the agreement, which contained the provision for the Civic Forum? Had there been a proposal that was voted against by half of nationalists, does anybody think that the British Government would have proceeded?

**Mr Agnew:** I accept that significant numbers of unionists voted against the agreement. What I do not accept is simply dividing Northern Ireland into two communities. The majority of people in Northern Ireland voted for it, and as far as I am concerned, I am here to represent the whole of Northern Ireland, not simply to divide up the community and say, "These are the people I represent".

Putting that aside, I repeat that we are 15 years on, and now is the time to go back and look at the agreement. Is it everything? People voted for it in 1998, and we are now in 2013. We can look at it again, but we have to engage people, and we do not do that simply by telling them to turn up to vote every four years and leave us to it.

I support the motion, and I support the Civic Forum, but I considered tabling an amendment because I think that there are other things to consider and there is, perhaps, a better way.

Let us look at what the Irish Government are doing with their Convention on the Constitution, a time-bound process by which they are reviewing their constitution — I feel that the Good Friday Agreement is akin to Northern Ireland's constitution. The Irish Government have engaged in a civic conversation between politicians and ordinary citizens, teasing out the issues and where change is needed. That is what we need to do with the Good Friday Agreement.

I am conscious that pointing to the Irish example may not appeal to some on the other side of the House. If you do not want to look at that, look at the example of British Columbia's Citizens' Assembly. So we have the examples from British Columbia and the Irish Government of better ways to engage society.

We need, 15 years on from the Good Friday Agreement, to look at what changes we need. We have heard much talk in the House about bringing in voluntary coalition, reducing the number of seats and making other major changes to the Good Friday Agreement, but remember that it was dubbed the "people's agreement". The DUP claimed to have changed the Good Friday Agreement at St Andrews. If they did, they did so without going back to the people to ask for their permission. If we are to change the Good Friday Agreement, we need to go back to the people and ask them whether they agree to our changing their agreement. It cannot simply be a political conversation, and, to date, it has been only a political conversation. We need proper engagement with the public. We need to bring them in, hear them and set up a formal process.

I support the Civic Forum. I believe that an important step would be to look at having a year-bound civic conversation, similar to the Irish Convention on the Constitution or British Columbia's Citizens' Assembly. That would allow us to bring people in and hear in a formal, structured way what they genuinely think about different issues. Even when we come to vote, we vote on whole manifestos, not individual issues. A civic conversation would allow us to look at individual issues. We need to look at that option because there is a democratic deficit: if the riots and protests in the streets were not enough to tell us that, low voter turnout should be.

We need to better engage people. We are not doing it. The Civic Forum is one way to do that — [Interruption.] — so instead of shouting across the Chamber, look at it and see whether it is a good way forward.

**Mr Eastwood:** I am very glad to be able to speak on the motion. As already pointed out, we are in a historic period — it is now 15 years since the signing of the Good Friday Agreement. Whether Members like it or not, we are all in the House because of that agreement. A number of institutions were created because of the Good Friday Agreement. This is one, the Executive another, and North/South institutions were also created as part of the Good Friday Agreement. One of the — [*Interruption.*]

**Mr Speaker:** Order.

**Mr Eastwood:** Mr Speaker, it is no wonder that people are afraid of a Civic Forum, to which people will come to voice their concerns, when some in the House will not even listen to other Members when they are speaking, but the very — [*Interruption.*]

**Mr Speaker:** Order. The Member is concluding on the motion. Allow the Member to continue.

**Mr Eastwood:** Thank you, Mr Speaker.

The fact is that one of the institutions not created or sustained as part of the Good Friday Agreement was the Civic Forum. The idea behind the Civic Forum was to allow all sections of our society an opportunity to come in and offer us all the advice, support and consultations that we needed so that we could provide the best possible government for the people of this part of the world.

When you look at where we are and all the issues that remain unresolved by this place — the past, fiscal powers, child poverty, a shared future — you see that we have failed and are still failing. Yet we are determined to keep going, ignoring the idea of bringing in people from civic society to try to help us to resolve some of those very difficult issues that we have failed to resolve. Some 23 months after the renewal of the Assembly's mandate, about 11 pieces of legislation have passed through the House.

Many of those were pieces of legislation that came from the British Government that we just rubber-stamped. So, nobody can tell me that we are doing everything that we can to get the best type of government, to involve as many people as we can, to deliver for all the people and to hear all the broad voices of our society. What have we got to fear from listening to the business community, the trade unions, the voluntary sector —

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

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**Mr Eastwood:** I am sorry, Mr Weir. I have a lot to get through, and you have already had an opportunity to speak. [*Interruption.*] If I have time, I will let you in later.

**Mr Weir:** You have 10 minutes.

**Mr Speaker:** Order.

**Mr Eastwood:** I know. A lot of you spoke, and I want to make sure that I have an opportunity to address all the things that you said.

Mr McDevitt spoke eloquently about the Good Friday Agreement. It has been 15 years since that agreement. No matter what anybody in the House thinks, that was a democratic agreement that was voted on by not only the people of Northern Ireland but the people of Ireland as a whole. That was the first time that that had happened since 1918. Members of the Democratic Unionist Party should finally and once and for all get that through their heads. That has never been changed. It was voted on by the people of this country, North and South. That is a fact. It is a democratic, sovereign agreement, and we are all duty-bound to do exactly what the people asked us to do. They asked us to implement that agreement and to create the most participative democracy, which, as Mr McDevitt said, the Good Friday Agreement envisaged. The Civic Forum was a key part of that.

Mr Moutray talked about the financial difficulties that we face. We do not ignore those one bit. However, when we talk about this, it would be a lot better if we were really honest about the cost of things. What was the cost of the Civic Forum? Half a million pounds? How much does the monarchy cost? Is it £200 million? How much did policing — [*Interruption.*] So, do you not want to listen?

**Mr Clarke:** No, I don't want to listen.

**Mr Eastwood:** You don't want to listen. How much — [*Interruption.*]

**Mr Speaker:** Order. Let us not have debate across the Chamber. Allow the Member to continue. The Member must be heard.

**Mr Wells:** Even if it is rubbish?

**Mr Eastwood:** That is the nature of democracy, Mr Wells. Even if I am talking rubbish, you still have to listen.

How much did it cost to police the recent flags dispute, which, whatever anybody in this place says, did nobody any good whatsoever? I think that it cost £18 million. The cost of policing parades is £100 million. Let us put this into context. That is the cost of dealing with all those difficulties. The previous cost of listening to civic society was half a million pounds. I do not think that that is too high a price to pay for trying to involve as many people as possible and to bring about the best possible government that we can.

Mr Moutray also talked about reviewing our effectiveness in here. I agree: we are not effective at all. I have already talked — [*Interruption.*] I am sorry, I cannot hear you.

**Mr Clarke:** Will you give way?

**Mr Eastwood:** I will give way once.

**Mr Clarke:** I thank the Member for giving way. You talked about the effectiveness of individuals. Maybe you could say something about your contribution to the Committees that you are on and your attendance rate at those Committees.

**Mr Eastwood:** Thank you very much, Mr Clarke. That issue has already been addressed, and I am not going to go into it again. [*Interruption.*] I have already addressed it. [*Interruption.*]

**Mr Speaker:** Order.

**Mr Eastwood:** Megan Fearon talked about the growing sense of apathy in our community. That is no wonder when you watch some of the debates and hear some of the contributions that some people in this place make. There are people who are not prepared to listen to different points of view. She is right when she says that children, young people and older people need to be more involved in the type of democracy that we have here. We need to tackle the fact that there are far too many people in here who are too old, of one particular — [*Interruption.*]

**Mr Speaker:** Order.

**Mr Wells:** Ageist.

**Mr Speaker:** Order. I have given a number of warnings — [*Interruption.*] Order. I have given a number of warnings to a number of Members about their actions. The Member is concluding on a debate. Members may not agree with his

contribution, but, as parliamentarians, they should listen. That is important. I warn Members that, should I rise again, I will take action. [*Interruption.*] Order. Allow the Member to continue.

**5.30 pm**

**Mr Eastwood:** Thank you, Mr Speaker. Someone said that age is a —

**Mr Spratt:** On a point of order. Is it right for a Member to cast aspersions on older people in the House? I class myself as one. It certainly would not be an equality issue in terms of other issues. [*Interruption.*]

**Mr Speaker:** Order. I have always warned Members to be careful and mindful about the terminology that they use in the House, and I am sure that the Member will want to clarify his position. [*Interruption.*] Order.

**Mr Eastwood:** Thank you, Mr Speaker. I am very aware of my responsibilities, and, had I been allowed to finish, people would have understood that age is not just a time of life but a state of mind. There are far too many people in here who live in the past and are far too old in terms of their attitude. We also have a real difficulty — [*Interruption.*]

**Mr Speaker:** Order.

**Mr Eastwood:** Ms Fearon talked about not engaging properly with young people and not understanding their needs. The Civic Forum would be one way to do that. I was disappointed to hear Mr Nesbitt talk about the need to support the spirit of the agreement; of course, but his party actually signed the Good Friday Agreement. You do not only support the spirit; you support the detail of an agreement that you sign — an agreement that you sign with the people of Northern Ireland.

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

**Mr Eastwood:** I am sorry, Mr Nesbitt, but I have very little time left. [*Interruption.*]

**Mr Speaker:** Order. Let us not have a debate across the Chamber. It is quite obvious that the Member has no intention of giving way. [*Interruption.*] Order. Let us move on. The Member has the Floor, and he will decide whether he wants to give way. Allow the Member to continue.

**Mr Eastwood:** Thank you, Mr Speaker.

It is unfortunate that the Ulster Unionist Party has again moved away from not only the spirit but the detail of the Good Friday Agreement. I believe —

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

**Mr Eastwood:** No, I will not give way. I believe that it is in the spirit of the Good Friday Agreement to engage with civic society and to involve it in a participative democracy, which the Civic Forum would do.

Mr Lyttle obviously agreed with what we said about the need for collaboration with civic society, and he talked about reinforcing the Good Friday Agreement.

Mr Ross talked, again, about the pressures on the public finances, which I have addressed. He also quoted the late Margaret Thatcher on socialism. I hope that he also supports the good work that Margaret Thatcher did in signing the Anglo-Irish Agreement, which was the precursor — [*Interruption.*]

**Mr Speaker:** Order.

**Mr Eastwood:** — for Irish governmental involvement in Northern Irish affairs. It was the precursor to the Good Friday Agreement, of which the Civic Forum was a very important part. He also talked about the values and the good parts of the Unionist Forum and the fact that it cost nothing to the public purse. I hope, then, that Mr Ross can reassure us that it is not costing and never will cost the public purse any money and that there no special advisers involved in supporting the Unionist Forum. I will give him the opportunity to correct that and reassure the House that no public cost will be attached to that organisation.

Ms McGahan talked, again, about the need for active participation of parts of civic society in this part of the world, and I have already talked about that. I am trying to speed through here, because I have little time left.

**A Member:** Good.

**Mr Eastwood:** You are glad to hear that.

Mr Dallat talked about the greatest weapon of any democracy being the widest involvement of civic society. I do not think that anyone could have said it better. From listening to representatives across the House, it is clear though, as I have said, that not only do they have no intention of listening to me or to anyone on this side of the House, but they are

not giving anybody out there any confidence that they have any intention of listening to civic society. That is a sad thing.

Mr Cree talked about the fact that we —

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

**Mr Eastwood:** I will try to quote him accurately. He said that we do not want another quasi-parliamentary —

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

**Mr Eastwood:** — unelected — [*Interruption.*]

**Mr Speaker:** Order.

**Mr Eastwood:** I will try to quote him correctly, Mr Speaker. Mr Cree said that we do not want another —

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

**Mr Eastwood:** — quasi-parliamentary, unelected chamber. I hope, then, that, if the call comes, Mr Cree will turn down any opportunity to sit in the House of Lords. [*Laughter.*] Thank you very much, Mr Speaker.

**Mr Speaker:** Order. The Question is that the motion standing in the Order Paper be agreed. All those in favour say "Aye"; contrary, if any, "No".

**Some Members:** No.

**Mr Speaker:** Clear the Lobbies. The Question will be put in three minutes.

**Mr Weir:** On a point of order, Mr Speaker. When the Question was put, there were no cries of "Aye". [*Interruption.*] There is no need to divide.

**Mr Speaker:** Order. Allow me to put the Question again. [*Interruption.*] Order. I hope that Members are not challenging the authority of the Chair. [*Interruption.*] Order.

*Question put.*

*The Assembly divided:*

*Ayes 48; Noes 47.*

## AYES

*Mr Agnew, Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mrs Cochrane, Mr Dallat, Mr Durkan, Mr Eastwood, Dr Farry, Ms Fearon, Mr Flanagan, Mr Ford, Mr Hazzard, Mr G Kelly, Mr Lunn, Mr Lynch, Mr Lyttle, Mr McAleer, Mr McCallister, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Mr B McCrea, Mr McDevitt, Dr McDonnell, Mr McElduff, Ms McGahan, Mr McGlone, Mr M McGuinness, Mr McKay, Mrs McKevitt, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Milne, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Ms S Ramsey, Ms Ruane, Mr Sheehan.*

*Tellers for the Ayes: Mr McGlone and Mrs McKevitt.*

## NOES

*Mr Allister, Mr Anderson, Mr Beggs, Mr Bell, Ms P Bradley, Ms Brown, Mr Buchanan, Mr Campbell, Mr Clarke, Mr Copeland, Mr Craig, Mr Cree, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Mrs Foster, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr Kennedy, Mr Kinahan, Mr McCausland, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wells.*

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

*Question accordingly agreed to.*

*Resolved:*

*That this Assembly calls on the First Minister and deputy First Minister to reconvene the Civic Forum to fulfil the commitments of the Belfast Agreement to participative democracy and to facilitate an all-inclusive consultative forum to help address the social, economic and cultural issues facing this region.*

**Mr McDevitt:** On a point of order, Mr Speaker. The motion that the House just divided on called on the First Minister and deputy First Minister to take a specific course of action. Neither the First Minister nor the deputy First Minister or the two junior Ministers was present to respond to the debate. However, all of them participated in the vote on the motion. Can you give some indication to the House of whether

that is in order? If it is not in order, what action can you take?

**Mr Speaker:** I believe that, as the Member stood in his place to raise the point of order, he would have known the answer to that. Yes, it is in order.

*Motion made:*

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

## Adjournment

### River Lagan: Pollution

**Mr Speaker:** The proposer of the topic will have 15 minutes. The Minister will have 10 minutes to respond. All other Members who wish to speak will have approximately eight minutes.

**Mr Lunn:** For the benefit of Members who may not know about it, I want to talk about a particular pollution incident that occurred in the Lisburn area on 4 March. I will then develop the theme of pollution generally in the Lagan and its tributaries.

On 4 March this year, the Ravarnet river, which, for Members who do not know, rises just outside Ravarnet village close to Lisburn and flows into the Lagan somewhere near Sprucefield, suffered very heavy contamination from a slurry tank on a farm. The tank suffered a mechanical malfunction according to the Department, which either means it burst or was faulty in some way. Perhaps the outlet valve gave way. The effect of that was to release something in the order of 30,000 gallons of slurry into a small river, which resulted in the absolute destruction of the fish life in that river from the point of the discharge right down into the Lagan and beyond, which, I am told, is a distance of some four miles.

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

There is no suggestion that that was in any way deliberate or foreseen. It was an accident. The farmer responsible has apologised and is very upset. He reported the incident very quickly after it had happened, but the fact is that the river has been wiped out, not for the first time and probably not for the last time. I am talking about this as a particular constituency issue, but I could be talking about any area of Northern Ireland, because this happens all the time. There are not many Members present, but I am sure that the ones who are could relate to similar stories in their own constituencies.

I love the word "accident" from my insurance days, because very seldom is there a genuine accident. This incident was caused by poor maintenance of the tank, poor maintenance of the outlet valve or poor usage of the valve — maybe it suffered damage. However, how is it

that a slurry tank containing that volume of potentially lethal liquid could be positioned so close to a river that, if it burst or discharged accidentally, there would be nowhere else for the slurry to go except into the watercourse? That indicates that it is a planning issue. I do not know offhand whether you need planning permission to site a slurry tank on a farm. Maybe the Minister can tell us in due course, but there should be some means by which you could guard against that sort of loss of slurry, perhaps by having a pit but preferably by siting the slurry tank far enough away from the river or any watercourse so that it could not do that amount of damage.

The Ravarnet river is a spawning ground for natural brown trout and salmon. It receives a good run of salmon, which, I remind the House, did not come up the Lagan for 150 years: salmon was not recorded in the Lagan from about 1860 until 10 or 15 years ago. Now, there is a run of salmon there, despite what man manages to do to the river. One of the main spawning areas has been completely wiped out.

I am also told that there is no point in trying to restock the river, which would be the natural thing to do, because it is actually not the natural thing to do. The trout that you would restock the river with would not be natural to that particular area, and it is possible that it would interfere with the gene pool and natural characteristics of the trout in the river. As it stands, you are probably looking at 10 years of a wipe out. I know some local conservationists, anglers and environmentalists who have put a lot of time and trouble into that river, as their counterparts do across Northern Ireland, and their work has been wasted.

According to the Northern Ireland Environment Agency (NIEA), there was a fish kill of about 1,000. However, there is no way that it can tell how many fish have been killed. This happened at a time when spawning had started. The agency and the Department of Culture, Arts and Leisure (DCAL) could not count the fish properly. The water was so discoloured when they went to do a count, they could not see through it. There was no way that they could count the small fry in the river anyway. This was actually a mammoth kill and a real setback to the efforts of a lot of people trying, down the years, to reinvigorate the Lagan and its tributaries.

The Ravarnet river itself recently supported a family of otters. To have otters on a river in Northern Ireland is a very good sign. They might eat some of the fish, but at least it means

that they know there are enough fish there to eat. It is a good, healthy sign. There were kingfishers and wading birds; dippers; you name it. A whole ecosystem was just destroyed; wiped out. It was a very sad day for the Ravernet river.

However, it does give me the opportunity to maybe move on to one or two other aspects of pollution that certainly apply to the Lagan, and to other rivers, I am sure, as well.

The first one is industrial pollution. I will perhaps mention at this point that the number one polluter in Northern Ireland is actually the Government; it is Northern Ireland Water. It has, it seems to some people, almost carte blanche to discharge into watercourses with impunity, if not immunity these days. Northern Ireland Water does not have Crown immunity. What it does have is a very lenient approach by the courts when it does it and somebody tries to prosecute, particularly if the discharge is from an old sewage works rather than one of the more modern ones. We have two of those in the Lagan Valley area, which get away with that all the time. Basically, all it has to do, on 10 days in the year, is demonstrate that the discharges into the river are clean. That is it. The rest of the time, it can effectively do what it likes. I am not being in any way flippant about that. That is exactly the way that it is.

We have a system in this country of discharge consents, where any industrialist, factory or production unit close to a river can apply for permission to discharge its waste products into that river. That obviously depends on what the discharges are and on the strength and toxicity of the waste. Basically, however, not even the most avid angler would say that you would have to ban all discharges. Some discharges would be relatively harmless in the right conditions, but the right conditions are the thing.

If one company wants to discharge, and its waste is relatively harmless, and it discharges at a time when there is a good flow of water, not low water but high water, the river would be able to take it. However, if a factory discharges when the river is low, and the stuff cannot get away, it could build up a concentration and suddenly you are killing fish and other wildlife, because other wildlife eat the fish. If you had, let us say, six factories in the course of a mile of that river all discharging, and they all discharge at the same time, you would have a major problem. That is what is happening.

Discharge consents have been given out over the years; some of them are pretty historic these days and have been there for a long time.

I do not believe that they are challenged, reviewed or renewed. There is some sort of obligation — I will say this carefully, because I am not an expert in the field — to take water samples or allow water samples to be taken periodically. As long as those water samples are clean at the time that they are taken, the factory will continue to be allowed to discharge.

Some places are allowed to take their own water samples. They would actually get a call from the appropriate authority to say, "We are coming to see you next week. Would you take a water sample and have it ready for us?" Words fail me. If you wanted to bypass that sort of inspection regime, it would be so easy to do so if you were unscrupulous. Any fool could do it, and I believe that some of them are doing it.

## 6.00 pm

The next point concerns the judiciary's attitude when something is proven. Mr Givan is looking at me in a peculiar way, but he knows where I am going. I am told that the maximum fine for that sort of pollution offence is £20,000. The biggest example in recent history in the Lagan area that I can find involved a fine of £7,500, and the average is maybe £200. That fine could be for a farmer who is spreading slurry at the wrong time of the year, spreading it when it is pouring with rain, which he is not supposed to do, or spreading it after the end of the period when it is supposed to be spread. The Department has given a derogation to specific farmers saying that, because the weather was so wet at the end of the season, they can take another few days and spread the slurry then when it is still wet.

The judiciary really needs to catch itself on. The fine of £7,500 was a drop in the ocean — I nearly said a drop in the river. It was a drop in the bucket compared with the actual damage that was done. Most of the fines that are imposed are not any kind of deterrent and will not stop even an individual farmer.

Let me make it absolutely clear: I do not want to get at farmers. I am absolutely certain that the vast majority of them are responsible. Farmers should be environmentalists, and I have no reason to think that most of them are anything other than that. However, if they want to get away with polluting but are caught on, they should be made an example of and the punishment should fit the crime.

There seems to be another major problem in that it is not clear who has the right to claim against a farmer for causing such pollution. Which Department is it? Is it Rivers Agency,

the Environment Agency, DCAL, the Department of Agriculture and Rural Development (DARD) or the Department of the Environment (DOE)? Enormous damage is done, but very seldom is there successful recovery in respect of that damage and the cost of restocking.

I mentioned Northern Ireland Water, and along the Lagan itself, the big issue of the Maze site is coming over the horizon. At its closest point, that site runs within a couple of fields of the Lagan, and the Blaris industrial estate is also very close. There is a history of this kind of situation with those places. The Maze is now going ahead apace. I will put a marker down and say that I hope that the sub-ground infrastructure and the way of dealing with waste and so on will keep pace with the need for speedy development on that site. Another potential problem is anaerobic digestion units, which, for some reason, seem to be continually sited close to watercourses. There is a big one planned for Lisburn. At the moment, it is in the planning process, so I will not comment on that case. However, those things have a waste product. The idea is that the material is treated in a way that means that it can be spread on land again, which is good, but there is waste, and there could be a run-off. That needs to be dealt with, and I hope that any request for a discharge consent for such a unit is very carefully scrutinised, particularly in the context of where it is sited.

It has been suggested many times that we should have an independent environment agency in this country. It needs to be independent and to be expanded. Frankly, all discharge consents need to be reviewed, recalled and looked at again to see whether they are still relevant and are not dangerous. Their history also needs to be looked at. There needs to be much closer scrutiny of what industrialists and factories are doing, and the Planning Service needs to pay much greater attention to what is going on.

I will finish with this point, but if there is a pollution incident such as that on the Ravarnet river, the only water samples that are valid are those that the Northern Ireland Environment Agency takes. There are 253 court-appointed independent and private bailiffs in this country who are perfectly capable of taking those water samples. They would get there much earlier than the agency can. By the time that the agency gets there, the damage is done. A lot of the run-off has happened, and the water is not half as toxic as it was at the time of the incident.

**Mr Deputy Speaker:** Draw your remarks to a close, please.

**Mr Lunn:** I could go on all day, Mr Deputy Speaker. This is supposed to be a green and clean island, and we sell ourselves on that basis. We are falling short.

**Mr Givan:** I was not quite sure what type of debate we were going to have when I read the Adjournment topic, and, as its proposer went on, I was somewhat taken aback by all of the issues that were raised. I do not intend to comment on the individual case that he referred to that resulted in slurry going into the Ravarnet river. I am not aware of the detail around it, so it would be inappropriate for me to comment on it.

I will make a general comment about the farming community. Mr Lunn went on later on in his speech to make the point that farmers are responsible people. They are very much the custodians of the countryside, and they are subject to some of the most rigorous checks, bureaucracy, testing and regulation anywhere in the world. Indeed, some would say that is often unnecessarily so. So I caution about an attempt to try to make a case for increased burdens being put on our farming community.

To me, the EU nitrates directive and the closed period is a nonsense, because there are many periods during the winter when it does not rain for weeks upon end. The season opens during the summer, and you could go for months where it is in a much worse condition for slurry to be being discharged onto the fields, yet that is the type of system that we operate.

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

**Mr Givan:** I am happy to do so.

**Mr Lunn:** I agree completely with Mr Givan. Perhaps I should have mentioned that point. These days, most of our rain seems to come down in the summertime.

**Mr Givan:** There is a need to look at the type of effective regulation that needs to be placed upon our farming community. Having made that point, I do not want to go on around this, because I know that it is not particularly about the farming community.

The River Lagan runs through the Lagan valley, and it is valued by people in the Lagan Valley constituency. It runs across other constituencies, and some Members are here from those constituencies and obviously want to

comment. It is important that we do what we can to protect the River Lagan. Many people walk along the Lagan towpath and enjoy the benefit of it. Industry is located alongside it, which is not a new phenomenon but has been there for decades, and, where that is the case, you have to work with industry.

I find, in speaking with commercial organisations, that they have no intention to cause pollution or damage to the waterways that they are located beside. Many of them go beyond the basic regulation that is placed upon them. Where there are small numbers that do not share that same kind of responsibility, of course they need to be taken to task.

I do not think that the Environment Agency requires to be formulated as an independent body to do so. The conversations that I have had with industry and the farming community tell me that the Environment Agency is incredibly robust and rigorous in carrying out its duties. Perhaps there is a different debate about the truly independent nature of what an environmental protection agency (EPA) would look like and what the governance of it would be, but I do not think that an independent environment agency is necessary for it to do its job. Indeed, the evidence that I have tells me that the Environment Agency carries out its work very effectively.

Recently, it was discussed how the water levels were low. The River Lagan had dropped quite considerably, and that revealed the amount of debris, including plastic bags, in the watercourse. Once the water dropped, you were able to establish the amount of pollution that exists. That is people as individuals who need to take responsibility for their own actions. Of course, we can ask agencies, councils and others to put teams in to try to clean it up, and it is important that that is carried out. However, we, as a society and as people, need to take responsibility for the way in which we conduct ourselves, whether as individuals or as commercial organisations. That will go a long way to ensuring that the River Lagan and all our waterways are protected and given the proper value and respect that all the people want them to have.

**Mr Maskey:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Member for having this matter debated in the Assembly this afternoon and, like the Member who spoke previously, I am not aware of the details of the recent incidents of pollution, so I am not in a position to address them specifically. I just want to make some general points.

The River Lagan — and the other rivers and waterways and their tributaries — are important natural assets for all of us. As the last Member to speak said, the guardians of those are each and every one of us, as citizens. We may treat them properly, or abuse them by throwing rubbish into them or near them. Our rivers and waterways are increasingly bounded by the farming community, industry and, indeed, by government itself. Therefore, they are all custodians, users and protectors. It is important to say that although we do not want to place additional burdens on any of those sectors, by the same token, we have responsibilities to protect the natural environment with which, in many ways, we are blessed.

The mover of the debate made the point that this is one of the strong advertising brand points that we have internationally: that we are a green island. It is important that we not only protect what we have but enhance it. We know that those waterways are an important resource and natural habitat. They are also a part of our industry and leisure, for example, in commercial and leisure fishing. There is also a potentially growing tourist product.

I represent South Belfast, which is blessed by having the Lagan running right through the heart of it. Recently, we have been involved in discussions with government agencies and local community organisations to try to make sure that local communities can also become stakeholders in and around the Lagan.

Most people of a certain generation growing up in the city of Belfast were taught to fear the water and to keep away from it; whereas, now, if you have the River Lagan running through your district, as on the lower Ormeau Road, it is an asset that you cannot get your hands on quickly enough. We have been working to try to put people back onto the Lagan for leisure and so on. It is an important natural asset for us, and it requires the necessary protection.

Therefore, I echo what was said by the mover of the debate. We need to ensure that we prevent incidents of pollution in future to the best of our ability and maintain a rigorous regime to do so. We must hold to account those who, either by default or wilfully, damage or pollute our waterways. It is important we have a regime that will root that out and prevent it.

I thank the Member for bringing this matter to the attention of the Assembly, and I echo his comments that we need to protect this element of our natural resources. If we need to enhance

the protection regime, let us do so. I am keen to know how we will continue to review and monitor that in the time ahead.

Let us ensure that all of us have a part to play. I will reaffirm that point: we all have a part to play in protecting that very important natural asset.

**Mr Copeland:** Many years ago, when I was a fairly small boy of eight or nine, my grandmother would take me to Belfast and we were brought home on a trolleybus. I do not know whether anyone here remembers the trolleybus, a sort of charabanc with a platform at the back. I found myself gripping the pole on the plastic coated floor with my grandmother holding onto the hood of my duffle coat in case I fell off. As we approached the turn to come over from Belfast back into east Belfast — or Ballymacarrett, as it is more properly known — looking down over the River Lagan, in the days before the weir, I could see the silt. There were no shopping trolleys, but there were all sorts of detritus. In the middle of it was the decaying corpse of a cow, which had unfortunately fallen from the slings while it was being loaded for export the previous evening.

I remember the Lagan when it was in that condition.

### 6.15 pm

Incidentally, it brought to mind another instance when I had asked my grandmother where the street names came from in the locality where she lived, which was the Beersbridge Road. She told me that Lord Templemore had developed the entire area and that he had named all the poorer-quality housing around Edith Street, Constance Street and Lord Street after his daughters, and, perhaps in a comment about himself, he had named the better-quality housing on the Castlereagh Road after his racehorses — Cicero, Pommern and Trigo — which gives an indication of the way the man thought. However, it brings to mind the way things used to be and the way they are now, and they are certainly slightly different.

There is an old saying that there is nothing new under the sun. On occasioning some research to be done on the issue, I came across an 18th-century notice of contamination, when the 'Belfast News Letter' reported in 1761:

*"As the river has been lately cleaned, it is requested that those who live opposite thereto, may as far as in their power prevent anything being thrown into it."*

That was hundreds of years ago. I think of a trip that Reg Empey and I made not that long ago to look at the Connswater — another of Belfast's rivers — and the tide was out. I believe that I can say with some honesty that there were more shopping trolleys in it than I have seen in Sainsbury's car park, and there appeared to be a complete Morris Minor in the middle of the river. Perhaps the notion that people should prevent others from throwing things into rivers has not quite got through.

It is true to say, however, that the capital city — Belfast — is a city of rivers. There are many of them, and most are now underground. It is for that reason, as the proposer of the debate intimated, that it is vital that the maintenance of our rivers is consistently above what would be deemed an acceptable level. Of course, there are some rivers with a less-than-healthy reputation, and those have been consistently undermaintained and are therefore well below an acceptable level. As I said, an example of that is the Connswater. Certain people hold the view that if you fall into the Connswater, it is not worth fishing you out, because if you have swallowed any of the water at all, you are pretty much finished.

The River Lagan, however, is separate from the Connswater: there are no direct connections between the two apart from the mudflats that they both leach out to. The Lagan can, on occasion, be laden with foreign objects and pollution, which severely restricts any potential use or any expanded use of the river, and the Connswater is detrimental to the development of east Belfast and the economic benefits that undoubtedly come from the development of rivers. I have been on the banks of the Seine and along the Rhine, and they have managed to maintain themselves as commercial arteries and at the same time allowed exploitation for tourism and new industries.

It is fair to say that, over recent years, and in conjunction with the promotion of brand Northern Ireland, the River Lagan has been a useful tourist hub for new economic activity in the businesses and enterprises that are being established along its banks and, indeed, the water itself. It is fundamental to the tourist industry along the course of the river that the river be clean and subject to minimal pollution. That will ensure continued economic growth, which will ensure that the river continues to grow.

The Lagan does not belong solely to the city of Belfast, although it provides a very convenient line between County Down and County Antrim that the Post Office appears to be incapable of

recognising, because I continually get communications addressed to my office asserting that it is in County Antrim when it is in County Down. The truth is that we are guardians of the environment and its resources for a very short time. Management must be carried out in a way that is effective and does not prevent the exploitation of the asset. However, the repercussions for pollution must be robust and enforced. Although my own Minister is responsible for Northern Ireland Water to a degree, albeit it at arm's length, it can be found guilty of depositing poisonous and noxious substances into the River Lagan, as it was declared guilty in 2011. So the Executive need to be firm and clear not only on the impacts of pollution, but the penalties that can be expected should people be found guilty.

The plans for the River Lagan, particularly those that I am aware of through Castlereagh Borough Council, are exciting. There are locks, and there is a history of economic development. It is a resource that is too precious for us to waste.

The one thing that I will leave you with is that the Beersbridge Road is actually called after the De Beers family, who, according to my grandfather, filled their substantial coffers with additional revenue from the rights to fish salmon in the River Lagan as far as Stranmillis. Some time ago, a salmon, which was presumably lost, was found heading up the River Lagan. That was some years ago, so there is not likely to be any more.

The situation is improving, but it needs a good deal more policing and a good deal more activity to make the banks safe to use, to make the environment pleasant and to make sure that, as far as possible, we protect this asset that is in our charge on behalf of our children.

**Mr B McCrea:** The proposer of the motion obviously has the advantage over all of us, and I congratulate him on bringing the topic to the Chamber for discussion.

He raised three or four main points, the first being how you take the appropriate water samples to make sure that they are independent and correct. There was some discussion about whether we need to have an independent environmental agency or just some independence in the recording of the information. I would be interested to hear how the Minister would assure the independence of the samples when they are taken. I will not labour the point, but it may be possible to do such monitoring remotely. Do we have to rely on bailiffs or other people? Surely we can take

water samples electronically on a regular basis. I do not know what costs would be involved, but if the asset is worth protecting, it is worth investing in.

The second point that he raised, which I think is germane, is that when the judiciary look at this, it is on the basis of legislation, but the fines that are brought forward seem rather modest compared to the value that we are putting on this resource. Once again, that is an issue that we might be able to have a look at through legislation or through ministerial order. There is no doubt that if the value of the fine is fairly modest, it is not much of a deterrent.

The next thing that was raised was the question of how you deal with industry when it is located alongside the river. I suppose that you could include farming as an agri-industry. My own experience was fairly modest, and I will not mention names to protect those whose actions I am about to describe, but they are no longer in business. They had two sampling stations for their business, one of which was known to the inspectorate and one of which was not. I can assure you that the one that the inspectorate looked at was always perfect. It is not that I condone such actions, but when times are hard and there are stresses on people's businesses, they will probably think that they have other priorities. On that basis, maybe it is appropriate that we look to see how best we can deal with the issue.

The final thing that came to mind is the issue about 1,000 fish being killed. I do not know whether that is a big thing or a small thing or how quickly the fish stocks recover. Mr Copeland talked about the long-lost salmon that went up the river. I suspect, though I may not have got this right and Mr Lunn may wish to clarify, that if there was no salmon for some time, at some stage, we must have cleaned up the river and stocked it with spawn, and that has perhaps created —

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

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

**Mr Lunn:** I thank the Member. As far as the figure of 1,000 is concerned, I will say that 1,000 fish killed in a four-mile stretch is not that serious, but that the true figure is well in excess of that. The only way that that river can be restocked effectively is to allow the fish that were upstream of the discharge to repopulate the river gradually and for salmon to find the river clean enough that they will once again

move up that river to spawn, but that will take a long time.

**Mr B McCrea:** I thank the Member for his clarification, which was extremely useful. As other Members said, he has brought to the attention of the House matters that were not known to me and bear investigation. We have to try to find a balance between the needs of industry, farming, our environment and our future generations. How we go about that is a matter of interest to all the people in Northern Ireland, and I look forward to hearing what the Minister has to say.

**Mr Attwood (The Minister of the Environment):** I welcome the debate, especially as it about how to protect our heritage, in this case our natural heritage, given that that is a big part of the character of our lives and the appeal of this place, especially for tourism.

I agree with Mr Copeland. I am of an age that I remember the smell of and the sludge in the Lagan. It is remarkably different now compared with what it was when I was going to St Malachy's. I never saw a dead cow, but I saw all the rest of what Mr Copeland referred to. So, we have to recognise that because of the good actions of government and its agencies, and because of the requirements of Europe, especially when it comes to water directives and environmental requirements generally, we have a river that we can be more proud of than we might have been 20, 30 and 40 years ago.

When I hear people murmur about the long reach of European institutions into our domestic law and policy, I look to the River Lagan, and say, "Well done, Europe, in making us more vigilant when it comes to our natural assets."

The debate is timely for a number of reasons, not least because Belfast for years turned its back on the River Lagan. Now, more and more, we are turning towards the River Lagan. All the waterside development littering the banks of the river, and more to come over the next 20 and 30 years, not least with the Titanic Quarter, reminds us to be more alert when it comes to the river and the management of its waters, as well as the management of rivers generally.

The debate is also timely because a number of matters were touched upon, especially by Mr Lunn, that deserve further interrogation here in my reply and subsequently from the Department. So, what were the most material issues that came out of the debate that I need to take forward? First of all, I do not intend to

comment in great detail about the pollution incident on 4 March that initiated this debate, except to say that, in Environment Agency terms, a fish kill of 100 makes it a major incident. That, clearly, was more than 100 and was, therefore, an incident of some significance.

Although I do not want to talk in detail because a process is ongoing in respect of that matter, it is noteworthy to say that the farmer concerned reported the incident to the agency very promptly and agency staff were at the scene within 30 minutes. That is the pattern for the Environment Agency when it comes to incidents of fish kill: its staff respond and get on site very quickly.

It is appropriate that Mr Lunn asked whether we should refer to some of these matters as accidents just as we should not refer to car accidents in that way. They are car crashes and collisions, 95% of which come down to human error.

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

**Mr Attwood:** Yes.

**Mr Lunn:** On the question of the Environment Agency's response to these matters, I can only say, Minister, that what you are being told and what I am being told by local people, conservationists and people with a direct interest is entirely different. There have been cases in which they did not appear at all. It is not uncommon for them to appear the next day.

**6.30 pm**

**Mr Attwood:** I would welcome hearing details of that, because I can only assure you that when an incident arises and when a fish kill, in particular, is reported, I get an e-mail within a very short space of time from the Environment Agency and people on site advising me of what has transpired. If there are cases in which the responses have not been of that character, I would like to hear of them. My experience of being contacted very quickly with updates about what has happened when incidents arise is not consistent with the narrative and evidence that Mr Lunn refers to.

I agree with one of the Members in respect of our farmers. It is the case that our farmers are very substantially responsible when it comes to the management of their assets, and of slurry in particular. It is not the case that they have carte blanche to spread slurry when they wish, as might have been indicated by some. A wise

draftsman in a previous government in this place put into law the defence of reasonable excuse, when it comes to farmers spreading slurry outside the closed season. It was a very wise person who did that, because given the scale of extreme weather instances that we now have, the level of water that might be lying on land and the volume of water in watercourses, there are going to be times and places — properly monitored and properly managed — where the reasonable excuse defence will have to be deployed.

However, I would be cautious about opening up issues around the closed season, because the closed season in many other European jurisdictions is much bigger than the one that we have, and there could be people in the European Union who would be minded to reduce the size of our closed season in order to make it more consistent with the evidence in Europe.

The claim was made that NI Water has carte blanche when it comes to what it does or does not do. It is the case, even in respect of the Lagan, that the largest number of pollution incidents are caused by NI Water (NIW). Some 28.4% of pollution in the River Lagan basin catchment is caused by NI Water, 15% is caused by agriculture, 17% is caused by domestic effects, and so on and so forth.

The Department is very robust when it comes to what NIW does. Indeed, I have to acknowledge that, because of money coming from the Executive through the Department of Regional Development (DRD) to NI Water, there have been substantial investments in water infrastructure. That needs to continue. Otherwise, we are going to have further threats to our water, rivers and watercourses over the years to come, not least because a more robust water directive is to be issued by the European Union in 2016. It will have consequences in respect of the status of our water and the water quality in the North.

Standards are going to become more demanding, not less. Our beach water quality, for example, is going to be under more assessment and at risk of bad status. Consequently, the Executive need to continue rolling out significant funds, just as they rightly did to NI Water, over recent times, for infrastructure. Otherwise, we will be on the wrong side of future water directives, there will be potential infraction and, most of all, our water quality will not be of the character necessary to give confidence to our own people and to better advertise Northern Ireland as being clean and green.

Comments were made in respect of the judiciary. I will be cautious, because we have to be very careful not to cross the line between the Executive legislature and the independence of the judiciary, but I want to reassure Members. In and around two years ago, we forwarded to the Judicial Studies Board, which is, if you like, the training organisation for the Northern Ireland judiciary, evidence of all the cases relating to environmental crime that had been taken through our courts over a number of years. Every single case was brought to the attention of the Judicial Studies Board. The reason why every case in the schedule was brought to the attention of the board was to inform the judiciary about what was happening in our courts, in real time, when it came to real prosecutions. There seemed to be diversity in the treatment of offenders.

I believe that the worst offenders should get the worst penalties and there should be better, light regulation of the least serious offenders. I want to see consistency in penalties when offenders are brought before the courts. Some people, as it has been indicated in the debate, would claim that that has not been the case.

That having been said, the Lord Chief Justice, in his opening address at the commencement of term in September 2011, made particular reference to the need for our courts to ensure that when it comes to environmental crime, there is proper and proportionate enforcement of penalties. I would like to see that.

**Mr Deputy Speaker:** The Minister must draw his remarks to a close.

**Mr Attwood:** I will conclude here. There are a lot of other matters that I have been unable to touch upon. Suffice it to say that, over the past 18 months, we have conducted a series of beach summits. They will now be remodelled to become good beach and good river summits. It is through that model and other mechanisms that all of the unaddressed matters that Mr Lunn has, properly, raised to me will be dealt with in an ongoing, forensic way, so that the right issues that have been raised by Members of the House will be dealt with in the right way by the Department.

*Adjourned at 6.36 pm.*







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